



Investigation Report

FILE NUMBER 25-26-012

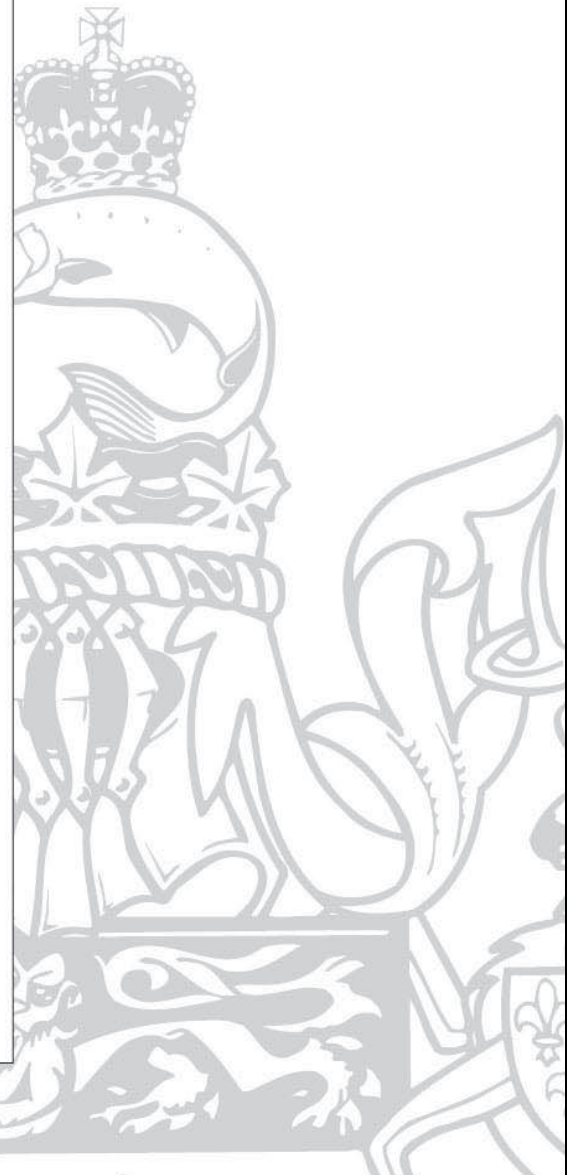
INSTITUTION CONCERNED Ambulance New Brunswick

SUBJECT Alleged deficiencies in the active
offer of service and provision of
services in French

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**REPORT DISTRIBUTED TO THE
FOLLOWING PERSONS** President and Chief Executive Officer
of Ambulance New Brunswick
Complainant
Premier
Clerk of the Executive Council
Executive Director of the Secretariat
of Official Languages

ISSUE DATE June 2026



Summary

This report was prepared following an investigation of a complaint against Ambulance New Brunswick (the institution). More specifically, the complainant alleges deficiencies in the active offer of service and provision of services in French by employees of Ambulance New Brunswick during an emergency situation in Moncton on March 19, 2025.

Upon conclusion of this investigation, the Office of the Commissioner of Official Languages finds, for the reasons set out in this report, that the complaint is **unfounded**, because it is impossible to determine that the institution failed to meet its obligations under the *Official Languages Act* of New Brunswick (OLA).

Nevertheless, the Commissioner makes the following recommendations:

1. **THAT** the institution continue reminding all its employees of the obligation to make the active offer of service on first contact with patients, bystanders and all other members of the public at all times and regardless of the circumstances;
2. **THAT** the institution take steps to dispel any impression among its employees that official languages are a secondary concern in the delivery of emergency healthcare services;
3. **THAT** the institution implement a system for identifying the official language of a caller or patient in communications from dispatchers to paramedics to prioritize official languages and continuously remind employees of the institution's linguistic obligations regarding the active offer of service in both official languages and the provision of services in the language of choice of all members of the public;
4. **THAT** the institution continue its recruitment efforts with the help of a rigorous and innovative plan for recruiting bilingual staff to identify new pools of bilingual paramedics, both locally and elsewhere;
5. **THAT** the institution continue its efforts to provide official languages training and support to all its employees and find innovative ways to encourage its employees to respect the language of choice of all members of the public at all times, promoting an organizational culture that recognizes the importance and equality of both official languages in the workplace.

Complaint

The details of the complainant's allegations are as follows:

[Translation]

On March 19, 2025, at around 12:50 p.m., two paramedics arrived outside my neighbour's house to provide her with emergency care. Because she was having a health emergency, she had trouble communicating or even understanding others. When the first paramedic started talking to my neighbour in English, I told her that my neighbour was Francophone and that it was important to speak to her in French, especially since she was in a vulnerable situation. The paramedic replied by asking me if my neighbour could usually understand English.

I reiterated the need for service in French and asked if her colleague spoke French. The paramedic told me that her colleague, who was standing off to the side but within earshot, was bilingual. However, from the gestures made by the two paramedics, it seemed that he was not comfortable speaking French (even though he was recognized as bilingual by his employer) or that, in their view, speaking to my neighbour in French was not necessary in the circumstances. Even after my neighbour had been loaded into the ambulance, still in crisis, neither of the two paramedics spoke to her in French. They even pronounced her name in English. Overall, there was a very clear refusal to respond to the request and need to provide service in French.

Abbreviations and Terms Used

OCOL	Office of the Commissioner of Official Languages
Institution	Ambulance New Brunswick
OLA	<i>Official Languages Act of New Brunswick</i>

Investigation

Investigation under subsection 43(13) of the OLA

After the complaint was filed on April 17, 2025, the Office of the Commissioner of Official Languages (OCOL) decided to proceed with an investigation under subsection 43(13) of the *Official Languages Act* (OLA) of New Brunswick.

