Minutes – Executive Policy Committee – March 18, 2025

REPORTS

Item No. 9 French Language Services Five-Year By-law Update

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That the Public Service be directed to solicit feedback from key community leaders, the Société de la francophonie manitobaine (SFM) and the Division scolaire franco-manitobaine (DSFM) regarding updates to the City of Winnipeg By-law No. 8154/2002 and report back to Council in through the Annual Report on French Language Services in 2026.

2. That the Public Service be directed to take proactive steps to engage with key French community leaders, foster collaboration, improving accessibility, ensuring the Public Service invests in tools, including but not limited to online software and websites to help City employees deliver services in both official languages.

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

DECISION MAKING HISTORY:

Moved by Councillor Santos,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

David Grant submitted a communication in support of the matter.

COUNCIL DECISION:

On January 30, 2025, Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That an extension of time of up to 60 days be granted to report back on the review and update of *The Official Languages of Municipal Services By-law No. 8154/2002*.

2. 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, 2025, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

COUNCIL DECISION:

On January 30, 2020, Council concurred in the 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.

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

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.

ADMINISTRATIVE REPORT

Title: French Languages Five-Year By-law Update

Critical Path: Executive Policy Committee

AUTHORIZATION

Author	Department Head	CFO	CAO
N. Young	F. Wiltshire	T. Graham	S. Armbruster, Interim CAO

EXECUTIVE SUMMARY

Attached is the five-year review of the current status of French Language Services. The review includes references to Part 9 of the *City of Winnipeg Charter Act*, and the *City of Winnipeg By-law No. 8154/2002 for the Provision of Municipal Services in Both Official Languages*. The last column identifies the requirements not met, which have increased since 2021, as well as things to consider.

RECOMMENDATIONS

1. That the Public Service be directed to solicit feedback from key community leaders, the Société de la francophonie manitobaine (SFM) and the Division scolaire franco-manitobaine (DSFM) regarding updates to the City of Winnipeg By-law No. 8154/2002 and report back to Council in through the Annual Report on French Language Services in 2026.

2. That the Public Service be directed to take proactive steps to engage with key French community leaders, foster collaboration, improving accessibility, ensuring the Public Service invests in tools, including but not limited to online software and websites to help City employees deliver services in both official languages.

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

REASON FOR THE REPORT

At its January 30, 2020, meeting, Council concurred with the recommendation of the Executive Policy Committee and adopted the following:

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

2. 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.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no direct financial implications to the recommendations of this report.

Modifying the by-law to update the delivery of municipal services in both official languages in line with feedback from the Société de la francophonie manitobaine (SFM) and other key community leaders holds the potential to improve service delivery, promote inclusivity, and strengthen community relations. Implementing changes to ensure services are provided in both official languages may require additional resources, such as identifying new designated bilingual positions. The financial implications would need to be carefully assessed to ensure that the budget can accommodate these changes without sacrificing other critical services.

The ability to offer services in both French and English is not just about legal compliance—it's also about ensuring that services are accessible, efficient, and of high quality in both official languages' communities. The current by-law lacks sufficient provisions for staffing, training, and funding to properly meet the demands for bilingual services. This gap prevents the municipality from fully meeting its obligations and risks contributing to unequal service delivery.

Careful planning is therefore essential to ensure resources are allocated effectively, potential challenges are addressed, and the changes are implemented smoothly. A report back to Council that clearly articulates the implications, benefits, and costs, along with a clear implementation plan, will be critical to securing support and ensuring the success of these modifications.

HISTORY/DISCUSSION

History

Under section 23 of the Manitoba Act 1870, English and French have an official status in Manitoba. The fundamental purpose of this is to ensure that government departments and agencies provide their services in both English and French where the French-speaking population is concentrated and also includes city boundaries. Part 9 of The *City of Winnipeg Charter Act* and Official Languages of Municipal Services By-law No. 8154/2002 set out the requirements and delivery of French-language municipal services in Winnipeg.

Since 2017, the French Language Services Division has supported departments and special operating agencies in preparing their multi-year strategic plan but is unable to help them in fulfilling their compliance with Part 9 of the City of Winnipeg Charter and Official Languages of Municipal Services By-law 8154/2002.

At the midpoint review of the current five-year plan (2021-2026), the Public Service sought to course-correct and determine if any goals or strategies were not working as anticipated, preventing larger issues down the road. The Public Service was unsuccessful in meeting key metrics previously identified as the current by-law does not align with the French community's needs or Council's Strategic Priorities Action Plan.

