

LANGUAGE ACCESS PLAN

Executive Office of Labor and Workforce Development

Department of Unemployment Assistance (DUA)

Department of Career Services (DCS)

Department of Industrial Accidents (DIA)

Department of Labor Standards (DLS)

Department of Labor Relations (DLR)

Revised December 2012

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LANGUAGE ACCESS PLAN (LAP)

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I. Introduction

The Office of Multilingual Services at the Executive Office of Labor and Workforce Development (EOLWD) has developed and prepared this Language Access Plan (LAP) outlining the efforts taken so far to provide language services to Limited English Proficiency (LEP) customers by EOLWD and its Departments: the Department of Unemployment Assistance (DUA), the Department of Career Services (DCS), the Department of Industrial Accidents (DIA) and the Department of Labor Standards (DLS). The Department of Labor Relations (DLR) works with employers and bargaining units and has thus far presented no need for interpretation and/or translation services.

This Plan also defines the actions EOLWD and its Departments, including its statewide network of One-Stop Career Centers, are taking to ensure meaningful access to programs, services, and activities for all LEP clients.

The Office of Multilingual Services developed our Agency's LAP to adhere to the Language Access Guidelines established by Executive Order 526 (superseding Executive Order 478), as promulgated by the Executive Office for Administration and Finance (ANF).

The Office of Multilingual Services will review and update this LAP annually or as needed to ensure continued responsiveness to community needs as well as compliance with Title VI.

II. Background

This LAP is established pursuant to and in accordance with the Federal Executive Order 13166, and State Executive Order 526 "Improving Access to Services for Persons with Limited English Proficiency."

Executive Order 526 requires state agencies to develop and implement a plan to provide services to persons with Limited English Proficiency, ensuring meaningful access to the Departments' programs, services and activities.

In addition to Executive Order 13166 and Executive Order 526, the Department of Justice issued a Policy Guidance Document entitled "**Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency**" (hereinafter referred to as "DOJ LEP Guidance") reprinted at 65 FR 50123 (August 16, 2000). The DOJ LEP Guidance advises each Federal Agency on the steps agencies should take to ensure "meaningful" access by LEP individuals to the information and services the Agency provides.

Federal and State agencies have an obligation, when reasonably possible, to reduce language barriers that can preclude meaningful access by non-English speakers and LEP persons to important government services.

III. Purpose

The purpose of this plan is to ensure DUA, DCS, DIA, DLS customers meaningful access to services, programs and activities, for all LEP customers.

EOLWD Departments are committed to making services available to LEP persons as part of its mission "to ensure equal access to all Agency programs, services, and activities." Based on this commitment, EOLWD and its Departments make every attempt to assist LEP customers in accessing our programs and services. We serve a diverse population of various ages and linguistic origins.

A Limited English Proficiency (LEP) person is someone who cannot speak, read, write, or understand the English language at a level that allows him/her to interact effectively with Agency staff. A client maintains the right to self-identify as LEP.

This LAP does not create new services; rather it strives to eliminate barriers for LEP customers accessing existent Agency services. Our EOLWD Departments will provide quality language assistance to LEP customers in a fair and timely manner, ensuring meaningful access to Agency programs, services, and activities.

The objectives of these Language Access 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 any disparities and delays in the provision of state and federal services/programs to eligible LEP speakers;
- c. Increase Agency effectiveness and public satisfaction.

IV. Policy

It is EOLWD policy to provide meaningful access to programs and services to persons, who are limited in English proficiency.

V. Applicability

This directive applies to the Executive Office of Labor and Workforce Development (EOLWD) and its Departments: DUA, DCS, DIA, DLS.

VI. Role

1. DEPARTMENT OF UNEMPLOYMENT ASSISTANCE (DUA)

The Department of Unemployment Assistance (DUA) administers the Unemployment Insurance (UI) program, providing temporary assistance to unemployed Massachusetts workers. There is a network of UI Walk-In Centers throughout the Commonwealth.

2. DEPARTMENT OF CAREER SERVICES (DCS)

The Department of Career Services (DCS) oversees the Commonwealth's network of One-Stop Career Centers* (see Listing on page 14 of this document) that assist businesses in finding qualified workers and provide job seekers with career guidance as well as job and training referrals.

3. DEPARTMENT OF INDUSTRIAL ACCIDENTS (DIA)

The Department of Industrial Accidents (DIA) oversees the Workers' Compensation system in Massachusetts, which helps Massachusetts injured workers, employers, insurers, and/or attorneys.

4. DEPARTMENT OF LABOR STANDARDS (DLS)

The Massachusetts Department of Labor Standards promotes and protects workers' safety and health, wages and working conditions, and supports employers and workers in utilizing apprenticeships as a workforce development tool.

VII. Language Access Plan:

*Since the *One-Stop Career Centers* throughout the Commonwealth provide a range of services reliant on state, city and private entities with varying resources, responsibilities, and staff capacities, the Agency does not attempt to create a detailed, “one-size fits all” LAP. Instead, the Agency LAP Guidance provided in the **Appendix** of this document is intended to direct One-Stop Career Centers to create their own LAP and to provide assistance with the creation of such LAPs. The Office of Multilingual Services will continue providing translation and interpretation services as well as technical assistance to One-Stop Career Centers carrying out DUA and DCS programs, in compliance with LAP requirements. As necessary, the Agency will issue new guidance and/or regulations relating to its programs to ensure effective LAP implementation.

Approach: The Agency Language Access Plan (LAP) shall be fully implemented, provided the availability of requisite fiscal resources, to implement said LAP. The LAP has been developed to adhere to the Language Access Guidelines of ANF Administrative Bulletin #16. This Language Access Plan represents the Agency administrative blueprint to provide meaningful access to EOLWD agencies programs and activities for LEP individuals. This LAP outlines the efforts that EOLWD and its Departments have made and will continue to make to fully meet this objective.

1) Language Access Coordinator:

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19 Staniford Street - Fourth Floor
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www.mass.gov/eolwd/multilingual

2) Language Resources

A. Office of Multilingual Services

For over two decades, the Office of Multilingual Services within the Executive Office of Labor and Workforce Development has been committed to improving access to services for eligible LEP customers. The Office of Multilingual Services has developed and implemented language assistance guidelines and instructions based on customer need, legal requirements, and what is important to LEP customers. These guidelines were established so that our Agency staff could provide LEP customers equal and meaningful access to participate in our programs, services, and activities.

The Office of Multilingual Services strives to provide language expertise, support and guidance to staff to ensure that all LEP customers obtain meaningful access to Agency programs, services, and activities. Multilingual Services addresses LEP-related issues and assists UI advocates, attorneys, and Community-Based Organizations (CBOs) in serving LEP communities.

