

	POLICY	Owner Department: Communications
	Official Languages	
Effective Date: December 3, 2018	Last Reviewed Date: December 3, 2018	
Approving Authority: Moncton City Council	Replaces No.: Policy 0216	
1. Preamble		

In 1991, the City of Moncton adopted its first corporate policy on the delivery of services and communications in both official languages. The initial policy was subsequently revised in 2000 and 2003 to improve the provision of bilingual services and communications.

On August 6, 2002, the City of Moncton became Canada’s first officially bilingual City. The resolution was overwhelmingly applauded and marked a significant turning point in the city’s history. This declaration¹ by Moncton City Council serves as the foundation for the Policy on Official Languages and emphasizes the bilingual character of the City as well as the equality of rights and privileges for both linguistic groups in all areas of civic life.

It is relevant to reiterate the municipality’s obligations² under the *Official Languages Act*³ of New Brunswick:

35(1) A municipality whose official language minority population represents at least 20% of its total population is required to adopt and publish its by-laws in both official languages.

35(2) A city is required to adopt and publish its by-laws in both official languages irrespective of the percentage required under subsection (1).

36 A municipality or city to which subsection 35(1), (2) or section 37 applies shall offer the services and communications prescribed by regulation in both official languages.

¹ See *Declaration* in Appendix 1.

² See *Official Languages Act* Schedule A in Appendix 2.

³ *Official Languages Act* of New Brunswick: <http://laws.gnb.ca/en/ShowPdf/cs/O-0.5.pdf>

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37 A municipality may, by by-law of its municipal council, declare itself bound by the provisions of this Act and nothing in this Act shall be interpreted so as to limit the authority of municipalities to promote the equality of status and use of English and French.

In addition, the language rights of citizens are guaranteed by the *Constitution Act*⁴, 1982 (Part 1), i.e. the *Canadian Charter of Rights and Freedoms*:

Official languages of New Brunswick

(2) English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick.

Advancement of status and use

(3) Nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French.

English and French linguistic communities in New Brunswick

16.1 (1) The English linguistic community and the French linguistic community in New Brunswick have equality of status and equal rights and privileges, including the right to distinct educational institutions and such distinct cultural institutions as are necessary for the preservation and promotion of those communities.

2. Policy Statement

The City of Moncton recognizes both official languages as having the same rights, status and privileges. The City of Moncton will ensure the provision of its services in English and French and maintain a workplace that is respectful and supportive of all individuals and the use of their language of choice.

3. Objectives

The objective of the policy is to ensure the delivery of services of *equal quality* in both official languages, English and French. The provisions included in this policy govern municipal activity, notably communications and the proactive delivery of services in both languages to citizens and the public.

4. Definitions

Active Offer (of Service)	Informing the public, at the first point of contact, that services and communications are available in both official languages.
Agencies, Boards and Commissions	Decision-making groups serving various community interests; often receive funding from Moncton City Council for operational purposes.

⁴ *Constitution Act*, 1982: <http://laws-lois.justice.gc.ca/eng/const/page-15.html>

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Communications	Means through which information regarding municipal matters or services is provided to the public.
Employees	Refers to employees (full-time, contract, casual and students) of the City of Moncton, including contractors or consultants hired to deliver services on behalf of the City.
Front-line services	Positions which imply a direct, first contact with the general public, either face-to-face, via telephone or through written communications (electronic or traditional mail).
Non-profit organizations	Volunteer-based groups serving various community interests; often receive funding from Moncton City Council for operational purposes or for specific social/cultural projects.
Public	Any person doing business with the municipality, living in Moncton, or visiting the city.
Public consumption	Information that is <u>meant for</u> the public.
Service of equal quality	Service that is actively offered to the public in both official languages and that is available simultaneously in the language of choice.

