Agenda – Executive Policy Committee – February 17, 2021

REPORTS

Item No. 2 French Language Services Review Strategy

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That this report be received as information.

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee granted an extension of time of 180 days for the Winnipeg Public Service to report back on the matter.

COUNCIL DECISION:

On January 30, 2020, Council concurred in the January 21, 2020, recommendation of the Executive Policy Committee and adopted the following:

1. That the Public Service be instructed to recognize that French language services should be accessible to all residents of the City of Winnipeg, and therefore, that when reasonably possible, French language services be provided upon request, regardless of geographic designation, through active offer (open invitation to the public to use one of our two official languages—English or French—when communicating with or receiving a service from the City of Winnipeg).

2. That the Public Service be directed to develop a five-year plan which will identify the capacity to provide services in French.

3. That the Department of Customer Service and Communications review *The Official Languages of Municipal Services By-law No. 8154/2002* with Legal Services to clarify the legal obligations of the municipal government, and report back within 180 days.

4. That the Public Service review and update the by-law a minimum of every 5 years to ensure it meets the needs of the community.

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2020, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: Legal Obligations of the City to provide French Language Services under Part 9 of The City of Winnipeg Charter and the Official Languages of Municipal Services By-law

Critical Path: Executive Policy Committee

AUTHORIZATION

Author	Department Head	CFO	CAO
N. Young	F. Wiltshire	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

Part 9 of The City of Winnipeg Charter Act ("the Charter") sets out the legal obligations of the City to provide French language services. One of these obligations is that the City enact and maintain a By-law which sets out how these obligations will be implemented.

Unfortunately, many of the obligations set out in the Charter are complicated and unclear. More importantly, these obligations were imposed decades ago and fail to reflect the changes in communication technology since that time (for example, the Charter imposes requirements in respect of printed materials but says nothing about on-line information or email). In addition, some of the requirements in the Charter do not reflect the current priorities of French-speaking Winnipeggers. This is especially true of the emphasis on French language services in the St. Boniface Ward and in the Riel Community while the number of French-speaking Winnipeggers is increasing throughout the city.

Since 2016, a dedicated position has been working full-time with Departments and Operating Agencies to improve the delivery of French language services to residents and the general public. The Public Service continues to focus on the recruitment of bilingual front-line and 311 services as not all information is currently translated and/or available on the City's website, which Council considers a priority service. The goal is to continuously improve the delivery of those services in both official languages. The French Language Services Division will continue to work with Departments and Special Operating Agencies to deliver effective and accessible communications and since 2017, has increased the level of French services by 70% mainly due to bilingual speaking employees.

Feedback from the public gives the French Language Services Division the opportunities to learn and improve. The Division values feedback about its services and recognize the right of residents and organizations of the French community to make a complaint, compliment or suggestion about its services. The Division is committed to using customer feedback to improve its services and focus on the needs of its customers. Its key focus is to ensure that every service is accessible and delivered with dignity, equality and respect.

RECOMMENDATIONS

1. That this report be received as information.

REASON FOR THE REPORT

At its meeting on January 21, 2020, Executive Policy Committee directed that the Department of Customer Services and Communications review *The Official Languages of Municipal Services By-law* with Legal Services to clarify the legal obligations of the municipal government and report back within 180 days.

On July 15, 2020, the Executive Policy Committee granted a 180-day extension of time for this report.

IMPLICATIONS OF THE RECOMMENDATIONS

As this report is provided for information, there are no implications to the recommendations.

HISTORY/DISCUSSION

History

In June 1992, the Province of Manitoba passed Bill 78, amending The City of Winnipeg Act (Part 3). Part 3 was proclaimed effective May 1, 1994. As required under the new law, a French Language Coordinator was appointed in September, 1993. Part 3 also required that the City report annually to the Minister of Intergovernmental Affairs on the progress it was making on meeting its French Language Services obligations.

On April 24, 1994 Council passed the first By-law (No 6402/94) for the provision of municipal services in both official languages.

On September 26, 2001 Council approved the final report of the French Language Services Task Force which contained a number of recommendations, including that a Councillor be appointed to address future matters relating to the provision of French Language Services for the City of Winnipeg.

On December 11, 2002 Council passed By-law No. 8154/2002 – Official Languages of Municipal Services By-law. This By-law replaced all previous By-laws regarding French language services and reflected the enactment of Part 9 of The City of Winnipeg Charter Act (the Charter), as well as outlining more specifically the obligations of each department.

In 2015, a new full-time position responsible for French Language Services was approved by Council and on October 3, 2016 a manager was hired. Under the general supervision of the Director, Customer Service & Communications, the Manager is responsible for providing leadership and direction to the Public Service, senior administration and Council in the development and management of French language services. This position is responsible for managing the City's Bilingual Service Centre and for ensuring bilingual service requirements are being met under Part 9 of the Charter. Furthermore, this position is responsible for the

development of policies, By-Law(s), and administrative directives, for advising departments/ Special Operating Agencies on policy, liaising regularly with other levels of government, and following up on community groups' complaints related to French language service matters.

In December 2017, the Wards Boundaries Commission prepared a final report establishing the boundaries and the name of each ward for the City of Winnipeg.

The sociocultural profile of Winnipeg's Francophone community is changing, and existing services do not take this into account. Consider the following trends:

- Francophone immigration signals the need for integration of newcomers who only speak French and who settle in neighborhoods other than Saint-Boniface due to lack of affordable housing. Typically, newcomers also have increased social needs;

- While the designated areas of Part 9 include the Riel District, Francophones can be located throughout the city. We must find ways to serve them;

- Francophiles, those who have French as an additional language, are an integral part of the "Francophone Community" strategy;

- New technologies have an impact on service delivery; human contact is often required to interpret these changes.

In working with the departments on developing their five-year French language services plan, it is clear that the current framework stated in City of Winnipeg Charter, Part 9, and the City of Winnipeg By-law No. 8154/2002, a bylaw that guides the development of strategic plans, needs to be updated and modernized.

Attached is a review of the current status of French Language Services. The review includes references to the requiring Charter section and/or By-law, whether the City is currently meeting these requirements, and comments for further Council consideration. The provided comments also include potential revisions for Part 9 of the Charter which, if enacted, would provide the opportunity to draft a new Official Languages of Municipal Services By-law.

FINANCIAL IMPACT

Financial Impact Statement **Date:** December 30, 2020

Project Name:

Legal Obligations of the City to provide French Language Services under Part 9 of The City of Winnipeg Charter and the Official Languages of Municipal Services By-law

COMMENTS:

There are no financial implications associated with the recommendations in this report.

(Approved by F. Dela Cruz for T. Yanchishyn)
Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services

OURWINNIPEG POLICY ALIGNMENT

01-1C Direction 3: Complete Communities provide options for accessing services, amenities and community resources by ensuring that most of the daily necessities of life— services, facilities, and amenities— are readily accessible.

03-1 Direction 2: Provide equitable access to municipal programs, services and facilities.

- Strive to engage a diverse cross-section of local stakeholders in planning initiatives.
- Support the provision of services and communication in age-friendly and alternative formats. Work to implement accessible City communications.

The Charter and By-law include representation and inclusivity, reflecting the need to offer access to services and programs in both official languages.

03-2 Direction 3: Work in partnership with communities to identify and address neighbourhood issues.

The Charter and By-law are to help support and address community issues by considering input and feedback on any municipal project in the language of their choice.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

n/a

SUBMITTED BY

Department: Customer Service and Communication
Division: French Language Services
Prepared by: Nicole Young
Date: January 14, 2021
File No: N/A

Attachments: