

# **Staffing and Managing Designated Positions**

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## **A Practical Guide for Managers**

**Office of Francophone Affairs**

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## 1. INTRODUCTION

Under the *French Language Services Act (FLSA)*, French-speaking Ontarians have the right to receive provincial government services in French from central and head offices as well as offices located in or serving designated areas.

The Minister Responsible for Francophone Affairs is responsible for the administration of the *FLSA*, while deputy ministers are accountable for its implementation and the quality of French-language services in their respective ministries.

Managers of program areas with obligations under the *FLSA* must ensure that their program areas have a sufficient number of designated positions filled with bilingual staff to ensure that French-speaking Ontarians have access to services of equal quality to those offered in English.

*Staffing and Managing Designated Positions, A Practical Guide for Managers* was developed by the Office of Francophone Affairs (OFA). It is the central agency responsible for the development of French-language services guidelines and policies. The *Practical Guide* sets out the steps to manage the main aspects of staffing designated positions effectively. It also includes useful tips, links to key web sites, references to other relevant resources as well as Qs and As. **Please note that where there are variations between this guide and the collective agreement, the relevant collective agreement provisions prevail.**

The *Practical Guide* complements:

- the OFA's *French-language Services Guideline # 4* entitled *Managing Positions Designated to Provide Services in French*;
- the *Staffing Operating Policy*, Management Board Secretariat (MBS); (\*)
- *A Manager's Guide to Staffing in the OPS* (MBS),
- *French Language Training and Evaluation Guideline*, ( MBS).

For more information on French-language services, contact your ministry's French-language-services Coordinator or visit the OFA's Intranet and Internet sites (\*) The OFA would like to thank all those who offered their knowledge, skills, experience and time to the development of this *Practical Guide*.

## 2. HOW TO DECIDE WHICH POSITIONS SHOULD BE DESIGNATED

In consultation with the ministry's French-language services coordinator and the local human resources consultant, managers should ensure that positions are designated to cover all tasks related to the planning and delivery of public services in French at central offices and offices located in or serving designated areas. For instance,

- administrative (e.g., receptionists, administrative assistants);
- communications (e.g., communications advisers, media relations officers);
- human resources (e.g., human resources consultants);
- inspection, investigation and enforcement (e.g., police officers, conservation officers);
- operational (e.g., radio dispatchers);
- policy and program development, stakeholder relations and public consultations (e.g., policy analysts, program consultants);
- technical (e.g., technicians with contacts with the public);
- specialized (e.g. engineers, biologists with contacts with the public).

In addition, ministries should consider designating management and senior management positions as well as positions for which incumbents are responsible for proof-reading French-language publications, forms and documents aimed at the general public (after translation and before printing), revising correspondence written by staff in French and assisting the Webmaster with the development and updating of the government's French-language web sites.

**Note:** both classified and unclassified positions can be designated.

Other factors to consider when determining how many designated positions are needed include the potential volume of contact with French-speaking clients and Francophone groups, the number of hours the office is open and shift work.

### **New and expanded programs**

When a ministry introduces a new program or expands an existing program in a central office or office located in or serving a designated area, the program area manager should consult the ministry's French-language services coordinator to determine the best way to ensure that this service is available in French.

### **Language of administration**

English is the language of administration in the Government of Ontario – unlike the federal government where both English and French are languages of administration in some areas.

### 3. HOW TO FILL A DESIGNATED POSITION

When filling a vacant designated position, your goal should be to hire a candidate who is proficient in both English and French and has the other qualifications for the job. The following are seven key steps related to staffing designated positions. **Please note that these steps highlight those particular aspects of the staffing process where specific things need to be considered or attended to when staffing and filling a designated position. It does not include all necessary steps to be followed when staffing a designated position. The *Staffing Operating Policy* and the *Managers Guide to Staffing*, as well as your human resources consultant should be consulted.**

#### Step 1 – Determine the French-language proficiency requirements of the position

Employees in designated positions are required to be proficient in English and French at the advanced or superior levels. As explained in **A Manager’s guide to Staffing in the Ontario Public Service** (Section 1.7: *Staffing Positions Requiring Proficiency in French*), “Only individuals who possess the required language skills can be appointed to positions that require proficiency in French”.

Consequently, when French-language proficiency is a requirement of the position, it can be used as a criterion to screen out candidates who are not at the requisite levels. It is the responsibility of managers to determine the specific French-language proficiency level that is required for the position (advanced or superior) and to determine if written French-language skills are also required. This must be done in consultation with the ministry’s French-language services coordinator and local Human Resources consultant, and the information should be recorded in the WIN system.

