

CONFIDENTIAL
Meeting: BOM 31-19-2021

**BOARD OF MANAGEMENT
A G E N D A**
MONDAY, NOVEMBER 1, 2021
COMMITTEE ROOM 'A' & VIA TEAMS
1:00 P.M.

1. Prayer
 2. Review and Adoption of Agenda:
 - Notification of Absences
 - Declaration of Conflict of Interest (Section 77. (1) of the *Legislative Assembly and Executive Council Act*)
 - Decision on *In Camera* (* denotes recommended *in camera* items)
 3. Public Items:
 - a) MLA Frame Lake – Interpretation/Translation Inquiry (**Attachment 1**)
 - b) Draft Response to the SCORP Report on Languages (**Attachment 2**)
 - c) MMIWG Monument Update
 4. Budget and Business Planning:
 - a) Legislative Assembly Draft Main Estimates 2022/2023* (**Attachment 3**)
 - b) Statutory Officer Budget Presentations* (**Attachments 4, 5, 6**)
 - c) 2020-2021 Variance Report*
 5. Statutory Officer Appointments:
 - a) Integrity Commissioner Appointment*
 6. Assembly Management:
 - a) Draft Legislative Assembly Mandatory Vaccination Policy* (**Attachment 7**)
 - b) Workplace Review/Action Plan*
 7. Date and Time of Next Meeting: At the discretion of the Chair
 8. Adjournment
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Report and Action Plan on Official Language Use in the Northwest Territories Legislative Assembly

Prepared by the Office of the Clerk –
Public Affairs and Communications Unit

Introduction

The Northwest Territories recognizes 11 Official Languages, nine of which are Indigenous languages, as well as English and French. The Indigenous languages include Cree, Dëne Sųłı́né Yatı́é (Chipewyan), Dene Zhatı́é (South Slavey), Gwich'in, Inuinnaqtun, Inuktitut, Inuvialuktun, Sahtúot'ı́nę Yatı́é (North Slavey), and Tłı́chų. The *Official Languages Act* has recognized Indigenous languages as official since 1990 and provided them equal status within the Northwest Territories Legislative Assembly. It has been a priority for the Legislative Assembly to include all Official Languages into all legislative proceedings to align with reconciliation and Indigenous language revitalization.

Within the Office of the Clerk, Public Affairs and Communications (PAC) is responsible for the Assembly's Official Languages and broadcasting programming. There are a variety of opportunities for Official Language use within the Legislative Assembly, whether it is through direct service, interpretation, or translation. Interpretation is the translation of spoken/oral speech and translation is the translating of written word. PAC strives to include all Official Languages in all sessional proceedings, and regionally appropriate Official Languages during committee meetings. In the past, Official Language use has been unpredictable and inconsistent; however, with PAC's increased capacity in 2021 due to the addition of more members to the unit, the provision of Legislative Assembly services in the NWT's Official Languages continues to improve.

Due to the COVID-19 pandemic and the associated restrictions on travel and building capacity, PAC has been unable to hire interpreters in all Official Languages during session. This has had a negative impact on language services provided to the public.

Another impeding factor of providing language services for the Legislative Assembly has been the aging population of language service providers, as well as a decreasing number of qualified interpreters within the territory. However, PAC continues to engage with interpreters and establish new relationships with interpreters across the territory.

Standing Committee on Rules and Procedures Report

On February 9, 2021, the Standing Committee on Rules and Procedures (SCORP) tabled its *Report on Motion 5-19(2): Referral of Point of Privilege Raised by Member for Monfwi on March 10, 2020*.

As stated in the report: “On March 10, 2020, a Tłıchq language interpreter was not available due to a last-minute cancellation. The interpreter scheduled cancelled for personal reasons. The Member for Monfwi, Mr. Lafferty, rose on a Point of Privilege. He said the lack of interpretation impeded or prevented him from performing his parliamentary functions as a Member and asked the Speaker to adjourn the proceedings.

