



ASSOCIATION OF LINGUISTIC
SERVICES MANAGERS

Committee for the Promotion of
Canadian Language Services

MEMORANDUM

submitted to the Senate on February 1, 2017

***Recommendations
on issues in the language industry
and on the Translation Bureau***

PRESENTATION

The Association of Linguistic Services Managers Inc. ([ALSM](#)) unites decision-makers in linguistic management driven by a desire for excellence and committed to promoting the added value of professional language services. Its members consist of managers from translation agencies, directors of linguistic services and representatives of institutional authorities from all economic sectors who share a commitment to excellence.

The **Committee for the Promotion of Canadian Language Services** (the [Committee](#)), a working group of the ALSM, has taken on the mission of promoting the distinctive value of professional translation in Canada to business people and key economic and political actors in the country.

RETROSPECTIVE

Last June, the House of Commons Standing Committee on Official Languages submitted a report following its recent study of the Translation Bureau [Report of the Standing Committee on Official Languages](#). The ALSM, through its Committee for the Promotion of Canadian Language Services, took its stance on that report in a [letter of support](#) in which it supports most of the recommendations in the report, dated September 15, 2016, and addressed to Minister Judy M. Foote. Following the [response from the Minister](#) on October 17, 2016, the ALSM expressed its deep disappointment in a [second letter to the Minister](#) dated November 1, 2016.

The Committee for the Promotion of Canadian Language Services held [official meetings](#) with the highest levels of the Government of Canada on November 15, 2016, in Ottawa to speak on behalf of the Canadian language sector and take a stance on the situation with the Translation Bureau (TB). The representatives of the Committee and of the Canadian Association of Legal Translators first met with the Hon. Denis Paradis, Chair of the House of Commons Standing Committee on Official Languages, and then with the Hon. François Choquette, NDP Critic for Official Languages. They were also received at the Prime Minister's Office by two of the Right Honourable Justin Trudeau's senior advisors. Lastly, they met with the official representatives of the Canadian Association of Professional Employees, with which TB translators are affiliated. The Committee presented the unanimous position of the Canadian language sector, its strengths and its main concerns. Reiterating its disappointment in Minister Judy M. Foote's response, the Committee urged the officials they met to put pressure on the government to promote and protect our language industry with concrete actions, to promote the development of the Translation Bureau, and to review its operation as a cornerstone of the market.

UNANIMOUS INDUSTRY SUPPORT

A number of major pan-Canadian language associations and officials unanimously supported the ALSM's letters to the Minister (the lists may be consulted by clicking on the links above).

ANALYSIS AND RATIONALE

The ALSM supports most of the Standing Committee on Official Language's recommendations, but nevertheless deplors the fact that the report does not highlight the indispensable support the Canadian translation industry provides to the TB in performing its mandate as well as to the Government of Canada to meet its official language obligations. In this regard, it would have wanted the report to recommend that the TB's expertise be applied to contribute directly to the development of a strong and robust industry thanks to better use of federal purchasing power in translation. Given the extent of the federal demand for translation, this purchasing power has considerable structuring potential. Currently, it is having the opposite effect because of the archaic way it is used by the entire federal government.

In a highly competitive context of globalization, professional translation, a crucial tool for growing the Canadian economy, is also the definitive vector for the language rights of Canadians. Canadian language professionals are proud to provide Canadians with their world-renowned expertise. This expertise is vital to the Canadian social fabric, because it makes it possible to preserve and promote linguistic and cultural duality in the country, but it is also crucial for Canada's economic exchanges, both nationally and internationally.

The [response from the Minister](#) on October 17, 2016, unfortunately in no way accounts for the concerns the ALSM's Committee expressed in its letter dated September 15, 2016. Her response resolves none of the problems raised by witnesses and members of the Standing Committee and maintains the status quo in full. However, that status quo is very detrimental to the Canadian translation industry, which plays a crucial role in Canadian society and its economy. As such, not only does the Canadian translation industry enable Canadian exporters to meet the language requirements set by the countries where they sell their products and services, it also helps the federal and provincial governments completely fulfill their official languages obligations.