#### Description of French-language proficiency levels

##### Verbal Proficiency

**Advanced level:** At this level, one has the ability to participate in conversations and satisfy many work requirements. One can discuss work-related matters with some ease and facility, expressing opinions and offering views. One is able to take part in a variety of verbal exchanges and to participate in meetings and discussion groups. However, one still needs help with handling complicated issues or situations. One is generally good in either grammar or vocabulary but not in both.

**Superior level:** At this level, one has the ability to speak the language with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on practical, social and professional topics. One is able to use idioms and specific vocabulary relevant to a variety of contexts and to give verbal presentations in both formal and informal settings.

##### Written Proficiency

**Advanced level:** At this level, one is able to use a variety of sentence types to express general ideas and opinions on non-specialized topics. One can write simple letters and reports required of the position. One experiences few problems with either grammar or spelling. However, the writing style may represent literal translations. Nevertheless, a sense of organization is emerging and one is beginning to sense what is stylistically and grammatically correct in French.

**Superior level:** At this level, one is able to express oneself effectively in most formal and informal writing tasks/assignments on practical, social and professional topics. One is able to recognize awkwardness in sentence structure and paragraphs. Errors in grammar and spelling are minor and infrequent.

### ***Useful tips***

- If the incumbent in a designated position has to make presentations to Francophone groups in French, participate in consultations with Francophone groups on proposed or new legislation or programs, or review proposals submitted by Francophone organizations, *superior verbal* French-language proficiency is generally required.
- If the incumbent has to write correspondence and other documents in French on a regular basis (e.g., comments on proposals submitted in French by Francophone organizations, presentation material) *advanced written* French-language proficiency is generally required. However, documents written in French by advanced-level staff should be reviewed by someone who possesses the *superior written* French-language proficiency level.
- For translator and bilingual communications adviser positions as well as for positions in which the incumbents are responsible for reviewing the quality of French-language publications and web sites, the *superior written* French-language proficiency level is generally required.
- If it is anticipated that the incumbent will rarely have to prepare written documents in French, the manager may, in consultation with the ministry's French-language services coordinator, decide to use translation services rather than require the *written* French-language proficiency for the position. However, the manager must ensure that the OPS standards for responding to correspondence (15 working days) are met. **Note:** this may not be an option for certain positions that require that incumbents produce reports or documents in French "on the spot".

### **Step 2 – Prepare/review job ad and job description**

When preparing or reviewing the job ad for a designated position, make sure it includes the phrase "proficiency in English and French". The ad must not specify the French-language proficiency level required (advanced or superior). If the ad is to be posted in *Job Mart* or external media, the English version of the ad should be sent for translation into French to an MBS-approved translation services supplier, if a French version of the ad does not already exist.

When preparing or reviewing the job description for a designated position, make sure it specifies the French-language proficiency level required (advanced or superior) and that it indicates which responsibilities the incumbent may be called upon to carry out in French (e.g., respond to inquiries in English and French).

**Note:** the job description is an internal document, and therefore does not need to be translated into French, even if it is given to candidates before an interview.

### **Step 3 - Post the job ad**

The OPS is committed to broad access to employment. Ministries are encouraged to widen the area-of-search in employment advertising for designated positions. As a result, competitions for designated positions are generally *open* rather than OPS-wide *restricted*. **Please note that specific exceptions to the requirement to post are included in collective agreements, the Staffing Operating Policy, the Managers Guide to Staffing, etc.**

Job ads must be sent to the Communications Services Branch of Management Board Secretariat for review and posting. The **Staffing Operating Policy** stipulates that: “*All external paid employment advertisements must be sent for processing to Management Board Secretariat.*”

Competitions for designated positions generally appear in:

- *Jobmart* (in English and French);
- *GoJobs* (in English and French);
- English-language newspapers (in English);
- French-language newspapers (in French).

**Note:** job ads for non-designated positions do not have to be advertised in French-language newspapers.

*LeDroit* is the only daily French-language newspaper in Ontario; most French-language newspapers are weekly or bi-weekly papers. When there are no French-language newspapers in the area of search, the ad for a designated position that runs in the English-language newspapers must include a phrase in French giving candidates the name and telephone number of the person to call to get information in French about the position. For example, you can use the following: “Pour renseignements, veuillez communiquer avec...”.

### ***Useful tips***

- Consult your ministry’s French-language services coordinator or your local human resources consultant about effective ways to reach potential candidates for designated positions, or about developing coordinated ministry-wide initiatives to attract qualified bilingual candidates.
- Consider placing both the English and French ads on external job boards, such as Workopolis.
- Consider adding the phrase in French (“Pour renseignements, veuillez communiquer avec...”) in the English ad even if the French ad appears in a local French-language newspaper, again to attract the attention of French-speaking readers.
- Consider placing ads in French-language newspapers outside the province, especially for professional or specialized positions.

### Outreach strategies

- Since ads in *Jobmart* and newspapers are not always sufficient to reach qualified bilingual candidates, consider using outreach strategies to increase the pool of potential candidates. Ministries have often been successful in recruiting bilingual candidates by:
  - Placing ads in the newsletters or on the bulletin/job boards of Francophone agencies and organizations;
  - Using the services of search firms/head hunters that specialize in bilingual positions;
  - Placing ads in professional French-language journals;
  - Developing links with Francophone colleges, and with bilingual universities that may be able to identify candidates and advertise the position on their bulletin boards;
  - Participating in job fairs at Francophone colleges, and bilingual universities.

### Links

- *Renewing and Revitalizing the Workforce: Actions for Managers* (MBS) ([http://intra.hropenweb.gov.on.ca/hrstrategy/rr\\_catalogue/manager/entry.htm](http://intra.hropenweb.gov.on.ca/hrstrategy/rr_catalogue/manager/entry.htm))

### Step 4 - Review applications

As outlined in the **Staffing Operating Policy** (Corporate Management Directives, 2000) there are mandatory requirements in the process of recruitment and selection. They are:

- *Recruitment activities must be based on a documented description of the duties, responsibilities and qualifications required of the work to be performed.*
- *Employee selection must be based on a thorough assessment of a candidate's ability to demonstrate the qualifications required for effective performance. For permanent work, candidates must be assessed using at least one screening method (e.g. review of resumes) and **at least three rating methods** (e.g., work samples, interviews, work-related tests, written or oral presentations, behavioral competency assessments, personnel file reviews, reference checks, etc.)*

The **Staffing Operating Policy** also points out that:

- Selection criteria form the basis on which all candidates are screened and rated and must :
  - Be developed from, and weighted in accordance with, the relative importance of the duties of the work to be performed,
  - Reflect the required qualifications for each vacancy to be staffed,
  - Be established at the outset and not changed during the selection process,
  - Reflect legal and mandatory requirements for credentials, where required.



- Selection criteria for positions requiring proficiency in French must include French-language proficiency at either the advanced or superior level and proficiency in English. It is also important to remember that French-language skills and levels must be identified as mandatory selection criteria and that the ministry French-language Services (FLS) Coordinator must be consulted before any staffing action takes place.
- Candidates applying for a designated position may choose to send their application in French. This correspondence should be treated as any other external correspondence in French. As a result, applications received in French must be responded to in French.

### ***Useful tips***

- If possible, use a standard acknowledgment response that has already been translated into French. The Human Resources Branch may have some samples.
- To ensure that applications received in English and French are given equal consideration, have résumés in French reviewed in confidence by a manager or member of the selection panel who is proficient in French and who understands the duties, responsibilities and requirements of the position being filled.
- Do not ask an applicant who has provided a résumé in French for a résumé in English; if the applicant does not have a résumé in English, the applicant may feel that his/her application in French will not be given equal consideration. In some cases, the manager may wish to have the résumé translated into English.

### **Step 5 – Conduct preliminary screening for French-language proficiency**

When screening candidates applying for a designated position to determine who to interview, managers should first verify whether the candidate states in his/her letter of application or résumé that he/she is proficient in French or that he/she has provided French-language services in the past. If this information is not available, arrange for a bilingual employee to call the candidates and have an informal chat with them to determine if they can speak French.

### **Step 6 – Interview candidates (if interviews used)**

If no preliminary screening for French-language proficiency has been conducted, at least one member of the selection panel, if used, should be present to ask one or two questions in French. If following the interview, candidates are given written tests in English and French, the test in French should complement – not replace – a French-language written proficiency evaluation.

### **Step 7 – Arrange for French-language proficiency evaluations**

The selected candidate should undergo a French-language evaluation for verbal proficiency, and written proficiency if required, before being offered the job to make sure he/she is at the required level.

