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Uqauhinut Kamisinaup Havakvia Nunavunmi

Office of the Languages Commissioner of Nunavut

Bureau du commissaire aux langues du Nunavut

BUSINESS PLAN

2018 - 2021

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1. INTRODUCTION

The Languages Commissioner is an independent officer of the Legislative Assembly of Nunavut appointed on a five-year term as of February 2017¹, by the Commissioner of Nunavut on the recommendation of the Legislative Assembly².

2. MISSION

To promote and safeguard the language rights of Nunavummiut enshrined in Nunavut's language legislation.

3. VISION

(Official Languages Act) Individuals are able to communicate with and receive services from the Government of Nunavut, and its public agencies, the Legislative Assembly, and its institutions, the Nunavut courts and the municipalities in their official language of choice.

(Inuit Language Protection Act) Individuals are able to communicate with and receive services from the Government of Nunavut, and its public agencies, the Legislative Assembly, and its institutions, the Nunavut courts, the municipalities, the private sector organizations and from the federal departments, agencies or institutions in the Inuit language.

4. ROLES AND RESPONSIBILITIES

The Languages Commissioner has four primary roles and responsibilities: ombudsman, advocate, advisor and monitor. The responsibilities of the Languages Commissioner are those detailed in the *Official Languages Act (OLA)* and the *Inuit Language Protection Act (ILPA)*.

Ombudsman

The Languages Commissioner reviews any possible breach of the language legislation by territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions. The Office can investigate, make findings and reports, mediate settlements, and informally suggest ways to redress language rights violations.

Advocate

The Languages Commissioner communicates with those obligated to provide language services to influence decision making, practices or policies on respecting language rights.

¹ Term of the position changed from 4 year-term to 5 year-term by the Commissioner of Nunavut, as the recommendation of the Legislative Assembly at their February 2017 session.

² Ms. Helen K. Klengenber was appointed as Acting Languages Commissioner until her official appointment in the Legislative Assembly on September 12, 2017.

Advisor

The Languages Commissioner advises, assists and works with territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions on their language service and communication obligations. The Office also informs Nunavummiut of their language rights.

Monitor

The Languages Commissioner monitors and examines the progress of territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions in meeting their obligations under Nunavut's language acts.

5. MANDATE

The mandate of the Office is:

- To inform the Nunavummiut of their language rights
- To inform and advise territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions of their language obligations
- To monitor territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions' language services and communications with the public
- To inform the private sector and federal institutions of their language service requirements, and assist them in the planning and implementation of their Inuit language plan
- To investigate, or facilitate resolution, and to recommend corrective actions
- To support and monitor the implementation of the Nunavut's language legislation

6. PRINCIPLES AND VALUES

The following principles and values shall apply to the Office of the Languages Commissioner (OLC) when exercising the powers and in performing their duties:

- *Inuuqatigiitsiarniq*: respecting others, relationships and caring for people
- *Tunnganarniq*: fostering good spirit by being open, welcoming and inclusive
- *Pijitsirniq*: serving and providing for family or community, or both
- *Aajiiqatigiinni*: decision through discussion and consensus
- *Piliriqatigiinit/Ilkajutiginni*: working together for a common cause
- *Qanuqtuurniq*: being innovative and resourceful

7. CAPACITY

The OLC has a total of 7 positions:

- Languages Commissioner
- Director of Strategic Planning and Policy
- Executive Secretary
- Investigation and Research Officer - French
- Investigation and Research Officer – Inuit language
- Project Manager – Term ends on January 18, 2019
- Private Sector Liaison Officer ³– Begins January 19, 2019
- Public Affairs Officer

