



Office of the
Commissioner of
Official Languages

Commissariat
aux langues
officielles

Annual Report 2023-2024



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The Speaker of the House of Commons

Ottawa

Mr. Speaker,

Pursuant to section 66(1) of the *Official Languages Act*, I hereby submit to Parliament, through your good offices, the annual report of the Commissioner of Official Languages covering the period from April 1, 2023, to March 31, 2024.

Yours respectfully,

A handwritten signature in black ink, appearing to read "R. Th  berge". The signature is fluid and cursive, with the first letter "R" being large and prominent.

Raymond Th  berge

The Speaker of the Senate

Ottawa

Mr. Speaker,

Pursuant to section 66(1) of the *Official Languages Act*, I hereby submit to Parliament, through your good offices, the annual report of the Commissioner of Official Languages covering the period from April 1, 2023, to March 31, 2024.

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Raymond Th  berge

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PREFACE: A PIVOTAL YEAR

The *Official Languages Act* (the Act)—modernized by Bill C-13, which received Royal Assent on June 20, 2023—made Canadian history in 2023–2024. This was also a pivotal year for my office.

A YEAR OF ADJUSTMENT

Modernizing the Act has been a priority since I took office in 2018 because Canadians deserve an Act that truly defends their language rights and reflects the modern world in which they live.

The Act now grants me new powers, which opens up new opportunities. However, these new powers are not a magic wand, but rather instruments whose relatively complex implementation must take a number of factors into account. Implementing these powers—in addition to those I already have—requires deliberation, planning and a certain amount of restructuring in terms of resources.

These new powers are a unique opportunity for my office to change the way we do things so that we can work more effectively with complainants, partners and Canadians. After 50 years, the Office of the Commissioner of Official Languages is transforming once again to align with the Act, with Canada’s ever-changing society, with ongoing technological advances and with parliamentarians’ expectations.

Because the provisions that affect my powers received broad consensus throughout the legislative process, my office and I didn’t wait for Royal Assent to embark on our own modernization exercise. In the fall of 2022, I committed my office to reviewing its processes and corporate structure. On the compliance front, my team is working on our complaint intake and investigation process, including compliance agreements, orders and mediation. In terms of promotion, we’re looking at how to better define our activities in relation to our mandate and in relation to the roles of other institutions responsible for promoting official languages, both in the federal public service and in Canadian society. We’re also reviewing other aspects of our organization, such as how we respond to requests for information and how we do follow-ups. In addition, we’ve revamped our website, which now features a new visual identity.

The modernization of the Act gives us an opportunity to take stock of our organizational health and to re-invent ourselves so that we can be stronger and better equipped to meet future challenges and continue to be a leader in Canadian language policy.

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In preparing for the changes to the Act, we were also able to take a closer look at the backlog of investigations and follow-ups. For the former, our investigation teams stepped up their efforts to reduce the number of backlogged cases. The airport strategies outlined in my 2022–2023 annual report continue to bear fruit and have also helped to significantly reduce the number of open cases. These strategies included consolidating complaints received about the same institution into a single investigation and supporting federal institutions to help them address their challenges.

For follow-ups to recommendations made in investigation reports, we grouped together cases involving similar issues and with similar recommendations in order to ensure a more systemic approach to institutions that generate multiple complaints. This approach has enabled us to follow up more effectively on a significant volume of complaints. For example, we began a follow-up on all of the recommendations made in my 2020 report on section 91 of the Act, which concerns staffing in federal institutions.

PART VII: A NEW ERA

Bill C-13 has brought substantial changes to Part VII of the Act, which concerns the advancement of the equality of status and use of English and French. The modernized Act places high expectations on federal institutions to take positive measures to enhance the vitality of English and French linguistic minority communities, to protect and promote the French language, and to advance opportunities for members of the English and French linguistic minority communities to pursue quality learning in their own language throughout their lives.

We know that these changes will mean that new regulations for Part VII will have to be developed. However, as I've been saying for several months now, Part VII is already in force, and its objectives are already clearly outlined in the Act. Respecting rights and meeting obligations does not require the adoption of a regulation—federal institutions already need to be taking positive measures.

It is therefore essential that the government inform federal institutions of their new obligations under Part VII and clearly communicate its expectations. These obligations have been made clearer, but there are now more of them.

I'm very pleased that Treasury Board of Canada Secretariat (TBS) and Canadian Heritage are already reminding federal institutions of their Part VII obligations. I encourage all senior executives to do likewise and pass along these messages to their institutions.

I've been informed that TBS has added questions about the new elements of Part VII to the annual report on official languages that federal institutions are required to produce.

It is therefore essential that the government inform federal institutions of their new obligations under Part VII and clearly communicate its expectations.