It is those very obligations that make the federal government the biggest translation client in Canada, by far. Unfortunately, transforming the Translation Bureau (TB) into a Special Operating Agency (SOA) led to decentralization of the contracting authorities in translation to all federal departments and agencies. That decentralization has resulted in a fragmentation of the Canadian translation industry that jeopardizes its very existence. The TB is trying to counteract this fragmentation, but is being undermined by the contracting practices of the federal departments and agencies. Contrary to what the Minister claimed, those departments and agencies are entrusting it with far less than 80% of their translation demand, as indicated in the reports they submitted in response to parliamentary question no. Q-53 posed by a member of the Standing Committee. In this context, there is every reason to doubt the statement that "the direction of the organization [TB] will enable it to manage costs for the government." It is high time to put a stop to these archaic and counter-productive practices and to once again put the federal purchasing power in translation into the hands of the expert organization that the Government of Canada created, i.e., the TB. With regard to strengthening the partnership with the private sector, the redesign of the TB's procurement process opened up our markets to the invasion of foreign multinationals and led to the proliferation of agencies and freelancers, some being not very competent, that compete with each other on bid solicitations for small- and medium-sized jobs. The procurement policy and the practices of purchasers of translation services must be based on compliance with a certification. For example, the CAN/CGSB - 131.10- 2008 standard should help resolve the issue.

While industry stakeholders are waging a merciless price war, the TB often invites over 20 providers, sometimes even more than 100, to respond to the same bid solicitation, forcing them to quote laughable rates that jeopardize many well-established Canadian translation agencies. Such an approach casts a bleak outlook for the next generation of Canadian translators. Furthermore, the TB prohibits a per-word rate exceeding two decimal figures. For example, a provider cannot quote a rate of \$0.305 per word; it must be \$0.30 or \$0.31, making it nearly impossible for it to distinguish itself from other providers. The result is often that competitors come out even. In that scenario, if their respective quality indices are equivalent, the TB resorts to a random draw to determine the winner, a method that has no place in the public service. For all standing offers, the burden of risk is entirely on the providers, because the TB guarantees only 3% of the volume indicated in the contract. Moreover, the TB often allots more time for its internal and costly quality control than it gives to its translation providers, a nonsensical approach that is counter to best practices in the industry. Lastly, there is no unbiased arbitration process in place in the event of disputes over quality-related matters.

The ALSM is also concerned about the absence of language professionals from the TB at forums organized for the industry by the TB. The TB, which is responsible for protecting the industry, needs to bring some of its professional translators to the table so that all participants have a clear understanding of the issues and so the measures taken benefit both the private and public sectors. It is also surprising that there are no language professionals among the TB's senior management.

With regard to new translators, it is abundantly clear that no action is being taken, despite the recommendations made in the Report of the Standing Committee on Official Languages, which set out clear, concrete measures to support the next generation of translators coming into the market. The TB, which took on 3000 students for several years for training internships, is now largely absent. The 19 translation interns who were received in 2016 are a paltry figure compared to the number of students enrolled in Canadian schools of translation. Each year, universities award degrees to hundreds of new translators and can rely only on translation agencies and private companies to take in interns and students from cooperative programs. Those same companies, already facing fierce competition and a downward spiral of rates, cannot take on all interested students. Practical experience in the workplace, in a highly technological environment and in increasingly technical areas of specialization, is crucial. The TB needs to play a leading role in training new translators by establishing, together with universities, a permanent structure for taking in interns.