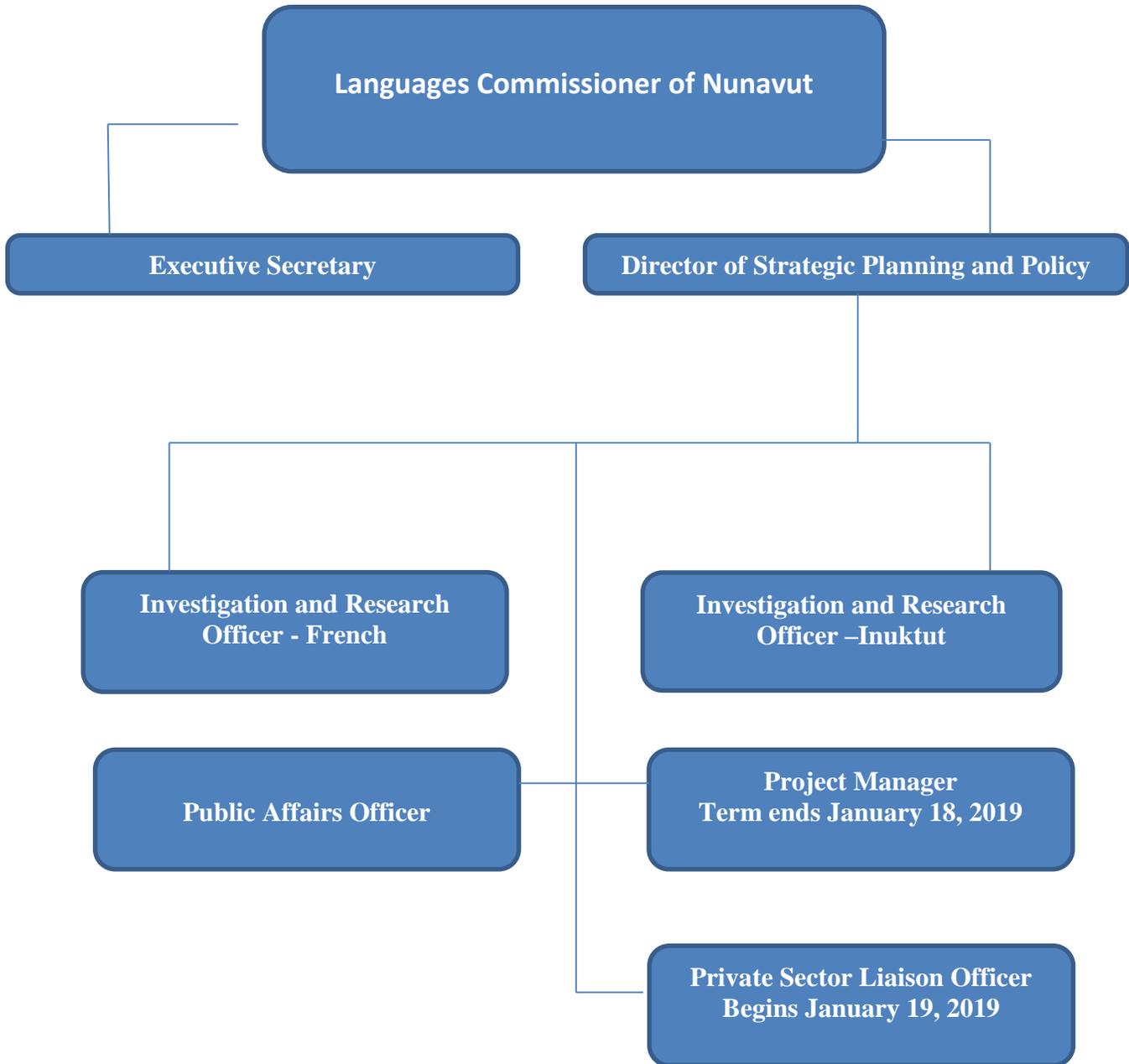
In addition to the full-time contingent of employees, the OLC has a contract with a legal firm to provide legal advices and assistance with mediation when required.

³ The plan is to change the project manager position over to its original position of private sector liaison officer.

8. ORGANIZATION CHART



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9. LEGISLATION

The Official Languages Act

Nunavut's *Official Languages Act* (OLA) was passed by the Legislative Assembly in 2008 and came into force on April 1, 2013. The OLA sets out service and communication requirements for the three official languages (Inuit language, English and French) within the Legislative Assembly, the Government of Nunavut, its public agencies, and the Nunavut courts. These organizations are to provide an active offer and ensure a person can receive services from or communicate with these obligated bodies in his/her official language of choice.

