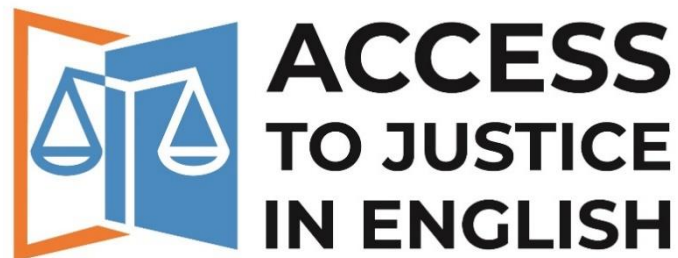


Access to Justice in English Project

Access to Quebec government websites in English

Executive Summary and Recommendations

March 2, 2023



Access to Quebec government websites in English:

Executive Summary and Recommendations

Introduction

QCGN's Access to Justice in English project ("the Project") identifies and researches areas where the English-speaking community are experiencing difficulty accessing their rights, with a strong focus on community access to public services. It leverages information as a strategic resource to understand and improve access to justice in English in Quebec.

The third issue studied by the Project was access to information and services in English on Quebec government websites. Our research methodology included a thorough investigation of the issue along four main lines of inquiry: the relevant policy and legal framework, the internal organization and administration of services at selected government ministries as regards their web presence, system navigation from a user perspective, and firsthand population experience obtained through quantitative and qualitative research.

This investigation uncovered several **systemic barriers to accessing information and services in English on Quebec government websites** across multiple ministries. We then validated these findings through a population survey conducted in Fall 2022, in which 1,002 English-speaking Quebecers provided answers about their experiences interacting with the Quebec government online.

The present document contains an **executive summary of our top findings**, informed by our research and validation process. This is followed by an analysis of key **barriers to access and website-specific recommendations**. The document concludes with a **series of general recommendations** presented by QCGN's Access to Justice in English project to the government of Quebec for further consideration.

Overview

Quebecers' interactions with the government of Quebec are increasingly taking place online. Government websites can no longer be viewed as merely one option for service delivery, substitutable with in-person or telephone communication. Rather, government websites are very often an indispensable first step in obtaining the key services upon which Quebecers rely in their daily lives: finding a doctor, submitting a worker's claim, securing childcare, or applying for a job. Access to these services implicates Quebecers' fundamental and legislative rights, which must be prioritized within the digital transition. These changes are taking place within the context of the Quebec government's Digital Government Transformation Strategy ("Stratégie de transformation numérique gouvernementale"), the purpose of which is to increase efficiency by reducing costs and delays for receiving services. This strategy recognizes the importance of helping to ease the transition for citizens more used to interacting with the administration using traditional, non-digital means.

Unfortunately, in some instances, English-speaking Quebecers are left behind in this transition. Many crucial steps in accessing health, judicial, employment, and other services have now successfully migrated to a digital format – but only in French. Too often, important information is not accessible in English and no alternative recourses are offered to English speakers.

The failure to provide English-language content online impedes meaningful access to services, meaning that the government cannot deliver on the objective and mandate of a public service for English-speaking Quebecers. Denial of meaningful access to services constitutes a *prima facie* case of discrimination under human rights statutes, which in some cases creates a positive duty to accommodate on the part of the government. Language is an integral component of effective communication, necessary for high-quality services that respond to the recipient’s needs and allow them to fully exercise their rights.

The selected websites for this research were chosen because they are connected to equality, civil, and economic rights that all Quebecers enjoy. Language barriers on websites impede English speakers – including seniors and newcomers to Quebec who are still learning French – from meaningfully accessing services and fully exercising their rights. We recognize that the Government has prioritized securing French as the language of the Administration and the official common language of Quebec. However, this broader societal project must not come at the expense of fundamental rights.

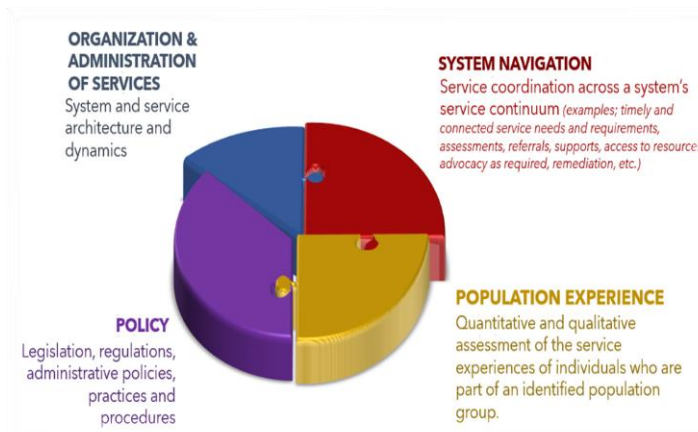
While some language barriers on Quebec government websites can be overcome, the reallocation of resources towards digital service provision means that English-speaking Quebecers face complexity and delays that are not experienced by French-speaking Quebecers. The adoption of Bill 96 has imposed additional restrictions to government communications in English, threatening to worsen the discrepancy in access to services for English speakers. These difficulties require urgent attention – delayed access to healthcare, justice, or employment assistance can cause irreversible repercussions.

Methodology

Our findings are based on a mixed methodology combining the following strands of research:

- A review of the existing framework of policy and law pertaining to government communications and individual rights to access services;
- An external legal opinion submitted by Novalex on June 10, 2022;
- An analysis of available literature on the Quebec government’s systemic and organizational practices as they pertain to government websites;
- In-depth informational interviews with representatives of community stakeholder groups and communications leaders from Quebec public services;
- A quantitative survey of English-speaking Quebecers who have accessed Quebec government websites, conducted by Léger in Fall 2022.

These findings served to complete the four dimensions of the information strategy that governs the structure of the final report: Organization & Administration of Services, System Navigation, Population Experience, and Policy (see Fig. 1, right).



Website Selection

Through the lens of the rights of English-speaking Quebecers, the scope of this project was narrowed to the websites of four ministries and ten government entities. Also included is Quebec.ca, a new Quebec government website which aims to centralize government information onto a single streamlined platform. The selected websites are the following:

SECTOR	WEBSITE
Health	Ministry of health and social services
	RAMQ (provincial health insurance)
	CISSS/CIUSSS, Montreal and Laval (regional health services)
Employment	Ministry of work, employment and social solidarity
	Emploi-Québec (job listings)
	CNESST (occupational health and safety)
Courts and tribunals	Ministry of Justice
	Small claims court
	Municipal courts
	Cour du Québec
	Tribunal du logement (housing tribunal)
	Tribunal du travail (employment tribunal)
Childcare	Ministry of family
	La Place 0-5 (daycare locator)
General	Quebec.ca (for general information on various government services)

Research Highlights

This section provides a high-level summary of the knowledge obtained within each dimension of the information strategy.

The Policy Dimension

- The most relevant source governing the legal framework regarding the use of English on government websites is the *Charter of the French Language (CFL)*, which sets French as the default language for all government communications while allowing certain exceptions.
- Many Quebec government ministries and individual government entities (such as commissions and administrative tribunals) have adopted their own language policies grounded in the *CFL*.
- Rights to access services in English are explicitly protected in the areas of healthcare and justice:
 - The *Act respecting health services and social services* establishes a right to access health and social services in English in Quebec (section 15);
 - The *Constitution Act, 1867* provides a right to use English or French in any Court of Quebec (section 133).
 - Many services provided on websites related to both health and justice are not currently accessible in English, impacting the exercise of these rights in the digital transformation.

- The exercise of additional rights under the Canadian *Charter*, the Quebec *Charter*, and other Quebec legislation is impeded in the absence of adequate access to information and services due to language barriers:
 - **Equality rights** are undermined when some population groups can access government services more easily than other groups;
 - **The right to life, integrity, liberty, security, and dignity** is impacted if a citizen is unable to access vital government services;
 - **Freedom of expression** is implicated in any prohibition on the use of English in government communications;
 - **Economic rights** to just, reasonable, and safe working conditions are only enforceable if workers can access information about their rights and are able to file claims.
- **Meaningful access to services**, i.e. successful delivery of the mandate and objective of a given public service, requires access to information and access to the digitised components of these services.
- While **Bill 96** does not directly target government websites, it contributes to a political environment in which the protection of the French language is construed as requiring a rejection of bilingualism, even though websites can be bilingual without impacting the predominance of French in the Administration.

The Organization and Administration of Services Dimension

- *Quebec.ca* is transforming online access to Quebec government information. This website, created in 2018, provides a centralised access point for information and services aimed at individuals provided by dozens of government ministries and entities.
- Accessibility of services is a core component of the mandates of all reviewed Quebec government ministries and entities. However, the role of language as a component of accessibility within internal policies and procedures remains unstated and nebulous.
- Generally, the decision-making regarding the translation of content into English is guided by (a) whether the target audience of the content is individuals, as opposed to companies or professionals; and (b) internal language policies which mirror the principles of the *CFL*.

The System Navigation Dimension

- Government websites are an increasingly crucial component of access to public services. Most adults in Quebec use the internet to interact with the provincial government.
- Despite this, barriers remain to accessing these websites in English. These barriers fall into four categories:
 1. **Lack of English-language content** is the most pervasive barrier for English speakers in Quebec. Many of the reviewed websites (courts and tribunals; CNESST; CISSS and CIUSSSs; and employment and family services) contained information relating to key rights and vital services in French only.
 2. **Trajectory language gaps** occur when the information or online service sought is available in English, but the user must navigate through French-only webpages in order to find it. Many of these gaps can be attributed to a failure to keep websites' English sections updated.
 3. **Lack of search engine language filters** prevents English-speaking Quebecers from locating services in English. Often, websites' internal search engines do not allow to filter results based on language.
- The availability of English-language content varies greatly among Quebec government websites. Some are entirely in French, but most websites have a portion in English.

The Population Experience Dimension

- The Access to Justice population survey asked 1,002 English-speaking Quebecers about their experiences visiting Quebec government websites in the past two years.
- These data confirmed that the issues identified in the System Navigation dimension reflected broader challenges faced by English speakers seeking Quebec government information and services online.
- The main reasons for accessing Quebec government websites were:
 - To get more information about the service (53%)
 - To find out what documents were needed (29%)
 - To check the status of an application or pending result (21%)
 - To connect with an agent or obtain contact information (17%)
- Almost half (43%) responded that it had been difficult to access Quebec government services online in English in the past two years, including 10% who had found it “very difficult.” The main difficulties encountered were:
 - Less information available in English than in French
 - Required forms/documents were unavailable in English
 - Client portal was in French only
- One quarter (25%) of respondents who experienced difficulties did not take any action to overcome their difficulty, with some of them saying they simply gave up. Among the 75% who did take action to overcome their difficulty, 29% were still unable to access the service they needed. These findings indicate that website barriers can have the effect of preventing many English-speaking Quebecers from obtaining services, whether or not they take the time to find other ways of understanding the contents.
 - Those who were successful in taking action tended to be younger and have a higher level of educational attainment, suggesting that older English-speaking Quebecers are at greater risk of being unable to access essential services and information online.

Access Barriers and Website-specific Recommendations

These insights, combined with further details emanating from our validation process, allowed us to identify three overarching areas of unmet need. This section details the specifics of each.

Access Barrier 1: Failure to provide key information in English

The lack of key information in English was the main difficulty encountered by English speakers accessing Quebec government websites, according to the population survey: two-thirds (67%) of those who found it difficult to access information on these websites stated that their difficulty was that less information was available in English than in French. All websites included in this research offered more information in French than in English, except for those of two Montreal CIUSSSs.

On many Quebec government websites, vital information about healthcare services, access to justice, family support, and economic assistance is only available in French. While English speakers can use online translators or request the assistance of acquaintances, both actions risk mistranslations, cause delays, and affect privacy. Many may also simply give up. Information about fundamental rights and needs must be available in English to ensure meaningful access to services and full exercise of rights.

Website-specific illustrations and recommendations

Quebec.ca

Based on our research, we recognise that the central role that Quebec.ca plays in Quebecers' interactions with the provincial government. The ability to switch languages on the site is relatively seamless. We encourage ministries to continue the process of migrating content onto Quebec.ca in a way that offers equivalent information in English and in French.

Some sections of *Quebec.ca* are becoming hubs of information in areas of vital need and crucial rights, and yet much of the content is only available in French. For example, the following webpages are not available in English:

- [Health] Food allergies, Food recalls
- [Justice] Judicial process, Tribunals of Quebec, Register of Commissioners for Oaths
- [Housing] Purchase or sale of property
- [Public safety] Police and prevention of criminality, Information for victims of criminal acts

Recommendation:

- That all website content aimed at individuals be accessible in English, notably in the following sections:
 - Health
 - Justice and civil status
 - Homes and housing
 - Public safety and emergencies

CNESST

For the forms that cannot be submitted using the online client portal, or as an alternative (albeit not recommended by the CNESST) to using the client portal, workers can download, fill out, and either mail or e-mail the form to the CNESST. However, not all forms are available in English, including those for Prohibited Conduct Complaint (form 5063) and Complaint for reprisals relating to pay equity (form 5064).

Recommendation:

- That all forms aimed at workers be made available in English and listed in the 'Forms' section of the CNESST website.

Ministère de la famille

Quebecers have a right to financial assistance and social measures susceptible to ensuring a decent standing of living. Children have a right to receive childcare, and parents have the right to choose the childcare most convenient for them. Accessing information about family assistance and services allows families to receive the support they need to ensure their children's well-being and development. However, some of this information is difficult to find for English-speaking Quebecers accessing the websites of the Ministère de la Famille and La Place 0-5.

Recommendations:

- That information regarding family support services and work-family-education balance be provided in English.
- That the online complaint form for La Place 0-5 be made available in English.

