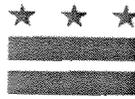


GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services



DOES Policy No.	Subject	Date
300.20-3	<i>Language Access Program</i>	<i>August 28, 2012</i>

To enhance mission performance, DOES is committed to promoting a culture founded on the values of integrity, customer service, and team spirit.

1. **PURPOSE:** The purpose of this policy is to identify the Agency's interest in providing greater access and participation in services, programs, and activities for Agency customers with limited or no-English proficiency and to identify the roles and responsibilities of the Agency, managers and supervisors, employees, and the Language Access Program Coordinator.
2. **APPLICABILITY:** This policy shall apply Agency-wide to all full-time employees.
3. **AUTHORITIES:**
 - A. Language Access Act of 2004 (2004 District of Columbia Law 15-167 ((Act 15-414))
 - B. Title II U.S. Civil Rights Act of 1964
 - C. Title VI U.S. Civil Rights Act of 1964
 - D. Title VII U.S. Civil Rights Act of 1964
 - E. D.C. Human Rights Act of 1977, as amended
 - F. DOES Policy 300.20-1, *Equal Employment Opportunity*
 - G. DOES Policy 100.20-1, *Customer Service Standards*
 - H. Collective Bargaining Agreement between DOES and AFGE Local 1000
4. **DEFINITIONS:** For the purpose of this policy, the following definitions are applicable:
 - A. Access: To be informed of, participate in, and benefit from public services, programs, and activities offered by DOES at a level equal to English proficient individuals.
 - B. Customer: An individual who may attempt to benefit from or receive services provided by the Department of Employment Services (DOES).
 - C. Interpretation: Oral or verbal conversion of the meaning of a dialogue from one language to another.
 - D. Language Access Program Coordinator (LAC): The official within DOES who coordinates and supervises the activities of DOES' departments and programs undertaken to comply with the provisions of this policy.

- E. Language Access Program services: Includes translations of vital documents; in-person oral interpretation/translation; commercial interpretation/translations (Language Line); and outreach activities.
- F. Limited English Proficient (LEP): An individual who does not speak English as his/her primary language and has a limited ability to speak, read, write, or understand English.
- G. Non-English Proficient (NEP): An individual who utilizes oral or verbal conversion of the meaning of a dialogue from one language to another; an individual who cannot speak or understand the English language at any level.
- H. Oral language services: The provision of oral information necessary to enable limited or no-English proficiency customers to access or participate in programs or services offered by DOES. The term "oral language services" shall include placement of bilingual staff in public contact positions; the provision of experienced and trained interpreters; contracting with telephone interpreter programs; contracting with private interpreter services; and using interpreters made available through community service organization that are publicly funded for that purpose.
- I. Translation: The written conversion of text in a source language into text written into a target language that retains the meaning and intent of the source text and produces a culturally competent product.
- J. Vital documents: Applications, notices, forms, agreements, and outreach materials published or distributed by DOES that inform customers about their rights or eligibility requirements for participation in a DOES program.

5. RESPONSIBILITIES:

- A. DOES is responsible for:
 - 1) Providing oral language services to customers with limited or no-English proficiency who seeks to access or participate in the services, programs, or activities offered by the Agency.
 - 2) Collecting data about the languages spoken and the number or proportion of limited or no-English proficient persons speaking a given language in the population that is served or encountered, or likely to be served or encountered, by the Agency.
 - 3) Coordinating and facilitating the translation of vital documents in any non-English language spoken by a limited or no-English proficient populations that constitutes 3% or 500 individuals, whichever is less, of the customers served or encountered, or likely to be served or encountered, by the Agency.