The Act created a minister responsible for languages to coordinate and guide the language service requirements that must be met by territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions.

Municipalities need to provide communications and services in French or English if it is deemed that there is "significant demand." The Government of Nunavut has yet to provide a mechanism to define what "significant demand" is, and to pass regulations accordingly to which municipalities are to provide services and communications in French and English.

The Inuit Language Protection Act

Assented to in 2008, the *Inuit Language Protection Act* (ILPA) sets out to protect, promote and revitalize the Inuit language. The Act mandates the government to take specific measures to safeguard the Inuit language.

It includes:

- Educational rights, including early childhood education, Inuit language instruction and adult language acquisition and upgrading
- The right to work in the Inuit language in territorial institutions
- Obligations for municipalities as well as the private and public sectors, including federal and territorial institutions, to offer services in the Inuit language

The ILPA created a minister responsible for coordinating the implementation of policies and programs to protect, promote and revitalize the Inuit language. It also created the Inuit Uqausinginnut Taiguusiliuqtiit (IUT), the Inuit Language Authority. The ILPA applies to municipalities, private sector organizations and federal departments, agencies or institutions regardless of demand.

During the winter 2017 sitting, the Minister of Languages announced in the Legislative Assembly that the following sections and paragraph would come into force on July 9, 2017:

- Services and communications in the Inuit language to be provided by the private sector bodies and federal departments, agencies or institutions (ILPA, section 3)
- Services being provided for territorial institutions through third party contracts to be provided in all the official languages [ILPA, section 4 and OLA, paragraph 12(7)(c)]
- Provisions for Inuit language services in civil claims to be included in the Nunavut Court of Justice's rules or directions (ILPA, section 5)

The Cabinet has yet to set an effective date for:

- Early childhood education and adult language acquisition and upgrading to be provided in the Inuit language (ILPA, sections 9 and 10)

10. CORE ACTIVITIES AND BUDGET

10.1. COMMUNICATIONS

The Languages Commissioner recognizes the importance of language rights education and bringing awareness to the public about Nunavut's language legislation. It is also the duty to inform the public of their language rights, and the obligated bodies of their language obligations under Nunavut's language legislation. The OLC's website and social media are important communication tools to Nunavummiut. The website is advertised on all the promotional items to make it visible and accessible to the public. It is also used to give information on language rights, activities, annual reports and news releases. People can use the online forms to file concerns with the OLC when they feel their language rights may have been violated.

During the Inuktitut and French language months, our office uses the media and communication tools to raise public awareness on language rights. The slogan "My Language, My Right" encourages Nunavut's official language speakers to speak their language proudly and raises awareness about the OLC's roles. The OLC also want to inform Nunavummiut about the importance of language rights and obligations, and the impact of both the *Official Languages Act* and the *Inuit Language Protection Act* on people's life.

Moreover, the Languages Commissioner will continue to evaluate the status of the right to work in the Inuit language in territorial institutions, to identify the themes or trends in regard to language rights violations and to identify potentially problematic language rights situations.

When services and communications are available in all the official languages, it stimulates the demand, and therefore contributes to the vitality of a language. It sends a message to the members of the public that their language is respected and welcomed in the services provided.

10.2. POLICY, PLANNING AND INVESTIGATIONS

As an ombudsman office, the OLC exists to safeguard language rights and therefore will take actions on all concerns received from the public on language rights; the Languages Commissioner can also initiate an investigation. Ongoing activities of the Office are investigations and informing people of their language rights and the obligated bodies of their obligations.

Policy and Planning

The OLC examines, analyses and makes recommendations with regards to the proposed and existing language policies in territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions.

Monitor

The OLC monitors the availability of language services and communications within Nunavut's territorial institutions, municipalities, private sector organizations and federal departments, agencies or institutions. Surveys are regularly conducted, such as call verification, communication and website reviews, email verification and the right to work in the Inuit language in territorial institutions.

Ombudsman and Investigative Training

Awareness of language rights happens through public education campaigns, public appearances, responses to events, reports of finding and recommendations. It is imperative for the OLC staff to be informed and have up-to-date knowledge about best practices. Ongoing training is essential for an ombudsman office given their duty to act fairly according to the laws.