The OFA strongly encourages all managers to arrange for **formal evaluations** conducted by MBS-approved suppliers for the following reasons:

- suppliers are professionally trained to assess French-language skills;

- suppliers provide evaluation reports or certificates that identify the candidates' specific proficiency level (e.g., intermediate-plus, advanced, superior);
- the results of the evaluation are transferable to other OPS designated positions requiring the same French-language proficiency level.

The costs associated with the formal evaluations (approximately \$60 per evaluation) are the responsibility of the program area involved in the recruitment.

**Informal evaluations** of verbal and written French-language proficiency are evaluations conducted by a bilingual employee who informally talks to candidates to determine if they can perform certain tasks in French in a particular work context. These evaluations do not specify the exact level of proficiency (e.g., intermediate plus) and whether the candidates' ability in French is transferable to another work context.

### Useful tips

- Consult the ministry's French-language services coordinator to find out what measures are in place to evaluate the French-language proficiency level of candidates.
- Ask candidates if they have a certificate from an MBS-approved evaluation services supplier showing that they have the required proficiency. Those who have been previously formally evaluated by an MBS-approved vendor at the required proficiency level do not need to be evaluated again.
- Ask a French-speaking employee to contact candidates by phone and discuss in French the French-language proficiency evaluations being arranged. Candidates who are not in fact bilingual and who did not know that they would be evaluated for their French-language skills may withdraw from the competition at this stage.

### Links

- *French-language Training & Evaluation Guideline* (MBS), (<http://intra.cpb.gov.on.ca/pdf/Frtraing.pdf>)
- *List of French-language proficiency evaluators approved by MBS*, SSB intranet site. ()

## Step 8 – Record the French-language proficiency level of candidates

When the position is filled, the manager is responsible for recording the French-language proficiency level of the selected candidate. It is expected that WIN will be able to record this information at a future date.

### Useful tips

- The language proficiency results of external candidates whose French-language skills were formally evaluated but who were not hired should be kept on file for 6 months with the candidates' consent. This information can be used to identify potential candidates for other designated positions.
- All candidates who were formally evaluated for their French-language proficiency should be given copies of their evaluation report or certificate for their personal files. If

they apply again for a designated position and this information is no longer kept on file, they can provide proof that they have already been evaluated.

#### 4. HOW TO BACK-FILL A DESIGNATED POSITION

When an employee in a designated position takes a temporary assignment or leave of absence from work, the best way to maintain the program area's level of French-language services is to back-fill the position with a person who has the French-language proficiency level and all other skills required for the job.

Consult your ministry's French-language services coordinator if you need advice and assistance to back-fill a designated position.

#### 5. WHAT TO DO WHEN THE INITIAL SEARCH IS UNSUCCESSFUL

If after having followed all the recruitment procedures to fill a designated position, you are unable to find a qualified bilingual candidate, consider outreach strategies (see 3. *Post job ad, Useful tips, outreach strategies*).

If the outreach strategies utilized do not lead to the hiring of a qualified bilingual candidate, consult your ministry's French-language services coordinator. Together, you can explore whether alternative measures are possible, such as transferring the designation within your program area to another equivalent vacant position (e.g. administrative, technical, policy-related). These options must be weighed carefully as to not adversely affect an area's overall capacity to provide service of equal quality and accessibility in English and French.

In any situation where your best efforts are not yielding the required results, continue consulting your ministry's FLS coordinator for information and advice.

##### ***Useful tips***

- Document all your efforts to fill the position (e.g., open competition, outreach efforts, formal evaluation results).

#### 6. HOW TO ABOLISH A DESIGNATED POSITION

Restructuring exercises, program reviews and other organizational changes may lead to the abolition of designated positions. However, when such a situation occurs, it is most important to ensure that designated positions remain in sufficient numbers to ensure that any service that continues to be offered also continues to be offered in French.

**Please note that relevant collective agreements, the Public Service Act, Regulation 977, the Operating Procedure for the Workforce Adjustment of Employees in the Management Compensation Plan and Excluded Category, and all other relevant legislation, policies, guidelines and procedures must be followed.**

The following describes the steps to abolish a designated position:

**Step 1** - Inform your ministry's French-language services coordinator of your intention to abolish a designated position as a result of restructuring. Explain rationale for the decision.

**Step 2** - The coordinator will seek authorization from the deputy minister to proceed with the abolition of the designated position and the deputy minister will in turn inform the OFA.