PART VII REGULATIONS – THE SOONER THE BETTER

The new Act needs to have new regulations, particularly for Part VII (Advancement of Equality of Status and Use of English and French). In October 2023, I met with President of the Treasury Board Anita Anand to discuss the importance of adopting regulations for Part VII as soon as possible. There are high expectations on all fronts for consultations to be conducted and for the regulations to be adopted as soon as possible. However, the regulations will have to be carefully drafted to guide federal institutions in effectively and fully implementing Part VII. In November 2023, TBS shared its approach to preparing the Part VII regulations with us and asked us to provide any relevant information to begin drafting the proposed regulations, which we did in December 2023. And so, the process is advancing.

We then shared our vision of the principles that should be included in these regulations not only with TBS but also with the Fédération des communautés francophones et acadienne du Canada and the Quebec Community Groups Network. I stressed that the issue of governance must be clarified in the regulations, including the roles of the Treasury Board and Canadian Heritage in overseeing federal institutions' compliance with Part VII of the Act. I also expect the regulations to set out an effective governance framework that's applicable to each federal institution to ensure that they have the structures they need to meet their obligations.

My office also held working meetings with TBS to share all of the elements that, in our opinion, are essential and must be included in the Part VII regulations for federal institutions. The discussions between our two organizations—in which Canadian Heritage and Justice Canada also participated—were very productive.

PART VII TOOLS

The objective of Part VII of the Act is to make progress toward substantive equality in Canadian society, and its obligations are in effect now. However, the many modifications made to Part VII as a result of the passage of Bill C-13 have substantially changed a part of the Act that federal institutions have historically struggled to implement fully.

The objective of Part VII of the Act is to make progress toward substantive equality in Canadian society, and its obligations are in effect now.

In April 2024, I released a [position paper](#) setting out the principles for the development of regulations to implement Part VII of the Act. This position paper also recalls the history and importance of Part VII of the Act.

In what I hope will result in the full implementation of Part VII by federal institutions, my office has created a [Roadmap for federal institutions' obligations under Part VII of the Official Languages Act](#) that is available on our website so that federal institutions, their employees and members of the public can read it, know what the obligations are under Part VII and have accurate information on what their rights are, whether they're members of official language minority communities or just speakers of one of Canada's two official languages.



REPORT ON TRANSITION

Because the new Act received Royal Assent in 2023–2024, this annual report reflects a period in transition, so I think it's best to start with describing the ways in which Canada's language policy has changed and the new ways in which I will have to carry out my role as Commissioner.

A NEW LANGUAGE POLICY

New context

The *Official Languages Act* is an important piece of legislation that determines the nature of Canada's language policy. The changes to the Act have received Royal Assent, but many instruments—including regulations, policies and plans—still need to be developed to guide federal institutions in fully implementing federal language policy. TBS is working on a new version of the accountability and reporting framework, which I'm pleased to have been given the opportunity to review. I'll be monitoring the progress of this framework closely over the coming months.

A new language policy is being established, and federal institutions' roles in official languages governance have changed, including that of the Treasury Board, which has expanded. I believe that these changes may result in a more consistent approach to improving compliance with the Act.

The Act now includes clearer provisions and better-defined obligations to help federal institutions meet their official languages obligations. And I have a number of new powers to help federal institutions improve their compliance with the Act.

The Act now includes clearer provisions and better-defined obligations to help federal institutions meet their official languages obligations.

The new Act recognizes the demographic decline of Francophones in Canada's linguistic minority communities and the importance of reversing it, including through a Francophone immigration policy that was released in January 2024.

Quebec's English-speaking communities have expressed concerns about certain elements in the new Act. I will continue to listen to these communities and closely monitor the implementation of the Act to analyze how these legislative changes affect the vitality of English-speaking communities in Quebec.

Language rights and obligations that are long overdue

Even though the Act is more than half a century old, major compliance problems continue to be unresolved. In fact, full compliance with language rights and obligations is still a long way off in many respects. The complaints my office has received over the years and the investigations it has conducted attest to the fact that a number of federal institutions do not take their language obligations seriously.

Language of service is a recurring problem, which suggests that uncooperative institutions are refusing to accept the fact that they are required to serve members of both language communities in the official language of their choice.

The same is true for language of work—it seems that some federal institutions neither embrace the vision of a bilingual public service nor support the creation of workplaces in which public servants feel comfortable to work in the official language of their choice. One of the fundamental problems we've seen is the failure to properly establish the language requirements of positions, which results when the full range of tasks associated with pivotal positions is not taken into account. Incumbents who are appointed to these positions but who are not sufficiently fluent in their second official language struggle to achieve the actual level of complexity it takes to supervise bilingual staff, help to create a bilingual workplace and ensure respect for the language rights of the public servants they supervise. Incorrectly establishing the language requirements of positions also affects the quality of service the public receives. When a federal institution fails to instill and foster a bilingual culture, it will have more difficulty fulfilling its institutional bilingualism duties.