A notice of investigation dated May 15, 2025, was sent to Ambulance New Brunswick (the institution). In this notice to the president and chief executive officer of the institution, the institution was asked to inform the OCOL of its assessment of the facts concerning the allegations made by the complainant, provide any additional information that may be useful in this matter and answer a series of questions.

First response from the institution

In a letter dated June 26, 2025, the institution sent the OCOL its assessment of the facts in response to the complaint along with answers to the OCOL's questions. The institution stated as follows:

[Translation] According to our reports, two ambulances responded to the call, and the linguistic profile was as follows: one bilingual primary care paramedic, one unilingual Anglophone primary care paramedic and one bilingual advanced care paramedic. When they arrived at the scene, the situation was chaotic and the event was traumatic. The unilingual Anglophone paramedic made the active offer. The patient was unable to respond, either verbally or otherwise, and care was provided with the support of the bilingual advanced care paramedic. The unilingual Anglophone paramedic confirmed that two bystanders were at the scene of the call.

The institution concluded its initial response as follows:

[Translation] As you know, Medavie Health Services New Brunswick strives to provide New Brunswickers with exemplary care in the official language of their choice.

Second request to the institution

On September 10, 2025, the OCOL sent a second request to the institution, as there were discrepancies between the complainant's allegations and the statements provided by its staff. These discrepancies complicated analysis of the complaint. In its letter, the OCOL stated as follows:

[Translation]

We have carefully reviewed your response and have determined the next step in our investigation. As you may have noticed in reviewing our initial notice of investigation and your response, there are two versions of events — one from the complainant and one from your employees. In order to reconcile these two versions and gather as many details as possible, we have decided to request a meeting with the employees involved in this matter.

We would like to schedule one or more days, as needed, to allow investigators from the Office of the Commissioner to meet in person with the employees who interacted with the complainant so that they can share their perspectives on what took place on March 19, 2025.

.....
I would like to note that any answers provided by the employees will be kept confidential. We will provide you with a summary of the information obtained from the interviews. This summary will not include any details linking the employees to the information provided. We will also use this approach when preparing the final investigation report. Please be assured that the identities of staff members will never be disclosed to the complainant. In preparing our report, we will note that we conducted interviews, but we will refer to them only in general terms.

In the interest of transparency, we also intend to meet with the complainant in this matter to give them the opportunity to provide us with further details regarding their complaint. They will be aware that we are conducting interviews with certain employees of your institution. However, I assure you that no information provided by your employees will be shared with the complainant.

In this letter, the OCOL asked the institution additional questions. It also requested that the institution provide any additional information regarding this matter that had not previously been shared with the OCOL. In the weeks that followed, several email and telephone exchanges took place between the OCOL and the institution to discuss the proposed approach to handling this matter going forward.

Second response from the institution

In a letter dated October 6, 2025, the institution provided the Office of the Commissioner with its second response regarding this matter. These answers contained confidential information about the institution's employees who were present during the emergency in question. To protect the employees' anonymity, the OCOL has not reproduced the answers here.

The following documents were included as attachments to the second response:

1. Ambulance New Brunswick Operations Policy 4031 – *Delivery of Service in Patient's Language of Choice*
2. Ambulance New Brunswick Human Resources Policy 2017 – *Official Languages*

3. Patient Care Record (PCR) – document to be completed for every call

Since these are internal documents, the OCOL has chosen not to reproduce them in full in this report.

The institution concluded its second response as follows:

[Translation] All relevant information regarding official languages has been submitted to the Office of the Commissioner of Official Languages for New Brunswick. We acknowledge that there are inconsistencies between the bystanders' testimony and that of the employee, which makes it impossible to determine the facts with certainty. We assure you that a thorough review has been conducted in accordance with established language protocols.

Third request to the institution

On October 21, 2025, the OCOL thanked the institution for its response and provided further details regarding the interviews with its employees. The OCOL stated as follows:

[Translation]

As we indicated in our last letter regarding this matter, dated September 10, 2025, we have decided to conduct in-person interviews with the employees involved in this matter to get their perspectives on the event that took place on the afternoon of March 19, 2025. This will allow the Office of the Commissioner to better understand what happened during this emergency situation. Our goal is to gather all relevant information and resolve any discrepancies between the bystanders' testimony and that of your employees in a respectful and confidential manner.

Please note that, pursuant to subsection 43(14) of the *Official Languages Act*, the Commissioner may determine the procedure to be followed for investigations.

I am therefore requesting the cooperation of your institution and your employees to help us better understand the situation described above with a view to preparing our investigation report on this matter with full knowledge of the facts.

Once again, we would like to remind you that it is your institution's responsibility to ensure that your services and communications are provided in both official languages, that your employees are familiar with the correct procedures and that you verify their compliance with these procedures. Our interviews will take an in-depth look at the events that unfolded during the emergency on March 19, 2025.

In the meantime, an in-person interview with the complainant took place on November 3, 2025, to discuss their experience on March 19, 2025, in detail.

On November 13, 2025, the Commissioner sent an email to the president and chief executive officer seeking follow-up regarding the request of October 21, 2025. On November 19, 2025, the institution's official languages coordinator spoke by phone with the OCOL's lead investigator and said that the employees were reluctant to meet with the OCOL for an interview. On November 20, 2025, a Teams meeting took place between the Commissioner and the institution's president and chief executive officer.

