

	Section	I Présidence
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LANGUAGE POLICY

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1. CONTEXT

The *Politique gouvernementale relative à l'emploi et à la qualité de la langue française dans l'Administration* (the Government Linguistic Policy) was adopted by Cabinet in March 2011 in order to provide linguistic guidelines to government departments and public agencies, and support the government's leadership role in the application of the *Charter of the French Language* (the Charter).

The Government Linguistic Policy reinforces the two founding principles of the Charter: Government departments and public agencies must favour unilingual French in all their activities and pay constant attention to the quality of the French language, while highlighting the importance of the use of the French language as an instrument of social cohesion.

Government departments and public agencies are required to adopt a linguistic policy and ensure compliance with the Government Linguistic Policy. The linguistic policy must support the mission of the Commission des lésions professionnelles (the CLP) and be tailored to its specific needs.

The CLP's function as an administrative tribunal is mainly adjudicative. Its adjudicative function is, however, supported by administrative activities. This explains why the CLP's linguistic obligations vary, depending on the activity. The *Politique linguistique de la Commission des lésions professionnelles* (the CLP's Language Policy) covers both activities. Thus, constitutional rules that provide for the use of French or English before the Tribunal apply to activities related to the CLP's adjudicative function, while the rules concerning the language of public administration apply to its administrative activities.

2. OBJECTIVE

The objective of the CLP's Language Policy is to determine which language should be used in the course of the CLP's various activities, as provided for in the Government Linguistic Policy.

3. SCOPE

This Language Policy applies to all staff and members of the CLP.

The Language Policy concerns oral and written communications within the context of the CLP's adjudicative and administrative functions.

4. LEGAL FRAMEWORK

The Language Policy is based on:

- the *Charter of the French Language* (CQLR, c. C-11) (the Charter);
- the *Constitution Act, 1867*, 30 & 31 Victoria, c. 3 (U.K.);
- the *Politique gouvernementale relative à l'emploi et à la qualité de la langue française dans l'Administration*, adopted by Cabinet in March 2011 (the Government Linguistic Policy);

- the *Politique d'utilisation du français dans les technologies de l'information et des communications*, adopted by Cabinet on December 6, 2006 (the Policy for the Use of French in Information Technology and Communications, or PUFTIC); and
- the *Politique de gestion contractuelle concernant la conclusion des contrats d'approvisionnement, de services et de travaux de construction des organismes publics*, CT 206828, August 19, 2008 (the Contract Management Policy).

5. PRESIDENT'S RESPONSIBILITY

In order to ensure compliance with the *Charter of the French Language* and the Language Policy, the President of the CLP designates a representative who works in close cooperation with the Office québécois de la langue française (the OQLF).

Under the President's authority, a standing committee is established for the purpose of developing and implementing the Language Policy. The Committee, presided by the above-mentioned representative, is composed of:

- a representative from the Service des communications;
- a representative from the Direction des services juridiques;
- a representative from the Direction des ressources informationnelles et matérielles;
- a representative from the Vice-présidence des opérations;
- any other person the President may designate.

6. LANGUAGE USED IN ADJUDICATIVE ACTIVITIES AND PROCEDURAL DOCUMENTS

6.1 Principle

French or English may be used in a case of which the CLP is seized and in all procedural documents that relate to it.

6.2 Forms

All the CLP's forms to be used within the contestation process are in French. On request, the CLP may provide an English version of a form to be completed by a party.

6.3 Language used at a hearing

A party or witness to a proceeding may use either English or French.

6.4 Right to the assistance of an interpreter

When a party or witness is deaf or does not understand or speak the language in which the proceedings are conducted, such party or witness has the right to be assisted by an interpreter.

A party or witness who requires an interpreter is responsible for covering the cost of the service.

6.5 Deafness

The CLP provides an interpreter for a party or witness whose deafness prevents him or her from understanding the proceedings.

6.6 Decisions

Decisions rendered by the CLP are generally drafted in French. An administrative judge can, however, decide to draft a decision in English.

A decision can be translated into French or English only upon request by a party to the proceedings or the administrative judge who heard the case.

7. THE LANGUAGE OF GOVERNMENT

7.1 Written communications

7.1.1 Principles

As a general rule, French is the language used in the CLP's documents, agreements and communications, regardless of the format used.

Business cards are printed in French only.

Written communications with a legal person or a business that has an establishment, a subsidiary or a division in Québec, even if its head office is outside Québec, are in French.

7.1.2 Exceptions

7.1.2.1 Natural persons

When responding to a natural person who uses a language other than French, the CLP can use that person's language.

Further to a natural person's request, the CLP can provide an English version of a document pertaining to its adjudicative function.

7.1.2.2 Legal persons and businesses established outside Québec

When writing to a legal person or business established outside Québec, the CLP can choose to use another language, or both French and another language.

7.1.2.3 Government or international organization

A translation can be attached to documents sent to a government or international organization that does not have French as an official language or language of work.

7.1.2.4 Legal or scientific articles and other documents

When publishing an article in a magazine that does not accept submissions in French, the President can authorize translation into another language. The French version must, however, be available.