NEW POWERS – AN OVERVIEW

Now that Bill C-13 has been adopted, I now have new powers to better enforce the Act. Some of these powers are already in force, and others will come into effect at a later date. Below is a brief outline of these new powers, which will be phased in gradually to focus my office's efforts in the coming years.

Current powers

The new Act grants me several new powers:

- I can use alternative dispute resolution methods, and I have opted for mediation.
- I can publish an investigation summary, if required.
- I can enter into compliance agreements with federal institutions both during and after an investigation. This new power allows me to enter into a contract that stipulates how a contravention of the Act will be remedied.
- In the case of non-compliance with Parts IV (Communications with and Services to the Public) and Part V (Language of Work), I can issue orders to federal institutions requiring them to rectify a contravention of the Act.
- I now have additional grounds for refusing or ceasing to investigate a complaint: for example, if the issue has already been the subject of an investigation report, if it has already been corrected by the institution or if it is the subject of a compliance agreement.

These new powers will involve major changes to our operations and will require additional resources. We are gradually implementing them, building on a systematic reflection process that began long before Royal Assent. I'm proud of the work we've accomplished to date, and I'm confident that in the coming year, we will finalize the deployment of the resources needed to help me exercise these new powers.

I would also like to highlight the particular case of processing complaints, which is a big part of what we do. We're continuously striving to improve our investigation process and to use my new powers to make it more efficient, so that we can better contribute to concrete and lasting official languages-related changes in federal institutions. It goes without saying that we will continue to process the complaints we receive during this adjustment period.

There has been a major change, however, in the tools we have at our disposal. The new Act allows for alternative dispute resolution, and I have chosen to implement a mediation formula. We've also discontinued the use of the facilitated resolution process for new investigation cases and ongoing cases will be concluded accordingly.

The new Act allows for alternative dispute resolution, and I have chosen to implement a mediation formula.

Powers awaiting orders in council

Some of the powers provided for in the Act will apply only after an order in council has been issued by the Governor in Council and after regulations have been adopted, including the power to make orders to federal institutions to rectify certain contraventions of the Act under Part VII (advancement of English and French). My power to make orders is already applicable to contraventions of Part IV (Communications with and Services to the Public) and Part V (Language of Work).

The power to impose administrative monetary penalties for contraventions under Part IV of the Act also requires both an order in council to determine the date it comes into effect and regulations specifying which entities (legal persons or Crown corporations) in the transportation sector that provide services to the travelling public are subject to the Act. Because of the governmental processes associated with this, it could be several years before this new power comes into effect.

My investigative powers will also be extended under the *Use of French in Federally Regulated Private Businesses Act*, which was enacted as part of Bill C-13. This Act—which will come into force only after an order in council has been issued by the Governor in Council and regulations have been adopted—protects the language rights of French-speaking consumers and French-speaking employees of federally regulated private businesses in Quebec and, eventually, in regions with a strong Francophone presence outside Quebec. Once again, the wait for this order in council could be long.

In preparation for the 10-year review

The modernized Act now requires the Minister of Canadian Heritage to review the provisions and operation of the Act every 10 years from the perspective of enhancing the vitality of Canada's English and French linguistic minority communities and of protecting and promoting French in Canada. This 10-year review is intended to keep the Act in step with society as it evolves.

It is essential to avoid waiting for the deadline to conduct this review. Instead, any issues relating to these objectives need to be monitored over the next decade—not only those that emerge, but also those on which the changes made to the Act in 2023 are having little or no impact.

This is why I'm recommending that indicators be developed as quickly as possible for monitoring the application of the Act and tracking any changes in the issues at stake.

Promoting official languages – A shared responsibility

Modernizing the Act has significantly changed Canadian Heritage's and TBS's responsibilities with regard to promoting official languages. I'd like to emphasize the importance of the role both of these institutions play in monitoring and promoting Part VII of the Act in other federal institutions. In a way, this is a new beginning.

However, I recognize that the roles of all parties—including my office—need to be clarified in light of these changes.

I therefore approached both institutions in 2023–2024 to reach an agreement on our respective responsibilities with regard to promoting official languages. The tenor of our discussions attests to our shared concern to avoid duplicating work and ensure that no activities fall through the cracks because of how our roles have been reconfigured.

In January, we agreed that my office would increase its efforts to provide federal institutions with information, including best practices, in order to help them meet their language obligations. My office will continue to reach out to Canadians—particularly those in official language minority communities—to inform them of their rights, but we’ll scale back our activities in schools. We’ll also continue to provide official language stakeholders with more detailed information in the form of statistical data, research and other communications products.

My office has organized a series of presentations and workshops for federal institutions across the country to help them better understand their official languages responsibilities and obligations and familiarize themselves with the tools available to support the implementation of the Act in their institutions. Our training sessions to improve federal public servants' knowledge of their official languages responsibilities, especially under the modernized Act, generated more than 3,700 registrations between January and March 2024.