The current by-law was established in a different time and does not fully reflect the current needs of the French-speaking community. Many of the provisions do not account for demographic changes, nor do they address the French community's specific linguistic and

cultural needs within the municipality. As a result, service delivery often falls short in providing equitable access to services in French.

The French Language Services Division has outlined two critical factors affecting the municipality's ability to meet its legal obligations regarding the delivery of municipal services in both official languages. Further, progress towards meeting these obligations will be measured in three core areas: Service Delivery and Communications, Governance, Leadership and Strategic Direction, and People Management.

1. Outdated By-law and Impact on Service Delivery

Overview:
An outdated by-law has significantly hindered the municipality's capacity to effectively implement its legal obligations to provide services in both official languages. The current by-law does not fully support the modern needs of bilingual service delivery, nor does it address the evolving demographic requirements of the community, leading to inconsistent services in both languages.

Impact on Service Delivery:

- **Inconsistent Communication**: Public-facing communications, both in print and digital formats, are not consistently available in both languages, creating barriers for residents who do not speak the dominant language.
- **Delayed or Ineffective Services**: Residents may experience delays in accessing services due to the absence of bilingual employees or inadequate language support in the delivery process.
- **Legal Non-Compliance**: Failure to fully comply with legal language obligations can lead to lawsuits or penalties, and more importantly, undermines trust within the community.

Solution and Measurement of Progress:
Updating the by-law to include clear provisions for bilingual service delivery will address these gaps. By implementing these changes, the municipality will be able to:

- **Track and Report Bilingual Service Availability**: Establish clear metrics such as the number of public-facing documents, online resources, and services provided in both languages.
- **Increase Public Satisfaction**: Regular meetings with key French community organizations as well as feedback loops will help gauge whether the public perceives an improvement in bilingual services.
- **Legal Compliance Audits**: Continue to conduct five-year legal reviews to ensure that the municipality is meeting language obligations and to make adjustments as required.

2. Lack of Resources for Departments and Impact on Service Delivery

Overview:
Many municipal departments are currently under-resourced, which has directly impacted their ability to meet legal obligations in bilingual service delivery. Limited staffing, insufficient language training, and a lack of adequate tools or technology have created significant challenges for departments in providing services that meet both language requirements.

Impact on Service Delivery:

- **Reduced Efficiency in Service Provision**: Limited personnel with bilingual capacity has resulted in longer wait times and inconsistent access to bilingual employees, particularly in public-facing departments.
- **Inadequate Language Resources**: Departments may lack the necessary translation tools or the ability to employ bilingual employees across all service areas.
- **Employee Burnout**: Feedback indicates that bilingual employees are overburdened with acting as interpreters, impacting overall service quality and employee well-being.

Solution and Measurement of Progress:
Addressing resource gaps requires both short-term and long-term investments in training, staffing, and technology. Progress can be measured through:

- **Resource Allocation Tracking**: Monitor additional investments in bilingual staffing, training programs, and purchase of software with bilingual capacity. Strengthen translation services to ensure adequate resources are directed toward bilingual service delivery.
- **Employee Engagement and Retention Metrics**: Conduct employee surveys to assess job satisfaction and burnout, particularly among bilingual employees, to ensure that the workplace environment supports sustainable language service delivery.
- **Service Performance Metrics**: Track the time taken to provide bilingual services, employee response times, and the volume of services delivered in both languages across departments.

How to Measure Program in Three Key Areas

As the City implements solutions for the outdated by-law and resource gaps, it will be essential to measure progress in three core areas:

1. Service Delivery and Communications with the Public

- **Key Metrics**:
    - Percentage of public-facing materials, including websites, documents, and service interfaces, available in both languages.
    - Customer satisfaction surveys, specifically regarding language accessibility in services.
    - Response times for bilingual service requests.
    - Compliance with legal requirements for language accessibility.

2. Governance, Leadership, and Strategic Direction

- **Key Metrics**:
    - Clear strategic objectives and timelines for implementing bilingual services aligned with the 2023-2026 Strategic Priorities Action Plan, monitored by senior leadership.
    - Annual reporting and accountability mechanisms to ensure goals are met, such as quarterly updates to the Chief Administrative Officer (CAO).
    - Feedback from key French community leaders on progress and effectiveness of language policies.

