



CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Ontario Works Division

TO:	Chair and Members Health and Safe Communities Committee
COMMITTEE DATE:	June 11, 2018
SUBJECT/REPORT NO:	Ontario Works French Language Services Compliance Report (CS11038(c)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Bruce Hickerson (905) 546-2424 Ext. 4825
SUBMITTED BY:	Bonnie Elder Acting Director, Ontario Works Division Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATION(S)

That the Ontario Works French Language Services Compliance Report, attached as Appendix A to Report CS11038(c), be approved.

EXECUTIVE SUMMARY

The *French Language Services Act, R.S.O. 1990, c. F.32, (FLSA)*, passed in 1986, forms part of a broader legal framework of linguistic rights in Ontario.

In 2009, regulations set forth by the Minister responsible for Francophone Affairs required that Consolidated Municipal Service Managers (CMSMs) in designated areas comply with the *FLSA*. The City of Hamilton is one of 25 designated areas and acts on behalf of the Ministry of Community and Social Services (MCSS) as a CMSM delivering the Ontario Works program.

The Ministry requires that the City's Ontario Works Division provide an annual French Language Services (FLS) Compliance Report. The Compliance Report details Ministry expectations and the City's responsibilities with regard to French Language Services provision. It also provides a roadmap to increase French Language Service capacity and improve quality of service.

The Ontario Works Division has been in compliance with the *Act* since 2010 and the Division's Compliance Reports have been positively received and approved annually by MCSS. Part of the approval process requires that City Council review and approve the

Compliance Report. Once approved, the Compliance Report can be submitted to MCSS.

Alternatives for Consideration –Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications associated with Report CS11038(c).

Staffing: There are no staffing implications associated with Report CS11038(c).

Legal: There are no legal implications associated with Report CS11038(c).

HISTORICAL BACKGROUND

The *French Language Services Act, R.S.O. 1990, c. F.32, (FLSA)* passed in 1986, forms part of a broader legal framework of linguistic rights in Ontario. Section 5.1 of the *Act (FLSA)* states:

“A person has the right in accordance with this *Act* to communicate in French with, and to receive available services in French from,, head or central office of a government agency or institution of the Legislature that is designated by the regulation, and has the same right in respect of any other office of such agency or institution that is located in or serves an area designated in the Schedule.”

In 2009, the above regulation from the *Act*, set forth by the Minister responsible for Francophone Affairs, required that Consolidated Municipal Service Managers (CMSMs) and transfer payment agencies, in designated areas be bound by the *FLSA*. The City of Hamilton is one of 25 designated areas and therefore, mandated to comply with the *FLSA*.

In the Ontario Works Division, where the City of Hamilton acts on behalf of the Government of Ontario as a CMSM delivering the Ontario Works Program, the Ministry of Community and Social Services (MCSS) required that the City provide an annual Ontario Works Program Action Plan describing the capacity to provide French Language Services. An annual Ontario Works Program Action Plan was initiated and submitted to the MCSS in December 2009 for 2010. This and subsequent annual Ontario Works Program Action Plans received positive feedback and were approved accordingly.

In 2016, the Ministry developed a new French Language Services Compliance Report to replace the previous French Language Services Action Plan templates. This report was developed to:

- Formalize Ministry expectations and service providers' responsibilities about French Language Services provision.
- Provide clearer definition and service clause expectations.
- Continue conversations with service providers and/or community stakeholders in areas where there are service gaps.
- Provide a roadmap for agencies to increase French Language Services capacity and improve quality of service.

Effective March 2016, the Ontario Works Division began submitting the Ontario Works French Language Services Compliance report annually together with the budget submission.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

French Language Services Act, R.S.O. 1990, c. F.32

RELEVANT CONSULTATION

Not applicable.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Minister of Francophone Affairs requires that Consolidated Municipal Service Managers (CMSMs) in designated areas be bound by the *French Language Services Act* (FLSA). The City of Hamilton is a CMSM delivering the Ontario Works program in one of 25 designated areas and therefore mandated to comply with the *FLSA*. To confirm compliance, the Ministry of Community and Social Services requires that CMSMs in designated areas complete an annual French Language Services Compliance Report that is reviewed and approved by City Council.

ALTERNATIVES FOR CONSIDERATION

None.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

APPENDICES AND SCHEDULES ATTACHED

Appendix A to Report CS11038(b): French Language Services Compliance Report for
2018/2019 City of Hamilton, Ontario Works
Division