

MASSACHUSETTS DEPARTMENT OF ENERGY RESOURCES

LANGUAGE ACCESS PLAN (LAP) FY2013

INTRODUCTION

The Massachusetts Department of Energy Resources (DOER) has prepared this Language Access Plan ("LAP" or "Plan"), which defines the actions to be taken by the DOER to ensure meaningful access to agency services, programs and activities on the part of persons who have limited English proficiency. The DOER will review and update, on a biannual basis, this LAP in order to ensure continued responsiveness to community needs and compliance with the Executive Office for Administration and Finance ("ANF") Administrative Bulletin #16. The purpose of the Administrative Bulletin is to provide guidance to state agencies as they develop Language Access Plans. Additionally, the Administrative Bulletin and the Guidelines are meant to establish a common baseline for creating access to state services, program and activities.

Administrative Bulletin #16 was promulgated pursuant to the objectives of Executive Order 478 and Executive Order 519. Among the objectives of EO 478 are to: (1) affirmatively promote equal opportunity in agency program, activities, and services and (2) ensure that agency programs, services, activities and decisions do not discriminate against persons with respect to race, color, age, gender, ethnicity, sexual orientation, religion, creed, ancestry, national origin, disability, veteran's status or source of income. Pursuant to EO 519, the Office of Access and Opportunity will review and recommend improvements to state agency programs, activities and services to ensure that they foster access and equal opportunity for all persons.

PURPOSE

The purpose of this plan is to ensure that clients of the DOER have meaningful access to services, programs and activities although they may be limited in their English language proficiency.

The objectives of the Guidelines are to: (a) Improve access to and the quality of state services, programs and activities for non-English speakers and LEP persons; (b) Reduce disparities and delays, if any, in provision of state services/programs to eligible non-English speakers and LEP person compared with eligible English speaker; and (c) Increase agency effectiveness and public satisfaction.

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The DOER is committed to this Language Access Plan as the appropriate response to meeting our clients' needs. The Plan is consistent with the requirements of Administrative Bulletin #16 as promulgated by the Executive Office of Administration and Finance.

Consistent with the guidance of ANF Administrative Bulletin #16, a Limited English Proficient ("LEP") person is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with DOER staff. A client maintains the right to self-identify as a LEP person.

According to the 2000 census, more than 300 different languages are spoken in the United States. Nationally, nearly 19 percent of the U.S. population -47 million citizens and noncitizens-speak a language other than English at home. This is an increase from 31.8 million in 1990. Of these, 4.2 percent, or 11 million individuals, say that they speak English "not well" or "not at all". The most frequently spoken languages according to U.S. Census data among the LEP population in the Commonwealth are Spanish, French Creole, Italian, Portuguese, Russian, Chinese and Vietnamese.

Massachusetts is a highly diverse state in which numerous LEP households reside. 18.7% of all residents over the age of eighteen speak a language other than English and of those residents, 21% speak English "not very well".

DOER PURPOSE AND ORGANIZATION

Creating a Cleaner Energy Future for the Commonwealth

The Massachusetts Department of Energy Resources (DOER) develops and implements policies and programs aimed at ensuring the adequacy, security, diversity, and cost-effectiveness of the Commonwealth's energy supply within the context of creating a cleaner energy future. To that end, DOER strives to:

- Ensure deployment of all cost-effective energy efficiency
- Maximize development of clean energy resources
- Create and implement energy strategies to assure reliable supplies and improve the cost of clean energy relative to fossil-fuel based generation
- Support Massachusetts' clean energy companies and spur Massachusetts' clean energy employment

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In July of 2008, the Department of Energy Resources (DOER) was established within the Executive Office of Energy and Environmental Affairs. The Department, which replaced the Division of Energy Resources, consists of three divisions: Division of Energy Efficiency, Division of Renewable and Alternative Energy Development, and Division of Green Communities and three supporting units.

ENERGY EFFICIENCY DIVISION

The Energy Efficiency Division is responsible for the planning, development and oversight of energy efficiency activities throughout the Commonwealth. The group's primary focus is on the energy efficiency activities delivered by electric utilities (approximately \$125 million/year, funded through a Systems Benefits Charge paid by all electric customers, established under the 1997 Electric Utility Restructuring Act) and gas energy efficiency programs, which amount to approximately \$25 million/ year. The Group reviews program performance and spending, including attainment of efficiency goals and metric performance for electric utilities and gas utilities as applicable. DOER has an advisory role with the DTE with respect to the development and approval of gas energy efficiency programs.

RENEWABLE & ALTERNATIVE ENERGY DEVELOPMENT DIVISION

The Division of Renewable & Alternative Energy Development is responsible for providing information regarding the different kinds of renewable energy, funding programs and incentives, installation assistance and more. Examples of renewable energy include wind and solar power.

ENERGY, RELIABILITY & MARKETS UNIT

The Energy, Reliability & Markets unit is responsible for gathering data and other information related to energy markets including electric customer migration data and lists of competitive suppliers for electricity and natural gas. The Energy, Reliability & Markets Unit assists other divisions within the Department.

GREEN COMMUNITIES DIVISION

The Green Communities Division empowers the Commonwealth's cities and towns to reduce their energy use and their carbon footprint on the journey towards healthier communities and stronger economies.

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OPERATIONS UNIT

The Operations unit is responsible for the day-to-day activities of the department in providing services to the other divisions in their regulation as well as promotion and enhancement of energy resources in Massachusetts. The Operations unit also includes, fiscal, Human Resources, facilities management and reception.