Ministère de la santé et des services sociaux

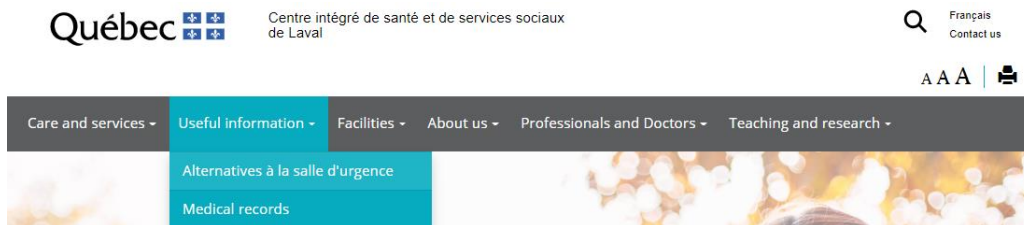
Timely information is crucial in healthcare. In Quebec, individual CISSSs and CIUSSS offer a gateway to the healthcare system. English-speaking Quebecers have a right to health and social services in English under the *Act respecting health services and social services*. Access programs allow English speakers to know which service is accessible in English at each institution. Yet, many establishments have not made their access program available on their website. Additionally, key information is increasingly being digitized – the online information component is important to ensure that the listed services are entirely accessible in English.

Recommendations:

- That websites provide basic information on services and contact details in English and make it accessible through an “English” button present on all webpages.
- That all content relevant to the services available in English, according to each institution’s access program, be provided in English.

CISSS de Laval

The CISSS de Laval provides a substantial amount of information in English. However, pathways should be fully in English to enable website visitors to find the information that has been translated. For example, clicking on the menu item “Alternatives à la salle d’urgence” directs to an English-language webpage about emergency healthcare – the menu item text should therefore be in English on the English section of the website.



Recommendation:

- That menu items and hypertext be translated into English when the webpage to which it directs is available in English.

Ministère de la Justice

The Canadian Constitution guarantees the right to use either English or French in all Courts of Quebec (section 133). Many websites of the Ministère de la Justice offer limited English-language information about rights and obligations, as well as insufficient information and online services necessary for accessing the justice system. English-speaking Quebecers are thereby restricted in their ability to exercise their constitutional right.

Recommendation:

- That all information related to individuals' rights and obligations, as well as online services that facilitate access to the justice system, be accessible in English.

A party may request the translation of a judicial decision without cost under section 9 of the *Charter of the French Language*. While Bill 96 sought to remove this provision, the coming into force of its replacement was suspended by a decision of the Superior Court of Québec.

Recommendation:

- That the Ministry of Justice provide an English-language version of the webpage that explains how to request the translation of a judgement.

Cour municipale de la Ville de Laval

The Cour municipale de la Ville de Laval website has an English version of most webpages. However, many of them contain almost none of the content available in French. For example, the 'Paying a Ticket' webpage in English simply states "A ticket must be paid in no later than 30 days." The French version provides details about the deadline and contains essential information on the four ways to pay a ticket.

Recommendation:

- That all information aimed at individuals, needed to exercise the fundamental right to obtain judicial services in English, be provided in English on the English versions of each webpage, or that an automatic translation option be implemented in the interim.

Administrative tribunals

The **Tribunal administratif du logement** website is a model for providing fair and equal access to information online in both English and French. However, many of its online services, which provide a simpler and faster way to interact with the tribunal, are only available in French. These include:

- Filing an application to the Tribunal
- Processing status of a case
- Making an appointment with an information clerk
- Calculating rent increase
- Searching for a decision

The **Tribunal administratif du travail** website's English section is limited to a single webpage with limited information and forms. All of its online services are available in French only, including:

- The online form to contest a CNESST decision
- The online form to file an act instituting proceedings
- The platform to file documents

Recommendations:

- That online services on administrative tribunal websites be made available in English and, in the interim, that alternatives to the use of online services be clearly explained in English.

- That the Tribunal administratif du travail provide a full English version of its website to ensure that all information aimed at workers is available in English.

Access Barrier 2: Missing pathways to access existing English-language content

While English-language information must be *available*, it also needs to be *accessible*. The Quebec government’s digitisation strategy seeks to make government information easy to find and understand, a mission which is especially crucial to segments of the population less familiar with Quebec government websites, including seniors and newcomers.

In some instances, our research found that important English-language content (forms, webpages, etc.) was available, but the website user would have to navigate through multiple webpages in French in order to find it. Procedures are required to ensure that new content in English is accompanied by an updated navigational pathway such that English-speaking Quebecers can utilize it.

Website-specific illustrations and recommendations

Quebec.ca

Because so much Quebec government information is migrating onto *Quebec.ca*, it is especially important to have procedures in place to ensure that new English-language content is accompanied by updated pathways such that English speakers are able to find it. For example, the link below directs to a service to file a complaint that is available in English; yet the hypertext has not been translated and the “French only” mention remains:

[Plainte au sujet de la sécurité et du bien-être des animaux \(in French only\)](#) 

This service enables you to file a complaint if you believe that animals are being mistreated or are being kept in an unacceptable situation.

Recommendation:

- That a policy be put into place to ensure that the English section is kept updated and to ensure that navigational pathways to new English-language content are also accessible in English.

CNESST

One of the two main services offered by the CNESST is handling employee complaints against their employer. The CNESST website recommends using the online platform to submit the complaint. This platform can be used in, among others, the following workplace situations:

- Unfair job loss.
- Incorrect pay.
- Experiencing harassment, threats or attacks.

These workplace issues risk placing workers in financially precarious or threatening situations. With about a third of Quebecers living paycheque to paycheque, a worker who loses their job unfairly or is paid incorrectly may struggle to afford housing and groceries. A worker facing psychological or physical workplace violence may not be able to afford to quit or risk their livelihood by using internal dispute resolution mechanisms. The CNESST exists to protect these workers.

The online platform to fill out the complaint form exists in English, but it is not accessible in English. The process to find the English-language form on the CNESST website is as follows:

1. Go to the client portal, Mon Espace, webpage (available in French only)
2. Go to the 'Travailleuses et travailleurs' section (French only)
3. Go through the registration process (French only)
4. Sign in (French only)
5. Arrive at the client portal welcome page (French only)
6. Click on "Accédez au service" under "Déposer une plainte contre votre employeur » (French only)
7. Click on "Commencer" (French only)
8. Scroll down to the bottom of the form's start page (in French) and click on "An English version is also available."

Recommendation:

- That the pathway to access the online service "File a complaint online with the CNESST" be fully accessible in English. While the form is available in English, the webpages needed to find it are only available in French.

Ministère de la famille

To register a child for daycare, parents must visit the Ministère de la famille's daycare platform, La Place 0-5. However, the English-language registration page can currently only be accessed by navigating through the French version of the website.

Recommendation:

- That the 'Register to La Place 0-5' webpage [laplace0-5.com/s'inscrire-a-la-place-0-5] be corrected. The 'Create Your Account' button on the English version of the webpage currently links to the wrong URL. The equivalent button on the French version links to the correct URL, a page which is also available in English.

Municipal courts

The websites of the **Cour municipale de la Ville de Laval** and the **Cour municipale de la Ville de Montréal** include hyperlinks directing the user to different parts of their websites. However, in the English section, many of these links direct to the French version of webpages even though an English version is available. These pathway interruptions make it harder for users to find the information they need, as they have to remember to look for an 'English' button at each step of navigating the website.

Recommendation:

- Ensure that all internal hypertext in the English section of the website link to the English version of a webpage if it is available.

Access Barrier 3: Lack of language-specific tools and information

Besides making existing information available in English, English-speaking Quebecers also require access to language information. Some Quebec government websites include internal search engines – for instance, to find a daycare, a commissioner of oaths, or employment. Yet, these search engines often do not include

language filters that would allow English-speaking Quebecers to find service providers who can communicate in English or employment that matches their French-language skills.

There are areas in which information relevant to English speakers is lacking. Complaint forms and contact details should therefore be prioritised in website translation efforts, such that ministries can respond to unmet needs that go beyond the translation of existing information and online services.

Website-specific illustrations and recommendations

Ministère du travail, de l'emploi et de la solidarité sociale

The unemployment rate among English-speakers in Quebec is 8.9% – higher than the provincial unemployment rate of 7.2%. Access to employment is crucial to the economic, social, and linguistic integration of newcomers, many of whom are still learning French. Both segments of the populations would benefit from access to employment that matches and improves their French skill level in a predominantly francophone environment.

Recommendation:

- That a language search filter be introduced to allow job seekers who are still learning French to select a skill level with which they are comfortable according to the categories already tracked in individual job postings:
 - French Spoken and Written – Good / Moderate / Poor
 - English Spoken and Written – Good / Moderate / Poor

A translated job description ensures that job-seekers who are more comfortable in English fully understand the position and feel welcome to apply. For many job postings listed on the *Québec emploi* platform, company and job description information has only been provided in French, but they state that an English version of the job offer can be obtained. However, the Access to Justice project has been unable to locate a “Translate a job offer” button on any job postings on the site.

Company description

The information in this section has been provided in French only (see the French page). To receive an English version of the job offer, click on the Translate a job offer button.

Job description

The information in this section has been provided in French only (see the French page). To receive an English version of the job offer, click on the Translate a job offer button.

Recommendation:

- That the button to “Translate a job offer” be made available as indicated or that the mention of this option only be included when it is available.

Ministère de la famille

English-speaking parents are disadvantaged in their search for childcare because the platform does not provide information on whether individual daycares are able to provide services or documentation in English.

Recommendation:

- That language information on individual daycares be collected and made available on the website to indicate which ones are able to accommodate English-speaking parents and children.

Ministère de la santé et des services sociaux

The right to obtain healthcare in English only applies to certain facilities and services. English-speakers need to be able to consult access programs to determine if and where specific services are accessible in English.

Recommendation:

- That all indicated institutions make their full access programs for services in English available on their websites, such that English speakers know which services they can expect to be able to access in English.

Ministère de la Justice

Family mediators often play a crucial role in divorce and child custody disputes. Yet, the search on the Ministry of Justice website does not provide information on whether listed mediators can provide services in English.

Recommendation:

- That the online service ‘Search for family mediator’ include a language filter and spoken languages information for the professionals in the database, similarly to the ‘Find an accredited civil mediator’ online service also offered on the Justice Québec website.

General Recommendations

Based on available data on areas of unmet need on Quebec government websites, we have developed recommendations for ways in which Quebec government ministries can take action to improve access to information and services online in English in Quebec. We feel that these actions are needed to ensure that English-speaking Quebecers are able to meaningfully access the full range of government services to which they are entitled and have equal opportunity to exercise their fundamental, social, and economic rights.

We recommend that:

1. Key information and services necessary for individuals to exercise their rights be provided in English on the relevant government website, including the tools, client portals, and documents contained therein.
2. All steps along the navigational path (e.g., webpages, hyperlinks, menu items) to finding English-language content be functional and available in English.
3. Each ministry implement an option to allow website users to automatically translate text that is only available in French. This example is provided from the City of Gatineau's website:



The content of this page is available only in French. A machine-translated version (without any human intervention) is available by using [Google Translate](#). Ville de Gatineau is not responsible for the linguistic quality of the translations or the technical quality of their content, nor of any of the possible problems, direct or indirect, that could be raised as a consequence of its use by the readers.

4. A policy be put in place to evaluate the equity of online information and services in English provided on all websites of the government of Quebec.
5. Measures be put in place to assess and track the needs of English speakers and to collect citizen feedback on barriers to accessing website resources in English.
6. All citizen consultations regarding Quebec government communications, including those involved in the migration of web content from ministry websites onto *Quebec.ca*, take into account the views of Quebec's English-speaking community.

Finally,

7. **We invite the government of Quebec to communicate with the QCGN to discuss our findings and to collaborate on solutions to improve access to information and services online in English on Quebec government websites.**

Annex

Website-specific Illustrations and Recommendations

Annex

This Annex contains the same website-specific recommendations listed in the Access Barriers section, but grouped by Quebec government ministry and the website(s) for which they are responsible. The icons are used to identify each recommendation with one of the three barriers.



Failure to provide key information in English



Missing pathways to access existing content in English



Lack of language-specific tools and information

Ministère du conseil exécutif – Québec.ca

THE BARRIER

Based on our research, we recognise that the central role that Québec.ca plays in Quebecers' interactions with the provincial government. The ability to switch languages on the site is relatively seamless. We encourage ministries to continue the process of migrating content onto Québec.ca in a way that offers equivalent information in English and in French.

Some sections of *Québec.ca* are becoming hubs of information in areas of vital need and crucial rights, and yet much of the content is only available in French. For example, the following webpages are not available in English:

- [Health] Food allergies; Food recalls
- [Justice] Judicial process; Tribunals of Quebec; Register of Commissioners for Oaths
- [Housing] Purchase or sale of property
- [Public safety] Police and prevention of criminality; Information for victims of criminal acts

RECOMMENDATION



1. That all website content aimed at individuals be accessible in English, notably in the following sections:
 - Health
 - Justice and civil status
 - Homes and housing
 - Public safety and emergencies

Because so much Quebec government information is migrating onto *Québec.ca*, it is especially important to have procedures in place to ensure that new English-language content is accompanied by updated pathways such that English speakers are able to find it. For example, the link below directs to a service to file a complaint that is available in English; yet the hypertext has not been translated and the “French only” mention remains:

[Plainte au sujet de la sécurité et du bien-être des animaux \(in French only\)](#) 

This service enables you to file a complaint if you believe that animals are being mistreated or are being kept in an unacceptable situation.

RECOMMENDATION



2. That a policy be put into place to ensure that the English section is kept updated and to ensure that navigational pathways to new English-language content are also accessible in English.

Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)

THE BARRIER: SUBMITTING A COMPLAINT ONLINE

One of the two main services offered by the CNESST is handling employee complaints against their employer. The CNESST website recommends using the online platform to submit the complaint. This platform can be used in, among others, the following workplace situations:

- Unfair job loss.
- Incorrect pay.
- Experiencing harassment, threats or attacks.

These workplace issues risk placing workers in financially precarious or threatening situations. With about a third of Quebecers living paycheque to paycheque, a worker who loses their job unfairly or is paid incorrectly may struggle to afford housing and groceries. A worker facing psychological or physical workplace violence may not be able to afford to quit or risk their livelihood by using internal dispute resolution mechanisms. The CNESST exists to protect these workers.

The online platform to fill out the complaint form exists in English, but it is not accessible in English. The process to find the English-language form on the CNESST website is as follows:

9. Go to the client portal, Mon Espace, webpage (available in French only)
10. Go to the 'Travailleuses et travailleurs' section (French only)
11. Go through the registration process (French only)
12. Sign in (French only)
13. Arrive at the client portal welcome page (French only)
14. Click on "Accédez au service" under "Déposer une plainte contre votre employeur » (French only)
15. Click on "Commencer" (French only)
16. Scroll down to the bottom of the form's start page (in French) and click on "An English version is also available."

RECOMMENDATION

Pathway

1. That the pathway to access the online service "File a complaint online with the CNESST" be fully accessible in English. While the form is available in English, the webpages needed to find it are only available in French.

THE BARRIER: FORMS THAT ARE ONLY AVAILABLE IN FRENCH

For the forms that cannot be submitted using the online client portal, or as an alternative (albeit not recommended by the CNESST) to using the client portal, workers can download, fill out, and either mail or e-mail the form to the CNESST. However, not all forms are available in English, including those for Prohibited Conduct Complaint (form 5063) and Complaint for reprisals relating to pay equity (form 5064).

RECOMMENDATION

Translation

2. That all forms aimed at workers be made available in English and listed in the 'Forms' section of the CNESST website.

Ministère du Travail, de l'Emploi et de la Solidarité sociale

THE BARRIER:

The unemployment rate among English-speakers in Quebec is 8.9% – higher than the provincial unemployment rate of 7.2%. Access to employment is crucial to the economic, social, and linguistic integration of newcomers, many of whom are still learning French. Both segments of the populations would benefit from access to employment that matches and improves their French skill level in a predominantly francophone environment.

RECOMMENDATION



1. That a language search filter be introduced to allow job seekers who are still learning French to select a skill level with which they are comfortable according to the categories already tracked in individual job postings:

French Spoken and Written – Good / Moderate / Poor

English Spoken and Written – Good / Moderate / Poor

A translated job description ensures that job-seekers who are more comfortable in English fully understand the position and feel welcome to apply. For many job postings listed on the *Québec emploi* platform, company and job description information has only been provided in French, but they state that an English version of the job offer can be obtained. However, the Access to Justice project has been unable to locate a “Translate a job offer” button on any job postings on the site.

Company description

The information in this section has been provided in French only (see the French page). To receive an English version of the job offer, click on the Translate a job offer button.

Job description

The information in this section has been provided in French only (see the French page). To receive an English version of the job offer, click on the Translate a job offer button.

RECOMMENDATION



2. That the button to “Translate a job offer” be made available as indicated or that the mention of this option only be included when it is available.

Ministère de la Famille

THE BARRIER

Quebecers have a right to financial assistance and social measures susceptible to ensuring a decent standing of living. Children have a right to receive childcare, and parents have the right to choose the childcare most convenient for them. Accessing information about family assistance and services allows families to receive the support they need to ensure their children's well-being and development. However, some of this information is difficult to find for English-speaking Quebecers accessing the websites of the Ministère de la Famille and La Place 0-5.

RECOMMENDATIONS



1. That information regarding family support services and work-family-education balance be provided in English.



2. That the online complaint form for La Place 0-5 be made available in English.

3. That the 'Register to La Place 0-5' webpage be corrected. The 'Create Your Account' button on the English version of the webpage currently links to the wrong URL. The equivalent button on the French version links to the correct URL, a page which is also available in English.



4. That language information on individual daycares be collected and made available on the website to indicate which ones are able to accommodate English-speaking parents and children.

THE BARRIER: ACCESS TO HEALTHCARE INFORMATION IN ENGLISH

Timely information is crucial in healthcare. In Quebec, individual CISSSs and CIUSSS offer a gateway to the healthcare system. English-speaking Quebecers have a right to health and social services in English under the *Act respecting health services and social services*. Access programs allow English speakers to know which service is accessible in English at each institution. Yet, many establishments have not made their access program available on their website. Additionally, key information is increasingly being digitized – the online information component is important to ensure that the listed services are entirely accessible in English.

RECOMMENDATIONS



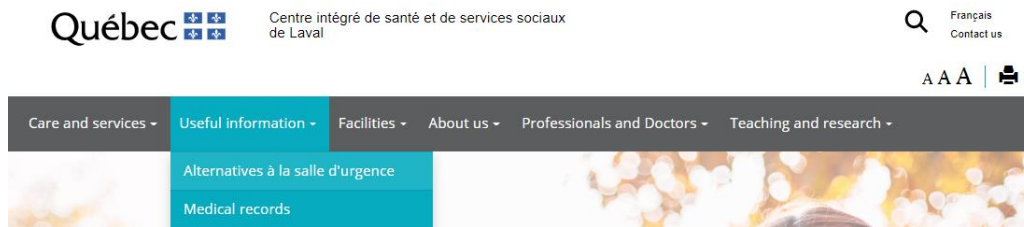
1. That all indicated institutions make their full access programs for services in English available on their websites, such that English speakers know which services they can expect to be able to access in English.



2. That websites provide basic information on services and contact details in English and make it accessible through an “English” button present on all webpages.

3. That all content relevant to the services available in English, according to each institution’s access program, be provided in English.

The **CISSS de Laval** provides a substantial amount of information in English. However, pathways should be fully in English to enable website visitors to find the information that has been translated. For example, clicking on the menu item “Alternatives à la salle d’urgence” directs to an English-language webpage about emergency healthcare – the menu item text should therefore be in English on the English section of the website.



RECOMMENDATION

1. That menu items and hypertext be translated into English when the webpage to which it directs is available in English.

Ministère de la Justice

THE BARRIER

The Canadian Constitution guarantees the right to use either English or French in all Courts of Quebec (section 133). Many websites of the Ministère de la Justice offer limited English-language information about rights and obligations, as well as insufficient information and online services necessary for accessing the justice system. English-speaking Quebecers are thereby restricted in their ability to exercise their constitutional right.

RECOMMENDATIONS



1. That all information related to individuals' rights and obligations, as well as online services that facilitate access to the justice system, be accessible in English.



2. That the online service 'Search for family mediator' include a language filter and spoken languages information for the listed professionals, similar to the 'Find an accredited civil mediator' service also offered on the Justice Québec website.

A party may request the translation of a judicial decision without cost under section 9 of the *Charter of the French Language*. While Bill 96 sought to remove this provision, the coming into force of its replacement was suspended by a decision of the Superior Court of Québec.

RECOMMENDATION



3. That the Ministry of Justice provide an English-language version of the webpage that explains how to request the translation of a judgement.

The **Cour municipale de la Ville de Laval** website has an English version of most webpages. However, many of them contain almost none of the content available in French. For example, the 'Paying a Ticket' webpage in English simply states "A ticket must be paid in no later than 30 days." The French version provides details about the deadline and contains essential information on the four ways to pay a ticket.

RECOMMENDATION



4. That all information aimed at individuals, needed to exercise the fundamental right to obtain judicial services in English, be provided in English on the English versions of each webpage, or that an automatic translation option be implemented in the interim.

The websites of the **Cour municipale de la Ville de Laval** and the **Cour municipale de la Ville de Montréal** include hyperlinks directing the user to different parts of their websites. However, in the English section, many of these links direct to the French version of webpages even though an English version is available. These pathway interruptions make it harder for users to find the information they need, as they have to remember to look for an 'English' button at each step of navigating the website.

RECOMMENDATION

5. Ensure that all internal hypertext in the English section of the website link to the English version of a webpage if it is available.

Tribunaux administratifs

THE BARRIER

The **Tribunal administratif du logement** website is a model for providing fair and equal access to information online in both English and French. However, many of its online services, which provide a simpler and faster way to interact with the tribunal, are only available in French. These include:

- Filing an application to the Tribunal
- Processing status of a case
- Making an appointment with an information clerk
- Calculating rent increase
- Searching for a decision

The **Tribunal administratif du travail** website's English section is limited to a single webpage with limited information and forms. All of its online services are available in French only, including:

- An online form to contest a CNESST decision
- An online form to file an act instituting proceedings
- Platform to file documents

RECOMMENDATIONS

1. That online services on administrative tribunal websites be made available in English and, in the interim, that alternatives to the use of online services be clearly explained in English.
2. That the Tribunal administratif du travail provide a full English version of its website to ensure that all information aimed at workers is available in English.