In May 2010, DUA created a **Multilingual Unit** within the Office of Multilingual Services. This Unit consists of three Multilingual Specialists under the Director of Multilingual Services. The Unit facilitates LEP claimants’ access to the claims system via proper initial language preference coding, correcting erroneous

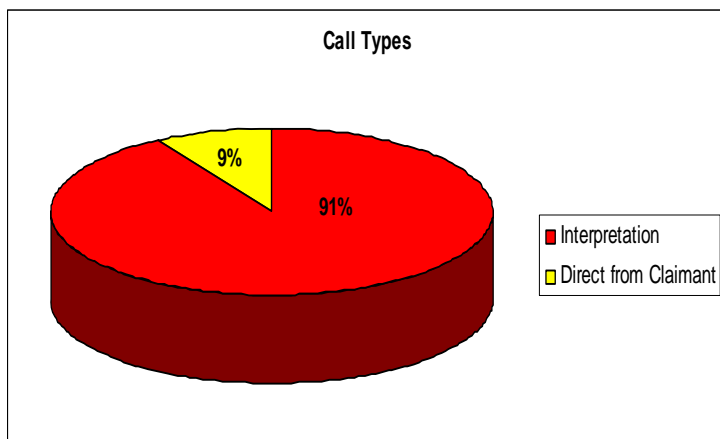
coding, enabling LEP claimants' communication with claims agents and adjudicators, and assisting LEP claimants in understanding UI requirements and notices. The Multilingual Unit operates a toll-free telephone line which LEP claimants (who speak one of the 9 statutory languages) can call should they have any issues or concerns about their Unemployment Insurance Benefits. This toll-free number is printed on several DUA notices, including the disqualification notices, which are translated into the 9 statutory languages: Spanish, Portuguese, Chinese, Russian, Lao, Haitian Creole, Vietnamese, Khmer, and Italian.

The Multilingual Staff interprets adjudication/fact-finding, customer service interactions, MSP calls, and translates documents and materials into the 9 languages. Instructions on how to utilize the Multilingual Specialists have been sent to DUA Call Centers and DUA walk-in Center Staff. Every week, Multilingual Unit's staff calls LEP claimants to remind them of their hearings and confirm interpreter bookings.

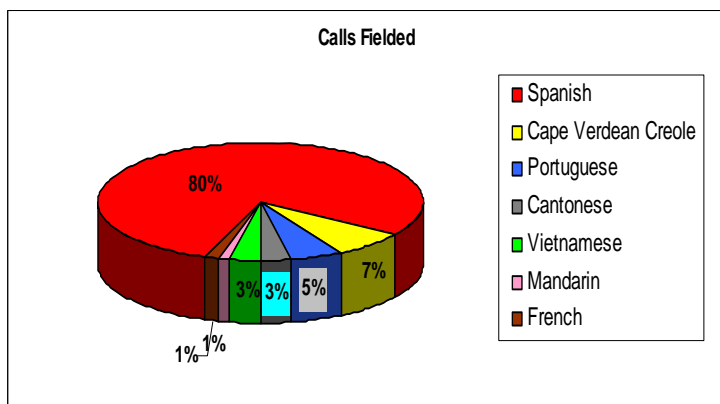
The Multilingual Staff also answers and addresses the questions and concerns of LEP claimants who call in on the toll-free telephone line as well as interpret documents for the claimants.

The Multilingual Unit possesses a vast array of international and multicultural knowledge, including collective fluency in twelve languages, resulting in excellent communication with the LEP community. The Multilingual Unit has expanded their services assisting Career Center staff, DIA and DLS staff in providing interpretation and translation services to its customers. Presentations have been made by the Director of Multilingual Services to DUA, Career Centers, DIA and DLS staff on how to best utilize language services.

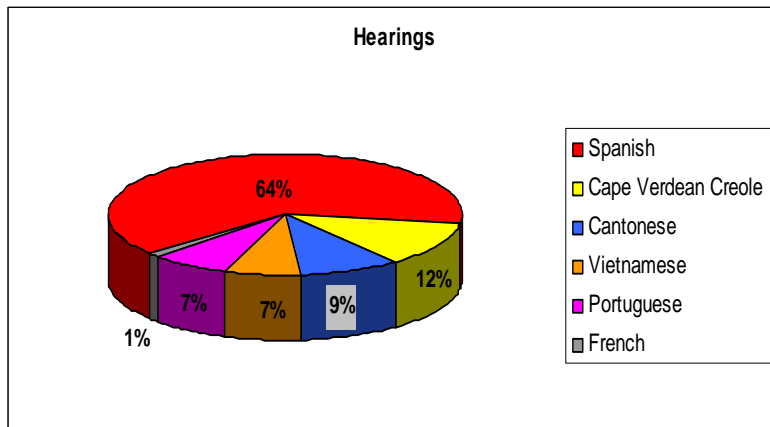
MULTILINGUAL UNIT - CALL STATISTICS FROM 7/01/2011 TO 06/30/2012



Calls Fielded	
Language	Number of Calls
Spanish	2078
Cape Verdean Creole	188
Portuguese	134
Cantonese	87
Vietnamese	77
Mandarin	33
French	33
Total	2630



Interpretation vs. Direct from Claimant	
Call Type	Number of Calls
Interpretation	2406
Direct from Claimant	224
Total	2630



DUA Hearings	
Language	Frequency
Spanish	54
Cape Verdean Creole	10
Cantonese	8
Vietnamese	6
Portuguese	6
French	1
Total	85

B. Language Resources Available at DUA, DCS, DIA and DLS via Multilingual Services

(The information below can be found at <http://intranet.detma.org/multilingual>)

1. Multilingual Services Unit (coordinates interpretations and translations in 9 languages);
2. Professional Over-the-Phone Language Services (vendor providing over 170 languages);
3. Internal Volunteer Bilingual Staff (27 languages);
4. Professional in-person interpreter services for DUA hearings in over 100 languages;
5. Unemployment Insurance Telephone Certification (TeleCert) services are currently available in English and Spanish;
6. Translated Publications posted on the EOLWD Internet www.mass.gov/eolwd/multilingual;
7. "I speak" cards in 38 languages posted on the Intranet for language identification;
8. "One Moment Please" Multilingual Guide Card;
9. The Career Center Seminar Power Point translated into the 9 statutory languages (also found on Mass Workforce Development System);
10. Career Center Seminar Videos in English, Spanish, Portuguese, American Sign Language, and Closed Captioned;
11. EUC/REA Power Point Presentation and related documents (Mass Workforce Development System);
12. Language Services Power Point Presentation for DUA Call Centers, Career Centers, DIA;
13. American Sign Language Services Guidelines for all EOLWD Departments (found in Intranet and Mass Workforce Development System);
14. Equal Opportunity Notices are translated into the 9 statutory languages.

C. Identification of Existing Bilingual Staff

This list identifies the languages spoken by DUA and DCS staff members who are linguistically, culturally, and technically able to deliver services in a language other than English and/or to serve as interpreters. The list is organized alphabetically by language and on the actual site, each language hyperlinks to the contact information for the corresponding staff. DIA has a similar list awaiting posting on our intranet site.

The staff has agreed to volunteer to interpret for Limited English Proficiency (LEP) customers. This List is updated and posted on the EOLWD Intranet.

<http://intranet.detma.org/multilingual>
<http://intranet.elw.state.ma.us/multilingual>

Albanian	Greek	Korean
Arabic	Gujarati	Laotian
Armenian	Haitian	Mandarin
Bengali	Haka	Portuguese
Burmese	Hindi	Punjabi
Cape Verdean	Husa	Russian
Cantonese	Ibo	Spanish
Czech	Italian	Urdu
French	Khmer	Vietnamese

3) Language Service Protocols

A. How Staff Can Obtain Interpreter Assistance

Interpretation is the immediate oral rendering of the source language into the target language.

The **Multilingual Services** page on the **EOLWD Intranet** provides complete guidelines, information, and instructions for staff: <http://intranet.detma.org/multilingual>

The guidelines refer staff to:

1. **Multilingual Unit Specialists** who fluently speak, read and write in Spanish, Portuguese, Cantonese, Mandarin, Vietnamese, Cape Verdean, and French.
2. **An Over-the-Phone Language Service providing over 170 languages.** Step by step instruction on how to use the language line is available to staff. The quality of the over-the-phone language service is monitored through “Reports of Usage” forms completed by DUA, DCS, DIA and DLS staff and reviewed by Multilingual Services.
3. **A list of volunteer internal multilingual employees** who have the linguistic capability to address phone inquiries in numerous languages such as Albanian, Arabic, Armenian, Bengali, Burmese, Cantonese, Cape Verdean, Czech, French, Greek, Gujarati, Haitian Creole, Hakkaneese, Hindi, Husa, Ibo, Italian, Khmer, Korean, Laotian, Mandarin, Portuguese, Punjabi, Russian, Spanish, Urdu, and Vietnamese (see table above).
4. **A Language Identification Flashcard.** The card states “I speak” in 38 languages and is used to identify the language spoken by LEP customers accessing services provided by the DUA, DIA, DLS and Career Centers.
5. **A Guide Card stating “One Moment Please” in 18 languages** (including phonetic pronunciation).
6. **Step by step procedures** for DUA **Hearings** staff on how to request Interpreter Services as well as interpreter related information.
7. **The most vital determination notices** (those regarding eligibility) are translated into 9 languages and found on the intranet to be downloaded and sent when needed by DUA staff.
8. **Step by step procedures** for all Agency staff to request **ASL** services.
9. **Link to the EOLWD Multilingual Website** for translated publications.

This content is updated as needed. Personnel are informed of any and all changes.

B. LEP Customer Access to Language Resources

Claimants whose primary language is one of the 9 statutory languages receive notices in their primary languages, including the 800 Toll Free Multilingual phone number so they can call Multilingual Specialists.

Materials and publications, classified by EOLWD Agency and claimant need, are accessible at all times by claimants and staff on the Multilingual section of the EOLWD site:

www.mass.gov/eolwd/multilingual

A letter announcing the creation of the Multilingual Unit was sent out to Community-Based Organizations (CBOs) serving LEP customers. The letter advised CBOs to inform their LEP constituents about the new Unit.

All vital information documents (e.g. EUC extensions, EUC-REA information, EB extension, etc.) are translated into 9 languages and sent out timely to LEP customers.

Outreach is conducted and information presented in foreign languages via wide-reaching ethnic media such as newspapers, television, and radio.

DUA forms not translated in their entirety include a “Babel Notice”^{*} explaining that the document is important and needs translating. The notice also includes a phone number where a claimant can request language services.

If front-line Agency Staff members do not know what language a customer speaks, then the staff provides the LEP customer with an “**I speak**” card in 38 languages to determine what language services are needed. Once the staff knows the customer’s language, either bilingual staff, Multilingual Specialists or over-the-phone language services will be used to assist the LEP customer.

Robot Calls in Spanish are also conducted to inform claimants of pertinent information.

Spanish messages concerning changes, updates, etc. are recorded on the IVR line for claimants to access upon calling.

^{*}“Babel Notice” refers to a notice that Multilingual Services specifically created to notify LEP claimants, in the statutory languages, that an attached DUA notice is important and the claimant should have it translated immediately.

C. Community-Based Organizations

The list is available on the EOLWD Intranet Multilingual Page <http://intranet.detma.org/multilingual>

D. State Law Requirements

Mass. State Law requires that UI notices be issued in Spanish, Chinese, Haitian Creole, Italian, Portuguese, Vietnamese, Laotian, Khmer, Russian and any other language that is the primary language of the lesser of 10,000 people or 0.5% of total state population. (See G.L.c 151A, sec. 62A).

Since the inception of the Federal Emergency Unemployment Compensation (EUC) Program and the Federal- State Extended Unemployment Insurance Benefit (EB) program, all UI extension letters have been translated into the 9 statutory languages and sent out to claimants whose primary

language is one of the 9 statutory languages (highlighted on the Table pages 11 & 12 of this document).

Follow-up correspondence pertaining to claimant eligibility and/or containing vital information such as adjudication notices, discrepancy notices, and requests for additional information forms, and SAVE have been translated into 9 languages and state the Multilingual Unit Toll Free telephone number.

Other notices contain a “Babel Notice” in 9 languages. The “Babel Notice” advises claimants of the importance of the information and provides a phone number to call for assistance with the option to request language services.

Interim Notices which contain the Multilingual Unit toll-free number and summarize certain disqualification information, as well as a request for a hearing are translated into the 9 statutory languages and sent, along with the English version of disqualification notice to claimants coded by DUA for one of the 9 statutory languages.

DUA will continue to translate important notices and letters into all 9 statutory languages.

4) Language Makeup of Client Population

A. Identifying LEP Individuals in Need of Language Assistance

The UI system has developed an application to weekly record the primary language data based on new claims. This application provides DUA with valuable statistical data to help identify LEP claimants needing language assistance. This information is emailed weekly to DUA management and provides statistics by year, week, and Regional Unemployment Claims Center. (See examples on pgs. 11, 12).

DUA uses the data to assess the number and proportion of LEP persons DUA serves as well as to assess the frequency with which LEP individuals come in contact with DUA.

i. Language Preference Based on New Claims filed Week Ending 11/17/2012

Calendar Year 2012 (January 2012 – November 2012)