“The Speaker took the matter under advisement and the proceedings continued. On March 11, 2020, when a Tłıchq interpreter was available, the Speaker heard debate on the matter of privilege. Following debate, the Speaker ruled that the matter did raise a question of privilege. He entertained motions on the ruling and Motion 5-19(2) was referred to [SCORP] for consideration.”

SCORP made the following recommendations in their report:

- 1) The Standing Committee on Rules and Procedures recommends that the Rules of the Legislative Assembly be amended to clearly state the right to use any Official Language when speaking in the Assembly and further, that this right necessarily implies the right to be understood by those Members who do not speak that language. Further, Committee recommends that the Rules of the Legislative Assembly be amended to reflect the right of Members to receive interpretation in any Official Language.
- 2) The Standing Committee on Rules and Procedures recommends that the Rules of the Legislative Assembly be amended to clearly state that documents in any Official Language may be tabled in the Assembly.
- 3) The Standing Committee on Rules and Procedures recommends that simultaneous interpretation of Committee Proceedings into any Official Language should be made available to Members, or witnesses appearing before Committee, with a one-week notice and further that the availability of this service should be communicated clearly with Members and any witnesses.
- 4) The Standing Committee on Rules and Procedures recommends that the Assembly should increase efforts to provide interpretation into regionally appropriate Official Languages when Standing and Special Committees hold public meetings in Communities outside of the Capital.
- 5) The Standing Committee on Rules and Procedures recommends that, should a comparable situation arise in the future, the Speaker give strong consideration to a recess in, or adjournment of proceedings until such a time as adequate interpretation can be provided.
- 6) The Standing Committee on Rules and Procedures recommends that the Speaker and Board of Management develop a rights-based Official Languages Policy for

the Legislative Assembly and that the policy come into effect prior to the end of this Assembly.

- 7) The Standing Committee on Rules and Procedures recommends that the above suggestions be investigated by the Office of the Speaker, the Board of Management and the Office of the Clerk in an effort to make immediate improvements in the provision of Official Languages services. Further, if any of these suggestions are found not to be feasible at present, Committee recommends that a plan to realize these outcomes be included in the Official Languages policy.
- 8) The Standing Committee on Rules and Procedures recommends that the Standing Committee on Government Operations consider the issues of interpreter and translator training and accreditation and the possibility of a future Government of the Northwest Territories Languages Bureau in the context of its review of the *Official Languages Act*.

Action Plan

The following is a list of proposed actions to address the recommendations listed above.

Recommendation 1

- 1) Update the Rules of the Assembly to reflect this change.

Status: SCORP included the recommendations 1 and 2 from the *Report on Motion 5-19(2)* in their review of the Rules of the Assembly in the summer of 2021. Rules amendments have been drafted and are ready for Caucus review prior to introduction in the Legislative Assembly. See Appendix A.

Recommendation 2

- 1) Update the Rules of the Assembly to reflect this change.

Status: SCORP included the recommendations 1 and 2 from the *Report on Motion 5-19(2)* in their review of the Rules of the Assembly in the summer of 2021. Rules amendments have been drafted and are ready for Caucus review prior to introduction in the Legislative Assembly. See Appendix A.

Recommendation 3

- 1) Create an operational procedure to guide the process of providing simultaneous interpretation of Committee Proceedings to Members and witnesses appearing before Committee.

Status: This is underway with a target completion date of March 2022.

- 2) Update and standardize the current Active Offer to be included in all official documents that are produced by the Legislative Assembly.

Status: Standardization of Committee correspondence and advertising, including the active offer, is underway with a target completion date of December 2021.

- 3) Provide PAC with at least one-week notice if interpretation is needed for a committee meeting. This includes regionally appropriate Official Language interpretation outside the Capital.

Status: Standardization of Committee correspondence and advertising is underway with a target completion date of December 2021. Notice to PAC will also be outlined under the operational procedure on committee interpretation.

- 4) Upgrade in-house interpretation technology, purchase portable interpreting booths for public committee meetings that are not in the Capital, and purchase equipment that can be used by interpreters when travelling with Committees.

