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How to Comply with the *Inuit Language Protection Act* for the Private Sector, Federal Institutions and Municipalities

As of July 9, 2017, all organizations operating in Nunavut must provide services and communications to the public in the Inuit language.¹ This is an important step in protecting the linguistic rights of Nunavummiut.

This document provides information on how to comply with section 3 of the *Inuit Language Protection Act* (ILPA) and presents the process to ensure compliance.

Obligations

Every organization (includes territorial and federal institutions, municipalities and private sector bodies) operating in Nunavut must display, publish and offer the following in Inuktut:

- Public signs
- Posters and commercial advertising
- Reception services and customer or client services

The Inuktut version of signs, posters and written documents must be at least as prominent as the other languages used.

If your organization provides any of the following services, then it falls into the category of **organizations delivering particular services**:

- Essential services, including:
 - Emergency, rescue or similarly urgent services or interventions (including intake or dispatch services)
 - \circ $\;$ Health, medical or pharmaceutical services $\;$
- Household, residential or hospitality services, including:
 - Restaurant, hotel, lodging, residential or housing services
 - Basic services to a household (such as electricity, fuel, water and telecommunications)

If your organization provides those services, then it must, in addition to the obligations respecting signage, posters and commercial advertising and reception / client services,

¹ The Inuit language, also called Inuktut, refers to Inuinnaqtun for Kugluktuk or Cambridge Bay and Inuktitut for the other municipalities.

ensure that the following written and oral communications are offered in the Inuit language:

- Notices, warnings or instructions
- Monthly bills, invoices and similar demands

INUIT LANGUAGE PLAN

What am I expected to do?

Organizations are expected to start planning the implementation of their linguistic obligations. Your organization should work gradually towards complying with the *Inuit Language Protection Act.* To facilitate this your organization may prepare an Inuit Language Plan.

What is an Inuit Language Plan?

An Inuit Language Plan is a tool that organizations can use to manage compliance with the *Inuit Language Protection Act*. The Inuit Language Plan helps organizations assess their situation and plan future initiatives.

An Inuit Language Plan is a written document with a series of statements on how your organization meets or will meet its Inuit-language communication and service obligations set out in the ILPA. A plan contains information on the following:

- The nature of your organization's activities
- Measures, policies and practices proposed for communications and services, accompanied by a schedule for implementing these
- Your organization's ability to offer communications and services in the Inuit language
- How the Inuit Language Plan and the availability of communications and services in

the Inuit language will be publicized

What kinds of actions or measures should organizations include in the Inuit Language Plan?

There are various actions or measures you may want to examine when planning initiatives aimed at ensuring compliance with Inuit-language requirements. For example:

- Translating and publishing
- advertisements, brochures, posters, etc.
- Offering online customer or client services in Inuktut
- Translating and displaying signs
- Offering Inuktut training to staff
- Teaching basic greeting words to reception staff
- Developing a procedure to offer Inuktut services and communications
- Including the ability to speak Inuktut as a hiring qualification
- Partnering with an on-call interpreter/translator
- Developing an active offer program

- Working with Inuit Uqausinginnik Taiguusiliugtiit to develop terminology
- Advertising the availability of services in Inuktut
- Adapting software for syllabics
- Setting up an Inuit language committee

to implement the Inuit Language Plan

Is it mandatory to prepare an Inuit Language Plan?

No. Preparing an Inuit Language Plan is a voluntary process that aims to support your organization in complying with the *Inuit Language Protection Act*. It may be useful because it allows your organization to plan future actions necessary for compliance.

However, your organization may be required to prepare an Inuit Language Plan if a concern is reported to our Office about the lack of services or communications in the Inuit language offered by your organization. Likewise, if the concern is brought before the Court of Justice, your organization may be required to prepare an Inuit Language Plan.

What is the process?

Your organization can simply complete the <u>Inuit language plan template</u> and return it to the Office of the Languages Commissioner using the contact information included in the template.

