

Philadelphia Department of Labor

LANGUAGE ACCESS MASTER PLAN & PROTOCOL

2021

1. PURPOSE AND AUTHORITY

The Philadelphia Department of Labor 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 Philadelphia Department of Labor personnel to follow when providing services to, or interacting with, individuals who are LEP. Following this plan and protocol is essential to the success of our mission to make our office accessible to all Philadelphians.

2.

The Philadelphia Department of Labor recognizes that the population eligible for services includes LEP individuals. It is the policy of the Philadelphia Department of Labor to ensure meaningful access to LEP individuals. The Philadelphia Department of Labor adopts the following policy to ensure that LEP individuals can gain equal access to the Philadelphia Department of Labor services and communicate effectively. This Plan applies to all Philadelphia Department of Labor offices and their programs:

Office of Worker Protections
Office of Labor Standards
Office of Human Relations
Office of Employee Relation

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 Philadelphia Department of Labor intends to take reasonable steps to provide LEP persons with meaningful access to services and programs. The Philadelphia Department of Labor seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their primary language.

The Philadelphia Department of Labor, rather than the LEP client, bears the following responsibilities:

1. Provide language appropriate services.
2. Identify and record language needs at the initial point of contact.
3. Discourage use of informal interpreters such as family, friends of the person seeking services, or other customers Prohibit minor children from acting as interpreters.
4. Do not 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 trained bilingual staff able to provide services directly to the customer in his/her primary language without the need for an interpreter.
2. Engaging available, trained, competent bilingual staff for in-person or telephonic interpreting to support other staff.
3. Seeking assistance from professional in-person or telephonic interpreters when staff cannot meet language needs.
4. Recognizing 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 COMMITTEE

Language Access Coordinator

Candace Chewning

Candace.Chewning@phila.gov

Language Access Committee

Candace Chewning

Yessenia Guterrez

Director: Rich Lazer

Deputy Director for Labor

4. DIRECT CONTACT WITH LEP INDIVIDUALS

The Philadelphia Department of Labor has several points of contact with the public:

- (1) Office walk ins- Philadelphia Department of Labor has encountered a few LEP individuals coming into the Philadelphia Department of Labor looking for help in obtaining services. In these instances, if there is no bilingual staff available to interpret, staff uses telephonic interpretation.
- (2) Office calls- at times the Philadelphia Department of Labor front desk will receive calls from LEP individuals. In these instances, if there is no bilingual staff available to interpret, staff uses telephonic interpretation.
- (3) Correspondence via email and letters - The Philadelphia Department of Labor responds to constituent emails and letters. The Philadelphia Department of Labor has encountered a few emails and letters written in languages other than English. In these instances, the Philadelphia Department of Labor will ask a bilingual staff to assist if the letter is shorter than a paragraph. If longer, or if bilingual staff are not available, the Philadelphia Department of Labor should translate the written correspondence and the Office's response through a trained translator.
- (4) Correspondence via social media - The Philadelphia Department of Labor interacts with constituents and LEP individuals via social media channels such as twitter and Facebook. In these instances, the Philadelphia Department of Labor will ask a bilingual staff to assist if the content is shorter than a paragraph. If longer, or if bilingual staff are not available, the Philadelphia Department of Labor should translate the social media post and the Office's response through a trained translator.

5. LANGUAGE ACCESS SERVICES AND PROTOCOLS

A. INTERPRETATION

To ensure that an 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 they need, 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 bilingual staffing the office is available who speaks the language being requested.
- (3) When bilingual staff are not available, the employee shall contact a telephonic interpreter service to provide interpreter services, the process to do so outlined below:

Telephonic Interpretation -

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

The Philadelphia Department of Labor telephonic interpretation agency pin code is:

Follow prompts for language or press O for an operator. Enter your agency pin code. Following the call, staff should fill out internal form to track utilization data.

- (4) 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. 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 for in-person interpretation, please contact the Language Access Coordinator. Requests must first be approved by the Chief of Staff through the normal expense request procedures.

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.)

(5) Future Plans:

- a. **Continue to use telephonic interpretation and ensure that the public knows about the availability of these services.** The Philadelphia Department of Labor 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. **Continue to grow in-person interpretation services.** The Philadelphia Department of Labor can offer in-person interpretation for scheduled meetings and events as needed through Nationalities Service Center if given enough notice. Philadelphia Department of Labor 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 -The Philadelphia Department of Labor plans to develop a list of the documents that are vital to the access of LEP persons. The Philadelphia Department of Labor will provide some vital documents in the following languages: Spanish, Simplified Chinese, French, and Vietnamese.