LANGUAGE PREFERENCE	Year-to-Date*		11/17/2012	
	Count**	%	Count**	%
ENGLISH	232,698	93.7%	5,356	93.3%
SPANISH	10,627	4.3%	281	4.9%
PORTUGUESE	1,813	0.7%	31	0.5%
CANTONESE	1,087	0.4%	24	0.4%
VIETNAMESE	341	0.1%	16	0.3%
CAPE VERDEAN	310	0.1%	2	0.0%
KHMER	277	0.1%	6	0.1%
MANDARIN	205	0.1%	7	0.1%
UNMATCHED	201	0.1%	5	0.1%
HAITIAN	160	0.1%	1	0.0%
RUSSIAN	76	0.0%	1	0.0%
ARABIC	76	0.0%	3	0.1%
LAOTIAN	57	0.0%	2	0.0%
NO DATA	36	0.0%	1	0.0%
FRENCH	34	0.0%		
ALBANIAN	28	0.0%		
POLISH	25	0.0%		
HINDI	25	0.0%	3	0.1%
KOREAN	22	0.0%		
AMHARIC	22	0.0%		
AFRIKAANS	12	0.0%		
ITALIAN	11	0.0%		
CROATIAN	10	0.0%	1	0.0%
ARMENIAN	9	0.0%		
BULGARIAN	9	0.0%		
AMERICAN	8	0.0%		
HMONG	8	0.0%		
SOMALI	8	0.0%		
GREEK	7	0.0%	2	0.0%
GUJARATI	6	0.0%		
BURMESE	6	0.0%		
EGYPTIAN	6	0.0%		
FARSI	5	0.0%		
BOSNIAN	5	0.0%		
UKRANIAN	4	0.0%		
TWI	4	0.0%		
ROMANIAN	4	0.0%		
BENGALI	4	0.0%		
TAMIL	3	0.0%		
CZECH	3	0.0%		
THAI	3	0.0%		
JAPANESE	3	0.0%		
SHANGHAISE	3	0.0%		
TURKISH	3	0.0%		
PALAU	3	0.0%		
DUTCH	2	0.0%		
PUNJABI	2	0.0%		
TIBETAN	2	0.0%		
TAIWANESE	1	0.0%		
TAGALOG	1	0.0%		
SWAHILI	1	0.0%		
INDONESIAN	1	0.0%		
DARI	1	0.0%		
ESTONIAN	1	0.0%		
GERMAN	1	0.0%		
PERSIAN	1	0.0%		
PASHTO	1	0.0%		
DANISH	1	0.0%		
TOTAL	248,283	100.0%	5,742	100.0%

*Begins with week ending 01/7/12

ii. Initial Claims by Region

UITCC	LANGUAGE PREFERENCE	Count*	% of New Claims in UITCC	% of Total New Claims
West Central	ARABIC	3	0.2%	0.1%
	ENGLISH	1,811	94.7%	31.5%
	GREEK	1	0.1%	0.0%
	HINDI	3	0.2%	0.1%
	KHMER	1	0.1%	0.0%
	PORTUGUESE	7	0.4%	0.1%
	RUSSIAN	1	0.1%	0.0%
	SPANISH	79	4.1%	1.4%
	UNMATCHED	2	0.1%	0.0%
	VIETNAMESE	5	0.3%	0.1%
Total Claims in UITCC		1,913	100.0%	33.3%
Boston	ENGLISH	719	88.5%	12.5%
	KHMER	4	0.5%	0.1%
	LAOTIAN	1	0.1%	0.0%
	PORTUGUESE	2	0.2%	0.0%
	SPANISH	83	10.2%	1.4%
	VIETNAMESE	3	0.4%	0.1%
Total Claims in UITCC		812	100.0%	14.1%
Northeast	CANTONESE	11	1.2%	0.2%
	CROATIAN	1	0.1%	0.0%
	ENGLISH	872	91.6%	15.2%
	HAITIAN CREOLE	1	0.1%	0.0%
	MANDARIN	4	0.4%	0.1%
	NO DATA	1	0.1%	0.0%
	PORTUGUESE	2	0.2%	0.0%
	SPANISH	52	5.5%	0.9%
	UNMATCHED	1	0.1%	0.0%
	VIETNAMESE	7	0.7%	0.1%
Total Claims in UITCC		952	100.0%	16.6%
Southeast	CANTONESE	13	0.6%	0.2%
	CAPE VERDEAN	2	0.1%	0.0%
	ENGLISH	1,954	94.6%	34.0%
	GREEK	1	0.0%	0.0%
	KHMER	1	0.0%	0.0%
	LAOTIAN	1	0.0%	0.0%
	MANDARIN	3	0.1%	0.1%
	PORTUGUESE	20	1.0%	0.3%
	SPANISH	67	3.2%	1.2%
	UNMATCHED	2	0.1%	0.0%
	VIETNAMESE	1	0.0%	0.0%
Total Claims in UITCC		2,065	100.0%	36.0%

*Includes transitional claims

The Unemployment Insurance TeleClaim Call Center (UITCC) has a Spanish and Portuguese dedicated line. A voice response system directs the calls appropriately to the Call Center bilingual staff. Thus, they handle the majority of calls from the two most significant LEP language groups served. Calls from LEP claimants who speak other languages are directed to staff that employ either in-house or contracted professional telephone interpretation services.

iii. Limited English Population in Massachusetts – Census 2010

LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS OF AGE AND OVER
(Percents rounded to nearest tenth; all values below 0.05% are labeled “less than 0.1 %”)*

Language	Number of speakers	Speakers as % of total population	Number of total population that Speaks English “very well”	% of total population that speaks English “very well”	Number of total population that speaks English less than “very well” (LEP)	% of total population that speaks English less than “very well” (LEP)
Total pop. 5 and Older	6,108,770	100.0%				
Speak only English	4,823,127	79.0%				
Spanish	457,990	7.5%	255,571	4.2%	202,419	3.3%
Portuguese	180,975	3.0%	91,774	1.5%	89,201	1.5%
Chinese	98,735	1.6%	48,962	0.8%	49,773	0.8%
French	70,607	1.2%	55,184	0.9%	15,423	0.3%
Haitian Creole	53,724	0.9%	30,932	0.5%	22,792	0.4%
Italian	43,184	0.7%	30,625	0.5%	12,559	0.2%
Russian	36,252	0.6%	18,624	0.3%	17,628	0.3%
Vietnamese	35,306	0.6%	12,185	0.2%	23,121	0.4%
Greek	24,700	0.4%	17,804	0.3%	6,896	0.1%
Arabic	23,620	0.4%	14,575	0.2%	9,045	0.1%
Khmer	23,023	0.4%	11,000	0.2%	12,023	0.2%
Polish	21,812	0.4%	13,856	0.2%	7,956	0.1%
German	17,292	0.3%	15,331	0.2%	1,961	Less/th 0.1%
Hindi	15,748	0.3%	12,783	0.2%	2,965	Less/th 0.1%
Korean	15,175	0.3%	7,950	0.1%	7,225	0.1%
Laotian	2,745	Less/th 0.1%	1,637	Less/th 0.1%	1,108	Less/th 0.1%

Notes:

The languages highlighted on the table above are the 9 statutory languages that the Massachusetts State Law requires UI notices be provided in. (See G.L.c 151A, sec. 62A).

