



**Official Languages - Language of Service
Quick Reference Guide**

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Official Languages - Language of Service

Lesson 1: The Official Languages Act

On August 5, 2002, the *Official Languages Act* came into force. It is a piece of legislation that:

- Clarifies the service obligations of government institutions when communicating and providing services to the public.
- Guarantees services of equal quality in both official languages
- Has specific provisions in relation to municipalities, regional planning and solid waste commissions, health services, policing services and the administration of justice and finally, for the establishment of a Commissioner of Official Languages

The Act applies to:

- New Brunswick Public Service:
 - Part I – New Brunswick Government Departments and Agencies
 - Part III – Health Sector
 - Part IV – New Brunswick Crown Corporations
- The courts
- Policing services
- Third parties offering services on behalf of the Province
- Municipalities
- Planning commissions and solid waste commissions

The Act applies to the Department of Education and Early Childhood Development, except for the parts which have been organized along linguistic lines.

The Act does not apply within schools and school district offices or community colleges which are solely based on one of the official languages.

The Premier is responsible for administering the Act, and the Legislature and Government have the authority to take any appropriate measures to advance the equality of status and use of both official languages.

Ensuring compliance with the Act rests with all employees and managers while the appointed Commissioner of Official Languages has the authority to investigate instances when the Act is not being complied with.

Lesson 2: Introduction to the Language of Service Policy

The Language of Service Policy ensures that the public or organizations who wish to communicate with any department, agency, Crown corporation or institution of the Provincial Government may do so in their preferred official language, and can expect to be offered and receive the desired service in that language.

The policy applies to the Department of Education and Early Childhood Development; however it does not apply to divisions of the department which have been established on the basis of only one official language. It does not apply within schools and school district offices.

The policy applies to the Department of Post-Secondary Education, Training and Labour; however, it does not apply to individual community colleges which have been established on the basis of only one official language.

Third party service providers are companies that provide services:

- Through public-private partnership initiatives
- In the provision of government services

When providing services on behalf of the government, third party service providers must meet the requirements of the Language of Service Policy.

Public purchasing refers to two types of purchases:

- Products and services where linguistic considerations do not directly affect the product or its nature (paper, pencils). – sellers must be able to sell the product, receive documentation and communicate in the official language of their choice.
- Products and services directly affected in availability and nature by linguistic consideration (educational services). – choice of language associated with the product/service is at the discretion of the purchasing department/agency. The purchasing process must be available in both official languages.

The Minister for the Treasury Board has the responsibility for the administration of the Language of Service Policy.

Daily administration of the policy within the institutions is the responsibility of the respective Deputy Ministers or Deputy Heads, Chief Executive Officers and Presidents.

Lesson 3: Your Responsibility – To The Public

The public includes any person or group of persons, any association, profit or non-profit organization, municipal body or organization, provincial or federal institution, any non-governmental organization as well as the agent representative of the above. In other words, the public includes any person to whom you provide a service.

The Language of Service Policy perceives service to the public as including, but not limited to:

- Oral Communication;
- Correspondence;
- Electronic service delivery channels (e-mail, internet, voice-mail);
- Staffing interviews;
- Public forms and public documents;
- Information material;
- Signage;
- Judicial and Administrative Tribunals; and
- Public services provided by third parties.

Services that must be available in both official languages include:

- All regular and specialized government services provided under government programs and legislation;
- All government services as well as consultative, professional and technical assistance services; and
- Requests or appeals from individuals, groups or organizations for government to deal with unusual problems related to the delivery or need for government services.

When employees are communicating with the public, they must ensure they are:

- Giving an active offer of services - actively informing the public, at the first point of contact, that services are available in both official languages
- Providing service of equal quality - actively offering services in both official languages and providing services in the language chosen by the member of the public without undue delay.

Lesson 4: Understanding what Linguistic Capacity and Required Language Skills Entail

Institutional Linguistic Capacity – Institutions must have the linguistic capacity to serve the public, employees, regional and subordinate offices in both official languages. They must be equipped with a team of employees who are ready to actively offer services of equal quality in both official languages.

Linguistic Capacity of Employees – In order to fulfill institutional linguistic obligations, employees must have the required language skills to perform their responsibilities.

Required language skills – Employees are able to communicate in English or in French, or in both official languages to the level required to carry out their duties.

Teams are composed of a mixture of employees with varying linguistic capabilities. The teams are able to offer services in either official language as needed.

Teams that are in constant contact with the public, provide specialized services, or work in areas with a balanced linguistic mix, will require a higher capacity in both official languages.