

# LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

**State Agency:** New York State Department of Labor

**Effective Date of Plan:** April 1, 2015

**Language Access Coordinator (LAC):** Eric Denk, Communications Specialist, Division of Immigrant Policies and Affairs

**LAC Phone / E-mail:** (212) 775-3665 / eric.denk@labor.ny.gov

## PART 1 – INTRODUCTION

**Pursuant to Executive Order No. 26 (“Statewide Language Access Policy”), we have prepared this Language Access Plan (“Plan”) that sets forth the actions we will take to ensure that persons with limited English proficiency (“LEP”) have meaningful access to agency services, programs, and activities.**

### **Statement of Agency Services to the Public:**

The mission of the New York State Department of Labor (“DOL”) is to protect workers, assist the unemployed and connect job seekers to jobs through multiple divisions:

- The **Division of Labor Standards** enforces State labor laws including minimum wage, wage payment, and child labor laws through office and field investigations.
- The **Bureau of Public Work** administers and enforces Article 8 (Construction) and Article 9 (Building Services) of the New York State Labor Law.
- The **Unemployment Insurance Division** administers the State’s Unemployment Insurance Law, including the Unemployment Insurance Benefit Payment Program and the Unemployment Tax Program.
- The **Unemployment Insurance Appeal Board** decides issues of Unemployment Insurance benefit eligibility and Unemployment Insurance contribution liability. The Board and its administrative law judges who conduct hearings are independent of the DOL in making these decisions.
- The **Office of Special Investigations** investigates Unemployment Insurance fraud and makes referrals to criminal law enforcement agencies.
- Counsel’s Office** provides legal advice and counsel to the Commissioner of Labor and to programs within the DOL, is responsible for promulgating regulations on behalf of the DOL, and coordinates the DOL’s legislative program.
- The **Division of Safety and Health** protects employers, workers, and the public from dangers at work and other health hazards.
- The **Division of Employment and Workforce Solutions** provides employment assistance and career counseling to job seekers and other interested customers through 88 Career Centers throughout the State.
- The **Office of Communications** informs the public about the mission and achievements of the DOL.
- The **Division of Research and Statistics** obtains various data from businesses and provides labor

market information to the public.

-The **Contact Center** is a single point of contact for individuals, businesses and government/research organizations, who need assistance navigating the NYS Department of Labor other than Unemployment Insurance inquiries.

-The **Division of Equal Opportunity Development** ensures that all DOL programs are open to all New Yorkers, regardless of race, creed, color, gender, national origin, disability, or veteran status.

-The **Division of Immigrant Policies and Affairs** works inside and outside the DOL to serve the needs of immigrant workers (including migrant and seasonal farmworkers) and employers. The Division also helps victims of human trafficking by providing a variety of services or referrals to community organizations.

-The **Industrial Board of Appeals** holds formal administrative hearings to review orders of the Commissioner of Labor.

-The **Division of Personnel** posts and answers questions on job postings and recruitment opportunities, the application process, and any complaints regarding the selection process or hiring practices.

-The remaining divisions (**Administrative Finance Bureau, Office of Staff and Organizational Development, and Office of Intergovernmental Affairs**) provide services only internally.

**In developing this plan, we have understood LEP individuals to be persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. We will reassess language needs periodically as needed, but at least every two years starting from the effective date of this plan.**

## **PART 2 – ASSESSING LEP POPULATION LANGUAGE NEEDS**

**The estimated total number of individuals in our service area is:** The entire New York State population.

**The top six languages spoken by LEP individuals that our agency serves or could potentially serve are as follows:**

<b>Language</b>	<b>Estimated Number of LEP Individuals Who Speak this Language</b>
Spanish	1,230,302
Chinese	329,482
Russian	130,961
Italian	65,243
Korean	64,426
French (Haitian) Creole	64,046

Source: U.S. Census Bureau, 2008-2012 American Community Survey

**We use the following resources to determine the top six languages spoken by LEP individuals:**

- U.S. Census data (including American Community Survey data)
- Agency data on client contacts
- School system data
- Information from community organizations that serve LEP individuals

**Names of organizations:**

- Information from other government agencies

**Names of agencies:**

- Other (describe)

**We have determined the frequency of our contacts with LEP individuals as follows:**

The frequency with which DOL divisions encounter LEP individuals varies widely, and also depends heavily on each division’s own tracking method. The DOL overall uses several different, separate, internal databases that note individuals’ language needs. Where we were unable to use an internal database to determine frequency of LEP contacts, we used data from our telephonic interpreting service provider as a proxy.