LEGAL UNIT

The Legal Unit is responsible for assuring that all actions of the agency comply with state and federal law. The Legal Unit assists all other units within the agency and the Commissioner in the development of work products that require legal input, either formally or informally. This requires legal oversight of all business, legislative, regulatory and litigation activities of the agency.

LANGUAGE ACCESS PLAN:

The DOER Language Access Plan (LAP) shall be fully implemented subject to the availability of fiscal resources to implement said language access plan. This Language Access Plan has been developed to adhere to the Language Access Guidelines of ANF Administrative Bulletin #16. This Language Access Plan represents DOER's administrative blueprint to provide meaningful access to its services, programs and activities on the part of LEP individuals. This Language Access Plan outlines the tasks DOER will undertake to meet this objective.

Language Access Plan:

- (1) Language Access Coordinator:
Jane Savery, Deputy Commissioner
Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114
jane.savery@state.ma.us

Tel: 617-626-7319 Fax:617-727-0030
Reception/Main number: 617-626-7300

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(2) Language Access Needs Assessment:

a. Language Makeup of Client Population-Commonwealth of Massachusetts

Table 1: Massachusetts LEP populations as a Percentage of Total State Populations

Population	Number	Percentage (out of total MA population)
Population 18 years and over	4,853,130	100.00%
Speak only English	3,944,715	81.28%
Speak a language other than English	908,415	18.72%
Total MA LEP Population (people who speak English "Not Well" or "Not at All")	193,785	3.99%
Spanish or Spanish Creole	71,895	1.48%
French Creole	6,810	0.14%
Italian	6,525	0.13%
Portuguese or Portuguese Creole	39,620	0.82%
Russian	8,990	0.19%
Chinese	18,050	0.37%
Mon-Khmer, Cambodian	5,125	0.11%
Vietnamese	8,990	0.19%

(figures compiled by DHCD)

Point of Contact between DOER and Client Population. Client population may contact the agency either by calling, visiting the DOER office in Boston or by visiting our website.

100 Cambridge Street, Suite 1020 Boston, MA
02114 617-626-7300 (main number)
Website: [Department of Energy Resources](http://www.mass.gov/energy)

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(3) Language Resources Assessment:

The DOER has identified current five (5) staff members who are available as needed to assist with interpreter services. The languages that our staff speak are Spanish, Cambodian, Italian and German. DOER staff are not certified interpreters.

(4) Language Service Protocols:

a. To Implement the Language Access Plan:

The DOER will provide a list of in-house personnel who may be available as needed to provide interpreter services and the languages that are available. In the event that we are not able to provide the services in-house and as long as there is sufficient notice and funding available, the DOER will attempt to provide the information in a timely manner from an outside source (i.e. approved Commonwealth vendors and the associated cost).

If DOER is not able to provide the requested information, the requestor will be notified in writing that the request cannot be met.

b. DOER's language access protocols for providing interpretation services

- Notice is given to DOER which identifies the translation and document/service being requested.

c. Clients will be able to request the information either in person or by submitting a written request.

(5) Vital Document Translation:

a. If requested to do so, the DOER will list the name of vital documents, in whole or in part, to be translated including the timeframe for translation:

- Due to the anticipated cost involved of translating any documents, the translation of vital documents into numerous languages would take several years. The DOER will identify appropriate languages for translation after a survey of our client population has been completed.

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b. Agency website content, by list, to translate including timeframe for translation

- DOER will post translated documents on its website ([Department of Energy Resources](#)) when available and make note of the fact that the information is available in another language and the language(s) that is available.

(6) Stakeholder Consultations:

- The DOER did not consult with outside organizations as to the development of this plan. Rather, the DOER surveyed its employees and made the following determination:
 - records demonstrate that the DOER operates in a clientele that does not exceed the LEP threshold of 5%.

(7) Staff Training:

- Reception staff will be trained first. Training will ensure that identified employees are aware of the contents of the Plan and its protocols. Additional staff may be trained as needed.

(8) Notice to Public:

- Notices referencing the Plan will be posted in conspicuous spaces within the agency such as on bulletin boards throughout the office.
- Copies of the Plan will be available to the public upon request and payment of fee for copying. A copy of the Plan may also be obtained by downloading a PDF copy from the DOER website ([Department of Energy Resources](#)).

(9) Monitoring:

Each year, the DOER will review and update its LAP, if needed. The review may assess:

- Determination if additional vital documents require translation.

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- Any issues or problems related to serving LEP persons which may have arisen during the past year.
- Whether or not there have been any significant changes in the language needs of the program population currently served by DOER.

Language Access Complaint Procedure

You may file a complaint with the Agency Language Access Coordinator or the Office of Access and Opportunity if you believe you have been denied the benefits of this Plan. You must file your complaint within 6 months of the alleged denial. You must file a written complaint and complaints should be addressed to the LAP Coordinator.

All complaints should be sent to:

Jane Savery, Deputy Commissioner
Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston MA 02114
Tel. 617-626-7319
jane.saverv@state.ma.us

To file a complaint with the Office of Access and Opportunity, please submit the written complaint to the attention of:

Office of Access and Opportunity
Executive Office of Administration and Finance
State House, Room 373
Boston, MA 02133
Email Address: Ronald.Marlow@state.ma.us

Agency Head
Date:

Secretary
Date: