

PHILADELPHIA COMMISSION ON HUMAN RELATIONS
LANGUAGE ACCESS PLAN & PROTOCOL
2017

1. PURPOSE AND AUTHORITY

In Cooperation with the Mayor's Office, the Philadelphia Commission on Human Relations (PCHR) is committed to compliance with Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006), and the Philadelphia Home Rule Charter § 8-600 and § A-200, in ensuring meaningful access to City services and programs for individuals with limited English Proficiency ("LEP").

The purpose of this document is to establish an effective plan and protocol for PCHR personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP). Following this plan and protocol is essential to the success of our mission.

2. GENERAL POLICY

PCHR recognizes that the population eligible for services includes individuals who are Limited English Proficient (LEP). It is the policy of PCHR to ensure meaningful access to LEP individuals. PCHR adopts the following policy to ensure that LEP individuals can gain equal access to PCHR services and communicate effectively.

It is the City's policy to grant access to services or programs to every person even when the person has a limited ability to speak, understand, read or write English. PCHR intends to take reasonable steps to provide LEP persons with meaningful access to services and programs. PCHR seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their primary language.

PCHR, rather than the LEP customer, bears the following responsibilities:

1. Providing language appropriate services.
2. Staff at the initial point of contact have the specific duty to identify and record language needs.
3. Use of informal interpreters such as family, friends of the person seeking services, or other customers must be discouraged.
4. Minor children are prohibited from acting as interpreters.
5. No staff may suggest or require that an LEP customer provide an interpreter in order to receive services.

The preferred method of serving LEP persons is by:

1. Using competent bilingual staff able to provide services directly to the customer in his/her primary language without the need for an interpreter.
2. Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
3. Staff should seek assistance from professional in-person or telephonic interpreters when staff cannot meet language needs.
4. Departments should recognize that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available (for example, situations concerning HIPAA, confidentiality or anything that may have a legal implication). Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the LEP person.

3. LANGUAGE ACCESS COORDINATOR

Language Access Coordinator

Naarah Crawley
Executive Secretary
Commission on Human Relations and Fair Housing Commission
601 Walnut Street
Suite 300 South
215-686-4674
Naarah.Crawley@phila.gov

Director:
Rue Landau, Esq.

4. DIRECT CONTACT WITH LEP INDIVIDUALS

The PCHR and FHC has several points of contact with the public:

- (1) Office walk ins- Several times a week LEP individuals come into PCHR/FHC's office looking for help in obtaining services. In these instances, if there is no bilingual staff available to interpret, staff uses telephonic interpretation.
- (2) Meetings/Information Sessions- At times PCHR/FHC will hold meetings or information sessions. If language needs are anticipated, PCHR and FHC will utilize in person interpretation for appropriate language.

5. LANGUAGE ACCESS SERVICES AND PROTOCOLS

A. INTERPRETATION

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, our department will continue to provide an interpreter, at no cost to the resident, for LEP persons pursuant to the following procedures:

1. An individual approaches an employee and appears to be asking for help but has difficulty communicating what he or she needs, and/or
2. When a request for an interpreter is made either orally, in writing or by pointing to a language card, the employee shall determine whether bi-lingual staff in the office is available who speaks the language being requested.

When bilingual staff are not available, the employee shall contact a telephone interpreter service to provide interpreter services, the process to do so outlined below:

Telephonic Interpretation

PCHR staff can get an over-the-phone interpreter by calling the following vendor: LanguageLine. This service is available 24/7.

To submit a request, call XXX-XXX-XXXX and provide the access code XXXX.

When an LEP person requests in-person interpretation for a future meeting, telephonic or in-person interpretation may be used, the process for requesting an in-person interpretation is below:

In-Person Interpretation

Staff can request an in-person interpreter by contacting the following vendor: Nationalities Service Center. This service is available 24/7, but please give more than 48 hours' notice whenever possible. In an emergency, use a telephonic interpreter.

Before submitting a request for in-person interpretation, please receive approval from Naarah' Crawley.

To submit a request online, visit www.nscphila.org/language-access-services/request-services

- Fill out service request form and be sure to select interpretation
- Enter any interpretation appointment information available
 - You will receive an email once an interpreter has been confirmed

Cancellation of In- Person Interpreter

If a request in-person interpreter will not be needed, call Nationalities Service Center to cancel the request at least a full business day in advance of the scheduled time (if possible.)