Investigation

A language rights concern with a territorial institution, municipality, private sector organizations and federal departments, agencies or institutions can be filed with the Office of the Languages Commissioner by an individual, or on behalf of another person, group or community, when members of the public are not receiving services and communications in the official language of their choice. A concern can be brought to the OLC in any of these circumstances:

- The rights, status, privileges of an official language have not been recognized.
- A provision of the OLA or regulation relating to the status, use or protection of an official language has not been complied with.
- The spirit and intent of the OLA or the ILPA have not been fulfilled.

The Languages Commissioner can also, on her/his own initiative, or at the request of a territorial institution, a municipality, a member or committee of the Legislative Assembly, commence an investigation without having received concerns directly from an affected person.

Systemic Investigation

A systemic investigation is conducted when the perceived violation of language rights is a potentially endemic problem within a territorial institution. The Languages Commissioner has authority to combine more than one concern.

Private sector and federal institutions

The OLC did a mailing to inform private sector organizations, federal institutions and municipalities of their obligations under section 3 of the *Inuit Language Protection Act* (ILPA) and is providing assistance to these organizations in the planning and implementation of their Inuit language plan.

10.3. BUDGET

The budget related to the core activities is the following:

Budget (\$000)	2017-2018	2018-2019	2019-2020	2020-2021
Directorate and operations	633	633	628	628
Communications	159	159	160	160
Policy, planning and investigations	618	618	624	624
Total	1,410	1,410	1,412	1,412

11. PRIORITIES

Throughout the fiscal years, as indicated in the annual reports, several activities were carried out. As many of these activities are recurrent, in the business plan, the focus is on key priorities.

12. STATUS OF 2017-2018 PRIORITIES

Legislation

- ✓ Participate in the *Education Act* review
Status: Completed. Our submission on Bill 37, *An Act to Amend the Education Act and the Inuit Language Protection Act*, was sent to the Standing Committee on Legislation on April 21, 2017. As the Department of Education tabled Bill 37 in the Legislative Assembly on March 7, 2017, our submission will be presented in our 2017-2018 annual report.

Communications

- ✓ Develop a communication plan for the OLC
Status: On-going. A draft of the communication plan has been prepared and it has to be finalized. The plan will permit us to choose the best strategies and tactics to use to reach out the target groups, and to communicate in a coherent and effective manner with them. The follow-up will be presented in our 2017–2018 annual report.
- ✓ Develop an advertising campaign about the OLC's role
Status: On-going. The goals of the advertising campaign are to raise public awareness of the OLC and its roles and mandate, and to increase the visibility of the OLC. The follow-up will be presented in our 2017–2018 annual report.

- ✓ Review the content of the Office's website
Status: On-going. The content will be reviewed by the end of the 2017-2018 fiscal year. We will update the current information on services and products, inform people about language rights and obligations, and guide people on how to file a concern. The follow-up will be presented in our 2017–2018 annual report

- ✓ Inform private sector organizations and federal departments, agencies or institutions of their language obligations under the *Inuit Language Protection Act*
Status: On-going. As sections 3-5 of the ILPA came into force on July 9, 2017, we did a mailing to inform private sector organizations, federal institutions and municipalities of their obligations under section 3 of the *Inuit Language Protection Act* (ILPA) and we are providing assistance to these organizations in the planning and implementation of their Inuit language plan. The follow-up will be presented in our 2017–2018 annual report.

Policy, Planning and Investigations

- ✓ Monitor territorial institutions' language services through an email verification
Status: On-going. The main goal is to verify if members of the public can communicate with and received a response from the departments of the Government of Nunavut in their official language of choice. The results will be presented in our 2017–2018 annual report.

- ✓ Monitor territorial institutions' language services through written communication review
Status: On-going. The main goal is to verify if written communications issued by the territorial institutions are issued simultaneously in all the official languages. The results will be presented in our 2017–2018 annual report.