On December 1, 2025, the official languages coordinator sent an email indicating that the institution's employees were willing to meet with the investigators to discuss the emergency that occurred on March 19, 2025. Following this email, on December 3, 2025, the Commissioner wrote directly to the president and chief executive officer to clear up any uncertainty regarding the complaint's handling going forward. Once again, the Commissioner requested confirmation regarding the availability of the institution's employees to meet with OCOL staff for interviews.

Interviews with employees of the institution

Interviews with the institution's employees took place on December 12, 2025. To protect the anonymity of these individuals, the interview transcripts have not been included in this report. In its request dated September 10, 2025, the OCOL indicated that the report would mention that interviews had been conducted but that they would be included in the report only in general terms and on a confidential basis. In addition, the singular "they" would be used when describing the interviews to help preserve the anonymity of the institution's employees.

During the interviews conducted by the OCOL, it became clear that the three employees in question attach great importance to their careers as paramedics and the care they provide to their patients.

It should be noted here that, although the complainant was informed that the interviews were taking place, they were not informed of the responses provided by the institution's employees.

Fourth request to the institution

On January 6, 2026, the OCOL wrote to thank the president and chief executive officer for his and his employees' cooperation during the interviews conducted in December 2025.

The OCOL subsequently began analyzing the institution's previous responses and the interviews conducted with the employees. On January 13, 2026, the OCOL sent a fourth request to the institution including a series of additional questions.

Response from the institution

In a letter dated February 17, 2026, the institution responded to this fourth request. The following documents were attached:

1. Ambulance New Brunswick Operations Policy 4202
2. Job descriptions for primary care and advanced care paramedics

Once again, the OCOL has not reproduced these documents in their entirety in this report.

Analysis

Relevant provisions of the *Official Languages Act* (OLA) of New Brunswick in this matter are as follows:

COMMUNICATION WITH THE PUBLIC

Communications with government and its institutions

27 Members of the public have the right to communicate with any institution and to receive its services in the official language of their choice.

Obligations of institutions

28 An institution shall ensure that members of the public are able to communicate with and to receive its services in the official language of their choice.

28.1 An institution shall ensure that appropriate measures are taken to make it known to members of the public that its services are available in the official language of their choice.

COMMUNICATION AVEC LE PUBLIC

Communication avec le gouvernement et ses institutions

27 Le public a le droit de communiquer avec toute institution et d'en recevoir les services dans la langue officielle de son choix.

Obligation des institutions

28 Il incombe aux institutions de veiller à ce que le public puisse communiquer avec elles et en recevoir les services dans la langue officielle de son choix.

28.1 Il incombe aux institutions de veiller à ce que les mesures voulues soient prises pour informer le public que leurs services lui sont offerts dans la langue officielle de son choix.

Questions asked by the OCOL and responses provided by the institution

The questions asked by the Office of the Commissioner of Official Languages (OCOL) in the notice of investigation covered several points, including compliance with the OLA, linguistic profile, recruitment, the institution's official languages policy, the contingency plan, official languages training, employee reminders and equal quality of service.

This section examines the responses of Ambulance New Brunswick (the institution) to the questions relating to these points. Through its analysis, the OCOL has concluded that the complaint is **unfounded**.

Discrepancies in the situation as described by the two parties

In its response, the institution informed the OCOL of immediate discrepancies between the complainant's allegations and the assertions of its employees. These discrepancies complicated analysis of the complaint.

To determine whether a complaint has merit, the OCOL must be able to conclude, after taking into account all the circumstances surrounding the complaint, that the situation constitutes a violation of the OLA. However, given the discrepancy between the complainant's allegations and the explanations provided in the institution's response letters, the OCOL is unable to reach that conclusion. In the face of conflicting information, it is not the OCOL's role to question the credibility of the information received from either the complainant or the institution. As a result, the OCOL must conclude that the complaint is **unfounded**.

The OCOL's determination that a complaint is unfounded does not necessarily mean that the complainant did not experience a violation of their language rights by the institution but rather that it is not possible to determine with certainty, based on the information gathered, whether this was the case.

Compliance with the OLA

Active offer of service

The obligations imposed by the OLA are clear: the institution must be able to communicate with the public and provide its services to members of the public in both official languages at all times. Furthermore, the institution must inform members of the public on first contact that its services are available in both official languages. In other words, members of the public should not have to request service in either official language, as service in both languages should already have been offered by the institution's employees. This is what is called the "active offer of service."

The active offer of service in both official languages is extremely important because if the offer is made in only one language, it is often unlikely that members of the public who wish to be served in the other official language will assert their language rights. Instead, they tend to accept being served in the language used by the employee to greet them. That is why a greeting such as "Hello/Bonjour" is so important, as it invites members of the public to use either of the two official languages when communicating with or receiving service from a government institution.

[Translation]

The concept of the active offer is therefore fundamental, and it is central to the purpose of language rights: ensuring respect for the individuals within a society and the equal status, rights and privileges of the English and French languages and linguistic communities.

Michel Doucet, *Les droits linguistiques au Nouveau-Brunswick [Language rights in New Brunswick]*, 2017.

The term "active offer" is clearly defined in the following section of the OLA:

28.1 An institution shall ensure that appropriate measures are taken to make it known to members of the

28.1 Il incombe aux institutions de veiller à ce que les mesures voulues soient prises pour informer le public

public that its services are available in the official language of their choice.

que leurs services lui sont offerts dans la langue officielle de son choix.

