

SECTION 3

RECRUITMENT AND STAFFING

3:08 RECRUITMENT, SELECTION AND APPOINTMENT FRENCH LANGUAGE REQUIREMENTS BILINGUAL DESIGNATED POSITIONS

AUTHORITY: CIVIL SERVICE ACT
FRENCH LANGUAGE SERVICES ACT

ADMINISTRATION: PUBLIC SERVICE COMMISSION

| | | |
|--|------------------------------|----------------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 1 of 11 |
|--|------------------------------|----------------------------|

1. INTRODUCTION

1.01 The intent of this policy is to provide direction and guidance on French language service requirements throughout government recruitment and staffing processes, consistent with existing PSC policies and procedures. The goal is to assist departments in attracting and maintaining an adequate bilingual workforce offering quality services to the public in both French and English.

2. PURPOSE

2.01 The purpose of this policy is to outline French language service requirements in the recruitment, selection and appointment process for bilingual designated positions within the Government of Prince Edward Island.

3. APPLICATION

3.01 This policy applies to all employees/individuals who are responsible for or involved in selection and hiring on behalf of departments and agencies of Government, pursuant to the *Civil Service Act*.

4. PRINCIPLES

4.01 In addition to the existing guiding principles of the selection process outlined in 3.01, the following principles apply in those instances where French language requirements have been determined as essential for a bilingual designated position.

- (a) French language services shall be an integrated component throughout the recruitment and staffing process.
- (b) Communications and services shall be made pro-actively available and accessible to the general public in accordance with their preferred language throughout the recruitment and staffing process.

| | | |
|--|------------------------------|---------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 2 of 11 |
|--|------------------------------|---------------------|

- (c) Government institutions and employees who are responsible for or involved in recruitment and staffing on behalf of the Government of Prince Edward Island, are responsible to consider the need for additional designated positions where appropriate and to respect and apply the language requirement provisions of this policy.
- (d) The policy shall be applied in a manner that is consistent with the language contained in related Collective Agreements.
- (e) Candidates are assessed in relation to their oral proficiency in French and their ability to deliver services in French in a comparable quality to English in support of the development of the Acadian and Francophone community.

5. DEFINITIONS

- 5.01 Bilingual Designated Position: positions within the public service which require a knowledge and use of the English and French language in order for the duties of that position to be performed satisfactorily.
- 5.02 French Language Proficiency Profile: the assessed level of French language proficiency of an individual's oral, writing and reading skills.
- 5.03 Position Language Profile: the predetermined level of French language proficiency assigned to a given bilingual designated position for oral, and in certain cases, writing and reading skills.
- 5.04 Bilingual Human Resource Profile: the defined complement of bilingual positions, bilingual human resources, administrative arrangements, third party agreements and alternate service delivery methods required by an organization to effectively communicate and provide quality programs and services to the general public.

6. POLICY STATEMENT

| | | |
|--|------------------------------|---------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 3 of 11 |
|--|------------------------------|---------------------|

6.01 The Government of Prince Edward Island is committed to following recruitment and staffing practices consistent with existing PSC policies and practices and supporting the *French Language Services Act (2013)* for the provision of quality services in French.

7. PROCEDURES

7.01 The following, outlines the language requirements within the various stages of the selection process as outlined in section 3.01. The provisions outlined below apply to external and internal competitions, and are designed to enable Staffing Services to recruit the best possible candidate as per the requirements of the government institution.

7.02 Posting

(a) Job Qualifications and Requisition (Prior to posting)

- i) After having determined the requirement for a given position to be designated bilingual, as described in sub-section 6:01A, the government institution shall ensure that the Position Questionnaire is accurate and complete.
- ii) If the duties, responsibilities or qualifications have changed. A classification review will be conducted prior to proceeding to the staffing process.
- iii) The government institution shall submit its staffing request to the Public Service Commission. The Position Questionnaire (PQ) linked to the staffing request must have a current Position Language Profile listed under *Basic Requirements*. The term BIL for bilingual must be listed at the beginning of *Position (Working) Title*, thus forming part of the title. The term BIL should also be listed in the *Short Description Title* of the position. Question 8 of the PQ, also identifies the position as bilingual.

| | | |
|--|------------------------------|---------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 4 of 11 |
|--|------------------------------|---------------------|

iv) Any staffing or classification request for a bilingual designated position shall include a Position Language Profile for French and English language proficiency to be listed as mandatory qualifications for the position.