## 7. STRATEGIES TO RECRUIT BILINGUAL CANDIDATES

Program areas that continue to have difficulty recruiting bilingual employees for certain designated positions may need to work in close collaboration with their ministry's French-language services coordinator to develop some medium and long-term strategies that will eventually produce the bilingual workforce that is needed.

### *Useful tips*

- Contact Francophone colleges and work with them to develop training programs that will produce graduates who will have the technical skills that are needed for certain positions and who may be fluent in English and French.
- Work with other ministries to promote career opportunities for bilingual people within the Ontario government.
- Consider having a ministry booth at job fairs held in areas designated under the *FLSA*.
- Signal your interest to MBS in having French-speaking interns assigned to your area.
- Encourage French-speaking staff to participate in mentoring or career development programs in order to eventually access bilingual positions with a higher classification level.

## 8. BUMPING RIGHTS AND DESIGNATED POSITIONS

Please see applicable collective agreement provisions regarding bumping, and contact your Human Resources Branch if you have any questions.

## 9. REPORTS ON DESIGNATED POSITIONS

Deputy ministers are required to submit an annual report to the OFA on the status of designated positions within their ministry. This report is prepared by the ministry's French-Language services coordinator. The information pertaining to each ministry is incorporated in a report prepared by the OFA for the Minister Responsible for Francophone Affairs.

## 10. STRATEGIES TO RETAIN STAFF IN DESIGNATED POSITIONS

Bilingual employees are in demand. When you have staff in designated positions, do what you can to support them in offering high quality French-language services and encourage them to stay. Here are seven retention strategies:

### **Provide appropriate equipment and supplies**

Staff in designated positions may need equipment that will help them perform their French-language services duties, such as:

- A keyboard programmed to produce French-language diacritics, such as accents;
- A French spell-check program;

- French dictionaries (e.g., *Le Robert*) and English-French and French-English dictionaries (e.g., *Robert & Collins*).

They should also know how to conduct an online terminology search using the ONTERM database, which gives the official Government of Ontario English and French terminology. If staff members in designated positions have business cards, the cards should be in a bilingual format.

### **Link**

- *How Do I Make Accents?*, OFA's Intranet site, Communications <http://intra.ofa.gov.on.ca/Communications/communications.html>
- ONTERM, (<http://www.onterm.gov.on.ca/>)
- DICO, on-line French-English-French Dictionary (<http://www.net-dico.com/>)

### **Do not require staff in designated positions to perform tasks that are not part of their job descriptions**

Bilingual candidates may be reluctant to apply for designated positions because they fear managers will ask them to perform tasks for which they lack the training and experience. They may also fear that their workload will be much heavier than the workload of their unilingual colleagues.

It should be noted that most people in designated positions are not hired as translators and are not trained to provide translation services. Although they may be able to prepare letters in French and review materials received in French (e.g., proposals from Francophone organizations), they should not be asked to translate documents or publications aimed at the general public (e.g., brochures, ads, forms). Managers must ensure that all publications for general distribution to the public in designated areas are translated (from English to French) by an MBS-approved translation services supplier.

Employees in designated positions should also not be asked to provide simultaneous translation services for conferences or in complex situations such as those related to legal procedures. This should be done by professional interpreters.

### **Useful tips**

- Most ministries have an employee who is responsible for coordinating translation requests. If you do not know who this employee is, contact your ministry's French-language Services Coordinator.
- If you require the services of an interpreter, contact the Association of Translators and Interpreters of Ontario at 1-800-234-5030.

### **Links**

- *English and French-English Translation and Proofreading Services Operating Policy*, (<http://intra.cpb.gov.on.ca/pdf/Transrvd.pdf>)

## Encourage partnerships with other bilingual colleagues

An employee in a designated position may be the only employee in the program area who speaks and/or writes French, and may have few opportunities to discuss issues related to French-language services with peers. This can be a serious problem for employees who are expected to answer inquiries or write letters in French, or review materials received in French. While a letter written in English will be proof-read and checked by many employees throughout the approval process, there may be no other bilingual employee within a program area to proof-read a letter in French. Only a few ministries have bilingual staff (e.g., translators) who are responsible for proof-reading documents written in French by staff, such as correspondence and presentation material.

### *Useful tips*

- If there is no employee responsible for proof-reading documents written in French, encourage staff in designated positions to develop partnerships with colleagues in designated positions to check each other's documents in French.
- Provide opportunities for staff in designated positions to meet (face-to-face or by teleconference) with other ministry staff in designated positions to discuss common issues and concerns about French-language services.
- Encourage all staff to contact the ministry's French-language services coordinator for information on French-language services requirements.