Status: Significant investment is required to advance this recommendation. To this end, PAC has outlined funding requests for Board of Management consideration to be included in the 2022/23 Legislative Assembly Draft Main Estimates.

Recommendation 4

- 1) Undertake outreach to Indigenous Government Organizations, bands, towns, and hamlets to better understand their needs in relation to Official Language use by the Assembly and to form a roster of new interpreters for the Assembly.

Status: This is underway with a target completion date of mid-December 2021. See Appendix B.

- 2) Purchase portable interpreting booths for public committee meetings not in the Capital, and purchase equipment to be used by interpreters when travelling with Committees.

Status: Significant investment is required to advance this recommendation. To this end, PAC has outlined funding requests for Board of Management consideration to be included in the 2022/23 Legislative Assembly Draft Main Estimates.

Recommendation 5

- 1) The Speaker give strong consideration to a recess in, or adjournment of, proceedings until such a time as adequate interpretation can be provided.

Status: Should this situation arise again, the Speaker will consider the advice from the SCORP report and make a decision based on the advice provided and any other relevant facts.

Recommendation 6

- 1) Develop a rights-based Official Languages Policy for the Legislative Assembly.

Status: PAC is currently undertaking interjurisdictional research with the goal of having a policy approved by the Board of Management in Q2 of the 2022/23 fiscal year. Following adoption of the new policy, an internal review of Official Languages programs at the NTLA will occur to ensure consistency with adopted policy.

Recommendation 7

- 1) Draft an action plan to respond to the recommendations of the SCORP report.

Status: This document is meant to serve as a broad action plan to respond to the report in question. While the report states that “if any of these suggestions are found not be feasible at present, Committee recommends that a plan to realize these outcomes be included in the Official Languages policy,” PAC would like to include the policy is part of the action plan.

- 2) Implement statistics tracking for interpretation and translation services. This information can be used for future improvements and Annual Reports.

Status: PAC has begun tracking interpretation and translation services in order to track improvements over time.

Recommendation 8

- 1) The Speaker sent a letter to the Standing Committee on Government Operations (SCOGO) requesting that they consider this report as part of their broader consideration of the Official Languages Act.

Status: This is now with SCOGO for consideration.

Additional actions

1. Create and implement an Official Languages Orientation Program for Members and Assembly staff.

Status: Work on this action is ongoing with the goal of offering the first session to staff in January 2022. It would subsequently be included in the onboarding programs for staff and Members.

2. Plan and schedule regular professional development workshops for interpreters that include specific terminology, a session with Committee Clerk staff, feedback, and technology training for both inside the interpreter booths and remote settings.

Status: The next professional development session will occur when the majority of the Assembly's interpreters are able to come into the building. This is currently planned for February 2022, pending COVID-19 restrictions.

3. Develop and distribute interpreter contract to interpreters to standardize contracting and payment.

Status: The standardized contract is complete and will be presented to interpreters at the next professional development session.

4. Develop formal links with the Department of Education, Culture and Employment (ECE) to advance mutual interests and language revitalization priorities such as Indigenous language mentorship and interpreter training programs.

Status: PAC has indicated interest in participating on ECE's Indigenous Languages Committee and the Assembly's Official Languages Coordinator sits on the French Language Service Coordinating Committee.

5. Pursue long term internal changes to integrate Official Languages into the everyday work of the Assembly.

Status: The Office of the Clerk endeavours to consider Official Languages wherever appropriate. Ongoing translation projects include Assembly room names, audio tours, and a land acknowledgment at the front of the building.

6. Updates to the Board of Management at least twice annually.

Status: The Board of Management will be updated on the status of Official Language programming in the Assembly and progress on this action plan at least twice annually as part of presentations on the budget and the Assembly's annual report.

Conclusion

PAC is continuously working to enhance Official Language services at the Northwest Territories Legislative Assembly to ensure service levels are exceptional. There is always room for improvement, especially in the area of technology and equipment as these aspects are constantly evolving.

