

Board of Pensions and Retirement

LANGUAGE ACCESS PLAN & PROTOCOL

2017

1. PURPOSE AND AUTHORITY

- A. In Cooperation with the Mayor's Office, the Board of Pensions and Retirement 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").
- B. The purpose of this document is to establish an effective plan and protocol for the Board of Pensions and Retirement 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 to maintain a comprehensive, fair, and actuarially sound pension and retirement system covering all officers and employees of the City.

2. GENERAL POLICY

- A. The Board of Pensions and Retirement recognizes that the population eligible for services includes individuals who are Limited English Proficient (LEP). It is the policy of the Board of Pensions and Retirement to ensure meaningful access to LEP individuals. The Board of Pensions and Retirement adopts the following policy to ensure that LEP individuals can gain equal access to the Board of Pensions and Retirements' services and communicate effectively. This Plan applies to all the Board of Pensions and Retirement offices and satellite offices.
- B. 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. The Board of Pensions and Retirement intends to take reasonable steps to provide LEP persons with meaningful access to services and programs. The Board of Pensions and Retirement seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their primary language.
- C. **Responsibility Statements**
The department, rather than the LEP customer, bears the following responsibilities:
- Providing language appropriate services.
 - Staff at the initial point of contact have the specific duty to identify and record language needs.
 - Use of informal interpreters such as family, friends of the person seeking service, or other customers must be discouraged.
 - Minor children are prohibited from acting as interpreters.
 - No staff may suggest or require that an LEP customer provide an interpreter to receive services.

D. Preferred Method of Service

The preferred method of serving LEP customers is by:

- Using competent bilingual staff able to provide services directly to the customer in his/her primary language without the need for an interpreter.
- Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
- Staff should seek assistance from professional in-person or telephone interpreters when staff cannot meet language needs.
- Departments should recognize that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available.
- 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

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4. DIRECT CONTACT WITH LEP INDIVIDUALS

The Board of Pensions and Retirement has several points of contact with the public:

- Office walk-in's/telephone calls
The Board of Pensions' clientele is composed of current and former employees of the City of Philadelphia, and their beneficiaries and survivors. Several times a year LEP individuals come into the Board of Pensions and Retirement office looking for help in obtaining services. In these instances, if there is no bilingual staff available to interpret, staff uses telephonic interpretation.
- Board Meetings/Retirement Education Programs - at times the Board of Pensions will hold meetings or information sessions. If language needs are anticipated, the Board will utilize in person interpretation for appropriate language.

5. LANGUAGE ACCESS SERVICES AND PROTOCOLS

A. INTERPRETATION

1.) Services Provided

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, the Board of Pensions will provide an interpreter, at no cost to the resident, for LEP individuals. Services offered will include telephonic interpretation and in person interpretation.

2.) Protocols

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, Board of Pensions will 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.

3.) Procedures

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

Telephonic Interpretation

OIA can get an over-the-phone interpreter by calling the following vendor: Language Services Associates. This service is available 24/7.

To submit a request, call 877-271-5932 and provide the following information when greeted by a coordinator: Board of Pensions and employee name

(2) 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

You 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.

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

Cancelation of In- Person Interpreter

If a requested 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).

4.) Future Plans

- a) **Use telephonic interpretation, and ensure that the public knows about the availability of these services.** The Board of Pensions will make telephonic interpretation services available in its main office through Language Services Associates. The telephonic interpretation service is available in over 170 languages. The Board will inform the public about these resources through its website, visible multilingual signs and will train all of its staff on using telephonic interpretation services.
- b) **Grow in-person interpretation services.** The Board of Pensions can offer in-person interpretation for scheduled meetings and events as needed through Nationalities Service Center if given enough notice. The Board will inform the public about these resources through its website, visible multilingual signs and will train all of its staff on requesting in-person interpretation services.

B. TRANSLATION

1.) Services Provided

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

2.) Protocols for Document Translation

Vital documents - The Board's vital written documents include, but are not limited to: applications for retirement, disability, and death benefits; applications for direct deposit of monthly retirement benefits; notification of retiree address change; requests for withdrawal of pension contributions; applications to purchase credit for prior governmental service. The documents will be translated as needed.

3.) Procedure for Submitting a document for translation:

- a. Email the editable document to the Office of Immigration Affairs (OIA) – Language Access Program Manager at orlando.almonte@phila.gov
- b. OIA will submit the translation request to translation vendor to obtain a quote.
- c. OIA 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 the Board of Pensions.
- f. OIA will email you the translated documents.

- 4.) **Signage** - The Board of Pensions does not have any directional signage within its offices. All visitors arrive immediately at the reception desk, at which point the need for language assistance will be determined by the receptionist and the steps toward providing that assistance initiated.

- 5.) **Website** - The Board of Pensions website contains the Pension Code, the minutes of monthly

meetings, the Board's newsletter, annual and actuarial reports and various forms for use by active and retired members of the City's pension plans. The Board will take reasonable steps to translate its website content and electronic documents thereon that contain vital information about Board services. The Board will not rely on google translate to provide translations of its website documents and it will identify areas on its website where taglines are appropriate.

- 6.) Future Plans – Going forward, the Board of Pensions intends to build upon the language access plan outlined herein.

C. BILINGUAL STAFF

Of the Board's current staff of approximately fifty, only one individual is bilingual. Language access issues at the Board are rare as the Board's clientele is mainly composed of active City employees and retirees. However, Philadelphia's increasing diversity makes it likely that a beneficiary designated by an employee or retiree might be of limited English proficiency. Thus, while the Board typically hires very few employees on an annual basis, it will attempt to use these instances to acquire bilingual staff.

D. TRAINING STAFF ON POLICY, PLAN, AND PROTOCOLS

Training Protocol

- a. The Board of Pensions will distribute the LEP plan to all staff and will have a current electronic copy available so all staff will be knowledgeable of LEP policies and procedures.
- b. All staff providing technical assistance, training or receiving in-bound calls will receive annual LEP training, or training upon employment, and then annually.
- c. 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 individuals' 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
- d. The Board of Pensions will circulate this language access policy and related protocols to all staff within 30 days after adoption. Every year, The Board of Pensions will circulate the revised policy and protocols to all staff after adoption.
- e. 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 Board of Pensions' 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.

- f. Orientation- New staff training will be provided on the Board of Pensions Language Access Plan and Protocol and provide guidance on how to effectively communicate with LEP individuals.

Future Plans:

- 1.) **Further standardize language access resource and tools across the department.** will work with internal subdivisions to update and standardize language access tools and resources across the agency. The Board of Pensions and Retirement 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, The Board of Pensions and Retirement 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.** The Board of Pensions and Retirement has not held plain-language training. The Board of Pensions and Retirement 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 Board of Pensions 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.

6. NOTICE OF THE RIGHT TO LANGUAGE ACCESS

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:

- 1.) 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 principle languages spoken in the service area.
- 2.) Board notices and flyers will also provide notice of the availability of language services and a simple instruction on how to request language assistance.
- 3.) Tag lines 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 how individuals with LEP can obtain translation of the document or an interpreter to read or explain the document. Pensions will contact the office of Immigrant Affairs for support in creating tag lines.

- 4.) In all areas of public contact and on its website, the Board of Pensions 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

A. Data Collection

The following information will be required to be monitored and collected via quarterly reports by the Board of Pensions:

- (1) Number of LEP Encounters (By Language)
- (2) Type of Language Services Provided to LEP Customers
- (3) Number of Documents Translated
- (4) Language Services Expenditures

Additionally, the Board's 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

B. Annual Report/Evaluation

- 1.) The Board of Pensions will conduct an annual evaluation of its Language Access Plan to determine its overall effectiveness, and identify new goals or strategies for serving LEP residents. The designated staff will lead the evaluation with the assistance of the Director and Deputy 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.
- 2.) The Board of Pensions 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.
 - a. If the individual is Limited English Proficient, the person's language of choice will be noted

for future visits.

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

3.) Evaluation results and recommended changes will be shared by Board of Pensions' Language Access Coordinator 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, the Office of Immigrant Affairs may use some of the following tools to conduct further assessment:

- a. Request comments and feedback from visitors that have received language services
- b. 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 the Board of Pensions 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
1401 JFK Blvd. Suite 1430
Philadelphia, PA 19107
E-Mail: orlando.almonte@phila.gov

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

Implementation Plan Logistics

Major milestones in our plan will include:

- Continuing to broadly translate and interpret
- Updating agency language access tools and resources
- Exploring additional training opportunities

Timeline

- The Board's Language Access Program Manager will meet with front-line Board staff to discuss language access challenges, best practices and methods for tracking language access data by program/site, as well as to brainstorm ideas for new or updated language access resources these staff might need.
- The Board's Language Access Program Manager will update the Board's internal protocols for written translations and in-person interpretations, respectively.
- The Board will continue to broadly translate materials and provide on-site interpretation as needed, and track these activities.
- The Board's Language Access Program Manager will explore ways to track and certify Board staff who speak other languages and who are willing to help review translations and provide interpretation services; this will include updating the agency's internal Volunteer Language Database. The agency will evaluate alternative training and certification resources for these volunteers.
- The Board's Language Access Program Manager will continue to communicate with frontline staff to discuss language access and any emerging needs/challenges.
- The Board's Language Access Program Manager will work with other groups in the agency to coordinate plain language and/or cultural competency trainings.

10. SIGNATURE PAGE



David Fegan
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Administrative Services Director
Board of Pensions and Retirement

4/7/17

Date



Francis X. Bielli
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Board of Pensions and Retirement

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Date