Continuity of service in the official language of choice

The purpose of the active offer of service in both official languages is to determine the official language of choice of members of the public, which, once established, must be respected. This is what is called “continuity of service.” If an institution fails to maintain continuity of service, then there is a chance that the public will accept service in the language used by the institution’s employee. This contradicts the obligations under the OLA and, in some cases, forces members of the public to assert their language rights.

In the complaint filed with the OCOL, the complainant stated that when the paramedics arrived, no active offer of service was made to the patient, their neighbour. They stated that the patient is Francophone and that, although she was having difficulty communicating or even understanding anything at the time, they were required to administer care to her in French. The complainant claims that the attending paramedic then asked whether their neighbour could usually understand English. During the interview with OCOL investigators, the complainant stated, *[translation]* “Absolutely, yes, she said that.”

In its assessment of the facts, the institution indicated that three paramedics attended the scene: one bilingual paramedic, one unilingual Anglophone paramedic and one bilingual advanced care paramedic. According to the institution, the Anglophone paramedic made the active offer, but the patient *[translation]* “was unable to respond, either verbally or otherwise.” In addition, this employee stated that she had asked the complainant whether the patient spoke English or French.

In its letter of May 15, 2025, the OCOL asked the following question:

[Translation]

According to the complainant, after being informed of the patient’s language preference, the paramedic in question asked whether the patient “could usually” understand English instead of offering service in French.

- In your view, does the paramedic’s statement comply with your institution’s policy regarding the active offer of service and the provision of services in either of the two official languages?

The institution stated as follows:

[Translation] During the interview, the employee in question did not recall making that statement to either of the two bystanders. She stated that the active offer was made in accordance with the legal obligation to offer and provide services in the patient’s official language of choice. The patient care record indicates that the active offer was made.

During the interviews with OCOL investigators, two of the three paramedics who were at the scene that day stated that they did not remember or were unsure whether one of them had asked the complainant if their neighbour could normally understand English instead of speaking to her in French. According to the third paramedic, they did not hear that comment, since they were not yet at the scene at that time.

It should be noted that the OCOL cannot determine whether this situation constitutes a violation of the OLA, as there is a discrepancy in the facts presented by the two parties involved.

Active offer and continuity of service to the complainant

In its assessment of the facts, the institution stated that the scene was chaotic that day — a fact that was confirmed by the complainant and two of the three paramedics during the interviews with OCOL investigators. The complainant claims to have spoken to the dispatcher in French during the 911 call: *[translation]* “I thought that speaking French to the dispatcher would have been enough to receive service in French from the paramedics.”

In an attempt to clarify this situation, the OCOL asked the institution the following question:

[Translation] Please explain the difference, if any, between providing services in the patient’s language of choice and providing services in the language of choice of a member of the public or a bystander.

In its response dated October 6, 2025, the institution stated as follows:

[Translation] Ambulance New Brunswick is obligated to ensure that it provides its services to patients and the public in both official languages.

The paramedics who were at the scene all stated during their interviews that the official language of a 911 caller is not typically disclosed to paramedics when they are notified of an emergency. However, one of the paramedics said they were not sure whether they had made the active offer of service to the complainant, and another had not thought of doing so. The third paramedic did not recall whether they made the active offer of service but said they probably did not.

The institution’s policy on official languages

All three employees interviewed by OCOL investigators stated that they were familiar with the institution’s policy on official languages, which also includes the active offer of service.

In its letter of May 15, 2025, the OCOL asked a question regarding the current policy on informing employees of the importance of making the active offer of service in both official languages on first contact with all members of the public.

The institution responded as follows:

[Translation]

Every six months, employees complete online training on the legal obligation to actively offer patients the choice of communicating in French or English. This video-based training is incorporated into the semi-annual review under ANB's policy on education. Employees must then provide digital confirmation of their understanding of the concept and its application.

Staff are subject to government legislation and policies as well as ANB's own policies, including Policy 4031 – Delivery of Service in Patient's Language of Choice and Policy 2017 – Official Languages. All employees must confirm their understanding of these policies every six months as part of the mandatory semi-annual review.

It is important to note that, although employees act as representatives of the institution, the responsibility for ensuring compliance with linguistic obligations under the OLA falls upon the institution itself. It is up to the institution to implement measures for employees to ensure that members of both official linguistic communities receive all its services in their language of choice.

The OCOL is pleased to note that the institution has put reminders in place for its employees regarding its linguistic obligations. In addition, the acknowledgment of understanding that they must sign every six months should enable the institution to ensure that employees are committed to complying with linguistic obligations. These reminders underscore the importance of employee accountability with regard to providing equal service to all patients and members of the public in their language of choice. In fact, the OCOL has regularly made this recommendation to other institutions with obligations under the OLA.

During the interviews with the institution's employees, the OCOL asked why service in the language of choice is important in their line of work. One of the paramedics said that it is important because their work often involves life-or-death situations and patients need to be told what is happening in their own language. However, they admitted that official languages were a secondary concern that day and that they did what they had to do to care for the patient. Another employee said that it is important for people to understand everything that is happening. Lastly, the third employee indicated that service in the language of choice is important to a certain extent. According to them, most people in Moncton understand both official languages. They also said that on that day, the priority was the patient, not the bystander who wanted to be served in French.

This last statement certainly came as a surprise to the OCOL, as it goes against the principle of the equality of the two official languages. It is possible that *[translation]* "most people in Moncton understand both official languages," as stated by the employee. However, the OCOL is concerned that this statement could lead to feelings of inferiority among members of the public who choose to use one official language over the other. People may feel disadvantaged because of their chosen official language. The OCOL believes that this gives the impression of an inequality in the service provided by the institution and of a devaluation of one of the two official languages.