5. Policy

1. Service and Communications

City of Moncton staff provides service and communications to the public in their preferred official language. Pursuant to this commitment, the City of Moncton ensures that:

- a. All City Council proceedings are conducted in both official languages while making simultaneous interpretation services available;
 - i. Citizens can communicate with City Hall and members of Council in either official language (during meetings, via social media, etc.); if the resident engages with the City first, then the interaction must continue in the language they've selected, regardless of which languages employees might 'think/know' that the resident speaks/understands.
- b. Council committee meetings may be conducted in either official language, or both. The City Clerk's office will offer and arrange interpretation services as required;
- c. City of Moncton employees making presentations during public Council meetings (including Committee of the Whole sessions, and topics submitted at private meetings that are expected to be brought forth at a public session) must use bilingual slides and visuals (e.g. maps, graphs, etc.). Their verbal presentation may be in their preferred language; however, those who do speak in both official languages will be encouraged to do so;

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- d. City of Moncton employees making presentations at external meetings, conferences, re: City of Moncton business and/or best practices, shall use bilingual slides and visuals as much as possible, in order to reinforce the City's identity as a bilingual community;
- e. All City of Moncton publications, media releases, signage and forms intended for the public will be issued simultaneously in both official languages, either in a single document or in separate documents. In the case of the latter, the availability of the document in the other official language is noted;
- f. All communication, correspondence and documentation destined for the public will be in the official language of the recipient's choice. If the language of choice cannot be determined, communications will be in both official languages;
- g. All responses to written external communications (including email and social media) are in the official language in which the original communication was received;
- h. All content prepared by the City of Moncton and presented on its website (moncton.ca) is posted simultaneously in both official languages;
 - i. external links from the City of Moncton website are not subject to this policy;
- i. Websites of other entities governed by the City of Moncton are also subject to the provision listed in (h) above, e.g. Tourism, Codiac Transpo.
- j. Agencies, boards and commissions that receive funding from the City of Moncton are also subject to the provision listed in (h) above.
- k. In addition, consultants hired by the City of Moncton, and who will produce materials for public consumption (e.g. presentations during public sessions of City Council, stakeholder engagement sessions, surveys, etc.), are subject to this policy. Proactive collaboration must occur at the outset of a project to determine timelines and requirements. City of Moncton employees leading such consultant-driven projects are responsible for ensuring this policy is followed.
- l. All City of Moncton social media channels⁵ must adhere to this policy.
- m. Any software purchased by the City of Moncton, which use is intended to serve residents, must take into account this policy.
 - i. As technological upgrades occur within the Corporation (i.e. the City of Moncton), this policy must be taken into account.
- n. It is understood that the City of Moncton's Open Data Policy does not imply that data released under this policy will be released in both official languages, as the purpose of sharing the information is not to communicate directly with the public. As such, 'open data' will be published in the language in which it was created.

⁵ Reference for additional information: City of Moncton 0817 Social Media Use Policy

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Non-profit organizations that receive funding from the City of Moncton will be encouraged to produce bilingual communications materials, as appropriate. The City of Moncton may offer various types of support, to be discussed on a case-by-case basis.



2. Active Offer

The Active Offer is an essential component to putting the public at ease, in allowing them the opportunity to use their preferred language. This is a matter of **customer service**, to which the City is legally bound. The City of Moncton therefore actively offers services and communications in both official languages through the following:

- a. all front-line employees use a bilingual greeting on the telephone or in person (e.g. "Hello, City of Moncton / *Ville de Moncton*, *bonjour* or Building Inspection/ *Inspection des bâtiments* or May I help you? *Comment puis-je vous aider?*") to ensure the citizens are offered services and communication in the official language of their choice;
- b. a visible active offer sign (Hello/Bonjour)⁶ is placed at the City Hall reception desk and other municipal buildings and points of public contact in each department or unit indicating that services and communications are available in English and French;
- c. bilingual employees that are in front-line positions (i.e. who are required to interact with the public) will wear a City-issued magnetic lapel pin (Hello/Bonjour) or other item (ex. patch embroidered onto uniform) to clearly indicate that they can offer service in either official language;
- d. all recorded greetings and automated e-mail replies are bilingual;
- e. the City's automated telephone system offers the choice of English or French and then proceeds with the caller's chosen language.

3. Staffing

- a. The City of Moncton is committed to fostering a work environment that is respectful of all individuals.
- b. Managers must promote, and employees are encouraged to support, bilingualism in the workplace.
- c. All City work units representing a separate and specific service to the public shall have the capacity to communicate and provide services of equal quality in both official languages at all times. To achieve this:

⁶ City of Moncton departments can request Active Offer signage, lapel pins, etc. by contacting the Communications Department.