A list of Vital Documents will be listed below:

Future Plans: After collecting data to determine our department's language needs, the Philadelphia Department of Labor will reevaluate the forms and languages represented above.

Procedure for Submitting a document for translation:

- a) Email the editable document to the Language Access coordinator
- b) Short translation requests will be shared first with bilingual staff
- c) The Language Access coordinator will submit longer translation and translations that require languages beyond our bilingual staff to the OIA or directly to the vendor if guided to do so by the OIA
- d) The Language Access coordinator will submit translation to vendor to obtain a quoteThe Language Access coordinator will share quote with requestor
- e) The Language Access coordinator will then email the final translated version to the requestor.

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.

Website

The Philadelphia Department of Labor's website contains blog posts on recent news and work from the Philadelphia Department of Labor, services offered to the public, and a public inquiry form. The Philadelphia Department of Labor website will have translated documents available.

Future Plans: Write public materials in plain English and translate extensively. The Philadelphia Department of Labor 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 The Philadelphia Department of Labor staff who are linguistically, culturally, and technically able to deliver services in a language other than English and/or to serve as interpreters as of December 1, 2020.

- Mandarin Chinese
- French
- Vietnamese
- Spanish

Future Plans:

The Philadelphia Department of Labor will determine future plans after collecting data to illustrate the demand and need of language interpretation and translation.

If the committee comes to the conclusion that additional staff is needed to meet LEP needs, the committee will recommend applying a "bona fide occupational 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

The Philadelphia Department of Labor's Language Access Plan & Protocol will be posted online and provided as an electronic copy to all Philadelphia Department of Labor staff members at hiring.

All staff providing technical assistance, training or receiving in-bound calls will receive annual LEP training, or training upon employment.

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.

The Philadelphia Department of Labor will circulate this language access policy and related protocols to all staff within 10 days after adoption. Every two years, the Philadelphia Department of Labor will circulate the revised policy and protocols to all staff after adoption. Within nine months of the adoption of this policy, the Philadelphia Department of Labor 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 the Philadelphia Department of Labor. 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 Philadelphia Department of Labor's 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 Philadelphia Department of Labor Language Access Plan and Protocol and provide guidance on how to effectively communicate with LEP residents.

Future Plans:

Further standardize language access resource and tools across the Philadelphia Department of Labor. The Philadelphia Department of Labor will work with internal subdivisions to update and standardize language access tools and resources across the agency. The Philadelphia Department of Labor 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 Philadelphia Department of Labor will update its Language Access Toolkit, an internal resource for staff, and will meet with agency employees to share challenges and best practices.

Grow plain language and other language access-related trainings. The Philadelphia Department of Labor has not held plain-language training. The Philadelphia Department of Labor hopes to hold training opportunities on plain-language and cultural competency topics and will explore opportunities to do so.

E. ADMINISTRATIVE HEARINGS and Public Meetings

For any Philadelphia Department of Labor public hearings and meetings, including but not limited to the Board of Labor Standards, the Domestic Worker's Task Force and Living Wage and Benefits Review Committee hearings, individuals may request interpretation or translation services as detailed below:

1. The Philadelphia Department of Labor will provide a trained in-person interpreter for any hearing that an LEP individual requests language assistance with at least 72 hours notice. Once a request for an interpreter has been made by public inquiry form or written email to
2. Philadelphia Department of Labor, a formal request for an in-person interpreter will be made to the language access coordinator. If an in-person interpreter is not available, a telephonic interpreter will be provided.

Future plans include creating a protocol that identifies 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. The Philadelphia Department of Labor will contact the OIA for support in creating taglines.

In all areas of public contact and on its website, the Philadelphia Department of Labor 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 the Philadelphia Department of Labor:

- (1) Number of LEP encounters (By Language), 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

The Philadelphia Department of Labor 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 Language Access Coordinator. 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
- f. Assessment of soliciting feedback from LEP individuals and community groups.

The Philadelphia Department of Labor 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. Philadelphia Department of Labor's 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 the Philadelphia Department of Labor's 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, the Philadelphia Department of Labor 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 Philadelphia Department of Labor if you believe you have been wrongly denied the benefits of this Language Access Plan after you have attempted to resolve the grievance with the Philadelphia Department of Labor. You must file your complaint within six 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 OJA 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. SIGNATURE PAGE



Candace Chewning

Office of Worker Protections



Rich Lazer

Deputy Mayor for Labor

Handwritten text, possibly a signature or name, located in the upper right quadrant of the page.

Handwritten text, possibly a signature or name, located in the middle right quadrant of the page.