I. Future Plans

- a. **Use telephonic interpretation, and ensure that the public knows about the availability of these services.** PCHR/FHC makes telephonic interpretation services available in

its main office through Language Services Associates. The telephonic interpretation service is available in over 170 languages. The office will continue to inform the public about these resources through social media, visible multilingual signs and will train all of its staff on using telephonic interpretation services.

b. Grow in-person interpretation services. PCHR/FHC can offer in-person interpretation for scheduled meetings and events as needed through Nationalities Service Center if given enough notice. PCHR/FHC will continue to inform the public about these resources through social media, visible multilingual signs and will train all of its staff on requesting in-person interpretation services.

B. TRANSLATION

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, our department will continue to provide translations, at no cost, for LEP individuals. This includes translations of vital documents, signage and portions of our website.

Vital Documents – PCHR has developed a list of the documents that are vital to the access of LEP persons.

Vital Documents to be translated include:

- Consent and complaint forms
- Intake application forms
- Written notices of rights
- Notices of denials, losses or decreases in benefits
- Notices of disciplinary action
- Signs
- Notices advising LEP individuals of free language assistance services

Procedure for Submitting a document for translation:

- a. Email the editable document to Office of Immigrant Affairs – Language Access Program Manager at Orlando.almonte@phila.gov
- b. PCHR/FHC will submit the translation request to translation vendor to obtain a quote.
- c. PCHR/FHC will email you a quote with a time estimate for delivery of the translation.
- d. Quote must be authorized by person with authority.
- e. Quote is then signed and emailed back to OIA.
- f. PCHR/FHC will email you the translated documents.

NOTE: Before submitting a document for translation, staff will review documents and ensure the following:

- The content has not already been translated in another document.
- The document and translation procedure have been approved by your supervisor.
- The document is in a format that can be edited (e.g. MS Word, Publisher, InDesign, etc.)
- Terms that do not want translated are highlighted, i.e. the name of your unit, program or street.

- The document is written so it can be understood by readers with lower literacy skills.
- If the translation is a continuation of a series or collection of documents, staff may request the same vendor to keep the translation consistent.

Signage

The PCHR/FHC displays brochures/handouts in their office to better aid the public in obtaining services.

Website

- Departments shall take reasonable steps to translate public website content and electronic documents that contain vital information about agency programs and services.
- Departments should be weary of google translate and not use it as a permanent solution to translation.
- Identify area on website where taglines are appropriate

Future Plans: Write public materials in plain English, and translate extensively. PCHR will continue to edit all public materials for plain language and to extensively translate important agency documents and materials.

C. BILINGUAL STAFF

This list identifies the languages spoken by PCHR staff who are linguistically, culturally, and technically able to deliver services in a language other than English and/or to serve as interpreters.

Limited Proficiency (working knowledge) – LP

Professional Proficiency (complex material, interpreting) – PP

1.	Spanish	PP
2.	French	PP
3.	Hindi	PP
4.	Urdu	PP
5.	Russian	LP (moving towards PP)
6.	Haitian/Creole	PP
7.	Mandarin	PP
8.	Japanese	LP
9.	Arabic	LP
10.	Hebrew	LP
11.	Khmer	PP
12.	German	PP
13.	Portuguese	PP
14.	Vietnamese	LP
15.	Korean	LP
16.	Polish	PP
17.	Italian	PP

Future Plans

PCHR will determine future plans after collecting data to illustrate the demand and need of language interpretation and translation.

If the committee comes to a conclusion that additional staff is needed to meet LEP needs, the committee will recommend applying "bona fide occupation qualification" for community based positions.

A "bona fide occupational qualification" is one that is essential to the effective performance of the job. When individuals are sought for positions in which they interact with LEP residents, language skills may be a "bona fide" or relevant job qualification.

D. TRAINING STAFF ON POLICY, PLAN, AND PROTOCOLS

PCHR Language Access Plan & Protocol will be posted online, and provided as an electronic copy to all PCHR staff members at hiring.