B. Points of Contact between Agency and Client Population

Unemployment Insurance Walk-In Centers and One-Stop Career Centers

In addition to job search assistance, the One-Stop Career Centers listed below also provide Unemployment Insurance (UI) Walk-In services in foreign languages in addition to English. While all language services are available to claimants at any point of contact, this list indicates the points that have bilingual staff available immediately on-site. The complete directory of all One-Stop Career Centers is found at:

<http://www.mass.gov/lwd/employment-services/dcs/find-a-career-center-near-you.html>

NOTE: Languages Services are available in all of the Walk-In and One-Stop Career Centers upon request

Region	City/Town	Career Center Name	Career Center Website	Languages Spoken ¹
Boston Region				
	Boston	JobNet	www.jobnetboston.org	Cantonese, Mandarin, Vietnamese
Metro North				
	Woburn	The Career Place	www.careerplacejobs.com	Spanish
Metro South				
	Norwood	Employment and Training Resources	www.etrcc.com	Russian
Northeastern Massachusetts				
	Lawrence	ValleyWorks	www.valleyworks.cc	Spanish
	Lowell	Career Center of Lowell	www.cclowell.org	Spanish, Portuguese, Khmer
	Lynn	North Shore Career Center	www.nscareers.org	Spanish
	Salem	North Shore Career Center	www.nscareers.org	Spanish
Southeastern Massachusetts				
	Brockton	Career Works	www.careerworks.org	Portuguese
	Fall River	Fall River Career Center	www.bristolwib.org	Portuguese
	New Bedford	New Bedford Career Center	www.newbedfordcareercenter.org	Portuguese, Spanish
	Quincy	Quincy Career Center	www.quincycareercenter.org	Chinese, Vietnamese
Central Massachusetts				
	Leominster	North Central Career Centers	www.ccncm.com	Spanish
	Southbridge	Workforce Central Career Center	www.workforcecentralma.org	Spanish
	Worcester	Workforce Central Career Center	www.workforcecentralma.org	Spanish
Western Massachusetts				
	Holyoke	CareerPoint	www.careerpointma.org	Spanish
	Springfield	FutureWorks Career Center	www.getajob.cc	Spanish, Polish, Russian

* Satellite office with limited services

¹ In addition to English

5) Vital Documents Translation

Translation is the rendering of a written text from the source language into the target language.

Massachusetts General Law c. 151A, §62A requires that DUA vital notices must be written in simple and clear language and translated for claimants whose primary language is listed in GL c. 151A. The statutory languages are: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Khmer, Laotian and Italian. The statute also applies to languages that are the primary language of at least 10,000 or ½ of 1% of all Commonwealth residents, regardless of the person's English proficiency.

A. List of UI Extension Letters, Claimant Notices & Informational Documents

All UI Extended Benefits (EB) and Federal Emergency Unemployment Compensation (EUC) Letters are translated into the 9 statutory languages and sent to claimants in their primary language as coded by DUA.

EB (EXTENDED BENEFIT PROGRAM)

EB Reduction to 26 Weeks
 EB Package (Notification Letter, Informational Insert, EB Application, Work Search Log) & all revised documents
 EB TUR 20 Weeks Notification Letter
 EB Daily Notification Letter & all revised documents
 New EB Letter to Tier II Exhaustees
 EB Informational Insert
 Notification to Potential Employees
 Letter 1 to regular and EB claimants
 EB Program Cut Off Letter
 EB to Tier II Exhaustees

EUC (EMERGENCY UNEMPLOYMENT COMPENSATION)

EUC 08 – Reach Back Letter
 EUC 08 – I – Letter to Exhaustees (One Time Letter)
 EUC Tier II – Letter to Exhaustees – Daily Notice
 EUC 0811 – Tier II – Letter to Exhaustees
 EUC III Child Support Notice
 EUC III Letter to EB Exhaustees Regarding Child Support
 EUC 0811 Tier Two – Continuous Signers
 Child' support EUC III
 All EUC letters, including any and all updated versions
 EUC/REA letters

OTHER IMPORTANT BENEFIT LETTERS AND FORMS

American Recovery & Reinvestment Act of 2009
 Eligibility for Pell Grants and Other Financial Aid
 SAVE Form 1680
 SAVE (Application) Form 1681
 Notice of Claim Discrepancy Form 3733M
 Request to Claimant Respond by Telephone Form 3743
 Notice to Claimant Regarding Disqualification
 Income Tax Withholding Request Form 508
 Acknowledgement Form 2029
 Career Center Seminar – Invite and Reminder Letter
 Medical Security Program (MSP) letters

Job Search and Training Assistance To Help You Return To Work (REA)
 Reminder: Job Search and Training Assistance To Help You Return To Work)
 Re-Employment and Eligibility Assessment (REA) program.
 211 Information Sheet
 Elevate America
 Eligibility for Additional Benefit Notice
 Important Medical Security Program Benefit Changes Effective January 1, 2010
 Notice to Claimant Regarding Disqualification (Multilingual Unit Toll Free number is in all Disqualification Notices)
 Residents' Notice Letters
 Notice to Enrollees (Information on Medical Security Changes)
 Instructions to fill out the DIA 101 and 110 forms for employees
 Youth Employment Permit for DLS customers

All other DUA and DCS documents are sent to LEP customers with a 9 language notice "Babel Notice."
 Each "Babel" notice emphasizes the importance of having the document translated. DUA has developed over 80 different "Babel Notices" for different programs, services and activities.

B. List of Agency Forms & Publications

The following DUA and DCS Publications are available in hard copy at UI Walk-In Centers and One-Stop Career Centers. DUA & DCS Publications are translated into the 9 statutory languages, printed and posted on EOLWD Website. www.mass.gov/eolwd/multilingual.

DUA Publication Name	Form #
Health Insurance for UI Claimants	1022
Training Opportunities Program Brochure – Section 30	1938
Training Opportunities Program Application – Section 30	1622
WebCert/TeleCert Explanatory Flyer	2126
How to File For UI Benefits	0590A
Information on Employees – Poster	2553A
How Your UI Benefits are Determined	2023
Participating in WorkSharing/A Guide for Workers	2141
211 Flyer	211
Worksearch Activity Log Information	2599/1750
Direct Deposit	3627
Important Information Regarding Appeals	1917
A Guide to Benefits and Employment Benefits (UI Booklet)	P2594
MSP Application	
MSP Brochure	

DCS Publication Name	Form #
Your Job Search Journal	1799
The Resume Guide	1865
Selling Yourself on Paper-The Resume	1981
Landing the Job You Want-Networking	1982
Landing the Job You Want-Interviewing	1983
Selling Yourself on Paper-The Job Application	1984
Getting Started- Career Planning	1985
Selling Yourself On Paper- The Cover Letter	1986
Need Training? Read This	2115
The Career Center Seminar Power Point Presentation	

DIA Publications are translated into the 8 most encountered languages: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Cape Verdean Creole, Arabic and Khmer

DIA Publication Name
Injured Worker's Guide To Workers' Compensation
Employer's Guide to Workers' Compensation
Understanding Workers' Comp
Lump Sum Brochure
Vocational Rehabilitation Brochure

DLS Publications are translated as needed for the target audience

DLS Publication Name
Lead Poisoning information in Spanish and Portuguese
Danger of acrylic nails in Vietnamese

EOLWD Publications are translated as needed for the target audience

EOLWD Publication Name
Joint Task Force on the Underground Economy 2011 in Spanish

DCS has produced **5** different versions of the One-Stop Career Centers Seminar video: English, Spanish, Portuguese, American Sign Language, and Closed Captioning. These are found on the EOLWD Intranet at <http://intranet.detma.org/multilingual>

C. Written Translations Guidelines:

- A. EOLWD publications and material are coordinated through the Office of Multilingual Services. Vital documents are translated into the **9 statutory languages**; Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Khmer, Laotian and Italian. The Office of Multilingual Services performs quality-control on all translated documents and publications.
- B. DUA and DCS translated publications are available in print in DUA Walk-In Centers and in One-Stop Career Centers. DIA translated publications are available at the DIA main office as well as in the regional DIA offices. DLS translated publications are available at field offices. ALL multilingual publications are accessible through the Office of Multilingual Services website:
www.mass.gov/eolwd/multilingual
- C. EOLWD through its Office of Multilingual Services, uses Multilingual Specialists from the Multilingual Unit as well as a Professional Translation contractor employing only American Translators Association (ATA) certified translators.
- D. Every effort is made for the translated documents to receive the same high-quality review as publications in English. All decisions to translate official publications must go through the Office of Multilingual Services.