Although we are seeing a decrease in the numbers of qualified interpreters, by taking the recommended steps moving forward, PAC is confident that Official Languages services being provided can continue. As it is a priority for the current Assembly to ensure that all Official Languages are used and respected in the legislature's proceedings, this will only help strengthen reconciliation and Indigenous language revitalization.

The Office of the Clerk would like to thank Mr. Lafferty and the Members of SCORP for their time and commitment to the use of Official Languages in the Northwest Territories Legislative Assembly.

Appendix A: Proposed changes to Rules

The Standing Committee on Rules and Procedures has approved several changes to the Rules of the Northwest Territories Legislative Assembly as a result of the recommendations from the *Report on Motion 5-19(2): Referral of Point of Privilege Raised by Member for Monfwi on March 10, 2020*. Changes include:

- Noting that every Member has the right to participate in the debates and other proceedings of the Legislative Assembly in an Official Language.
- Clearly stating that the right to participate in an Official Language, includes the right to speak an Official Language, and the right to hear and understand proceedings in an Official Language
- Adding “Official Language” as a defined term
- Providing that a document may be tabled in any official language
- Removing the requirement that a Member must provide advance notice of speaking in an official language to receive 30 seconds of additional time for a Members’ statement

These changes will be shared with Caucus, and then adopted by way of a motion in the House.

Appendix B: Draft correspondence to Indigenous Government Organizations, bands, towns, and hamlets

The Northwest Territories Legislative Assembly is committed to expanding its use of Official Languages in an effort to respect the *Official Languages Act* and contribute to language revitalization in our territory. The Assembly has been working hard to ensure that proceedings, such as Session and public Standing Committee meetings, are available to residents in regionally appropriate languages.

Fortunately, some official languages have a number of skilled translators and interpreters whom we hire frequently and rely on for their expertise. That being said, we would like to expand our list of translators and interpreters and better understand the linguistic profile of your community.

As we endeavour to improve our services in the territory's Official Languages, we are requesting that you put forth a list of names that are experienced in the arts of interpretation and/or translation, and that may be interested in providing these services to the Northwest Territories Legislative Assembly. We encourage you to pass along their contact information for further consideration.

If you would like to share any additional information regarding official languages that may be helpful for the Assembly in preparing for public meetings and/or information sharing in your community, please feel free to do so.

Thank you for taking the time to consider this request. Should you have any questions, I can be reached by email at Crystal_Cockney@ntassembly.ca.

Sincerely,

Crystal Cockney
Official Languages and Public Outreach Coordinator
Northwest Territories Legislative Assembly

Appendix C: Letter from Speaker to SCOGO



WWW.ASSEMBLY.GOV.NT.CA
WWW.ASSEMBLY.GOV.NT.CA/FR

APR 09 2021

MS. FRIEDA MARTSELOS
CHAIR, STANDING COMMITTEE ON
GOVERNMENT OPERATIONS

Recommendations from SCORP

On March 29, 2021, a number of recommendations were made from the Standing Committee on Rules and Procedures' review of the Point of Privilege raised by Member for Monfwi on March 10, 2020. The Standing Committee on Rules and Procedures made eight recommendations in their report and recommendation 8 was referred to the Standing Committee on Government Operations, it states: The Standing Committee on Rules and Procedures recommends that the Standing Committee on Government Operations consider the issues of interpreter and translator training and accreditation and the possibility of a future Government of the Northwest Territories Languages Bureau in the context of its review of the *Official Languages Act*.

The Legislative Assembly is aware of this recommendation and is sharing with you as the Chair of the Standing Committee on Government Operations.

Frederick Blake
Speaker

- c. Committee Members
- Committee Staff

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K'ici Okimānāhk Māmawapowin • Beba 7eligith 7ela Dēlth'i K'úé • Ek'ētehtsodō Legehdi K'ō • K'āowe gogha elek'ēterewe ke lēnakedé
Gogha Sombaa Nálée • Dagwidjé' Tr'igwahtsīi Geenjīi Nadhat Kat • Legistlatīve Assemblīkut • Ihumīurviat Malirutaliatigun • L'c' L'c' P' 1320