SPECIAL INVESTIGATION CASES

Data on all complaints received and processed can be found in the Complaints Tables section, but I'd like to highlight two particular cases from 2023–2024. I received complaints about two federal commissions—the Public Order Emergency Commission (the Rouleau Commission) and the Federal Electoral Boundaries Commission for Ontario—alleging contraventions of a provision of the Act. Some of the complaints about the Rouleau Commission were filed after the Commission had ceased operations. The Federal Electoral Boundaries Commission ceased operations during my investigation.

In both cases, I must consider my duty to investigate all admissible complaints alleging a specific instance of failure to comply with a provision of the Act in the administration of a federal institution's affairs, which is the case with the complaints I received about the two commissions. When conducting these investigations, I must ensure that I comply with all of the Act's requirements and with the principles of procedural fairness. It was within my authority to investigate, so investigations were opened against the two institutions cited in the complaints. The investigations are still ongoing, so I cannot share any further details at this time. Their results will undoubtedly shed light on this type of situation.



JURISPRUDENCE



I helped to establish language rights jurisprudence in two major decisions handed down in 2023–2024—one from the Supreme Court of Canada and the other from the Federal Court.

COMMISSION SCOLAIRE FRANCOPHONE DES TERRITOIRES DU NORD-OUEST V NORTHWEST TERRITORIES (EDUCATION, CULTURE AND EMPLOYMENT)

In December 2023, the Supreme Court of Canada handed down a long-awaited decision in *Commission scolaire francophone des Territoires du Nord-Ouest v Northwest Territories (Education, Culture and Employment)*. This case raised the important question of whether—in reviewing cases that may affect rights guaranteed by the *Canadian Charter of Rights and Freedoms*—government officials can limit themselves to evaluating the explicit protections of the Charter’s provisions, or whether they must also consider the impact of their decisions on the unwritten values these provisions are intended to protect.

I intervened in the case to support official language minority communities through arguments to ensure that language rights—particularly those protected by the Charter—are interpreted in a way that achieves their purpose and ultimately ensures the survival of the communities.

In its decision, the Supreme Court of Canada ruled that, in exercising her discretion and considering admitting non-rights-holders to minority language schools, the Minister of Education of the Northwest Territories was required not only to consider the rights conferred by section 23 of the Charter, but also to balance the underlying values of that provision with the government’s objectives.

This decision will help prevent the ongoing linguistic erosion experienced by Canada’s official language minority communities and will support particularly vulnerable communities, such as those in the Northwest Territories. As the Supreme Court recognized, education in the official language of the linguistic minority is fundamental to the vitality of these communities, and minority language schools are the most important institutions for their survival and an invaluable source of information for governments.

MICHEL THIBODEAU V GREATER TORONTO AIRPORTS AUTHORITY

In February 2024, the Federal Court rendered an important decision in *Michel Thibodeau v Greater Toronto Airports Authority (GTAA)*, in which I was granted intervener status. Mr. Thibodeau’s action followed several complaints filed with my office and our subsequent investigation reports on those complaints. The complaints concerned general signage (e.g., “come bank with us” and “bank before you fly”) for CIBC banking services, including regulatory services (currency exchange and travel insurance), and the “Fit and Fun Zone” signage in a Booster Juice play area.

The case concerned the interpretation to be given to the *Official Languages (Communications with and Services to the Public) Regulations*, particularly with regard to contracted services.

I chose to intervene because one party was putting forward arguments based on a narrow interpretation of the Regulations, to the effect that the Act did not apply to a variety of communications that, in my opinion, were subject to it.

I argued that the Regulations should benefit from the same broad and liberal rules of interpretation as the Act, and that the notion of a contracted service should be interpreted broadly. To determine whether the service cited in a complaint must be provided in both official languages, I proposed using objective indicators to analyze it according to its nature, function and proximity to a prescribed service.

The Court agreed with me and accepted all of our arguments. It agreed that a broad and liberal interpretation of the Regulations is required, applying the test I had proposed. Like me, the Court concluded that the complaints were founded. It recognized that the Act and its regulations and policies form a comprehensive statutory regime and that the interpretation principles that apply to the Act also apply to the Regulations.

Because of the significant demand from the travelling public, the ruling recognized the Greater Toronto Airports Authority's duty to provide prescribed services in both official languages. It also recognized the need to take a broad view of prescribed services to take into account technological developments and improvements to the ways in which these services are provided to the travelling public.

In response to the Airports Authority's argument that the complainant was leading a crusade against federal institutions, the Court stated that the preservation and development of official language minorities can be achieved only when passionate advocates for language rights like Mr. Thibodeau shed light on violations of these rights and thus help to change Canadian social mores.