**PART 3 – PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES**

**We inform LEP individuals, in the languages indicated in the chart in Part 2 of this plan, about their right to free language assistance services by using the following measures:**

- LEP individuals are informed directly by our staff

**In what ways?** When staff encounters an LEP individual in need of language assistance, they are directed to make the individual aware of services available. This occurs in the field, in the office, by mail (where applicable), and by telephone.

- Brochures or flyers about language assistance services
  - In public areas of the agency
  - Elsewhere in the agency's service areas

Signs posted about language assistance services

In public areas of the agency

Elsewhere in the agency's service areas

Outreach and presentations at schools, faith-based groups, and other community organizations

**What are the LEP populations targeted?** The DOL does outreach to the population speaking the top six (6) LEP languages and beyond. The Division of Immigrant Policies and Affairs (“DIPA”), for example, frequently conducts outreach to immigrant communities about their workplace rights, legal responsibilities under the NYS Labor Law, and our agency’s services and programs in various languages. The preferred language for the outreach event can be arranged upon staff foresight or made upon request.

Local, non-English language media directed at LEP individuals in their languages

Telephonic voice menu providing information in non-English languages

**In which languages:** The Telephone Claims Center (TCC) of the Unemployment Insurance Division (“UID”) has Spanish, Russian, Cantonese, Mandarin, French (Haitian) Creole, Korean, and Polish available directly from the main menu that callers hear first. The Contact Center (which is for all other general inquiries) has English and Spanish available from the main menu. Some of the DOL’s district offices include Spanish and Chinese in the main menu option.

Other (describe) The DOL's website makes the public aware of available and free language assistance services.

#### **PART 4 – PROVISION OF LANGUAGE ASSISTANCE SERVICES**

**We use the following resources to determine when an individual is LEP, and what the individual’s primary language is, when the encounter is *in person*:**

"I Speak" posters or visual aids

Reception staff make those determinations based on experience, with the assistance of bilingual staff members where available

Other (describe)

**We use the following resources to determine when an individual is LEP, and what the individual’s primary language is, when the encounter is *by telephone*:**

- Reception staff make those determinations based on experience, with the assistance of bilingual staff members where available
  
- Telephonic interpreting service
  
- Other (describe) An LEP individual will express his/her language need in English or an outside party (e.g., a CBO staff member, friend, or family member) will communicate to us the preferred language on the individual's behalf.

**We record and maintain documentation of each LEP individual's language assistance needs as follows:**

The DOL's multiple divisions document LEP individuals' language assistance needs differently. As described above, the different tracking methods include the use of central databases, an online ticketing system, and/or data provided by our language assistance vendors.

#### **A. Oral Interpreting Services**

**Our protocol(s) for assessing whether an LEP individual needs oral interpreting services is as follows:**

**For in-person encounters:** The LEP individual asks for an interpreter, or a staff member offers interpreting services if the individual is (i) not able to answer basic questions, or (ii) appears more comfortable speaking another language.

**By telephone:** The LEP individual asks for an interpreter, or a staff member offers interpreting services if the individual is (i) not able to answer basic questions, or (ii) appears more comfortable speaking another language.

**At initial contact in the field:** The LEP individual asks for an interpreter or a staff member offers interpreting services if the individual is not able to answer basic questions.

**For pre-planned appointments with LEP individuals:** With pre-planned appointments, language preference is already recorded in the individual's file. The file is reviewed by the staff member who has the appointment (prior to the appointment) and that staff member schedules an interpreter as needed. In the odd situation in which language preference is not noted, further probing into the case file may be required to establish the individual's language preference.

**Other (describe):**

**Our protocol(s) for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided is as follows:**

**For in-person encounters:** The staff member informs the LEP individual at the time of contact. For instance, if an LEP individual walks into a DOL office with his/her own interpreter, the staff member makes the individual aware of free interpreting services.