In short, with the status quo, the TB continues to be relegated to the role of a mere administrative service, when its scope must be far broader and encompass strategic, economic and cultural considerations. Beyond its concrete economic role, this organization plays a crucial role in preserving Canada's social fabric. It is not an overstatement to say that, without translation, the country simply would not exist in the form that we know it as today. In fact, according to 2011 data from Statistics Canada, 82.5% of Canadians claim to be unilingual. How can these millions of Canadians interact with their fellow citizens across the country without the help of professional translators? It is simply impossible. That means that by relegating the TB to a secondary role, the government is also impeding the social cohesion that comes from an understanding of the country's different cultural realities. Lastly, professional translation is a driver of growth for all Canadian companies that export or import products and services. By favouring the status quo, the government is therefore hindering the various Canadian economic players, first and foremost, the translation industry.

LANGUAGE INDUSTRY ISSUES

Distinctive characteristics of Canadian language services

- Canadian language services are part of a competitive and innovative industry.
- They have secure infrastructures that meet the highest standards.
- They have long-standing and renowned expertise.
- They rely on highly qualified human resources trained by the largest Canadian universities.
- They employ numerous professional certified translators, a title granted by Canadian professional associations.
- They are the best equipped to respond to the language needs of Canadians and international clients and prospects.

Issues

1. Translation is a very intellectual activity, an expertise that cannot be considered an ordinary product or service.
2. The decentralization of the federal demand fragmented the industry, consisting of numerous micro-entrepreneurs and small- and medium-sized translation agencies, in addition to multi-national foreign agencies that have established subsidiaries in Canada.
3. The public sector continues to revolve around language service providers, many of whom have contracts awarded by the TB. Its procurement system founded on the lowest bidder is causing a downward spiral in rates exacerbated by foreign competition.
4. The economic growth of the translation sector relies on the textual context generated by users, of which the volume varies depending on their application of language laws and the extent of their commercial exchanges. For example, translation guarantees the rights of citizens (access to case law in both official languages) and the rights of investors (access to prospectuses in both official languages). Lastly, translation is a driver of economic growth that supports national companies and exporters and encompasses just as many strategic as cultural issues.

RECOMMENDATIONS

The ALSM recommends the implementation of a four-part strategy.

1. Recognition

Official recognition by the Prime Minister of Canada of the cultural (identity) and economic (strategic) importance of the language industry for Canada (and Quebec). The current mandate of the government includes celebrating the 150th anniversary of Confederation (2017) and the 50th anniversary of the *Official Languages Act* (2019).

2. Repositioning of the TB

- The TB, the largest purchaser and supplier of language services, must centralize translation, terminology and interpretation contracts for the entire public service. Executing these contracts must be reserved primarily for Canadians.
- The working conditions of translators in the public service and of providers must be reviewed and improved (elimination of weighting and unconscionable contracts, revision of provider selection criteria).
- The generalized use of the Language Comprehension Tool must be strictly governed.
- The TB's operational model must be revised: it destructures the language industry because it unduly exposes it to foreign competition and weakens Canada's social fabric.
- Translation, a highly intellectual activity with a strong identity and culture component, is not simply a product. The TB's responsibility must therefore be transferred to an authority other than Public Services and Procurement.

3. Reinvestment and support for the industry

With revenue of 5 billion dollars in Canada (2.5 billion dollars in Quebec), Canada captures 10% of the global translation market (Quebec, 5%). Canada must massively reinvest in official languages and in the language industry and provide financial support. In the context of globalization and the knowledge economy, the language industry affects all other industries.

4. Resuming a support program for the next generation

A permanent structure for taking in interns from Canadian schools of translation must be established. The TB must fully assume its role as a centre of language expertise in the country by resuming responsibility for training new translators, a strategic pillar for the preservation of identity, the quality of communications, social cohesion and economic growth in Canada.

CONCLUSION

This memorandum presents only some of the issues that would result from maintaining the status quo. The mobilization of numerous language industry stakeholders in recent months and that is ongoing demonstrates the urgency to act and reinforce our values.

In this document, the ALSM recommends concrete, clear and sustainable solutions for this industry of national importance.

The ALSM wants to express its sincere thanks to the Standing Senate Committee on Official Languages for the high level of consideration given to the recommendations in this memorandum.



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