In a minority setting, this situation is more than linguistic insecurity; it is Anglonormativity¹ – the presumption that English is the dominant language. It is “a system of structures, institutions, and beliefs that marks English as the norm.” As a result, people in minority settings whose daily lives are already bombarded by Anglophone culture could find it difficult to assert themselves in French to healthcare service providers who view the French language as having no value or weight.

Furthermore, the OCOL believes that stating that *[translation]* “official languages were a secondary concern that day,” that “they did what they had to do to care for the patient” or that “the priority was the patient, not the bystander who wanted to be served in French” demonstrates indifference towards the statutory primacy of official languages in New Brunswick and a failure to treat members of both official linguistic communities equally.

The OCOL fears that this laissez-faire attitude may stem from within the institution’s hierarchy. Although the institution has demonstrated in its responses that measures are in place to respond to service requests in either of the two official languages, if the institution’s management or leadership shows little regard for providing services in the official language of choice of members of the public, how can employees working under their direction be expected to provide services while respecting the equality of both official languages? This highlights a disconnect between compliance with linguistic obligations and the provision of emergency healthcare services. The institution must make every effort to address any statements and/or beliefs held by its employees that official languages are a concern that is secondary to the care they provide to members of the public.

The OCOL believes that these comments or perceptions on the part of employees jeopardize safety. When members of the public access the healthcare system or find themselves in emergency situations, they are in a vulnerable state that, for most people, is unknown territory, since they do not generally know “medical language.” This situation can be exacerbated by barriers related to either of the two official languages.

Despite the chaos of the situation, the OCOL believes it is unacceptable that the complainant, based on what they told OCOL investigators during their interview, did not receive an offer of service in both official languages. The complainant said they chose French as their official language. However, they were spoken to in English only. When they asked for service in French for the patient and themselves, the paramedic reportedly pointed to a colleague who is considered bilingual by their employer.

The OCOL therefore recommends as follows:

¹ <https://theconversation.com/pour-lutter-contre-lassimilation-des-francophones-au-canada-il-faut-sattaquer-a-langlonormativite-173877> [in French only]

Recommendation No. 1:

The Office of the Commissioner recommends that the institution continue reminding all its employees of the obligation to make the active offer of service on first contact with patients, bystanders and all other members of the public at all times and regardless of the circumstances.

Recommendation No. 2:

The Office of the Commissioner recommends that the institution take steps to dispel any impression among its employees that official languages are a secondary concern in the delivery of emergency healthcare services.

Emergency calls to the dispatch system

During interviews with the institution's employees, OCOL investigators asked questions regarding the dispatch system. More specifically, the OCOL wanted to know under what circumstances dispatchers inform paramedics of the official language of a caller or patient during 911 calls.

The three employees replied that, in general, dispatchers do not inform paramedics of the caller's language. They said they receive emergency alerts on a monitor or a cellphone. One of the three paramedics noted that if the dispatcher's notes are in French, they assume that the caller or even the person in distress may be Francophone. In addition, when the paramedics receive a dispatch message containing notes in French, they inform each other that the person in need of care may be Francophone.

To learn more about the dispatch system, the OCOL asked the following question in its letter dated January 13, 2026:

[Translation] Please describe an emergency call to your institution's dispatch system — from the initial call to the transmission of information to paramedic crews. How do dispatchers share information about the caller's or patient's official language, if applicable?

In its letter dated February 17, 2026, the institution provided the following response:

[Translation] *Emergency/911 calls are dispatched in accordance with Ambulance New Brunswick's Operations Policy 4202, which requires that the nearest ambulance or response unit respond to an emergency call. These calls are routed through a computer-aided dispatch (CAD) system. When a 911 call is added to the dispatch queue, the emergency medical dispatcher (EMD) must immediately check the list of pending requests to ensure that the nearest ambulance is assigned.*

The institution's response makes no mention whatsoever of official languages in the context of the activities within its dispatch system. However, the institution confirmed the active offer of

service and provision of services in French by the dispatch team is part of Policy 2017 – *Human Resources*:

Emergency Medical Dispatchers (EMDs)/CCTCs shall answer telephone lines with a bilingual greeting and continue in English or French as dictated by the caller's response.

.....
When processing 911 calls, EMDs shall address the caller with a bilingual greeting (Hello/Bonjour) and continue in English or French as dictated by their response;

- I. If interrupted during the active offer, the EMD may continue in the language being spoken by the caller.*

EMDs shall make every attempt to communicate with callers prior to engaging the Language Line.

Although the dispatch system is not at issue in this case and the language of work is not subject to the OLA, the OCOL would like to offer the following recommendation:

Recommendation No. 3:

The Office of the Commissioner recommends that the institution implement a system for identifying the official language of a caller or patient in communications from dispatchers to paramedics to prioritize official languages and continuously remind employees of the institution's linguistic obligations regarding the active offer of service in both official languages and the provision of services in the language of choice of all members of the public.

Employee linguistic profile and recruitment

Linguistic profile

To learn about the linguistic profile of the staff and the institution's ability to provide all services with equal quality in both official languages during the emergency on March 19, 2025, the OCOL asked the institution certain questions in this regard.