## Provide opportunities to maintain French-language skills

Some employees in designated positions may receive very few calls or requests in French, and have few opportunities to speak or write in French. Staff in professional level positions may have few opportunities to make presentations to French-language groups or to participate in consultations involving the Francophone community.

This can make it difficult for staff in designated positions to maintain or upgrade their verbal or written French-language skills and to offer quality French-language services to the public.

### *Useful tips*

- Offer training in French to staff in designated positions to maintain or upgrade their French-language skills (e.g., grammar refresher, business writing, presentation skills, group facilitation). *Note:* Ministry program areas generally fund French-language training out of their general budget for training.
- Offer French-language training to employees who are at least at the intermediate French-language proficiency level to allow them to reach the advanced level and be considered for some bilingual positions and broaden the pool of potential candidates for designated positions.
- Encourage staff in designated positions to attend conferences and seminars that are available in French.

- Work with other program areas to organize meetings for bilingual staff and arrange for presentations to be given in French by bilingual OPS staff on issues related to French-language services or other issues or subjects of interest.
- Consult your ministry's French-language services coordinator to obtain information on French-language training suppliers and for advice or assistance on organizing other training or events in French for bilingual staff.

### **Provide career development opportunities**

Bilingual candidates, internal or external to the OPS, will be more willing to apply for designated positions if they feel that they will have the same career development and learning opportunities as employees in non-designated positions (e.g., acting assignments, secondments). Managers should ensure that employees in designated positions have the same career development and learning opportunities as staff in non-designated positions.

Reference: *4. How to back-fill a Designated Position*

#### ***Useful tip***

- When an employee in a designated position changes positions within a unit or branch, whether temporarily or permanently, it may be possible to temporarily transfer the designation to that position. In this way, the employee has the career development opportunity and the program still meets its French-language requirements. Consult your ministry's French-language services coordinator if you wish to make such a change.

### **Educate all staff about French-language services procedures**

Managers need to ensure that all employees know who is responsible for providing services in French within the program area. This will allow for calls from French-speaking members of the public to be transferred promptly to an employee who speaks French. All staff should also be familiar with French-language services requirements. For instance, staff answering main phone lines should answer with a bilingual greeting, such as "Ministry of Environment, Bonjour", to indicate that services are available in French.

#### ***Useful tips***

- Make sure that employees answering general inquiry phone lines have a list of names and phone numbers of employees in designated positions. They should also know when these employees are away and who provides back-up French-language services. If you have bilingual employees in non-designated positions who are willing to occasionally provide services in French, include them in the list.
- Staff answering general inquiry phone lines should be encouraged to use the phrase "Un instant, s'il vous plaît" (meaning "One moment please") before promptly transferring a French-language call.

#### ***Links***

- <http://intra.ofa.gov.on.ca/> and <http://www.ofa.gov.on.ca/english/indexeng.htm>

## **Provide formal recognition by including French-language services in job performance reviews**

All staff members, from front-line to senior management staff, in central offices or offices located in or serving designated areas, are accountable for the effective planning and delivery of French-language services. Whether or not their positions are designated, all employees must follow OPS directives and guidelines related to services in French. This aspect of their work should be reflected in their performance agreement and discussed during their performance review.

### ***Useful tips***

- In the context of your own performance review, discuss your responsibilities related to French-language services with your supervisor.
- When reviewing the performance of staff, discuss responsibilities related to French-language services with each employee, as well as the resources and French-language training needed to provide high quality French-language services.

### ***Link***

- *Performance Management Operating Policy*, HR OpenWeb intranet site (<http://intra.cpb.gov.on.ca/pdf/Perfmgmtop.pdf>)

## **11. ROLES AND RESPONSIBILITIES OF KEY PLAYERS**

### **Minister Responsible for Francophone Affairs**

The Minister Responsible for Francophone Affairs is responsible for the administration of the *FLSA*.

### **Secretary of Cabinet**

As the most senior public servant in the Ontario government, the Secretary of Cabinet assesses the performance of deputy ministers. Customer services, including French-language services, are an important component of the performance contract of deputy ministers.

### **Management Board Secretariat (MBS)**

MBS sets the corporate requirements for human, financial and physical resources and the service delivery standards for ministries and agencies. Its policies, directives and guidelines must take into account legislated French-language requirements. MBS also manages the WIN system, which can produce required reports on designated positions.