- ✓ Implement case management software
Status: Completed. New case management software was required to improve the management of concerns, Inuit language plans and inquiries, and to develop a database related to concerns, Inuit language plans and inquiries. The follow-up will be presented in the 2017–2018 annual report.

- ✓ Review the investigation process
Status: On-going. The objectives are to update the current information on the investigation process, and to prepare a guide explaining the procedure. The follow-up will be presented in our 2017–2018 annual report.

13. PRIORITIES FOR 2018-2019

Legislation

- ✓ Initiate the review of the *Official Languages Act* in order to be ready when the Act will be reviewed
- ✓ Initiate the review of the *Inuit Language Protection Act* in order to be ready when the Act will be reviewed
- ✓ Finalize the protocol for access to the Nunavut Court of Justice for investigative purposes by the Languages Commissioner of Nunavut

Communications

- ✓ Develop an advertising campaign on language rights
- ✓ Review the communication tools
- ✓ Review the Office's website: design and implementation
- ✓ Assist and participate in the Ministerial Conference on the Canadian Francophonie that the Department of Culture and Heritage is planning for June 2018
- ✓ Assist and participate in the Nunavut Inuit Language Conference that the Department of Culture and Heritage is planning for June 2019
- ✓ Continue to inform private sector organizations and federal departments, agencies or institutions of their language obligations under the *Inuit Language Protection Act* , and to assist them in the planning and implementation of their Inuit language planning.

Policy, Planning and Investigations

- ✓ Monitor territorial institutions' language services through written communication review
- ✓ Monitor territorial institutions' right to work in the Inuit language
- ✓ Monitor territorial institutions' language services through website review
- ✓ Follow up on the five-year review of the implementation of the OLC's recommendations
- ✓ Follow up on recommendations received from the Standing Committee on Public Accounts, Independent Officers and Other Entities

14. PRIORITIES FOR 2019-2020

Communications

- ✓ Develop an advertising campaign on language rights
- ✓ Develop an advertising campaign on the OLC's roles
- ✓ Continue to work with private sector organizations and federal departments, agencies or institutions on the planning and implementation of their Inuit language plan

Policy, Planning and Investigations

- ✓ Monitor territorial institutions' language services through communication review
- ✓ Monitor territorial institutions' language services through call verification
- ✓ Audit the Department of Health and the Qikiqtani General Hospital to determine their progress in complying with the OLC's recommendations (Systemic Investigation Report)
- ✓ Follow up on the five-year review of the implementation of the OLC's recommendations
- ✓ Follow up on recommendations received from the Standing Committee on Public Accounts, Independent Officers and Other Entities

15. PRIORITIES FOR 2020-2021

Communications

- ✓ Develop an advertising campaign on language rights
- ✓ Develop an advertising campaign on the OLC's roles
- ✓ Continue to inform private sector organizations and federal departments, agencies or institutions of their language obligations under the *Inuit Language Protection Act*

Policy, Planning and Investigations

- ✓ Monitor territorial institutions' language services through written communication review
- ✓ Monitor private sector and federal organizations' language services through a survey
- ✓ Follow up on recommendations received from the Standing Committee on Public Accounts, Independent Officers and Other Entities

16. MAIN ESTIMATES FOR 2018 - 2021

BUSINESS SUMMARY	2017 – 2018		2018 – 2019		2019 – 2020		2020 – 2021	
	Main Estimates		Main Estimates		Planned		Planned	
	\$0	PYs	\$0	PYs	\$0	PYs	\$0	PYs
DIRECTORATE & OPERATIONS								
Salary	291	2	291	2	286	2	286	2
Grants and Contributions	—		—		—		—	
Other O&M	342		342		342		342	
Subtotal	633		633		628		628	
COMMUNICATIONS								
Salary	129	1	129	1	130	1	130	1
Grants and Contributions	—		—		—		—	
Other O&M	30		30		30		30	
Subtotal	159		159		160		160	
POLICY, PLANNING & INVESTIGATIONS								
Salary	570	4	570	4	576	4	576	4
Grants and Contributions	—		—		—		—	
Other O&M	48		48		48		48	
Subtotal	618		618		624		624	
TOTAL	1 410	7	1 410	7	1 412	7	1 412	7

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