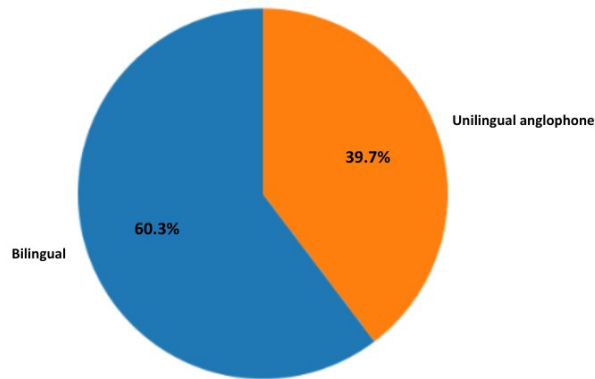
[Translation] What was the linguistic profile of your staff in Moncton on March 19, 2025?

The institution indicated as follows:

[Translation]

The linguistic profile of our staff in Moncton for shifts between 6:00 a.m. and 9:00 p.m. on March 19 was as follows:

Language profile of the workforce in Moncton on March 19, 2025
Shift from 6 a.m. to 9 p.m.



Out of a total of 63 employees, 38 were bilingual and 25 were unilingual Anglophones.

In its assessment of the facts, the institution also counted the employees who were on site during the emergency on March 19, 2025:

[Translation] According to our reports, two ambulances responded to the call, and the linguistic profile was as follows: one bilingual primary care paramedic, one unilingual Anglophone primary care paramedic and one bilingual advanced care paramedic. [...] The unilingual Anglophone paramedic made the active offer.

The OCOL then asked what the institution considered to be the ideal linguistic profile for compliance with its linguistic obligations under the OLA. Based on the institution's responses, there is every reason to believe it considered that it had the necessary staff in place that day and that it can respond to emergency calls at all times in the language of choice of any member of the public.

[Translation]

In accordance with the official languages strategic plan for 2022–2025, Ambulance New Brunswick aims to ensure that at least 44% of its staff are able to provide services in both English and French. Current staffing processes must ensure that every emergency vehicle can provide services in both official languages.

As mentioned earlier, the goal is to maintain a workforce with at least 44% of staff able to provide healthcare services in both English and French to New Brunswick residents. Currently, Ambulance New Brunswick's staff linguistic profile is 43.25%. It should be noted that this rate may fluctuate due to factors such as staff turnover.

The OCOL asked what language proficiency level is required for an employee to be considered bilingual, to which the institution replied:

[Translation]

Ambulance New Brunswick (ANB) employees with a minimum language proficiency level of 2+ in English and 2+ in French are considered bilingual. They are eligible for permanent positions regardless of their seniority. This practice aims to recognize the importance of bilingualism in the equitable delivery of services.

During the interviews with OCOL investigators, the institution's employees all stated that, on that day, their team had the language skills needed to provide equal service in both official languages, as also stated by the institution. However, one of the paramedics noted that they were not sure whether their two colleagues who were also on the scene during the emergency would have been able to provide service in French without them. Although one of the three employees is a unilingual Anglophone and feels they do not speak French well, the other two employees said they feel comfortable speaking French.

OCOL investigators also asked the paramedics whether they sometimes used technology to provide services in members of the public's official language of choice. They all indicated that there is a language line, but two of them stated that they used it only for foreign languages and not for the official languages.

The OCOL takes this opportunity to reiterate that it has already ruled that service provided by telephone or conference call is not of equal quality to in-person service. All communications and services provided by institutions subject to obligations under the OLA must be not only provided in both official languages but also of equal quality in both official languages.

The OCOL has been addressing complaints against Ambulance New Brunswick for years, and this institution is well aware that service provided by telephone or other technological means is not the same as in-person service.

The OCOL wishes to remind the institution that, even as an option of last resort, the use of a helpline is unacceptable; members of both linguistic communities are entitled to service of equal quality, regardless of the language in which they choose to receive service. The use of translation technology is merely an accommodation on the part of the institution to the citizen, not service of equal quality in both official languages. Therefore, the OCOL cannot accept this procedure.

In a previous investigation report (file 2013-1992)² concerning Ambulance New Brunswick, the OCOL ruled that a telephone interpretation system was not an acceptable means for Ambulance New Brunswick to fulfill its linguistic obligations. The OCOL even recommended that the institution cease asserting that the use of this system meets its obligations under the OLA with regard to the provision of services, since the use of this system does not constitute equal service within the meaning of the OLA or in the view of the OCOL.

In *R. v. Beaulac*, [1999] 1 S.C.R. 768, the Supreme Court of Canada clearly indicated as follows:

² https://officiallanguages.nb.ca/wp-content/uploads/2014/04/investigation_report-ambulance_nb-2013-1992-march_2014.pdf

39 [...] in the context of institutional bilingualism, an application for service in the language of the official minority language group must not be treated as though there was one primary official language and a duty to accommodate with regard to the use of the other official language. The governing principle is that of the equality of both official languages.

Justice LeBlanc held similarly in the court case opposing Her Majesty the Queen in right of the Province of New Brunswick, as represented by Treasury Board on behalf of the EM/ANB Inc., and Canadian Union of Public Employees, Local 4848, and Office of The Commissioner of Official Languages for New Brunswick:³

... [T]he Beaulac decision, if not the Doucet decision, clearly established that the use of a radio or phone systems was not sufficient to fulfill the obligations under the Charter and the OLA, as it is not a service of equal quality. While the use of a radio or phone system might be acceptable in cases where a member of the public does not speak either of the two official languages, it does not, in matters regarding official languages, constitute a service of equal quality and would be “something in the nature of a request for accommodation” which, in matters of official languages, was proscribed in Beaulac, supra, and in the decisions that followed, including those decisions from our Court of Appeal.