### **Office of Francophone Affairs (OFA)**

The OFA is a central agency that assists the Minister Responsible for Francophone Affairs with the administration of the *FLSA*. It sets OPS policies, procedures and guidelines with respect to the planning and delivery of provincial government services in French. It works



closely with ministry French-language Services Coordinators to monitor compliance with the *FLSA*. It reviews requests to abolish designated positions as well as ministry annual reports on designated positions. It reports to the Minister Responsible for Francophone Affairs on the status of French-language services in the Ontario public service.

### **Deputy ministers**

Each deputy minister is accountable to the Executive Council for the implementation of the *FLSA* and the quality of French-language services in his or her ministry. Deputy ministers are required to put in place adequate resources and mechanisms to meet the needs of Ontario's Francophone community. They are also responsible for submitting to the OFA an annual report on the status of French-language services in their ministry including information on designated positions.

### **French-language Services Coordinators**

The duties of French-language Services Coordinators consist mainly of management functions for the integration of French-language services into ministry activities and into service delivery processes. They include short-term and long-term strategy and action planning, policy development, consultation, enforcement and monitoring, facilitation, problem solving, liaison and communication, outreach and community relations. French-language Services Coordinators also provide advice regarding the management and staffing of designated positions; may assist with recruitment, interviewing and coordination of French-language proficiency evaluation. They review proposed changes to the status of designated positions and seek authorization from the Deputy Minister to abolish designated positions. They also prepare an annual report on designated positions to submit to the OFA.

### **Program area managers**

Managers of program areas that plan and/or deliver services to the public in designated areas are responsible for ensuring that all of their staff members comply with French-language services government directives and guidelines. They must ensure that their program areas have sufficient bilingual staff in designated positions to provide high quality French-language services. They are responsible for staffing and managing designated positions.

### **Employees**

All employees in central offices or offices located in or serving designated areas who are involved in the planning and/or delivery of services to the public are responsible for ensuring that French-speaking Ontarians have access to services in French that are equivalent in quality and accessibility to those offered in English. Employees in designated positions are responsible for the delivery of high quality French-language services.

## **Human resources consultants**

Human resources consultants are responsible for providing advice and assistance to managers with respect to the application of legislation, policies, guidelines, and collective agreement provisions related to the staffing and management of designated positions.

## **Government Translation Service Unit (Management Board of Cabinet)**

The Government Translation Service Unit selects suppliers of translation. It also manages large or complex translation projects. It provides standardization of French terminology specific to the Ontario government.

## **Shared Services Bureau (SSB) (Management Board of Cabinet)**

SSB is responsible for maintaining vendors of record for both French-language training and French-language competency evaluation. SSB is also responsible for providing corporate clearance (or assigning surplus employees) prior to a manager proceeding to posting.

## **12. CONCLUSION**

As the Ontario Public Service strives to renew and revitalize its workforce, it faces stiff competition from other employers bidding for the same human resources. Recruiting people for designated positions who have the required French-language proficiency level and the other qualifications for the job can be a challenge, especially for specialized or professional level positions.

Managers should work closely with their ministries' French-language services coordinators to make sure that all reasonable efforts are made to recruit qualified staff for designated positions and ensure that their program areas have the capacity to provide high quality French-language services to French-speaking clients.

## **13. Qs & As**

### **1) How does a manager determine which position(s) to designate when his/her program area is going to be responsible for the delivery of new and expanded programs?**

In consultation with the ministry's French-language services coordinator and the local human resources consultant, managers should ensure that positions are designated to cover all tasks related to the planning and delivery of services for the public in French at central offices and offices located in or serving designated areas. For instance,

- Administrative (e.g., receptionists, administrative assistants);
- Communications (e.g., communications advisers, media relations officers);
- Human resources (e.g., human resources consultants);
- Inspection, investigation and enforcement (e.g., police officers, conservation officers);

- Operational (e.g., radio dispatchers);
- Policy and program development, stakeholder relations and public consultations (e.g., policy analysts, program consultants);
- Technical (e.g., technicians with contacts with the public);
- Specialized (e.g. engineers, biologists with contacts with the public).

In addition, ministries should consider designating management and senior management positions as well as positions of individuals responsible for proof-reading French-language publications, forms and documents aimed at the general public (after translation and before printing), correspondence written by staff in French and assisting the Webmaster with the development and updating of the government's French-language web sites.

It should be noted that both classified and unclassified positions can be designated.

Other factors to consider when determining how many designated positions are needed include the potential volume of contact with French-speaking clients and Francophone groups, the number of hours the office is open and the number of shifts scheduled.