When the Office of the Languages Commissioner receives an Inuit Language Plan, it will review it to determine whether the following criteria are met:

- All the obligations are addressed.
- The proposed measures are relevant.
- The proposed timelines are reasonable.

During that review, the Office of the Languages Commissioner may seek additional input from the organization. The initial review can take up to a month.

After the initial review, the Office of the Languages Commissioner will either approve the plan or suggest amendments.

Once the Inuit Language Plan is approved, your organization will receive a letter from our Office. It is important that the organization actually implement the plan.

A change in circumstances could cause your organization's plan to no longer comply with the *Inuit Language Protection Act.* In that case, our Office might verify whether your plan is being implemented, ask you to review your plan or revoke our approval of your plan.

ACCOMMODATION

What is accommodation?

Although every organization must offer services and communications in the Inuit language, the Office of the Languages Commissioner may substitute a requirement for a less onerous one in specific cases, this is called accommodation. Accommodation may be offered to private sector organizations only. This does NOT mean an organization will be exempt from complying with its Inuit language obligations.

Who can request accommodation?

Only private sector organizations may request accommodation. Municipalities or public sector bodies cannot receive accommodation.

Requests for accommodation will be considered only in two cases:

• Meeting the obligations of the *Inuit Language Protection Act* would cause undue hardship to your organization.

OR

• The activities of your organization target primarily a non-Inuit language or cultural group.

What is the process?

Before requesting accommodation, your organization first needs to develop an Inuit Language Plan. Doing so will help your organization assess its current situation and identify the obligations it cannot immediately satisfy.

This will enable your organization to identify if and how it may require accommodation and the organization can make an <u>accommodation request</u>. Your organization may also submit an accommodation request to the Office of the Languages Commissioner if it realizes that some obligations in the approved Inuit Language Plan are proving difficult to implement.

If your organization simply requires more time to implement a measure, it is not necessary to submit an accommodation request. Your organization's Inuit Language Plan can reflect this in the proposed schedule.

In the accommodation request, your organization must explain why it cannot meet the obligation and describe a less onerous measure that it could realistically implement.

Accommodation requests will be carefully examined by the Office of the Languages Commissioner. The Office will assess the accommodation request based on the following criteria:

• The nature of your organization's activities

• The impacts of the proposed accommodation on the Inuit language-speaking population

4

• The reasonableness of the proposed measures and the timeframes for implementing these

The Office of the Languages Commissioner may determine the duration of the accommodation (either temporary or indeterminate) and may periodically review the accommodation to verify its continued relevancy or necessity.

If your organization offers particular services (see p. 1 for more information on this), it is unlikely that the Office will approve an accommodation request due to the importance of the services offered to Inuktut-speaking Nunavummiut.

Can an organization ask for an exemption from any of the Inuit language obligations?

An exemption is not the same as an accommodation. An accommodation aims to adapt certain obligations to make them easier for your organization to achieve. An exemption is an exception to the requirements.

Presently, the *Inuit Language Protection Act* does not allow for an exemption. However, the Executive Council of the Government of Nunavut may make regulations identifying situations in which a private sector body might be exempted from any or all of the linguistic obligations.

ASSISTANCE

Office of the Languages Commissioner

The Office of the Languages Commissioner can assist you with the development of your organization's Inuit Language Plan upon request.

Phone: 867-975-5080 / Toll-free: 1-877-836-2280

Email: langcom@langcom.nu.ca

Department of Culture and Heritage

The Department of Culture and Heritage provides funding to the private sector.

It also has publications on best practices.

Phone: 867-975-5500

Website: <u>http://gov.nu.ca/culture-and-heritage</u>

Inuit Uqausinginnik Taiguusiliuqtiit

Inuit Uqausinginnik Taiguusiliuqtiit can provide expertise on the correct use of the Inuit language and its terminology. It does not provide translations.