Recommendations

CONCERNING THE 10-YEAR REVIEW OF THE IMPLEMENTATION OF THE ACT

The *Official Languages Act* now provides for a review of its provisions and operation in 2033.

Recommendation 1

I recommend that by June 2026, the Minister of Canadian Heritage, with the support of the President of the Treasury Board, develop and publish indicators for reviewing the provisions and operation of the *Official Languages Act* in preparation for the 10-year review in 2033.

Concerning the implementation of Part VII of the Act

Beyond the best practices that come and go with staff turnover, it's important for every federal institution to put official languages processes in place, and for these processes to be part of its governance instruments. Because corporate memory is not infallible, having these processes formally in place ensures that the institution's practices are solid and sustainable.

My office's Official Languages Maturity Model program, which ran from 2019 to 2023, demonstrated the importance of these institution-specific instruments. Whether in the form of action plans, control mechanisms, guidelines, directives or procedures, they are critical to any organization seeking to meet its obligations on an ongoing basis.

To comply with Part VII of the Act, federal institutions must take into account the government's commitments to:

- enhancing the vitality of linguistic minority communities and fostering English and French;
- protecting and promoting French; and
- advancing opportunities for learning in the official language of the linguistic minority.

To help federal institutions better understand Part VII of the Act, my office has created a [roadmap](#) that provides an explanation of the objectives of Part VII and the commitments set out in it, including the consequent obligations applicable to all federal institutions that are subject to the Act.

The roadmap is first and foremost a practical tool to help federal institutions understand the meaning of Part VII of the Act so that they can fully implement it. It also serves as a complement to the Act itself, as interpreted by my office.

Recommendation 2

I recommend that by May 31, 2025, all deputy ministers and deputy heads in the federal public service incorporate into their strategic plan a plan for ensuring full implementation of Part VII of the *Official Languages Act* that draws from the [Roadmap for federal institutions' obligations under Part VII of the Official Languages Act](#), which I put forward to support federal institutions.



CONCLUSION

The 2023–2024 fiscal year has been marked not only by change, but also by excitement. To successfully complete the modernization of the Act, considerable work has been done by the government, parliamentarians and community organizations, in addition to my own contribution. Even so, I look back at 2023–2024 with mixed feelings.

Change always involves adjustment and transition, which is one of the reasons why this annual report focuses solely on the compliance issues I’m responsible for overseeing. My role in this regard is becoming more complex and gradually taking shape. It’s a transition that will continue well into 2024–2025. Other issues remain with regard to official language minority communities, and these will be covered in another report that will be released later in 2024.

Looking to the future in light of the past six years of my mandate, there are still a number of issues that I’m concerned about.

First, federal institutions’ respect for language rights does not meet the expectations laid out in my previous annual reports. However, I believe that the new, modernized Act now gives us an opportunity to turn the page in an effort to fully realize Canada’s language policy.

Progress toward the equality of status and use of English and French, as prescribed by Part VII of the Act, also continues to be a major challenge. The modernized Act provides more ways to support this progress, but it’s only one step in the process. At the risk of repeating myself, the wording of the new Act is very clear and effective in this respect, and federal institutions can—and must—implement it now, without waiting for regulations on Part VII.

The government and parliamentarians should be proud of themselves for having modernized the Act, but now the government needs to deploy the resources needed to make it a lasting achievement by triggering a chain of responsibilities. The institutions that play a central coordinating role—TBS and Canadian Heritage—must in turn ensure that all federal institutions clearly understand the nature of their obligations. Senior executives at every federal institution have to provide the leadership required to ensure that their teams understand their obligations and take the necessary action to meet them.

A thoroughly modernized Act and a concerted leadership approach on the part of federal institutions continue to be essential components of respect for language rights and obligations, which are the cornerstones of the future of official languages in Canada.

Progress toward the equality of status and use of English and French, as prescribed by Part VII of the Act, also continues to be a major challenge.

COMPLAINTS TABLES

FIGURE AND TABLES

Because of the changes made to the Act, our reporting on complaints received includes new data. However, some data only partially covers 2023–2024, as our new reporting obligations were phased in gradually.

Figure 1 presents general data on admissible complaints by the part of the Act under which they were filed.

Figure 1
ADMISSIBLE COMPLAINTS IN 2023–2024,
BY PART OF THE ACT (AS OF MARCH 31, 2024)