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- i. City of Moncton management will establish a linguistic requirement for all positions. It will consider whether specific positions should be able to offer service, assistance and communications in both official languages based on the nature of the service, the level of interaction with the public and the existing capacity of the work unit in question.
 - ii. To ensure equal service to the public in both official languages, where warranted, assigning the linguistic requirement to a position shall take into consideration the team already in place (i.e. as positions become vacant, the City may designate a job **posting** as bilingual in order to maintain its level of service, without requiring that all employees in that position be bilingual);
 - iii. For positions requiring skills in both official languages, Human Resources in consultation with the unit head, will identify the appropriate language proficiency for the position that reflects the requirements of the work to be performed and will make recommendations to the City Manager;
 - iv. Language proficiency will mirror standards issued by the Province of New Brunswick⁷.
- d. No employee will lose employment as a result of corporate actions with regard to this policy.

4. Language Training in either Official Language

The City of Moncton recognizes that learning a second language can be a life-long journey, and is committed to providing training for those who have a demonstrated aptitude and an interest in improving their language skills.

- a. The City of Moncton will inform its employees of the opportunities for language training and encourage them to take advantage of such opportunities.
- b. Priority will be given to employees whose main functions involve communicating and delivering services to the public, advising other employees and/or providing services essential to the effective operation of other departments.
- c. The City of Moncton will support employees in maintaining linguistic skills in the long term, to facilitate internal transfers and continue to build capacity within the organization. The type of support offered will be evaluated on a case-by-case basis, by considering the needs of the employee as well as the needs of his/her team, while maintaining customer service as a priority.

5. Complaints

⁷ Reference: GNB Proficiency Scale listed in Appendix 3.

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The City of Moncton values feedback from residents regarding official languages as a means to improve delivery of municipal services. As such, the following procedure will be adhered to in the event of complaints received from the public.

- a. If an individual has not received service or communication in his or her preferred official language, complaints may be made in person, by telephone, by e-mail or by letter to the City of Moncton's Manager, Communications and Bilingual Services. The complaint will be documented as soon as it is received;
- b. An anonymous complaint will not be investigated;
- c. While the name and other contact information must be provided to the Manager, Communications and Bilingual Services, that information may remain confidential to all other parties. The identity of the individual could become evident to the other parties as part of the inquiry process;
- d. Complaints will be treated as a priority and handled in a timely manner. The Manager, Communications and Bilingual Services will acknowledge the complaint within three business days and initiate the process;
- e. Once the work unit or department associated with the complaint is determined, correspondence will be sent immediately to the work unit or department, usually the department head, with copy to the General Manager, Corporate Services, outlining the complaint. The Manager, Communications and Bilingual Services, with support and cooperation from the department concerned, will investigate;
- f. Departments will treat the complaint as a priority;
- g. If the complaint is founded, the department, in collaboration with the Manager, Communications and Bilingual Services, will determine the corrective action to be taken and when, as well as the steps to be taken to avoid recurrence. The General Manager, Corporate Services, will be advised of this action plan. Department heads and managers will take responsibility to ensure the complaint is resolved and corrective measures are in place.
- h. The outcome will be communicated to the complainant in a timely manner.

Should City staff encounter issues related to the implementation of the Policy on Official Languages, they may contact the Manager, Communications and Bilingual Services, the Human Resources department and/or their union representative, as appropriate.

6. Roles and responsibilities

This section summarizes the roles and responsibilities assigned to various stakeholders in the delivery of municipal services and communications in both official languages.

- a. City Council

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Sets the policy and direction for the Corporation.

- i. Establishes Policy on Official Languages;
- ii. Receives and acknowledges periodic reports on bilingual services and Official Languages.

b. City Manager and/or General Manager, Corporate Services

Implement the policies and direction of Council.

- i. Ensures the implementation of the Official Languages Policy;
- ii. Ensures ongoing progress in areas of service delivery in both official languages.

c. Manager, Communications and Bilingual Services

Under the direction of the General Manager, Corporate Services, and reporting to the Director, Communications, this person is the point of contact for this policy, is accountable for its implementation, and oversees the effective delivery of bilingual services in the Corporation.