E. The Office of Multilingual Services must approve all translated publications, and all translations must go through the three-part process outlined **below**.

1. After the Program Manager has approved a publication for translation, the Manager will send the document to the Office of Multilingual Services. The language specialists in the Multilingual Unit will perform translations for Spanish, Portuguese, Chinese and Vietnamese. The other languages will be sent to a professional translation company contracted by the Office Multilingual Services.
2. The translation can take between 1 day to 3 weeks depending on the document length, target language, and the degree of technical difficulty.
3. When the translation is completed, Office of Multilingual Services will perform **quality control** and review the document for linguistic accuracy and completeness.

The official publication will be posted on the Multilingual webpage on the EOLWD website www.mass.gov/eolwd/multilingual.

6) Stakeholder Consultations

- This updated Plan will be recirculated, as needed, for Agency review, comments, and clearance. The Plan will be revised every year or as needed.
- This updated Plan will also be presented, in its updated form, to Community-Based Organizations and Legal Services representing LEP customers so they have an opportunity to provide feedback.
- The LAP Coordinator will continue to participate in an inter-Agency working group consisting of members of each Secretariat. Its purpose will be info-sharing, development of best practices, etc.
- This Plan will be posted on the Agency Intranet and on the Mass Workforce Development System for Agency staff.

7) Staff Training

The Language Access Plan is:

1. Posted on the Intranet on the Mass Workforce Development System
2. Part of the orientation for new employees
3. Presented to management so they are fully aware of and understand the LAP, in order to reinforce the plan's importance and ensure its implementation by staff.
4. Presented to Agency staff having contact with the public, so such staff is trained to work effectively with LEP customers and telephone interpreters.

8) Public Outreach

- CBOs serving LEP customers were informed about the creation of the new Multilingual Unit.
- Outreach conducted and information provided to claimants in foreign languages via broad-ranging ethnic media such as newspapers, TV, and radio.
- Legal Services is informed about the Multilingual Unit and the Director of Multilingual Services provides an overview of the Unit at the DUA/Legal Services Quarterly Meetings.
- The DIA has established and maintains an internal work group that regularly meets with representatives of CBOs serving the LEP community to improve LEP claimant access to the workers compensation system.”
- The Multilingual Unit has a telephone voicemail menu in the 9 statutory languages: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Italian, Khmer and Laotian to assist claimants needing clarification information on any DUA services, programs or activities.
- Adjudicators send the “Disqualification Notices” to Claimants in their primary language stating the Multilingual Unit Toll Free 800 number and stating that language services are available. The notice includes a statement that claimants can request an interpreter for the hearing free of charge.
- Hearings notices sent to claimants include a “Babel Notice” stating that claimants can request an interpreter in any language for the hearing.
- Multilingual Unit staff provides a reminder call a week in advance to LEP customers in their primary language who are scheduled for UI Hearing.
- The UI Booklet is available in the 9 statutory languages and sent to LEP claimants whose primary language is one of the 9 statutory languages. This booklet will be sent with the Initial Claims packet, which includes the Multilingual Unit Toll Free 800 number. Every One-Stop Career Center and UI Walk-In Center lists the languages available on their respective websites (see listing on pages 14).
- DUA Walk-In Centers, One-Stop Career Centers, DIA and DLS regional offices have the Language Identification Flashcard in all reception areas. The Flashcard states “I speak” in 38 languages is used to identify the language spoken by the LEP customers. The staff then can refer to the Language Assistance Guidelines to help the LEP customer.
- Documents that are not entirely translated have a “Babel Notice” stating the importance of having the document translated into the customer’s language.
- Translated material is available on our EOLWD Website by clicking on www.mass.gov/eolwd/multilingual



9) Agency Monitoring

The Office of Multilingual Services reviews and updates its Language Access Plan biannually or as needed. The review assesses:

- a. Whether there have been any significant changes in the composition or language needs of the program population served (this will be determined primarily by the data collected by EOLWD Departments and supplemented, decennially by U.S. Census data);
- b. Whether the staff knows and understands the LAP document and how to implement it, trainings to Career Center, DUA Call Center, DUA Walk-in, DIA and DLS staff are performed on a regular basis;
- c. A review to determine if additional vital documents require translation;
- d. A review of any issues or problems related to serving LEP persons which may have emerged during the past year; and,
- e. Identification of any recommended actions to provide more responsive and effective language services (for example, adding documents to be translated, creating or expanding partnerships with community organizations, or changing staffing priorities).

Monitoring the effectiveness of a Language Access Plan may include:

- Analyzing current and previous data on language assistance usage, including languages served;
- Surveying staff on how often they use language assistance services, if they believe there should be changes to the services provided or the providers used, and if they believe that the language assistance services in place are meeting the needs of the LEP communities in your service area;
- Monitoring feedback from community-based organizations, legal services and other stakeholders about the Agency's effectiveness and performance in ensuring meaningful access for LEP individuals;

NOTE:

Providing LEP persons meaningful access to EOLWD programs, services, and activities will help enable our Agency to achieve its mission "to ensure equal access to a wide range of programs and resources to **all** its customers." Thus, LEP persons will gain access to the many valuable Agency programs, services, and activities, increasing their ability to pursue and achieve educational and professional goals.

10) Complaints

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 a written complaint. You must file your complaint within 6 months of the alleged denial. To file a complaint with the Language Access Coordinator, submit the written complaint to:

Marisa de la Paz
Director of Multilingual Services
Executive Labor and Workforce Development
19 Staniford Street - Fourth Floor
Boston, MA 02114
E-mail: mdelapaz@detma.org

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

Appendix

Guidance for Career Centers on Implementing the Language Access Plan (LAP)

In view of the nature and purpose of One-Stop Career Centers' interaction with Limited English Proficiency (LEP) persons, this Plan provides guidance to Career Center staff as to language services for communicating with LEP persons.

1. Department of Justice Guidance

Section 2 of Executive Order 13166 requires each federal Agency to "prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons." These plans must be consistent with the standards set forth in a general guidance document concurrently issued by the Department of Justice (DOJ LEP Guidance). In that guidance document, the DOJ provided federal agencies with general principles to apply when developing guidelines for their federal financial assistance recipients. It was later supplemented by an October 26, 2001 clarifying memorandum from Ralph F. Boyd, Jr., Assistant Attorney General for the DOJ's Civil Rights Department. On June 12, 2002, the DOJ issued a final guidance for recipients of federal financial assistance.