Phone: 867-975-5545 / Toll-free: 1-855-232-1852

Website: http://www.taiguusiliuqtiit.ca/

Email: <u>IUT@gov.nu.ca</u>

FAQ

OBLIGATIONS

What if I am a contractor doing work for the Government of Nunavut? Do I have to communicate with the public in the Inuit language?

Yes. Section 4 of the ILPA describes the obligations for contracts with the Government of Nunavut and public agencies. Every contract must include a requirement on the contractor to communicate with and provide services to the public in the Inuit language.

What does it mean to publicize my organization's Inuit Language Plan and the availability of communications and services in the Inuit language?

You must make your organization's plan available to the public (i.e., it may be posted on your organization's website or be on display in the reception area) and create an environment where customers and clients know they can use the Inuit language (this might be accomplished by posting signs, using Inuktut in greetings at the reception desk, etc.).

What happens if a concern is reported to the Office of the Languages Commissioner about my organization?

The Office of the Languages Commissioner will investigate all concerns raised. These could be concerns about a document, sign or notification that is not in the Inuit language, or services by a business being offered only in English.

If your organization has submitted an Inuit Language Plan, the Office will review the plan and ensure whether it is being implemented.

If your organization has not submitted a plan, the Office may ask your organization to prepare one to show that it will be working towards compliance.

CHALLENGES

How can my organization offer reception and customer service in the Inuit language when it does not have bilingual staff?

The Office understands that offering Inuit language reception and customer services may be difficult for some to achieve. Your organization put these in place, but it does not need to be fully compliant immediately. Over time, your organization may want to provide training to your employees, translate important documents, hire Inuktutspeaking employees and rely on on-call interpreters, depending on your organization's capacity.

TRANSLATIONS

What things does my organization need to have translated into the Inuit language?

- Public signs, including emergency and exit signs
- Posters and commercial advertising

If your organization offers particular services (see page 1 for more information), you must translate:

- Monthly bills
- Invoices
- Warnings
- Notices
- Drug use instructions
- Restaurant menus
- Hotel room instructions
- Instructions on services

IMPORTANT NOTE: Ensure that the Inuit-language text (syllabic or roman orthography) on public signs, posters and commercial advertising is <u>at least as prominent</u> with any other language used. Equal prominence means that one language does not stand out more than another; however, the Inuit language version can be more prominent than the other languages.

Does my organization need to publish in both Inuktitut and Inuinnaqtun?

It depends. Your organization needs to provide both Inuktitut and Inuinnaqtun only if you providing services throughout all of Nunavut.

Otherwise, your organization must publish in Inuinnaqtun if it conducts business in Kugluktuk or Cambridge Bay, or in Inuktitut if it only conducts business in the rest of Nunavut.

I own a retail business. Am I required to have receipts and labels in the Inuit language?

No, unless your organization provides particular services (see p. 1 for more information on this).

However, you may want to include in the Inuit language the store's contact information and a friendly "Thank you for shopping..." and any other public messages that are printed on your receipts.

RESOURCES

To have everything translated and to offer my services in the Inuit language is costly. Is there help available?

The Department of Culture and Heritage has a funding program geared towards the private sector. You can find more information online at: www.gov.nu.ca/culture-and-heritage/.

Do you have a list of translators?

Yes, we have a list of translators. However, we cannot guarantee the quality of the translations. You can email us at <u>langcom@langcom.nu.ca</u> or call us at 867-975-5080 or 1-877-836-2280 (toll-free) to get a copy of the list.

Is there language training available to employees?

Yes. The Pirurvik Centre and the Nunavut Arctic College offer courses to the public.

Pirurvik Centre

867-979-4722 info@pirurvik.ca www.pirurvik.ca

Also, their Tusaalanga website is a useful tool to learn basics in Inuktut: <u>www.tusaalanga.ca/</u>.

Nunavut Arctic College

867-857-7200 Toll-free: 1-866-979-7222