(b) Advertisements and Notices (Posting)

i) All advertisements and notices for bilingual designated positions shall be posted simultaneously in both English and French in the appropriate area of search and communication mediums.

ii) Advertisements and notices for bilingual designated positions shall include a message similar to the following:

The Government of Prince Edward Island is committed to providing quality services to the general public. This position requires knowledge and use of the French language and will assist (name of government institution/ Division or section) in fulfilling its linguistic obligations under the French Language Services Act.

iii) Before any position is advertised and posted, the parties involved in the recruitment and staffing process shall foresee the appropriate time requirement for the translation of job ads and other required material.

iv) Advertisements for positions requiring bilingual proficiency shall include the phrase, “advanced oral proficiency in French and English required”, to describe the minimum level of oral proficiency. The ad may also stipulate the French and English reading and writing skills required to fulfil the functions of the position as determined by the government institution. The term “Bilingual” must be included in the job title.

| | | |
|--|------------------------------|---------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 5 of 11 |
|--|------------------------------|---------------------|

(c) Unsuccessful Recruitment of French-Speaking Candidates

The following provisions may apply either during the posting or Post Interview stage of the recruitment and staffing process.

- i) Under circumstances where existing measures such as advertising in traditional areas of search, placing French job postings, advertisements, etc., have been undertaken to recruit French-speaking candidates for a designated bilingual position and fail to attract candidates, or that no one is deemed qualified following the interviews, the Public Service Commission shall consult with the hiring government body in order to determine whether or not to re-advertise as well as advise on how the advertising strategy could be modified.
- ii) If re-advertising the position or alternative measures still do not attract suitable candidates, government institutions shall review the situation with French Language Services to identify possible solutions or other recruitment strategies.

Ultimately, if no solution is identified, it may be required to explore alternative service delivery options to enable government to meet its language requirements and offer French language services to the general public under the circumstances that prevail as described in sub-section 6:01A.

7.03 Prior to Interview

(a) Selection Board

When a competition for a designated bilingual position is to be held, the selection board must possess the capacity to conduct the recruitment and staffing process in English and French. At least one member of the selection board must be able to converse with the candidate in French and when possible, at least one other board member should be capable of understanding French.

| | | |
|--|------------------------------|----------------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 6 of 11 |
|--|------------------------------|----------------------------|

French language capacity within the selection board is essential, as candidates may not have the same level of facility and comfort in English, therefore negatively impacting their performance.

(b) Position Analysis

The position analysis shall determine the nature of the French and English language requirements of the position as they appear in the Position Questionnaire. If the position is designated bilingual, the selection board shall pay particular attention to language proficiency levels required for assigned responsibilities, keeping in mind the delivery of French language services.

(c) Rating Criteria

The rating criteria shall reflect the ability of candidates to effectively communicate, as well as the skills, knowledge and experiences needed to carry out the responsibilities assigned to the position.

(d) Questions and Tests

The integration of questions and tests in French shall be used to evaluate the candidate's skills, knowledge and experiences regarding the delivery of services in French.

In instances where a candidate's skills are strong in French, but uncertain in English, the Public Service Commission will assist in the evaluation of English skills.

(e) Qualified Candidates

The selection board shall deem candidates who do not meet the requirements and qualifications in their application, as not qualified. Applications received in English and in French shall be reviewed by an individual from Staffing Services and/or the selection board, capable of reviewing candidate applications in both languages, ensuring that equal consideration is given to the choice of candidates for interview as per the

| | | |
|--|------------------------------|---------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 7 of 11 |
|--|------------------------------|---------------------|

established selection criteria.