In applying the DOJ LEP Guidance to federally conducted programs and activities, the Agency must "take reasonable steps to ensure 'meaningful' access [to LEP individuals] to the information and services [it] provide[s]." The DOJ LEP Guidance explains, "What constitutes reasonable steps to ensure meaningful access will be contingent on a number of factors." **Those factors are:**

The number or proportion of LEP persons served or encountered in the eligible service population. Due to the fact that US Census 2010 data (page 13) may not adequately measure current LEP needs in the One-Stop Career Center service area, Career Centers are strongly encouraged to record customer primary language data in the Moses system.

A factor in determining the reasonableness of an Agency's efforts is the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population. Even those agencies that serve very few LEP individuals on an infrequent basis are subject to the requirement to take reasonable steps to provide meaningful access. After balancing these four factors, each Career Center must determine whether reasonable steps are possible and to have a plan for what to do if an LEP individual seeks programs or services from the Career Center. The plan can be as simple as having access to a commercially available language line (Guidelines page 7-9).

The frequency with which LEP individuals come in contact with the Agency. An Agency has a greater obligation to ensure reasonable access to its programs and services if contact with LEP persons is frequent. An Agency should take into account local and regional conditions when determining the frequency of contact of the LEP population with its programs and services.

The nature and importance of the program, activity, or service provided. The nature and importance of the program, activity, or service affects the determination of what reasonable steps are required to ensure meaningful access. Also, an Agency must assess a program's short and long-term importance.

The resources available. The resources available may affect the nature of the steps that the Agency must take.

"Reasonable Steps" may no longer be reasonable where the costs imposed substantially exceed the benefits.

In considering the resources available, Executive Order 13166 also notes that the system developed to provide LEP persons meaningful access to the Agency’s services should be consistent with the Agency’s fundamental mission, without unduly burdening that mission.

Each One-Stop Career Center may wish to assess its local service population. A One-Stop Career Center in a largely Hispanic neighborhood may need immediate oral interpreters available and should give serious consideration to hiring bilingual staff.

The data below **should** be used by Career Center staff to assess the number or proportion of LEP persons served and the frequency in each Career Center.

Currently this “Primary Language” field (circle in red) is optional. It is strongly encourage to make it mandatory.

This data is recorded in the MOSES database in the **CS_APPLICANT_M AIN** table.

Job Seeker Membership (test, donna)

test, donna SSN: XXX-XX-1021 ID: 10021387

Basic Full Education Work Experience Events Alerts Case Plan Services Special Programs

General Information Military Information Barriers

Additional Information

✓ Employed: ☐ Yes ☒ No Immigrant: ☐ Yes ☒ No

✓ Disability: ☒ Yes ☐ No Disability Comment:

Disability Type: ☐ Physical ☐ Mental

Dislocated Worker ☐ Received Notice of Layoff/Military Separation ☐

Primary Language: Italian Creole

Language Details:

Summer Youth ☐

Permanently Separated (HITG): ☐ Last Modified: 00/00/0000

Economically Disadvantaged

✓ Family Size: 3

✓ Is your family income for the last six months below \$10,520.00? ☒ Yes ☐ No

Education

✓ In School: ☐ Yes ☐ Yes - In Alternative School ☐ No

✓ Highest Degree: Information Not Available

Migrant Status

☐ Seasonal Farm Worker, Non Migrant

☐ Migrant Farm Worker

☐ Migrant Food Processor

Career Objective

Trade Eligibility Match Criteria Run Match Eligibility Criteria OK Cancel

2. Translation and Interpretation Principles

Based on the One-Stop Career Centers (CC) services, programs and activities offered, prioritize and describe the steps the CC will take to ensure such services, programs and activities provide meaningful access to the LEP populations whose meeting or exceeding the **5% threshold**. In addition to the four factors set forth in the DOJ LEP Guidance, the Agency adopts the translation and interpretation assistance principles provided below:

- Career Center staff shall take reasonable steps to ensure high-quality translation and interpretation services through the established Language Assistance Guidelines provided to them by Multilingual Services
- Some translated documents explain the legal rights and obligations of individuals or convey important information upon which an LEP individual may rely to his or her benefit or detriment. One-Stop

Career Center management shall consult with the **Office of Multilingual Services** at the Customer Outreach Department for advice on translation services.

- Each One-Stop Career Center manager shall endeavor to expand the breadth or nature of translation and interpretation assistance when experience, changes in target or service population demographics, or new program-specific data indicate that the failure to do so may result in the denial of substantially equal and meaningfully effective services to the LEP populations served by the agencies, particularly with those populations with which an office has substantial and consistent contact.

A. Which Documents Should Be Translated?

After applying the four-factor analysis, a recipient may determine that an effective LAP for its particular program or activity includes the translation of **vital** written materials into the language of each frequently-encountered* LEP group eligible to be served and/or likely to be affected by the recipient's program. Such written materials could include:

- Applications to participate in a recipient's program or activity or to receive benefits or services;
- Letters containing important information regarding participation in a program or activity;
- Notices advising LEP persons of the availability of free language assistance and other outreach materials;
- Consent and complaint forms;
- List of One-Stop Career Center and services provided;
- Notices pertaining to the reduction, denial or termination of services or benefits and of the right to appeal such actions;
- Notices that require a response from beneficiaries;
- Information on the right to file complaints of discrimination;
- Information on the provision of services to individuals with disabilities;
- Written tests that do not assess English language competency, but test competency for a particular license, job, or skill for which English language proficiency is not required.

Whether or not a document (or the information provided and/or solicited) is “vital,” may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

For instance, a description of books contained in the resource room of a One-Stop Career Center would not generally be considered vital, whereas applications for Unemployment Insurance or information about safety and health requirements could be vital. Where appropriate, recipients are encouraged to create a plan for consistently determining, over time and various activities, what documents are “**vital**” to the meaningful access of the LEP populations.

Classifying a document as vital or non-vital can be difficult, especially in the case of outreach materials like brochures or other information on rights and services. Awareness of rights or services is an important part of “meaningful access.” Lack of awareness that a particular program, right, or service exists may effectively deny LEP individuals meaningful access. Thus, where a recipient is engaged in community outreach activities in

* For purposes of these guidelines, the term “frequently-encountered languages” shall mean any language spoken by at least 5% of the population served with a particular Agency program, service or activity. The Agency is committed to apply the 5% standard to the geographic region served by the regional office.

furtherance of its programs or services, it should regularly assess the needs of the populations frequently encountered or affected by the program or service to determine whether certain critical outreach materials should be translated.

Community organizations may be helpful in determining what outreach materials may be most helpful to translate. Additionally, the recipient should consider whether translations of outreach material may be more effective when done in tandem with other outreach methods, including the media, schools, faith-based and other community organizations to disseminate information.