- 4) Developing and maintaining a Language Access Plan pursuant to regulation and in accordance with the following guidelines:
 - a) Established in consultation with the DC Office of Human Rights (OHR)
 - b) Reviewed and updated biannually
 - c) Sets forth the type of oral language services that the Agency will provide
 - d) Sets forth the titles of translated documents that the Agency will provide
 - e) Sets forth the reasoning for translating any documents
 - f) Sets forth the number of public contact positions within the Agency
 - g) Sets forth the number of bilingual employees in public contact positions and/or within the Agency
 - h) Evaluation and assessment of the adequacy of language access services the Agency provides
 - 5) Appointing a Language Access Program Coordinator(s) responsible for oversight of the Agency's language access plan.
- B. Managers/Supervisors are responsible for:
- 1) Appointing or serving as the Language Access Program Primary Liaison within each division or program area of the agency that has major public contact.
 - 2) Appointing or serving as the Language Access Program Secondary Liaison in the absence of the primary liaison. (A manager/supervisor must serve as either the Primary or Secondary liaison.)
 - 3) Providing support and assistance in carrying out the provisions of the Agency's Language Access Program policy as necessary.
 - 4) Reporting public complaints regarding language access violations to the Agency Language Access Program Coordinator.
 - 5) Implementing Language Access Program standard operating procedures within their assigned Agency division or program area.
- C. Language Access Program Liaisons (Primary and Secondary) are responsible for:
- 1) Communicating as necessary with the Agency Language Access Plan Coordinator regarding implementation of the agency Language Access Plan.
 - 2) Identifying and maintaining a record of the vital documents utilized by the assigned Agency division or program area.
 - 3) Identifying and reporting all Agency events/functions which utilize interpretation services to the Language Access Program Coordinator within the Language Access Program Liaisons program area/division.

- 4) Ensuring that LEP/NEP customers are identified in the Customer Management database and that language preference is noted.
- 5) Maintaining a record of Language Access Program services utilized by customers of the assigned Agency division or program area.

D. Language Access Program Coordinator is responsible for:

- 1) Providing oversight of the Agency's Language Access Program.
- 2) Providing guidance and advice to Agency staff and management regarding the usage of Language Access Program services.
- 3) Ensuring the Agency's compliance with the District's Language Access Act of 2004 and all corresponding guidelines and regulations.
- 4) Tracking, monitoring, and investigating public complaints regarding alleged language access violations at DOES.
- 5) Communicating with Language Access Program Liaisons (Primary and Secondary) as necessary to carry out the mission of this policy.
- 6) Recommending corrective or adverse action for conduct contrary to this policy.

6. POLICY AND PROCEDURES:

A. Interaction with customers who have limited or no-English proficiency

- 1) Employees must ensure that Limited English Proficient or Non-English Proficient have equal access to information and services. This means that LEP/NEP customers must be offered the use of an interpreter and receive service in the order of their arrival at the Agency's facilities.
- 2) Employees must not discourage or refuse Agency services to customers who are Limited English Proficient or Non-English Proficient.
- 3) Employees must document their interaction with customers who are Limited English Proficient or Non-English Proficient in accordance with their Agency division/program area's Language Access Program standard operating procedures.
- 4) Employees must identify LEP/NEP customer information to ensure that all future interactions with the customer include the provision of interpretation services and translation of vital documents in accordance with the provisions in this policy.

B. Public complaints regarding language access violations

- 1) Employees must report any public complaints regarding language access violations to their manager/supervisor or to the Agency Language Access Program Coordinator.
- 2) Employees must not discourage or refuse Agency services to customers who have registered a complaint regarding language access violations.

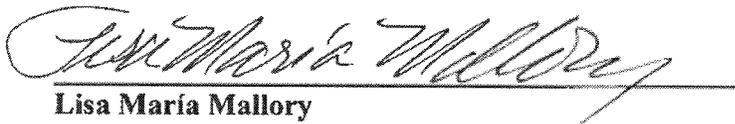
C. External resources

- 1) Employees will be made aware of the Language Access Program resources provided by DOES and the DC Office of Human Rights. Language Access Program resources include: translation of vital documents; interpretation; translations; and telephonic oral interpretation (Language Line).
- 2) Employees in a public contact position as well as all managers/supervisors and/or Language Access Program Liaisons as set forth above will attend training as outlined in the Agency's biennial Language Access Program plan.

7. ATTACHMENT(S): None.

8. EFFECTIVE DATE AND IMPLEMENTATION: This policy is effective immediately upon signature.

APPROVAL



Lisa María Mallory
Director



Date

Remove & Destroy: None
Effective Date: Date of Signature
Review Date: Two-Year Anniversary of Signature
Distribution: All DOES Employees
Point-of-Contact: Program Office, Office Email, Office Phone Number