(f) French Language Proficiency Verification and Assessment

Any individual who is already an employee of the provincial public service, and who possesses an Advanced Plus or Superior level of French language proficiency, which exempts them from future French proficiency assessments, will be considered by the board as meeting the oral proficiency requirement.

This shall only occur upon verification of the employee's active French Language Proficiency Profile, under Workforce Development, Licenses and Certifications, in the Human Resources Management System.

If while referencing HRMS, the staffing officer becomes aware that the employee does not have a valid French Language Proficiency Profile, the employee shall, at the request of the selection board, be required to have an assessment by French Language Services at an agreed upon point in the selection process, prior to any job offer.

Candidates from outside the public service, must have a French Language Proficiency Assessment done by French Language Services prior to any job offer. Staffing Services may do a preliminary language assessment of candidates when communicating prior to the interview process.

7.04 **Selection**

(a) Interviews

The job interview must be conducted in both French and English.

(b) References

The Active Offer of Service will apply to the process of checking references, so that anyone wishing to give a reference in French will be given the opportunity to do so.

| | | | |
|--|------------------------------|-------------|----------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page | 8 of 11 |
|--|------------------------------|-------------|----------------|

7.05 **Post Interview**

After interviews have been conducted and before making a final decision regarding successful candidate(s), the selection board must ensure that the following requirements have been met.

(a) French Language Proficiency Assessment

In order to be on the list of successful candidates, an individual must have a valid French proficiency assessment rating done by an evaluator recognized by French Language Services at the PEI Public Service Commission.

French Language Services shall be expedient in providing the results of assessment(s) to the selection board, allowing it to confirm the French language qualifications of the successful candidates before making a final determination on the candidate's ranking for the bilingual designated position in question.

(b) Provisional appointment

If through the process of competition for a designated bilingual position, no candidate is deemed qualified with respect to the French language requirements of the position, the Public Service Commission may make provisional appointment of a candidate whose French language proficiency meets an intermediate + level in oral communication, on the condition that the French language proficiency requirements will be adhered to within a one year period from the date of the provisional appointment.

A French Language Proficiency Attainment Agreement (attachments), shall be signed between the hiring department and the employee, outlining the measures that will be taken to support and enable the incumbent to attain the French language proficiency requirements of the position within the required time period. Management will work with French Language Services for assistance in developing a learning plan for the employee.

| | | |
|--|------------------------------|---------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 9 of 11 |
|--|------------------------------|---------------------|

The hiring department must agree to provide some support to the employee in achieving the desired level of French proficiency and make appropriate arrangements with French Language Services for reassessment prior to the end of the provisional appointment.

The employee in a provisional appointment for a bilingual designated position is ultimately responsible for his or her own success in achieving the required language profile by the end of the provisional appointment and will be required to maintain the minimum advanced level; (see Oral Proficiency Rating Scale, Attachments).

If the French language proficiency requirements have not been attained after the one year period following the date of the provisional appointment, the department should consult with the departmental HR Manager and the PSC regarding next steps.

(c) Correspondance

Any correspondence with candidates competing for a designated bilingual position, such as the letter of offer, shall be written in both languages. The letter of offer shall also include a statement reminding the individual of the obligations of the designated bilingual position. The statement may be worded in the following manner:

“This position is designated bilingual. A condition of this offer of employment is that you have and maintain a sound knowledge and command of English and French and that you are able to function fluently in both languages in accordance with the predetermined levels of French language proficiency for this position.

(d) Other Requirements

After the successful candidate has accepted the job offer, the following measures shall be initiated:

A certificate of French language proficiency shall be sent out by the French Language Services Centre to the employee and to the human resources manager of the government department for inclusion to the employee’s personnel file.

The person or persons responsible for HR in the department will ensure

| | | |
|--|------------------------------|----------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 10 of 11 |
|--|------------------------------|----------------------|

that the incumbent is attached to a bilingual designated position number within the *PSC Position Management Profile* so that the incumbent will show on the list of Bilingual Designated Positions in Departmental HR plans.