**By telephone:** At the time of contact, the staff member who takes the call informs the LEP individual of free interpreting services.

**At initial contact in the field:** At the time of contact, the staff member informs an LEP individual who appears to need language assistance that free interpreting services are available.

**For pre-planned appointments with LEP individuals:** With pre-planned appointments, language preference is already recorded in the individual's file. The file is reviewed by the staff member who has the appointment (prior to the appointment) and that staff member schedules an interpreter and informs the individual ahead of time.

**Other (describe):**

**If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocol(s) for determining whether to accept or decline such an arrangement is as follows:**

LEP individuals that come into contact with our agency will be informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member, friend, or a minor as an interpreter. However, **during emergencies** an LEP individual will be permitted to use a minor, a family member or friend as an interpreter. Upon request, an LEP individual may also be permitted to use a minor, a family member or friend as an interpreter for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the LEP individual occurs at the agency's office, and an individual is permitted to use an interpreter of his or her choosing, he or she must fill out a written consent/waiver form.

Where an LEP individual is engaged in official business with the agency, the agency will provide an independent interpreter at all times. An LEP individual will not be permitted to use an independent interpreter of his or her choosing when filling out applications or when involved in other legal matters.

**Our protocol(s) for obtaining interpreter services in a timely manner is as follows:**

LEP individuals, once identified as needing language assistance, are offered interpreting services, even if interpreting and/or translation services were previously refused. The staff member tells the LEP individual to wait (if in person) or hold (if over the phone) while an interpreter is found or connected to. In addition, DOL staff members can use the DOL's internal *Language Bank*, which contains the names, contact information, and language abilities of DOL employees who volunteer for brief interpreting or translation assistance. For most encounters, however, the DOL uses a professional telephonic interpreting service.

**We record and maintain documentation of oral interpreting services provided to LEP individuals at each encounter as follows:**

The DOL's multiple divisions document LEP individuals' language assistance needs differently. The different tracking methods include the use of central databases, an online ticketing system, and/or data collection provided by our language assistance vendors.

**Competency and confidentiality**

**The linguistic and cultural competence of interpreters is addressed as follows:**

DOL has language-parenthetical positions (i.e., those for which fluency in another language is a requirement of the position) in the following languages: Spanish, Chinese, Korean, French (Haitian) Creole, Polish and Russian. To ensure fluency, DOL administers Spanish Language Proficiency Examinations or may contact the interpreting vendor for language proficiency test administration. For those staff members, internal training covers cultural competence issues. For outside interpreters, the vendor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent.

**The issue of confidentiality pertaining to the use of interpreters is addressed as follows:**

The training provided to staff will address the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

**Maintaining a list of oral interpreting resources**

**We use, or have available for oral interpreting, the following resources:**

- Bilingual staff members who work directly with LEP individuals

**Number of staff and languages spoken:**

Language Parenthetic Report as of September 2014 (SL = Spanish, CL = Chinese, KL = Korean, PL = Polish, RL = Russian):

**Administrative Finance Bureau (AFB)**

Title	Number of Staff
Security Officer SL	1

**Contact Center**

Title	Number of Staff
Senior Employment Security Clerk SL	6

**Division of Employment and Workforce Solutions (DEWS)**

Title	Number of Staff
Agency Services Rep SL	1
Clerk 1 SL	2
Employment Counselor SL	1

Labor Services Rep CL	9
Labor Services Rep KL	2
Labor Services Rep SL	41
Supervising Labor Services Rep SL	2
Workforce Programs Specialist 3 SL	1

#### **Office of Special Investigations (OSI)**

<b>Title</b>	<b>Number of Staff</b>
UI Investigator SL	3
Senior Employment Security Clerk SL	1

#### **Division of Labor Standards (LS)**

<b>Title</b>	<b>Number of Staff</b>
Labor Standard Investigator CL	7
Labor Standard Investigator KL	2
Labor Standard Investigator SL	30
Senior Employment Security Clerk SL	1
Senior Labor Standard Investigator CL	2
Senior Labor Standard Investigator SL	2