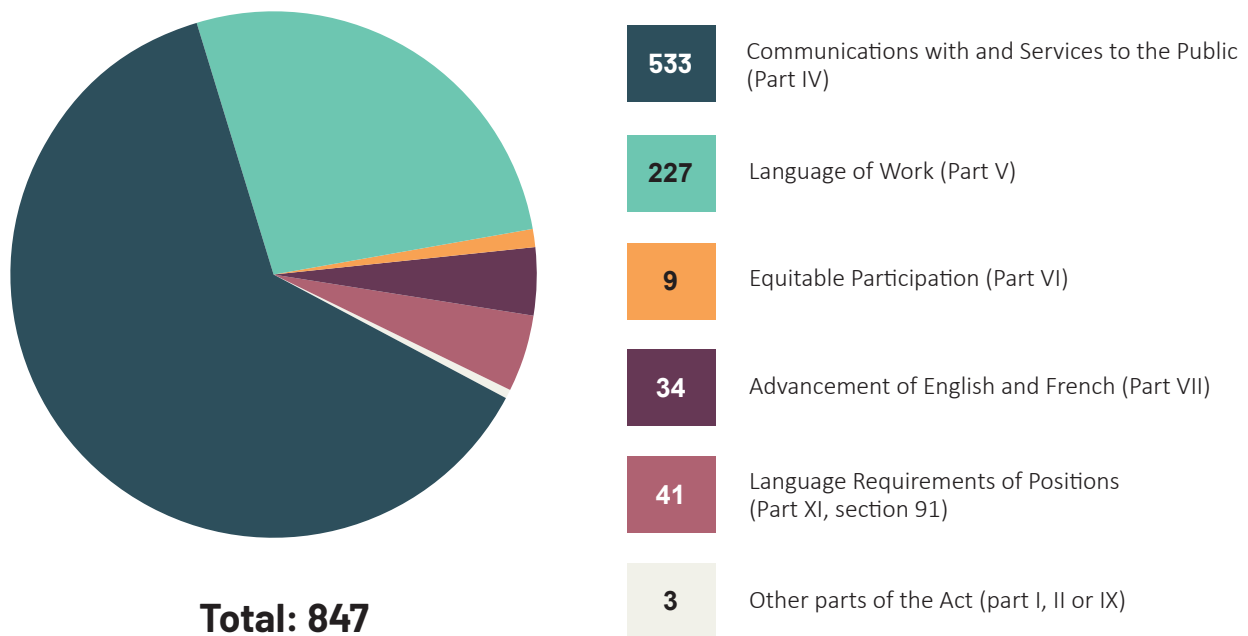


Table 1 shows all admissible complaints by the location of the incident cited by the complainant or the location of the institution's head office, and by the part of the Act under which they were filed.

Table 1

ADMISSIBLE COMPLAINTS IN 2023-2024,

BY PROVINCE AND TERRITORY AND BY PART OF THE ACT (AS OF MARCH 31, 2024)

| LOCATION OF INCIDENT OR HEAD OFFICE | SERVICE TO THE PUBLIC (PART IV) | LANGUAGE OF WORK (PART V) | EQUITABLE PARTICIPATION (PART VI) | ADVANCEMENT OF ENGLISH AND FRENCH (PART VII) | LANGUAGE REQUIREMENTS (PART XI, SECTION 91) | OTHER PARTS (PART I, II OR IX) | TOTAL |
|-------------------------------------|---------------------------------|---------------------------|-----------------------------------|--|---|--------------------------------|------------|
| NEWFOUNDLAND AND LABRADOR | 10 | 0 | 0 | 0 | 1 | 0 | 11 |
| PRINCE EDWARD ISLAND | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| NOVA SCOTIA | 7 | 1 | 0 | 0 | 0 | 0 | 8 |
| NEW BRUNSWICK | 23 | 7 | 0 | 0 | 1 | 0 | 31 |
| QUEBEC | 124 | 39 | 1 | 10 | 1 | 0 | 175 |
| NATIONAL CAPITAL REGION (QUEBEC) | 19 | 46 | 0 | 1 | 1 | 1 | 68 |
| NATIONAL CAPITAL REGION (ONTARIO) | 84 | 90 | 3 | 13 | 24 | 2 | 216 |
| ONTARIO | 130 | 21 | 2 | 4 | 5 | 0 | 162 |
| MANITOBA | 17 | 2 | 0 | 0 | 0 | 0 | 19 |
| SASKATCHEWAN | 13 | 1 | 1 | 1 | 4 | 0 | 20 |
| ALBERTA | 23 | 1 | 0 | 0 | 1 | 0 | 25 |
| BRITISH COLUMBIA | 39 | 2 | 1 | 3 | 2 | 0 | 47 |
| YUKON | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NORTHWEST TERRITORIES | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NUNAVUT | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OUTSIDE CANADA | 44 | 17 | 1 | 2 | 0 | 0 | 64 |
| Total | 533 | 227 | 9 | 34 | 41 | 3 | 847 |

Table 2 shows all admissible complaints over the past 10 years by the location of the incident cited by the complainant or the location of the institution’s head office, and by province and territory where the incident occurred.