An orientation session shall be scheduled-with French Language Services to familiarize the incumbent with the supports and expectations of carrying out duties in French.

8. OTHER STAFFING ACTIONS

8.01 Appointments, Promotions, Secondments and Vacancies

Government departments undertaking a staffing action concerning either provisional, probationary or acting appointments, promotions, secondments, vacancies or new positions, involving a designated bilingual position must be staffed with a bilingual incumbent who meets the language requirements as specified in the Language Proficiency Position Profile.

8.02 Transfers and Abolishment of Positions

In instances where a position is transferred within an organization or from one government institution to another or is altogether abolished, consideration shall be given on how the organization will continue to meet its language requirements providing quality services to the general public with no interruption in the availability of services in French (see also sub-section 6:01A and 6:02).

8.03 Casual Division Appointments

Government institutions should adopt and incorporate the practices of this policy to effectively manage their bilingual human resources requirements regarding casual division appointments in order to provide or maintain an uninterrupted delivery of quality French language services to the general public.

For relief employees appointed to fill a designated bilingual position on a temporary basis as a replacement for the permanent incumbent, individuals should meet the language requirements of the Language Proficiency Position Profile at the time of appointment. In the case of contract

| | | |
|--|------------------------------|-----------------------------|
| Sub-section 3:08 Recruitment, Selection and Appointment French Language Requirements Bilingual Designated Positions | Date: 04 October 2017 | Page 11 of 11 |
|--|------------------------------|-----------------------------|

employees, temporary employees and student employees, government institutions should staff qualified and proficient bilingual employees at the time of appointment, as required, to assume and carry out duties and responsibilities pertaining to the delivery of quality programs and services to the general public in French.

8.04 Employment List

The Public Service Commission shall establish and maintain an employment list to support and assist government departments in attracting qualified bilingual individuals to meet staffing needs in the provision of French language services in respect of the French Language Services Act This includes creating a list for future vacancies of positions in the casual division and hard to recruit positions.

In cases where an employment list comes into play for the appointment to or promotion within the civil service, government departments shall ensure that the appointed individual is able to satisfy the language requirements as per the Language Proficiency Position Profile of the bilingual designated position.

9. ATTACHMENTS

French Language Proficiency Attainment Agreement

Oral Proficiency Rating Scale

PEI Public Service Commission
Commission de la Fonction Publique de l'Î.-P.-É.



FRENCH LANGUAGE PROFICIENCY ATTAINMENT AGREEMENT
Bilingual Position Provisional Appointment

Department: _____

Division: _____

Incumbent: _____ Supervisor: _____

Position Title: _____ Position Number: _____

Work Location: _____

French Language Proficiency Attainment Plan

Current Level _____ Assessed _____ (Date)

Required Level _____ Achieved _____ (Date)

The period between the initial assessment for French Language proficiency and the subsequent assessment must not exceed one year.

Commitments

I understand that this is a provisional appointment to a bilingual designated position for the period of one year, based on my being able to achieve the _____ level of French by _____ (Date).

Employee Signature _____ Date _____

As the employing authority, I am committed to the following measures to support this employee in the attainment of the pre-determined French Language proficiency levels of this Position.

Signature Supervisor/Manager _____ Date _____

PSC Signing Authority _____ Date _____

A copy of this form is to be provided to the employee, supervisor, Human Resources Manager and the Language Training Centre of the Public Service Commission.

ORAL PROFICIENCY RATING SCALE

Novice (0+) Memorized Proficiency

Able to satisfy immediate needs using rehearsed utterances. Shows little real autonomy of expression, flexibility or spontaneity. Can ask questions or make statements with reasonable accuracy only with memorized utterances or formulae. Attempts at creating speech are usually unsuccessful.