3. People Management

- **Key Metrics**:
    - Continue to track training completion rates for employees and language proficiency programs.
    - Resource allocation for hiring bilingual employees and maintaining a sustainable bilingual workforce.
    - Employee performance reviews focusing on language-related competencies and service delivery.
    - Retention rates of bilingual employees, particularly those in critical service areas.

The French Language Services Division and the Provincial Ombudsman Office continue to see an increased amount of complaints about the Public Service's inability to provide consistent service in French as existing services do not consider the following trends:

- Integration of French-speaking newcomers who cannot speak English, but can communicate in French and who settle in neighborhoods other than Saint-Boniface or the Riel District due to a lack of affordable housing;
- Newcomers may also have increased social needs or difficulty in integrating which could be supported through access to municipal services in City facilities if offered in French;
- Francophiles are an integral part of the "Francophone Community" strategy;
- New programs, services, technologies, and software have an impact on the French community's inability to access municipal services which are required for better integration within the city.

When applying the Municipal Maturity Model (3M): a practical tool developed for Manitoba's Bilingual Municipalities in supporting the City's delivery of municipal services in Canada's two official languages, the initial base and framework include a modernized by-law which is an important step to ensure that objectives are being met and lead to more successful outcomes over time.

The Manager of French Language Services, together with Departments, will include the *Société de la Francophonie manitobaine* (SFM) and the Division scolaire franco-manitobaine (DSFM) and any other key community organizations that they recommend should participate in the review of the by-law submitted to Council. It is important to address French language services in the City as the result of an organizational culture and not simply a check box of a procedural process.

FINANCIAL IMPACT

Financial Impact Statement

Date: March 10, 2025

Project Name:

French Languages Five-Year By-law Update

COMMENTS:

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

Randy Bernard

Randy Bernard, CPA, CMA
Manager of Finance & Administration (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with colleagues from Legal Services.

OURWINNIPEG POLICY ALIGNMENT

This report is in accordance with the OurWinnipeg 2045 through:

Leadership & Good Governance: Achieve community-responsive service delivery through an aligned, integrated, collaborative, results-oriented organizational culture.

- 1.1 Organizational Alignment
- 1.07 Equitable Service Access
- 1.10 Representative and Participatory Democracy
- 1.12 Integrated Regional Planning
- 1.14 Youth Leadership
- 1.16 Equitable Funding Distribution
- 1.17 Neighbourhood Needs Assessment
- 1.18 Responsive, Representative and Resilient Workforce
- 1.19 Equitable Service Access

Economic Prosperity

- 3.4 Community Economic Development
- 3.10 Indigenous Economic Development
- 3.12 & 3.13 Poverty Reduction
- 3.16 Optimize Facility Access
- 3.18 Digital Communications
- 3.19 & 3.21 Community Capacity Development
- 3.20 Strategic Enterprise

Supports Good Health & Well-Being

- 4.1 Health Equity
- 4.2 Evidence-Informed Health Action
- 4.3 Proactive Health Intervention
- 4.6 & 4.7 Community Safety
- 4.9 Inclusive Public Places
- 4.10 Transportation Safety
- 4.11 Equitable Service Access
- 4.12 Inclusive Public Places
- 4.13 Inclusive Public Places
- 4.14 Community Safety
- 4.15 Digital Communications

Social Equity

- 5.1 Equitable Service Access
- 5.4 Reconciliation with Indigenous Peoples
- 5.5 Indigenous Lens
- 5.6 Equitable Service Access
- 5.7 & 5.8 Community Cohesion
- 5.9 Heritage Conservation

City Buildings
- 6.2 Complete Communities Characteristics

The Charter and By-law 8154/2002 include representation and inclusivity, reflecting the need to offer access to services and programs in both official languages. It also helps 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

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP does not apply to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

- GOAL 1: Equity and a Culture of Caring are Demonstrated through Strategy Implementation and Systems
- GOAL 3: Equity is Embedded in all City Employment and Income
- GOAL 4: Community Well-Being Supports for those in Greatest Need are Increased
- GOAL 5: Transportation System Equity is Enhanced
- GOAL 6: All City Services are Equitable, Inclusive and Accessible
- GOAL 8: Equity in Community Safety is Increased through Collaboration

SUBMITTED BY

Department: Customer Service and Communication
Division: French Language Services
Prepared by: Nicole Young
Date: March 10, 2025
File No: N/A

Attachments:



OTH-CSC-FLS-Legal Charter and By-Law I