- i. Ensures progress towards the successful achievement of the policy objective;
- ii. Provides guidance in matters relating to Official Languages;
- iii. Acts as staff liaison or representative of the Corporation when dealing with specific initiatives or external organizations relating to Official Languages;
- iv. Ensures that the complaint mechanism is effective and that all complaints are investigated and resolved in a professional and timely manner;
- v. Develops and implements, in collaboration with all departments, a detailed corporate action plan to achieve the policy objective, as required;
- vi. Reports to and advises the City Manager and the General Manager, Corporate Services on matters relating to the delivery of services and communications in both official languages;
- vii. Ensures that the City of Moncton complies with the provincial Official Languages Act and regulations, with support and/or guidance from the Legal department as required;
- viii. Communicates, receives feedback and provides opportunities for dialogue with members from both linguistic groups in Moncton;
- ix. Promotes and oversees the complaints-handling mechanism to ensure that the process functions effectively, efficiently, fairly and that appropriate follow-up is carried out;

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- x. Submits reports to Moncton City Council regarding service delivery and communications in both official languages. Reports may be produced as needed, to focus on specific issues or to present an update of policy-driven items.
 - xi. Conducts a comprehensive policy review every ten years at a maximum (sooner if deemed necessary), and amends the policy, if required.
- d. Human Resources department
- i. Will evaluate positions to be filled, for bilingual requirements;
 - ii. Will maintain an inventory of linguistic designations for all positions within the Corporation, as well as maintain the personnel files that clarify the language skills of the employee(s) in a particular position (can include languages other than English or French, either spoken or written);
 - iii. Will maintain records, and establish a process, to ensure proper follow-up or testing for employees who must maintain a certain standard as a condition of employment.
- e. Legal Department
- i. Provides support to Manager, Communications and Bilingual Services as required.
 - ii. Provides interpretation of relevant legislation, and guidance in its application.
- f. Department Heads
- Senior managers are responsible for work units, activities and functions in the Corporation.
- i. Will encourage a workplace that is respectful and supportive of all individuals and their preferred official language;
 - ii. Will ensure all work units within their department are aware and abide by the policy for the delivery of services and communications in both official languages;
 - iii. Will support and cooperate with the Manager, Communications and Bilingual Services, in the complaint-handling process;
 - iv. Will ensure all founded complaints are resolved and corrective measures are in place.
- g. Employees
- "Employees" (full-time, contract, casual and students) of the City of Moncton, including contractors or consultants hired to deliver services on behalf of the City are expected to:
- i. Respect and adhere to this policy with regard to their duties and responsibilities;

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- ii. Help foster understanding and respect of both official language communities, as well as the notion of bilingualism in the work environment.

6. Administration and Contact

City Hall

655 Main St., Moncton, NB E1C 1E8

Telephone: 506.853.3550

Email: info.clerk@moncton.ca

Appendix 1



*Declaration by the
City Council of the*

CITY OF MONCTON

**OFFICIAL
BILINGUALISM**

Handwritten signature of Brian F.P. Murphy in black ink.

Brian F.P. Murphy
Mayor

Handwritten signature of Barbara A. Quigley in black ink.

Barbara A. Quigley
City Clerk

6 August 2002

WHEREAS the Constitution of Canada provides that English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the Legislature and Government of New Brunswick;

AND WHEREAS the Constitution of Canada provides for the right of any member of the public to communicate with and to receive available services from any office of an institution of the Legislature or Government of New Brunswick in either official language;

AND WHEREAS a municipality is an institution of the Government of New Brunswick;

AND WHEREAS virtually all Monctonians communicate in either or both official languages, thereby providing unique cultural and economic benefits to the City;

AND WHEREAS the City of Moncton is committed to the delivery of municipal services to the citizens of Moncton in the most productive, efficient and cost-effective manner and to delivering municipal services in both official languages;

AND WHEREAS the City of Moncton, in the provision of services or communications to its citizens and the public, either meets or exceeds the requirements of the *Official Languages Act of New Brunswick and Regulations*;

NOW THEREFORE BE IT RESOLVED:

That the City of Moncton declares itself to be Officially Bilingual, and will heretofore make all public notifications and information available in both official languages; will provide that the proceedings of City Council are conducted in both official languages while making simultaneous translation services available; and will provide municipal services to the public in both official languages;

That the City of Moncton will perform periodic assessments and evaluations to ensure that the goal of Official Bilingualism, to ensure that municipal services to the public will be provided in both official languages, are being met and that consistent progress is being made toward the continued enhancement of service provision in both official languages;

That a Committee be established by the City Manager to provide information to the public regarding its delivery of bilingual services as well as receive and address complaints from the public regarding the provision of services and communications in both official languages.

Appendix 2

**SCHEDULE A⁸
MUNICIPALITIES - SERVICES AND COMMUNICATIONS**

Column I	Column II
1 Subject to sections 2 to 10,	
(a) public notices of a general nature, including tender notifications, advertisements, public education material and council agendas	December 31, 2002
(b) new electronic websites	December 31, 2002
(c) existing electronic websites	December 31, 2003
(d) new building and facility signs	December 31, 2002
(e) existing building and facility signs	December 31, 2003
(f) new traffic signs	December 31, 2002
(g) existing traffic signs	December 31, 2005
(h) responses to public inquiries, whether verbal, written or electronic, including reception services, complaints and reported incidents	December 31, 2003
(i) invoices and responses to inquiries related to billing services	December 31, 2003
2 Tickets, warnings and public notices, information and responses to inquiries related to by-law enforcement services	December 31, 2003
3 Public notices, information and responses to inquiries related to recreational, leisure and cultural services	December 31, 2003

⁸ <http://laws.gnb.ca/en/showfulldoc/cr/2002-63//20161026>

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4	Licences, licence applications and public notices, information and responses to inquiries related to municipal licensing services	December 31, 2003
5	Public notices, information and responses to inquiries related to public works and utilities services	December 31, 2003
6	Public notices, information and responses to inquiries related to public transit services	December 31, 2003
7	Inspection services, permits, permit applications and public notices, information and responses to inquiries related to building inspection services	December 31, 2003
8	Public notices, information, educational programs and responses to inquiries related to crime prevention services	December 31, 2005
9	Public notices, information and responses to inquiries related to community planning and development services and services related to the administration of the <i>Community Planning Act</i>	December 31, 2005
10	Public notices, information, educational programs and responses to inquiries related to fire prevention services	

Appendix 3

LANGUAGE PROFICIENCY LEVEL - SUMMARY DESCRIPTIONS ORAL INTERACTION

LEVEL 1 (Basic)

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 to be understood. The speaker has a functional, but limited proficiency.

LEVEL 1+ (Basic Plus)

Can initiate and maintain predictable face-to-face conversations and satisfy limited social demands. The speaker at this level may hesitate and may have to change subjects due to lack of language resources. Speech largely consists of a series of short, discrete utterances.

LEVEL 2 (Intermediate)

Able to satisfy routine social demands and limited work requirements. Can handle routine work-related interactions that are limited in scope. The individual can get the gist of most everyday conversations but has some difficulty

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understanding native speakers in situations that require specialized or sophisticated knowledge. Errors are frequent.

LEVEL 2+ (Intermediate Plus)

Able to satisfy most work 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. Comprehension of normal speech is typically nearly complete. Often shows a high degree of ease of speech but the ability to use the language effectively may deteriorate.

LEVEL 3 (Advanced)

Able to speak the language with sufficient structural accuracy and vocabulary to participate 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. The individual speaks readily and fills pauses suitably. Comprehension of standard dialect at normal rate of speech is quite complete.

LEVEL 3+ (Advanced Plus)

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

LEVEL 4 (Superior)

Able to use the language fluently and accurately on all levels normally pertinent to professional needs. 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. Can serve as an informal interpreter. Excellent comprehension.

READING

LEVEL 1 (Basic)

Can fully understand simple texts and grasp the main idea of texts about familiar topics. Would not be expected to read and understand detailed information.

LEVEL 2 (Intermediate)

Can grasp the main idea of most descriptive and factual material on work-related subjects, locate specific details and distinguish main from subsidiary ideas.

LEVEL 3 (Advanced)

Can understand texts on a wide variety of topics as well as most complex details, inferences and fine points of meaning. Specialized or less familiar material can also be read with good comprehension.

LEVEL 4 (Superior)

The ability of a person at this level to understand complex texts exceeds that of person at the Advanced Level.

WRITING

LEVEL 1 (Basic)

Can write isolated words, phrases, simple statements or questions on very familiar topics using words of time, place or person. Errors of grammar, vocabulary and spelling are to be expected and tolerated as long as the message is understandable.

LEVEL 2 (Intermediate)

Has sufficient mastery of grammar and vocabulary to deal with explicit information on work-related topics. While the basic information is communicated, the writing will require some correction in grammar and vocabulary as well as revision for style.

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LEVEL 3 (Advanced)

Can write text in which the ideas are developed and presented in a coherent manner. The style of presentation and use of vocabulary, grammar and spelling are generally appropriate and require few corrections.

Level 4 (Superior)

The writing skills of a person at this level exceed those of a person at the Advanced Level.

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