Table 2
ADMISSIBLE COMPLAINTS OVER 10 YEARS (2014-2015 TO 2023-2024),
BY PROVINCE AND TERRITORY (*AS OF MARCH 31, 2024)

| LOCATION OF INCIDENT OR HEAD OFFICE | 2014 2015 | 2015 2016 | 2016 2017 | 2017 2018 | 2018 2019 | 2019 2020 | 2020 2021 | 2021 2022 | 2022 2023 | 2023 2024* |
|-------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| NEWFOUNDLAND AND LABRADOR | 12 | 14 | 28 | 16 | 24 | 32 | 11 | 22 | 14 | 11 |
| PRINCE EDWARD ISLAND | 4 | 2 | 5 | 2 | 7 | 4 | 4 | 7 | 7 | 1 |
| NOVA SCOTIA | 13 | 16 | 10 | 20 | 22 | 60 | 11 | 17 | 21 | 8 |
| NEW BRUNSWICK | 42 | 41 | 87 | 51 | 65 | 62 | 47 | 40 | 78 | 31 |
| QUEBEC | 56 | 68 | 148 | 129 | 166 | 213 | 239 | 3,047 | 306 | 175 |
| NATIONAL CAPITAL REGION (QUEBEC) | 64 | 121 | 92 | 96 | 156 | 163 | 293 | 127 | 109 | 68 |
| NATIONAL CAPITAL REGION (ONTARIO) | 193 | 351 | 429 | 307 | 336 | 500 | 883 | 1,778 | 893 | 216 |
| ONTARIO | 78 | 58 | 106 | 124 | 153 | 192 | 148 | 175 | 165 | 162 |
| MANITOBA | 13 | 14 | 13 | 18 | 11 | 9 | 25 | 24 | 19 | 19 |
| SASKATCHEWAN | 16 | 4 | 6 | 25 | 14 | 6 | 23 | 10 | 17 | 20 |
| ALBERTA | 28 | 8 | 43 | 49 | 56 | 48 | 120 | 37 | 37 | 25 |
| BRITISH COLUMBIA | 18 | 16 | 25 | 33 | 25 | 30 | 52 | 89 | 74 | 47 |
| YUKON | 1 | 1 | 1 | 1 | 5 | 6 | 2 | 3 | 1 | 0 |
| NORTHWEST TERRITORIES | 0 | 2 | 2 | 4 | 7 | 6 | 4 | 3 | 3 | 0 |
| NUNAVUT | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 |
| OUTSIDE OF CANADA | 12 | 8 | 23 | 19 | 40 | 30 | 7 | 30 | 43 | 64 |
| Total | 550 | 725 | 1,018 | 894 | 1,087 | 1,361 | 1,870 | 5,409 | 1,788 | 847 |

Table 3 shows the total number of admissible complaints over the past 10 years by the parts of the Act they cover.

Table 3
ADMISSIBLE COMPLAINTS OVER 10 YEARS (2014-2015 TO 2023-2024),
 BY PART OF THE ACT (*AS OF MARCH 31, 2024)

| PART OF THE ACT | 2014 2015 | 2015 2016 | 2016 2017 | 2017 2018 | 2018 2019 | 2019 2020 | 2020 2021 | 2021 2022 | 2022 2023 | 2023 2024* |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| SERVICE TO THE PUBLIC (PART IV) | 320 | 344 | 565 | 457 | 550 | 731 | 693 | 3,398 | 810 | 533 |
| LANGUAGE OF WORK (PART V) | 126 | 125 | 183 | 138 | 212 | 172 | 173 | 233 | 207 | 227 |
| EQUITABLE PARTICIPATION (PART VI) | 11 | 24 | 34 | 16 | 22 | 11 | 13 | 21 | 10 | 9 |
| ADVANCEMENT OF ENGLISH AND FRENCH (PART VII) | 37 | 62 | 32 | 50 | 12 | 20 | 16 | 1,546 | 44 | 34 |
| LANGUAGE REQUIREMENTS (PART XI, SECTION 91) | 45 | 156 | 192 | 222 | 285 | 420 | 968 | 204 | 714 | 41 |
| OTHER PARTS (PART I, II OR IX) | 11 | 14 | 12 | 11 | 6 | 7 | 7 | 7 | 3 | 3 |
| TOTAL | 550 | 725 | 1,018 | 894 | 1,087 | 1,361 | 1,870 | 5,409 | 1,788 | 847 |

Table 4 shows the total number of complaints that were refused or whose investigations were ceased on the grounds set out in subsection 58(4) of the Act.

The following grounds were already provided for in the Act:

Right of Commissioner to refuse or cease investigation

- (4) The Commissioner may refuse to investigate or cease to investigate any complaint if in the opinion of the Commissioner
 - a) the subject-matter of the complaint is trivial;
 - b) the complaint is frivolous or vexatious or is not made in good faith;
 - c) the subject-matter of the complaint does not involve a contravention or failure to comply with the spirit and intent of this Act or does not for any other reason come within the authority of the Commissioner under this Act.