Sometimes a document includes both vital and non-vital information, such as when the document is very large. Or it could be when a document stating a phone number for obtaining more information is sent out to the general public and cannot reasonably be translated into many languages. In these cases, Babel Notices explaining that “the document contains important information and should be translated” as well as the number for a corresponding multilingual unit, should one exist, may be sent out with the documents.

B. Languages for Document Translation

Into which languages should documents be translated?

The principal languages spoken by the LEP individuals with whom the recipient has contact determine the languages for translation of vital documents. It is important to distinguish between A languages frequently encountered by a recipient and less commonly-encountered languages. Many recipients serve communities in large cities or across the country or operate web-based, self-service systems as an adjunct to their in-person delivery systems that also have a regional or national reach. They regularly serve LEP populations speaking dozens and sometimes hundreds of different languages. To translate all written materials into all of those languages is unrealistic.

Although recent technological advances have made it easier for recipients to store and share translated documents, such an undertaking would incur significant costs and require substantial resources. Nevertheless, well-founded claims of lack of resources to translate all vital documents into dozens of languages do not necessarily relieve a recipient of the obligation to translate those documents into at least several of the more frequently-encountered languages and to set benchmarks for continued translations into other languages over time. As a result, the extent of a recipient's obligation to provide written translations of documents should be determined case-by-case. Because translation is a one-time expense, consideration should be given to whether the upfront cost of translating a document (as opposed to oral interpretation) should be spread out over the likely lifespan of the document when applying the four-factor analysis. A document's lifespan and the volume of documents requiring translation may also be a factor.

For example, in transaction-based self-service websites, such as labor exchange/job matching, the lifespan of a typical document, such as a job order, may only be 30 days and the volume of such documents may easily number 1,000 or more each day. In such circumstances, depending on the four factors, recipients might consider translating only certain portions of such documents and/or providing information in appropriate languages on how to obtain free language assistance, if the technology allows.

For instance, signs in One-Stop Career Centers could state that free language assistance is available. The signs should be translated into the most common languages encountered. They should explain how to obtain the language help. Career Centers will ensure that all employees in public contact positions are properly trained on dealing with LEP clients. Recipients have flexibility in deciding the manner in which the training is provided.

In developing an effective Language Access Plan, the Career Center should also consider including information about the ways language assistance will be provided. For instance, the Career Center may want to include information on:

- Language services available;
- How staff can obtain those services;
- How to respond to LEP callers;
- How to respond to written communications from LEP persons;
- How to respond to LEP individuals who have in-person contact with staff.

In addition to these five elements, effective plans set clear goals, management accountability, and opportunities for community input and planning throughout the process.

3. Identifying LEP Individuals In Need of Language Assistance

Department of Justice Guidance states that these **safe harbor*** guidelines need only apply to the eligible population. However, the estimates provided may overestimate some eligible populations may under-represent others that may be eligible.

The 15 most commonly spoken languages among the LEP population in the Commonwealth according to U.S. Census 2010 are Spanish, Haitian Creole, Italian, Portuguese, Russian, Chinese, Khmer, Vietnamese, French, Arabic Greek, Polish, Hindi, Korean, and German.

The following actions will be considered **strong evidence** of compliance with the recipient's written translation obligations:

The failure to provide written translations under the circumstances outlined on the guidelines specified on the table above **does not mean** there is non-compliance. Rather, it's a common starting point for recipients to consider the importance of the service, benefit, or activity involved; the nature of the information sought; and the number or proportion of LEP persons served call for written translations of commonly-used forms into "**frequently-encountered languages**" other than English.

These guidelines merely provide a guide for Career Centers that would like greater certainty of compliance than can be calculated by a fact-intensive, four-factor analysis.

Example: Even if the safe harbors are not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, the translation of the written materials is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

*A "Safe Harbor" means that if a recipient provides written translations under these circumstances, such action will be considered strong evidence of compliance with the recipient's written translation obligations.

A. Population by Safe Harbor Threshold



Populations which meet the Safe Harbor Threshold



Languages Required for UI by Statute, Irrespective of 5% Threshold

Language	Number of speakers	Speakers as % of total population	Number of total population that Speaks English "very well" and/or "well"	% of total population that speaks English "very well" and/or "well"	Number of total population that speaks English less than "Well" and/or "Not at All" (LEP)	% of total population that speaks English less than "Well" and/or "Not at All" (LEP)
Total pop. 18 and Older	4,853,130					
Speak only English	3,944,715					
Spanish	270,460	5.6%	198,565	4.1%	71,895	1.5%
Portuguese	134,960	2.8%	95,345	2.0%	39,620	0.8%
Chinese	60,150	1.2%	42,100	0.9%	18,050	0.4%
French	76,850	1.6%	71,590	1.5%	5,255	0.1%
Haitian Creole	31,845	0.7%	25,035	0.5%	6,810	0.1%
Italian	56,195	1.2%	49,670	1.0%	6,525	0.1%
Russian	27,575	0.6%	18,585	0.4%	8,990	0.2%
Vietnamese	23,465	0.5%	14,470	0.3%	8,990	0.2%
Greek	26,015	0.5%	22,945	0.5%	3,070	0.1%
Arabic	15,620	0.3%	13,920	0.3%	1,705	0.0%
Khmer	13,830	0.3%	8,705	0.2%	5,125	0.1%
Polish	25,180	0.5%	22,355	0.5%	2,825	0.05%
German	18,120	0.4%	17,475	0.4%	650	0.0%
Hindi	8,240	0.2%	7,810	0.2%	430	0.0%
Korean	10,590	0.2%	8,485	0.2%	2,105	0.0%
Laotian	2,690	0.1%	1,955	0.0%	730	0.0%

*Language Statistics Census 2000 (revised 2006) LEP Population: Persons 18 years and older who speak a language other than English at home

4. Monitoring and Updating the LAP Plan

Recipients should, where appropriate, have a process for determining, on an ongoing basis, whether new documents, programs, services, and activities need to be made accessible for LEP individuals. They may want to provide notice of any changes in services to the LEP public and employees. As well, recipients should consider whether changes in demographics, types of services, or other factors require annual reevaluation of the Language Assistance Plan (LAP). Less frequent reevaluation may be more appropriate where demographics, services, and needs are more static.

One good way to evaluate the LAP is to seek feedback from the community. In their reviews, recipients may want to consider assessing changes in:

- Current LEP populations in service area or population affected/encountered;
- Frequency of encounters with LEP language groups;
- Nature and importance of activities to LEP persons;
- Availability of resources, including technology and sources of additional resources, and the costs imposed;
- Whether existing assistance is meeting the needs of LEP persons;
- Whether staff knows and understands the LAP and how to implement it;
- Legislation or program requirements governing the recipient's program or activity;
- Whether identified sources for assistance are still available and viable.

Please direct any and all questions to Marisa de la Paz, Director of Multilingual Services at 617-626-5471 or mdelapaz@detma.org

Secretary Joanne F. Goldstein
Executive Office of Labor and Workforce Development

Michelle Amante, Acting Director
Department Unemployment Assistance

Alice Sweeney, Acting Director
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