All staff providing technical assistance, training or receiving inbound calls will receive annual LEP training, or training upon employment, and then annually.

LEP training will include information on the following topics:

- Legal obligation to provide language assistance;
- LEP plan and protocols;
- Identifying and responding appropriately to LEP individuals;
- Documenting LEP individual's language preference;
- Obtaining interpreters (in-person and over-the-phone);
- Using and working with interpreters (in-person and over-the-phone);
- Translating procedures;
- Documenting language requests; and
- Using or not using bilingual staff as in-house interpreters.

PCHR and FHC will circulate this language access policy and related protocols to all staff within 30 days after adoption. Every two years, PCHR and FHC will circulate the revised policy and protocols to all staff after adoption. Within twelve months of the adoption of this policy, PCHR and FHC will provide cultural competency training, including training in regard to this policy and the appropriate use of interpreters and translators, to all staff who have regular interaction with LEP individuals. All new staff members will receive cultural competency training within a year of the beginning of their employment with PCHR and FHC. After their initial training, all staff members will receive refresher training in cultural competency and language access every three years.

In order to establish meaningful access to information and services for LEP individuals, staff that regularly interact with the public and those who will serve as in-house interpreters will be trained on the PCHR and FHC LEP policy, plan and protocols. Training will ensure that staff members

are effectively able to work in person and/or by telephone with LEP individuals. Management staff will be included in this training, even if they do not interact regularly with LEP individuals, to ensure that they fully understand the policy, plan, and protocols so they can reinforce their importance and ensure implementation.

Orientation- New staff training will be provided on the PCHR and FHC Language Access Plan and Protocol and provide guidance on how to effectively communicate with LEP residents.

Future Plans:

1. **Further standardize language access resource and tools across PCHR.** PCHR will work with internal subdivisions to update and standardize language access tools and resources across the agency. PCHR will also work to ensure that all public-facing programs have appropriate language access signage and materials in multiple languages available at sites. Another goal is to update and freshen the agency's language database of staff who speak languages other than English and who are willing to help review translated materials and/or assist with interpretation in emergencies. In addition, PCHR will update its Language Access Toolkit, an internal resource for staff, and will meet with agency employees to share challenges and best practices.
2. **Grow plain language and other language access-related trainings.** PCHR has not held plain-language training. PCHR hopes to hold training opportunities on plain-language and cultural competency topics and will explore opportunities to do so.

E. ADMINISTRATIVE HEARINGS

1.) Protocol

- a. The PCHR and FHC will provide a trained legal interpreter for any hearing that an LEP individual requests language assistance with three business days' notice.
- b. Once a request for an interpreter has been made, a formal request for an in-person interpreter will be to Language Services Associates. If an in-person interpreter is not available, a telephonic interpreter will be provided.

2.) Future Plans

- a. An effort will be made to provide simultaneous interpretation over consecutive interpretation.
- b. A protocol will be put in place that will identify whether a resident is LEP prior to the hearing in order to plan accordingly for an interpreter.

6. NOTICE OF THE RIGHT TO LANGUAGE ACCESS

Posters notifying LEP individuals of their right to language services will be developed and displayed in areas of public contact. These posters will contain a simple message - such as 'Free Interpreter services are available. Please ask for assistance.' - and will be in English as well as the principal languages spoken in the service area.

Department notices and flyers will also provide notice of the availability of language services and a simple instruction on how to request language assistance.

Taglines will be included in or attached to a document. Taglines in languages other than English can be used on documents written in English that describe individuals with LEP can obtain translation of the document or an interpreter to read or explain the document. PCHR will contact the OIA for support in creating taglines.

In all areas of public contact and on its website, PCHR will post and maintain clear and readable signs in the languages most prevalent in the City notifying LEP individuals that free translation and interpretation services are available to them.

7. DATA COLLECTION AND ANNUAL REPORT

The following information will be required to be monitored and collected by front-line staff and will be aggregated via quarterly reports by PCHR:

1. Number of LEP encounters (By Language), ASL encounters, when they occurred and total time of interaction
2. Type of Language Services Provided to LEP Customers
3. Number of Documents Translated
4. Language Services Expenditures

Additionally, Language Access Coordinators will be required to report quarterly on the following:

1. Number of bilingual staff
2. Number of staff trained in Language Access/Cultural Competency

PCHR will conduct an annual evaluation of its Language Access Plan to determine its overall effectiveness, review the progress of department goals and identify new goals or strategies for serving LEP residents. The designated staff will lead the evaluation with the assistance of the Director. The evaluation will include the following:

- a. Assessment of the use of telephonic interpretation, in-person interpretation and translation services.
- b. Assessment of data collected about the LEP's primary language.
- c. Assessment of the number and types of language requests during the past year.
- d. Assessment of whether staff members understand the Language Access Plan and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are up-to-date and accessible.
- e. Assessment of complaint information; and
- f. Assessment of soliciting feedback from LEP individuals and community groups.

PCHR intake personnel will record each person's language of choice in electronic format to ensure that the information can be used by staff and tracked by the language access coordinator.

- g. If the individual is Limited English Proficient, the person's language of choice will be noted for future visits.

- a. PCHR Language Access Coordinator will track the number of individuals that are assisted or unable to be assisted by the person's language of choice. This information will be considered as part of the annual Language Access Plan report.

Evaluation results and recommended changes will be shared by PCHR Language Access Coordinators and incorporated into annual report which is required to be filed under Philadelphia Home Rule Charter § 8-600. The Language Access Coordinator will also keep records of any language access services provided and will make this information available during the annual review process. In connection with updates to the Language Access Plan, PCHR may use some of the following tools to conduct further assessment:

- i. Request comments and feedback from visitors that have received language services

 - a. Establish a tracking system to collect primary-language data for individuals that participate in programs and activities

8. LANGUAGE ACCESS COMPLAINT PROCEDURE

You may file a formal Language Access grievance with PCHR if you believe you have been wrongly denied the benefits of this Language Access Plan. You must file your complaint within 6 months of the alleged denial. To file a formal complaint, you must fill out a Language Access Grievance Form and submit the form in person, by mail or e-mail to:

Office of Immigrant Affairs
Orlando Almonte
Language Access Program Manager
Municipal Services Building
1401 JFK Blvd., 14th Floor, Suite 1430
Philadelphia, PA 19102
E-Mail: orlando.almonte@phila.gov

The form will also be available on the OIA website.

Additionally, any person, regardless of immigration status, may submit a formal legal complaint through the Philadelphia Commission on Human Relations. To do so, please complete a Public Accommodations Discrimination Intake Form and submit in person or by mail to:

Philadelphia Commission on Human Relations
The Curtis Center
601 Walnut Street., Suite 300 South
Philadelphia, PA 19106

To access the form and for more information, please visit www.phila.gov/humanrelations

9. TIMELINE FOR IMPLEMENTATION

In this section, please list what the timeline will be to implement the language access plan. The timeline should list when strategy/objectives/services will be completed and who will be the person within the department responsible for its implementation.

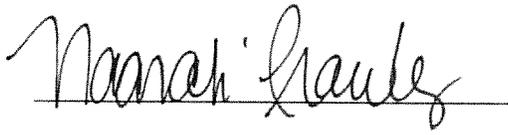
Timeline

2017

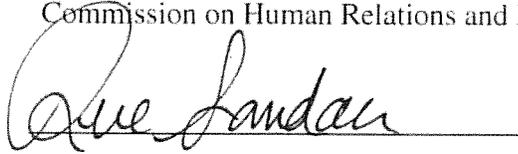
Major milestones in our plan will include:

- Implement Plan
- Collect first year data
- Train frontline responders
- Set up systems to collect data
- Public translated documents
- Complete and submit Language Access Plan to the Office of Immigrant Affairs
- Begin implementation of PCHR Language Access Plan
- Set up systems to collect data
- Explore training opportunities for staff
- Public translated documents
- The agency will adjust and update this plan as needed.
- Complete annual report

10. SIGNATURE PAGE

A handwritten signature in cursive script, reading "Naarah' Crawley", written over a horizontal line.

Language Access Coordinator
Naarah' Crawley
Executive Secretary
Commission on Human Relations and Fair Housing Commission

A handwritten signature in cursive script, reading "Rue Landau", written over a horizontal line.

Director
Rue Landau, Esq.
Commission on Human Relations