Reference: *2. How to decide which positions should be designated.*

## **2) Who determines the required French-language proficiency levels?**

The manager, in consultation with the ministry's French-language services coordinator and the local Human Resources consultant, reviews the job description and determines if the position requires both verbal and written French-language skills at the advanced or superior levels as specified by the guidelines. Once the French-language requirements and skills levels have been established for the position, the information should be recorded in the WIN system.

Reference: *3. How to fill a designated position, Step 1*

## **3) What can be done to attract a good selection of qualified bilingual candidates?**

Since ads in *Jobmart* and newspapers are not always sufficient to reach qualified bilingual candidates, managers should consider using outreach strategies to increase the pool of potential candidates. Ministries have often been successful at recruiting bilingual candidates by:

- Placing ads in the newsletters or on the bulletin boards of Francophone agencies and organizations;
- Developing links with Francophone colleges, and with bilingual universities that may be able to identify candidates and advertise the position on their bulletin boards;
- Participating in job fairs at Francophone colleges.

Reference: *3. How to fill a designated position, Step 3*

#### 4) **Should formal or informal French-language services evaluations be conducted?**

The OFA strongly encourages all managers to arrange for **formal evaluations** conducted by MBS-approved suppliers for the following reasons:

- Suppliers are professionally trained to assess French-language skills;
- Suppliers provide evaluation reports or certificates that identify the candidates' specific proficiency level (e.g., intermediate-plus, advanced, superior);
- The results of the evaluation are transferable to other OPS designated positions requiring the same French-language proficiency level;

The costs associated with the formal evaluations (approximately \$60 per evaluation) are the responsibility of the program area involved in the recruitment.

**Informal evaluations** of verbal and written French-language proficiency are evaluations conducted by a bilingual employee who informally talks to candidates to determine if they can perform certain tasks in French in a particular work context. These evaluations do not specify the exact level of proficiency (e.g., intermediate plus) and whether the candidates' ability in French is transferable to another work context.

Reference: *3. How to fill a designated position, Step 5*

#### 5) **Can a manager back-fill a designated position with a unilingual incumbent?**

When an employee in a designated position takes a temporary assignment or leave of absence from work, the best way to maintain the program area's level of French-language services is to back-fill the position with a person who has the French-language proficiency level and all other skills required for the job.

Managers should consult their ministry's French-language services coordinator if they need advice and assistance to back-fill a designated position.

Reference: *4. How to back-fill a designated position*

#### 6) **What if all the recruitment procedures to fill a designated position have been followed and there is no candidate with the French-language proficiency level and the other skills required for the job?**

If after having followed all the recruitment procedures to fill a designated position, you are unable to find a qualified bilingual candidate, consider outreach strategies (see *3. Post job ad, Useful tips, outreach strategies*).

If the outreach strategies utilized do not lead to the hiring of a qualified bilingual candidate, consult your ministry's French-language services coordinator. Together, you can explore whether alternative measures are possible, such as transferring the designation within your program area to another equivalent vacant position (e.g. administrative, technical, policy-related). These options must be weighed carefully as to not adversely affect an area's overall capacity to provide service of equal quality and accessibility in English and French.

In any situation where your best efforts are not yielding the required results, continue consulting your ministry's FLS coordinator for information and advice.

Reference: *5. What to do when the initial search is unsuccessful*

### 7) Can a designated position be abolished?

Restructuring exercises, program reviews and other organizational changes may lead to the abolition of designated positions. However, when such a situation occurs, it is particularly important to ensure that a sufficient number of designated positions remain to ensure that any service that continues to be offered to the public is available in French.

**Please note that relevant collective agreements, the Public Service Act, Regulation 977, the Operating Procedure for the Workforce Adjustment of Employees in the Management Compensation Plan and Excluded Category, and all other relevant legislation, policies, guidelines and procedures must be followed.**

Reference: *6. How to abolish a designated position.*

### 8) How can managers retain staff in designated positions?

Employees in designated positions will be motivated to stay in designated positions and within the OPS if managers:

- Provide them with appropriate equipment and supplies to deliver services in French;
- Do not require them to perform tasks that are not part of their job descriptions, such as translation services;
- Encourage them to establish partnerships with other bilingual colleagues;
- Provide them with opportunities to maintain or upgrade their French-language skills;
- Provide them with the same career development opportunities as other staff.

Reference: *10. Strategies to retain staff in designated positions*