The following grounds have been in effect since the Act was modernized but were not made operational by my office until March 1, 2024 (and will be implemented gradually):

Right of Commissioner to refuse or cease investigation

- (4) The Commissioner may refuse to investigate or cease to investigate any complaint if in the opinion of the Commissioner
 - d) the complaint was not made within a reasonable time after the subject-matter of the complaint arose;
 - e) the subject-matter of the complaint has already been the subject of a report by the Commissioner under subsection 63(1);
 - f) the federal institution concerned has taken corrective measures to resolve the complaint; or
 - g) the Commissioner has entered into a compliance agreement under subsection 64.1(1) in respect of the subject-matter of the complaint.

Table 4

CASES WHERE INVESTIGATIONS WERE REFUSED OR CEASED ON THE GROUNDS

SET OUT IN SUBSECTION 58(4) A, B, C, D, E, F, G, BY FEDERAL INSTITUTION (AS OF MARCH 31, 2024)

| FEDERAL INSTITUTION CITED IN THE COMPLAINT | 58(4)(A)-SUBJECT-MATTER IS TRIVIAL | 58(4)(B) - COMPLAINT IS FRIVOLOUS OR VEXATIOUS OR NOT MADE IN GOOD FAITH | 58(4)(C) - SUBJECT-MATTER DOES NOT INVOLVE A CONTRAVENTION OR FAILURE TO COMPLY WITH THE SPIRIT AND INTENT OF THE ACT OR DOES NOT FOR ANY OTHER REASON COME WITHIN THE AUTHORITY OF THE COMMISSIONER UNDER THE ACT | 58(4)(D) - COMPLAINT WAS NOT MADE WITHIN A REASONABLE TIME AFTER THE SUBJECT-MATTER AROSE | 58(4)(E) - SUBJECT-MATTER HAS ALREADY BEEN THE SUBJECT OF A REPORT BY THE COMMISSIONER UNDER SUBSECTION 63(1) | 58(4)(F) - FEDERAL INSTITUTION CONCERNED HAS TAKEN CORRECTIVE MEASURES TO RESOLVE THE COMPLAINT | 58(4)(G) - COMMISSIONER HAS ENTERED INTO A COMPLIANCE AGREEMENT UNDER SUBSECTION 64.1(1) IN RESPECT OF THE SUBJECT-MATTER | TOTAL |
|---|------------------------------------|--|--|---|---|---|---|-------|
| ADMINISTRATIVE TRIBUNALS SUPPORT SERVICE OF CANADA | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| AIR CANADA | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 4 |
| CANADA BORDER SERVICES AGENCY | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 |
| CANADA MORTGAGE AND HOUSING CORPORATION | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 4 |
| CANADA POST CORPORATION | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| CANADIAN FOOD INSPECTION AGENCY | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| CANADIAN FORCES MORALE AND WELFARE SERVICES | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 |
| CANADIAN SECURITY INTELLIGENCE SERVICE | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 3 |
| CORRECTIONAL SERVICE CANADA | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 4 |
| COURTS ADMINISTRATION SERVICE | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| DEFENCE CONSTRUCTION CANADA | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 4 |

| | | | | | | | | |
|---|----------|-----------|-----------|----------|----------|----------|----------|-----------|
| EDMONTON REGIONAL AIRPORTS AUTHORITY | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| EMPLOYMENT AND SOCIAL DEVELOPMENT CANADA | 0 | 6 | 2 | 0 | 0 | 0 | 0 | 8 |
| ENVIRONMENT AND CLIMATE CHANGE CANADA | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| FINANCE CANADA | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| FISHERIES AND OCEANS CANADA | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 4 |
| GLOBAL AFFAIRS CANADA | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| GOVERNOR GENERAL OF CANADA | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| IMMIGRATION, REFUGEES AND CITIZENSHIP CANADA | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 3 |
| INDIGENOUS SERVICES CANADA | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 4 |
| INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT CANADA | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| NATIONAL CAPITAL COMMISSION | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| NATIONAL DEFENCE | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 6 |
| NATURAL RESOURCES CANADA | 0 | 3 | 1 | 0 | 0 | 0 | 0 | 4 |
| OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES | 0 | 0 | 0 | 0 | 0 | 2* | 0 | 2 |
| PRIVY COUNCIL OFFICE | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| PUBLIC SERVICES AND PROCUREMENT CANADA | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| ROYAL CANADIAN MOUNTED POLICE | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| SHARED SERVICES CANADA | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| CBC/RADIO-CANADA | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 2 |
| STATISTICS CANADA | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| SUPREME COURT OF CANADA | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| WINDSOR PORT AUTHORITY | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Total | 2 | 55 | 20 | 0 | 0 | 3 | 0 | 80 |

* NB: Complaints received against the Office of the Commissioner are processed externally to ensure that there is no conflict of interest and that they are treated substantively in the same way as those processed by the Office of the Commissioner.