Basic (1) Elementary Proficiency

Able to satisfy minimum courtesy requirements and maintain very simple face-to-face conversations on familiar topics. A native speaker must often use slowed speech, repetition, paraphrase or a combination of these to be understood by this individual. Similarly, the native speaker must strain and employ real-world knowledge to understand even simple statements/questions from this individual. This speaker has a functional but limited proficiency. Misunderstandings are frequent, but the individual is able to ask for help and to verify comprehension of native speech in face-to-face interaction. The individual is unable to produce continuous discourse except with rehearsed material.

Basic+ (1+) Elementary Proficiency Plus

Can initiate and maintain predictable face-to-face conversations and satisfy limited social demands. He/she may, however, have little understanding of the social conventions of conversation. The native speaker is generally required to strain and employ real-world knowledge to understand even some simple speech. The speaker at this level may hesitate and may have to change subjects due to lack of language. Speech largely consists of a series of short, discrete utterances.

Intermediate (2) Limited Working Proficiency

Able to satisfy routine social demands and limited work requirements. Can handle routine work-related interactions that are limited in scope. In more complex and sophisticated work-related tasks, language usage generally disturbs the native speaker. Can handle with confidence, but not with facility, most normal, high-frequency social conversational situations, including extensive but casual conversations about current events, as well as work, family and autobiographical information. The individual can get the gist of most everyday conversations but has some difficulty understanding native speakers in situations that require specialized or sophisticated knowledge. The individual's utterances are minimally cohesive. Linguistic structure is usually not very elaborate and not thoroughly controlled; errors are frequent. Vocabulary use is appropriate for high-frequency utterances but unusual or imprecise elsewhere.

Intermediate+ (2+) Limited Working Proficiency Plus

Able to satisfy most requirements with language usage that is often, but not always, acceptable and effective. The individual shows considerable ability to communicate effectively on topics relating to particular interests and special fields of competence. Often shows a high degree of fluency and ease of speech, yet when under tension or pressure, the ability to use the language effectively may deteriorate. Comprehension of normal native speech is typically nearly complete. The individual may miss cultural and local references and may require a native speaker to adjust to his/her limitations in some ways. Native speakers often perceive the individual's speech to contain awkward or inaccurate phrasing of ideas, mistaken time, space and person references, or to be in some way inappropriate, if not strictly incorrect.

Advanced (3) General Professional Proficiency

Able to speak the language with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on practical, social and professional topics. Nevertheless, the individual's limitations generally restrict the professional contexts of language use to matters of shared knowledge and/or international convention. Discourse is cohesive. The individual uses the language acceptably but with some noticeable imperfections; yet, errors virtually

never interfere with understanding and rarely disturb the native speaker. The individual can effectively combine structure and vocabulary to convey his/her meaning accurately. The individual speaks readily and fills pauses suitably. In face-to-face conversation with natives speaking the standard dialect at a normal rate of speech, comprehension is quite complete. Although cultural references, proverbs and the implications of nuances and idioms may not be fully understood, the individual can easily repair the conversation. Pronunciation may be obviously foreign. Individual sounds are accurate, but stress, intonation and pitch control may be faulty.

Advanced+ (3+) General Professional Proficiency Plus

Able to use the language to satisfy professional needs in a wide range of sophisticated and demanding tasks.

Superior (4) Advanced Professional Proficiency

Able to use the language fluently and accurately on all levels normally pertinent to professional needs. The individual's language usage and ability to function are fully successful. Organizes discourse well, using appropriate rhetorical speech devices, native cultural references, and understanding. Language ability only rarely hinders him/her in performing any task requiring language; yet, the individual would seldom be perceived as a native. Speaks effortlessly and smoothly and is able to use the language with a high degree of effectiveness, reliability and precision for all representational purposes within the range of personal and professional experience and scope or responsibilities. Can serve as an informal interpreter in a range of unpredictable circumstances. Can perform extensive, sophisticated language tasks, encompassing most matters of interest to well-educated native speakers, including tasks which do not bear directly on a professional specialty.

Source: Judith Liskin-Gasparro. Testing and Teaching for Oral Proficiency. Boston: Heinle and Heinle Publications. 1987.