#### **Division of Safety and Health (DOSHS)**

<b>Title</b>	<b>Number of Staff</b>
Clerk 1 SL	1

#### **Unemployment Insurance Division (UID)**

<b>Title</b>	<b>Number of Staff</b>
Agency Services Rep SL	1
Labor Services Rep CL	8
Labor Services Rep KL	1
Labor Services Rep SL	27
Principal Employment Security Clerk SL	1
Senior Employment Security Clerk CL	5
Senior Employment Security Clerk PL	1
Senior Employment Security Clerk RL	1
Senior Employment Security Clerk SL	30
Supervising Labor Services Rep CL	3
Supervising Labor Services Rep SL	10
Unemployment Insurance Program Manager 1 CL	1
Unemployment Insurance Program Manager 1 SL	1

**UI Appeals Board (UIAB)**

Title	Number of Staff
Senior Employment Security Clerk SL	1
Labor Services Rep SL	2

- Bilingual staff members who provide oral interpreting when necessary

**Number of staff and languages spoken:** The number of bilingual staff who volunteer for the Language Bank is approximately 88. The languages spoken are: Akan, Arabic, Ashanti, Belarus, Bengali, Cantonese, Catalan, Creole, Dutch, Ewe, French, Fukienese, Ga, Garifuna, German, Gujarati, Hebrew, Hindi, Ibo, Italian, Japanese, Korean, Malayalam, Mandarin, Marathi, Palauan, Portuguese, Punjabi, Romanian, Russian, Sanskrit, Schanghainese, Sign Language, Spanish, Swahili, Tagalog, Taiwanese, Tamil, Telugu, Tibetan, Toishanese, Ukrainian, Urdu, Wolof, Yiddish, and Yoruba.

- Telephonic interpreting service

**Names of vendors:** Language Line Solutions, Inc. and potentially any other vendor under the New York State Office of General Services (“OGS”) Statewide Administrative Services Contract.

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

**Names of individuals/organizations and languages:**

- Other (describe)

**The agency’s Language Access Coordinator maintains the list of oral interpreting resources that are available to staff, which includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedure for accessing each interpreter or service

**We inform all staff members who have contact with the public how to obtain oral interpreting services as follows:**

Staff is informed through periodic trainings, e-mails, and through the Intranet (an internal web portal only for DOL employees).

**B. Translations of Written Documents**

**The process to determine and reassess, at least every two years starting from the effective date of this plan, those vital documents (including website content) which must be translated is as follows:**

The DOL has a Language Access Work Group, which consists of Language Access Coordinators assigned to the Work Group from each DOL division. The Work Group will convene at least semi-annually to reassess vital documents (i.e., to delete old ones or add new ones).

**The process to timely translate documents that LEP individuals submit in their primary languages is as follows:**

Documents received from an LEP individual in their native language are reviewed by staff and if appropriate, staff will consult with an immediate supervisor and the LAC prior to forwarding the document for translation. Documents are forwarded within a reasonable time after receipt, taking into account any time sensitive need for the document.

**The process for ensuring that documents are written in plain language before they are translated into other languages is as follows:**

Before a document is translated into other languages, it must first be written in plain language. Program staff will work with the Communications Office to review forms, publications and web pages and make sure they are written in plain language.

The Communications office has also placed a Plain Language icon on the Intranet for staff to browse various resources that can help organize and revise the writing that goes into forms and publications. There are checklists, tip sheets, videos, and a Plain Language handbook, all online.

**The following documents are currently translated by the agency in the languages indicated:**

<b>DEWS</b>	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
	ES 100	Customer Registration Form	Chinese Haitian Creole Russian Spanish
	ES 699.3	Federal Bonding Program Information Sheet	Spanish
	WS1	REA UI Eligibility Questionnaire	Simplified Chinese Traditional Chinese Haitian Creole Korean

			Polish Russian Spanish
	WS2	REA Work Search Agreement	Simplified Chinese Traditional Chinese Haitian Creole Korean Polish Russian Spanish

COUNSEL	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
		Settlement Agreements	Depends on case
		Stipulations	Depends on case

DEOD	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
	DEOD 312.1	Equal Opportunity is the Law	Albanian Arabic Bengali Bosnian Chinese (Traditional) French Haitian Creole Italian Korean Polish Russian Spanish Vietnamese
	DEOD 834	Complaint Information Form	Haitian Creole Spanish