The OCOL therefore respectfully advises institutions that if they encourage their employees to offer the public a choice between inferior service in their official language of choice and immediate service in the other official language, they are not recognizing the equality of the two official linguistic communities in New Brunswick. In this regard, the use of translation technology must be an instrument of last resort, not one to be relied upon instead of providing service in person in the patient’s official language of choice.

According to the complainant and the institution’s employees, translation technology was not used in this case.

The OCOL is pleased with the response from the paramedics during their interviews with OCOL investigators to the effect that the language line is used primarily in situations where patients or bystanders speak a language other than English or French. The institution has therefore done a good job of informing its employees that they should not rely on the language line unless a foreign language is being used.

Staff recruitment

As noted in other investigation reports concerning other institutions subject to obligations under the OLA, recruiting bilingual staff is a major challenge. New Brunswick institutions must compete with other provinces and countries in recruiting skilled workers. The need for New Brunswick

³ 2019 NBQB 097.

institutions to find skilled workers who are bilingual further complicates this task. Despite these challenges, the OCOL notes that the OLA makes no exceptions for special circumstances: an institution governed by the OLA must be able to fulfill its linguistic obligations at all times, regardless of any unforeseen circumstances. It is the institution's responsibility to ensure, by all possible means, that all of its services are available and of equal quality in both official languages, without undue delay.

The OCOL therefore asked the institution questions regarding the recruitment of bilingual staff to better provide its services:

[Translation] How does your institution determine its need for employees with proficiency in one or both of the official languages?

The institution responded as follows:

[Translation] Staffing is mainly carried out by filling vacant positions. In doing so, special care is taken when identifying and assigning positions designated as bilingual to ensure that language requirements are met. This process ensures that services are provided in accordance with official languages obligations while also ensuring ANB's operational needs are met.

The OCOL also asked the institution to explain what level of proficiency in the official languages is required of candidates, as specified in job descriptions when hiring new staff. The institution responded as follows:

[Translation] All EM/ANB job postings specify the required language proficiency levels in the required qualifications section for each position.

The institution shared examples of competitions for recruiting primary care and advanced care paramedics. Under "Language Requirement," the following is stated, as applicable, in either of the official languages:

Written & Spoken competency in one of the two official languages (English or French) is required and spoken competency in the other official language is preferred.

OR

Written and spoken competence in English or French is required.

In addition, the institution has specified that oral language proficiency evaluations in French and/or English may be asked of candidates as an additional requirement.

The OCOL notes that the institution is well aware of its need for staff with proficiency in both official languages and believes that it takes its linguistic obligations seriously. The OCOL recommends as follows:

Recommendation No. 4:

The Office of the Commissioner recommends that the institution continue its recruitment efforts with the help of a rigorous and innovative plan for recruiting bilingual staff to identify new pools of bilingual paramedics, both locally and elsewhere.

Attending and assisting paramedics

To gain an understanding of the institution's day-to-day operations, the OCOL asked questions on January 13, 2026, regarding its workforce and the assignment of tasks to its employees. On February 17, 2026, the institution responded as follows:

[Translation]

Paramedics work in teams of two and generally take turns serving as the attending paramedic and the assisting paramedic. This rotation follows a well-established operational practice rather than an official policy, since there are no specific guidelines governing how this responsibility is assigned. The ultimate goal is to provide high-quality pre-hospital care through closely coordinated teamwork and the professional judgment of the practitioners at the scene.

.....
Generally, the attending paramedic makes first contact with the patient. If the patient is conscious and able to communicate, the attending paramedic makes the active offer and begins gathering the patient's medical history while the assisting paramedic performs the appropriate physical examinations.

It should be noted that paramedics work as a team and that their roles may vary depending on the circumstances. Every situation is unique, and many factors can influence how a call unfolds.

Contingency plan, training and employee reminders

An important aspect of fulfilling the obligation to provide continuity of service in the official language of choice is the contingency plan: an emergency plan for ensuring service in the other official language without undue delay.

It is important to note here that there is no obligation under the OLA for all employees to be bilingual, provided that unilingual employees always have access to a specific and effective contingency plan and can call on a bilingual colleague for assistance. A team approach is an acceptable way for an institution to offer its services in both official languages in compliance with the OLA.

The OCOL asked the institution a question regarding the contingency plan available to its employees:

[Translation] What type of contingency plan is in place for your unilingual employees to refer to so they can use a team approach to ensuring service of equal quality in both official languages? Please share this contingency plan with the Office of the Commissioner, if there is one.

The institution responded as follows:

[Translation]

Employees who do not speak a second official language are supported through training and awareness initiatives intended to inform them of the requirements of the Official Languages Act for paramedics.

We also offer language training through accredited institutions that provide standardized programs in both official languages.

.....
The policy requires that health services be provided at first contact with the patient. In this case, the patient was incoherent when the paramedics arrived at the scene. According to the patient care record, the active offer was made by the attending paramedic.

The OCOL then asked the institution to provide it with documents pertaining to the official languages policy applicable to its employees.

[Translation] Please provide us with a copy of any written documentation provided to staff regarding the contingency plan or procedures currently in place at Ambulance New Brunswick regarding the active offer of service and the provision of services of equal quality in both official languages.

The institution responded as follows:

[Translation]

All staff members are required to complete an online training course on their linguistic obligations as employees of Ambulance New Brunswick.

