

Manitoba Labour Board

Interpreter Guidelines

Protocol for the Usage of Interpreters at the Manitoba Labour Board

Manitoba Labour Board

Fall 2014 – Authored by D. Paterson

Purpose

The purpose of these guidelines is to facilitate effective interpreting utilization for people accessing the services of the Manitoba Labour Board and who may require an interpreter.

When interpreters should be engaged

An interpreter should be engaged when the information to be communicated is significant for legal purposes and outcomes; the person requests an interpreter, or the person's English skills are assessed to be inadequate for the situation. An interpreter can be requested by a self-represented litigant or by any other party to the process.

The specific situations where interpreters could be engaged include during:

- intake interviews
- mediations and settlement discussions
- hearings.

How to identify if an interpreter is needed

Some people may be unable to communicate in English at all, or will have such minimal English proficiency that the decision to request an interpreter will be obvious. If there is any doubt, there are some basic tests to help make a decision:

- ask a question that requires the person to answer in a sentence. Avoid questions that can be answered with a "yes" or "no" or a familiar question such as "Where do you live?";
- ask the client to spell out their home, work or union's address. This can indicate both proficiency in spoken English and literacy level;
- ask the person to repeat a message that you have just given in their own words;
- ask "How do you feel about that?" or "Tell me what you think?";
- listen for the client's use of verb tenses – low level of proficiency with tense could influence possible facts or evidence that may be relied upon in a hearing;
- if you cannot understand what point the client is trying to convey, then an interpreter is needed.

Remember that the utilization of an interpreter is there to enable the Manitoba Labour Board to do the work required more efficiently and competently.

If you decide that an interpreter is required, you will need to discuss this with the person prior to arranging for the interpreter and to seek their approval. Please indicate to the person that there is no charge for an interpreter.

A brochure has been developed in a limited number of languages that will explain the ability for the person to have an interpreter.

The use of family and friends to communicate

In many cases people will arrive as walk-ins at the Manitoba Labour Board with relatives or friends to assist with communications. It may be necessary to utilize these people to assist at the time, but if it appears that there is difficulty in reaching clear understandings, it may be more prudent to arrange for an interpreter to attend at another pre-determined time in order to provide the proper assistance.

Procedure to follow when people refuse the offer of an interpreter

Many people will not be aware of the Manitoba Labour Board's ability to have an interpreter provided to them at no cost. If a person indicates a preference to use an interpreter of their own choosing, or clearly identifies a preference not to use an interpreter at all, the board officer should:

- highlight the benefits of utilizing an interpreter eg. accuracy and impartiality;
- emphasize that the interpreter is to assist you and to be confident that information provided is clearly and accurately communicated;
- stress that the interpreter has a professional obligation to maintain confidentiality and that any information will not go outside of the hearing room;
- indicate that the relative/friend is still able to be present as a support person without the additional burden of also having to undertake a role in aiding communication.

Other considerations

- the interpreter's role is not to provide guidance or advice about the case at hand

The Manitoba Labour Board Interpreter service – how it works

The Manitoba Labour Board has a service arrangement with a provider for accessing interpreter services. When the Labour Board has received a request and agreement from a party for the utilization of an interpreter the Board proceeds as follows:

- the board officer identifies the need for an interpreter and the language required and calls Language Access Interpreter Services (LAIS) at 204-940-8563 (press 3 when prompted) to check interpreter availability
- LAIS verifies interpreter availability and informs the officer that an interpreter appears to be available

- the board officer completes the LAIS request form and provides the form to the Administrative Officer who will fax the form to LAIS for processing to 204-940-8650 and a copy will be returned to the Officer.
- LAIS receives the request from the board and processes the request within 24-72 hours
- LAIS faxes confirmation to the board and sends the invoice following completion of scheduled assignment
- notification for interpreter services hours worked in situations outside of a hearing will be forwarded in the same manner as above
- for the utilization of an interpreter during a hearing a notation is to be made on the Case Management file and a notification will be sent to the Board Registrar of the utilization of an interpreter and the total hours utilized
- in the event that an interpreter is no longer needed due to a cancelled meeting or hearing please call 204-940-8563 (press 3 when prompted) as soon as possible and complete the LAIS form outlining a request to cancel the interpreter; and provide to the Administration Officer forthwith who will then fax over the cancellation.