<b>PW</b>	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
	PW 4	Claim for Wage and/or Supplement Underpayment on a PW Project Labor Law Section 220	Spanish

<b>OSI</b>	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
	4120.2R	Notice of Determination	Spanish

<b>LS</b>	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
	LS 51 Pay Notice	Notice and Acknowledgement of Wage Rate(s) for Temporary Help Firms	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 53 Instructions	Instructions for Notices of Pay Rates and Pay Days under Section 195.1	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 54 Pay Notice	Pay Notice for Hourly Rate Employees	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 55 Pay Notice	Pay Notice for Multiple Hourly Rates	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 56 Pay	Pay Notice for Employees Paid a Weekly Rate or Salary for a	Chinese

	Notice	Fixed Number of Hours	Haitian Creole Korean Polish Russian Spanish
	LS 57 Pay Notice	Pay Notice for Employees Paid a Salary for Varying Hours, Day Rate, Piece Rate, Flat Rate or Other Non-Hourly Pay	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 58 Pay Notice	Pay Notice for Prevailing Rate and Other Jobs	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 59 Pay Notice	Pay Notice for Exempt Employees	Chinese Haitian Creole Korean Polish Russian Spanish
	LS 223	Unpaid Wages Claim Form [This claim form is used to file for unpaid wages].	Spanish
	LS 425	Unpaid Wage Supplements Claim Form [This form is used to file for unpaid wage supplements].	Spanish
	LS 27	Special Notice to Farm Labor Contractors/Commissary Operators [Informational Listing of Application Dates and Fees].	
	LS 113.1	Application For Farm Labor Contractor Certificate of Registration/Application for Farm Labor Camp Commissary Permit [Use this to apply for an application for Farm Labor Contactor Certificate of Registration and/or for applying for an application for Farm Labor Camp Commissary Permit].	
	LS 114.1	Contractor Instruction Letter [Instructions for completing Farm Labor Contractor Registration Application].	
	LS 121	Fingerprint Screening Instructions for New Applicants for Farm Labor Contractor Registration Certificates [Instructions for fingerprinting and background check required as part of the application for Farm Migrant Labor Contractor Registration].	
	LS 392	Supplementary Application by Registered Contractors Whose Services Are Utilized for 5 Days or Less [Supplemental Application by Registered Contractors (Farm Labor)]	

	LS 428.1	Notice to Farm Labor Contractors [Notice to Farm Labor Contractors and Farm Labor Camp Commissary Operators regarding workers' compensation and disability].	
	LS 207	Minimum Wage Poster [This poster provides current minimum wage information to employees. Employers are required to post it where employees can see it].	Spanish
	LS 650	Parent/Guardian Statement of Consent [Must be submitted by the parent(s) of 16 and 17 year old minors if they wish to give permission for their children to work between 10:00 PM and 12:00 Midnight].	
	LS 621	Notification of Labor Standards Enforcement Process - English/Spanish (Trifold) [Notification of Labor Standards Enforcement Process - English/Spanish: Tells people making complaints whether or not the Labor Department has the legal authority to intervene].	Spanish
	LS 680	Mandatory Overtime Complaint Form [Mandatory Overtime Complaint Form].	
	LS 122	Finger Print Cards for Farm Contractors [Guidelines]	
	LS 171	Working Hours for Minors	
	LS 309	Farm Work Agreement [This form illustrates a sample farm work agreement that employers should use to notify each employee in writing of conditions of employment at time of commitment to hire].	
	LS 602	Small Claims Court Flyer [Informational posting on filing a claim with the Small Claims Court].	