7.1.3 Translation

When a translation is permitted by the Policy, it must be presented as a separate document, with the heading "Original in French".

The translation of a document sent to another government, an international organization, a legal person or a business established outside Québec is presented on a blank sheet of paper (without letterhead), with the heading "Translation" in the target language. The document must not be signed. When sent by email, the translation must be attached in a separate file, with the document heading "Translation" in the target language.

7.1.3.1 Designation

In referring to the Commission des lésions professionnelles and its administrative units, only French is used to designate the Tribunal on posters, official documents, business cards, printed matter, texts and other administrative documents, regardless of whether the documents are in French or in English.

7.1.4 Website

The CLP's website is in French, as is its home page. Certain information documents and forms are available in English; they can be found in a separate section that does not mirror the information available in French.

7.1.5 Annual report

The annual report is available in French only. It is not translated.

7.1.6 Requirements for legal persons and businesses

For contractual purposes, legal persons and businesses are required to provide documents in French.

The CLP will award no contract, regardless of the value, to a business subject to sections 135 to 154 of the Charter unless it has a certificate of registration or it provides, within the prescribed time period, an analysis of its language situation, an attestation of implementation of a francization program or a francization certificate. Contracts are not awarded to businesses that

do not comply with the francization process (a list is published on the website of the Office québécois de la langue française). The requirement is part of the contractual documents provided to businesses, particularly call for tender documents.

Legal persons and businesses are required to communicate with the CLP in French throughout the procurement process.

Procurement documents and documentation for goods and services, as well as inscriptions on products purchased (a container or its wrapper), must be in the French language. Moreover, when language is involved in the use or operation of a product or equipment, it must be the French language.

All reports prepared within the context of a contract must be in the French language.

The CLP applies the rules provided for under section 9 of the Contract Management Policy.

7.2 Verbal communications

7.2.1 Principles

The CLP will use French when addressing the public.

7.2.2 Exceptions

7.2.2.1 Conversations

The CLP will use another language of communication only if requested because understanding is at issue.

7.2.2.2 Voice mail

Interactive voice response system messages are in French. Any message in a language other than French must be accessed through an independent process. In that respect, the greeting message must be expressed completely in French, including the technical menu, before the option to access a message in another language is mentioned.

Voice mail greeting messages are exclusively in French.

7.2.2.3 Conferences and speeches

Upon approval by the President of the CLP, administrative judges and staff may, as part of their duties, take part in conferences and make speeches in a language other than French. The exception applies to conferences held and speeches made outside Québec, or in Québec when an international audience is involved, except during a conference, symposium or workshop where one of the official languages is French.

8. Language of work

8.1 Principles

French is the language of work at the CLP.

Staff and members of the CLP are required to use standard French, in line with good usage, in its dealings with colleagues and the public.

8.2 Particular aspects

8.2.1 Appropriate knowledge of the French language

To be appointed to office or a position within the CLP, candidates are required to have knowledge of the French language that is appropriate to the office or position.

8.2.2 Language other than French

The CLP cannot require knowledge, or a specific level of knowledge, of a language other than French in order to be appointed to office or a position unless the specific nature of the duties necessitates such knowledge.

8.2.3 Equipment

All the equipment used at the CLP, including computer equipment and peripherals, must be labelled in French, and operating guides must be provided in French.

The CLP applies the rules established in PUFTIC.

9. LANGUAGE QUALITY

9.1 Principles

The CLP pays constant attention to the quality of the French language in its activities and it acquires the tools needed to promote high language standards.

The CLP makes sure it uses terms and expressions standardized by the OQLF.

9.2 Means

9.2.1 Language proficiency development

The CLP provides training to staff whose duties require a high level of proficiency in oral or written French.

9.2.2 Writing tools

La CLP provides reference materials and writing tools to its members and staff.

Staff or a member of the CLP who encounters a language issue that he or she is unable to resolve using the available reference materials and writing tools can turn to the Service des communications for assistance.

10. REPORTS

At least once yearly, the committee reports to the President on the application of the Policy, as well as the application of PUFTIC and section 9 of the Contract Management Policy. It suggests amendments to the Policy and remedial measures where appropriate.

The CLP's annual report provides information on the application of the Policy, especially information, tools and training provided to staff and members.

Once yearly, the CLP reports to the OQLF on the application of PUFTIC and section 9 of the Contract Management Policy.

11. SUPERSESION

This Policy supersedes the previous linguistic policy adopted by the Commission des lésions professionnelles on November 5, 2002.

12. REVIEW

The standing committee reviews the linguistic policy on a regular basis, at least every five years. Once the opinion of the Office québécois de la langue française is received, amendments are approved by the President of the CLP. An updated, approved version is then provided to the OQLF.

13. EFFECTIVE DATE

The Policy is effective on the date it is signed by the President.

Signed in Montréal on December 12, 2013.

Marie Lamarre, President

	Section	
	Document	Politique linguistique
<p>La présente politique entre en vigueur à la date de la signature de la présidence, à moins qu'une autre date d'entrée en vigueur ne soit indiquée dans cette politique.</p>		
Fait à Montréal	Le: 2013-12-12	
Signature par la présidente, Marie Lamarre		

Responsable du document	Monique Charron
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