See attached:

Ambulance New Brunswick Operations Policy 4031 – Delivery of Service in Patient's Language of Choice

Ambulance New Brunswick Human Resources Policy 2017 – Official Languages Patient Care Record (PCR) – document to be completed for each call⁴

⁴ These documents have not been included in this report.

The institution appears to be aware that it must provide adequate support to its employees so that they, as representatives of the institution, can ensure its linguistic obligations are met at all times.

During the interviews with OCOL investigators, the three employees were aware of the institution's official languages policy. All three indicated that they could access this policy online on the institution's website in emergency situations. One of them also suggested that there was possibly a paper copy in the ambulance. All three employees are aware that they are required to read this policy annually, and one of them indicated that all employees must sign a statement confirming their commitment to the language policy.

According to the institution's first response on June 26, 2025, *[translation]* "[e]very six months, employees complete online training on the legal obligation to actively offer patients the choice of communicating in French or English." They must then sign a statement confirming that they understand this policy and its application. As noted above, the OCOL believes that this is an excellent measure for reminding employees of their linguistic obligations and for helping to improve their accountability in relation to the language policy.

The OCOL wanted to know what measures the institution had in place to support employees with regard to official languages. It therefore asked the following question concerning employee training:

[Translation] What types of official languages training are offered to your employees? Please elaborate.

The institution provided the following response:

[Translation]

To support the development of its staff's language skills, EM/ANB offers language training through accredited institutions that provide standardized programs in both official languages.

Currently, employees have free access to online second-language training in English or French through Rosetta Stone. This initiative allows staff members to improve their language skills at their own pace while meeting the organization's operational needs.

Of course, it is not enough to simply provide employees with official languages training. The institution must also provide support for its employees so that they can implement all of the institution's policies and provide service of equal quality to members of both linguistic communities. This helps the institution emphasize to its employees the paramount importance of its linguistic obligations and ensure that its employees are always aware of them. The OCOL therefore asked the following question:

[Translation] How does your institution remind all its employees of its official languages policies?

The institution responded as follows:

[Translation] As previously mentioned, reminders are issued every six months to reinforce understanding of and compliance with linguistic obligations. These reminders are part of the mandatory semi-annual review, which is designed to ensure that staff continue to comply with internal policies and legislative requirements regarding official languages.

During the interviews with the institution's employees, the OCOL asked them certain questions regarding the training opportunities offered by their employer. Two of the three paramedics stated that their employer offered them official languages training. One of them noted that this training was not offered during work hours but that there were opportunities to learn. Another paramedic mentioned that there was a training module on official languages. The third paramedic indicated that Ambulance New Brunswick used to pay for language courses at the university but that employees now have access to online applications.

The OCOL investigators then asked the employees whether they had ever received official languages training that was not offered by their employer. All three stated that they had not received any training of this kind. In addition, one of the three paramedics noted that it is difficult to learn a new official language while working full time.

The OCOL commends the institution for the support it provides for its employees but nevertheless recommends as follows:

Recommendation No. 5:

The Office of the Commissioner recommends that the institution continue its efforts to provide official languages training and support to all its employees and find innovative ways to encourage its employees to respect the language of choice of all members of the public at all times, promoting an organizational culture that recognizes the importance and equality of both official languages in the workplace.

Conclusion and Recommendations

Based on its investigation, the Office of the Commissioner of Official Languages is able to establish that, for the reasons set out in this report, the complaint is **unfounded** and that it is not possible to determine whether Ambulance New Brunswick (the institution) failed to meet its obligations under the *Official Languages Act* of New Brunswick (OLA).

As explained above, the complaint is unfounded due to discrepancies between the institution's assessment of the facts and the complainant's account of the incident. For this reason, it is impossible for the OCOL to determine whether the complaint is founded.

Nevertheless, the Commissioner makes the following recommendations:

1. **THAT** the institution continue reminding all its employees of the obligation to make the active offer of service on first contact with patients, bystanders and all other members of the public at all times and regardless of the circumstances;
2. **THAT** the institution take steps to dispel any impression among its employees that official languages are a secondary concern in the delivery of emergency healthcare services;
3. **THAT** the institution implement a system for identifying the official language of a caller or patient in communications from dispatchers to paramedics to prioritize official languages and continuously remind employees of the institution's linguistic obligations regarding the active offer of service in both official languages and the provision of services in the language of choice of all members of the public;
4. **THAT** the institution continue its recruitment efforts with the help of a rigorous and innovative plan for recruiting bilingual staff to identify new pools of bilingual paramedics, both locally and elsewhere;
5. **THAT** the institution continue its efforts to provide official languages training and support to all its employees and find innovative ways to encourage its employees to respect the language of choice of all members of the public at all times, promoting an organizational culture that recognizes the importance and equality of both official languages in the workplace.

The Office of the Commissioner thanks the institution and its employees for their cooperation in addressing this matter.

Pursuant to subsection 43(16) of the OLA, we submit this report to the President and Chief Executive Officer of Ambulance New Brunswick, the complainant and the Premier. In addition, pursuant to subsection 43(17.1), the Office of the Commissioner requires that the institution acknowledge receipt of this report and respond in writing to all recommendations contained herein within 30 days of its submission.

We also submit the report to the Clerk of the Executive Council and to the Executive Director of the Secretariat of Official Languages.

Pursuant to subsection 43(18) of the OLA, if the complainant is dissatisfied with the conclusions presented following this investigation, they may apply to the Court of King's Bench of New Brunswick for a remedy.

Shirley C. MacLean, K.C.
Commissioner of Official Languages for New Brunswick
Signed at the City of Fredericton,
Province of New Brunswick,
This 16th day of June 2026