UI	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
			Claimant Handbook
	T 402	Monetary Benefit Determination	Spanish

	TC 10	Notice to Claimant of Important Document	Albanian Arabic Bengali Bosnian Chinese Croatian French Greek Haitian Creole Hindi Italian Japanese Korean Polish Portuguese Russian Serbian Vietnamese
	TC 403H	Alternative Period Request	Albanian Arabic Bengali Chinese Haitian Creole French Italian Korean Polish Russian Spanish
	TC 403HR	Reconsideration Request	Albanian Arabic Bengali Chinese French Haitian Creole Italian Korean Polish Russian Spanish
	TCC 406L		Albanian Arabic Bengali

		Chinese French Haitian Creole Italian Korean Polish Russian Spanish
TC 424A	Hearings Before Unemployment Insurance Administrative Law Judges	Spanish
TC 424B	Q&A About Your UIB Hearing	Spanish
LO 403.5	Request for Rate Based on Weeks of Employment	Albanian Arabic Bengali Chinese French Haitian Creole Italian Korean Polish Russian Spanish
LO 424.4	List of Attorneys and Authorized Agents	Spanish
SW 2.1	Shared Work Program Application	
SW 2.2	Shared Work Plan Participant Listing	
SW 4	Shared Work Continued Claim	Spanish
SW 4.1	Shared Work Continued Claim Waiting Week Certification	Spanish
SW 4.2	Important Information Regarding your Income Tax Withholding Options	Spanish
SW 330	Application for Benefits, Shared Work Plan	
SW 330.2	Continuation of Employment Record	
	Questionnaires (includes request for call back letter and weekly certification forms)	Albanian Arabic Bengali Chinese French Haitian Creole Italian Korean Polish Russian Spanish

		Determinations regarding eligibility for benefits for claimants and related employers or tax charges and rate notices for employers	Chinese Haitian Creole Korean Polish Russian Spanish
		Hearing request instructions for affected parties to protest these determinations	Chinese Haitian Creole Korean Polish Russian Spanish
	LO 400	Unemployment Insurance Notice of Potential Charges	
	LO 400P	Unemployment Insurance Notice of Protest	

	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
UIAB	AB-AppLtr	Appeal Letter (hard copy letter)	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB-AL_Type05	Copy Enclosed/No Reply Permitted	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB-AL_Type08	Closed Enclosed/Reply Permitted By Deadline	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB-	Decision is Final/ Section 624 -Right of Appeal to Courts	Simplified Chinese Haitian Creole

	AL_Type15		Italian Korean Polish Russian Spanish
	AB- AL_Type10	Denial Letter/ 7 Options	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type11	Extension Request Denied	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type07	Extension Request Granted	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type04	Transcript In/ Copy of Transcript Enclosed	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type02	Transcript In/ Minutes in Appeal Board	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB-	Transcript In/ Minutes in Local Office	Simplified Chinese

	AL_Type03		Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type05	Transcript In/ No Reply Permitted	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type19	Untimely Appeal Letter	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB- AL_Type20	Untimely Appeal Statement	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB-2LR	Letter Remand	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
	AB-2LR_Rev	Revised Letter Remand	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish

AB-1	Notice of (Board) Hearing	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
AB 202	Notice of Hearing - Letter Remand	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
AB-4	Notice of Receipt of Appeal to Court	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
AB-100R	Notice of Receipt of Application to Reopen Decision	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
MLC-3C	Notice of Reopening	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish
AB 666	Notice of Hearing	Simplified Chinese Haitian Creole Italian Korean Polish Russian

			Spanish
	AB 100	Notice of Receipt of Appeal	Simplified Chinese Haitian Creole Italian Korean Polish Russian Spanish

<b>IBA</b>	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
		Notice of Hearing	
		Letter to petitioner informing petition is insufficient because it does not include the Order to Comply subject to appeal, and requesting an amended petition with the OTC attached or the petition will be dismissed	

<b>Comm.</b>	<i>Form #</i>	<i>Form Title</i>	<i>Languages Available other than English</i>
	P-12	DOL Overview Fact Sheet	Arabic Bengali Chinese French Hindi Korean Polish Portuguese Russian Spanish Urdu
	P-13	New York State Career Centers (No Addresses)	Albanian Arabic Bengali Burmese Chinese French

		Haitian Creole Italian Polish Russian Spanish Ukrainian
P-117	What Are My Rights When Applying for a Job?	
P-700	Minimum Wage Fact Sheet	
P-704	Minimum Wage Card	Albanian Bengali Chinese French Haitian Creole Italian Korean Polish Russian Spanish
P-705	Notice of Pay Rate and Paydays Fact Sheet	
P-706	Retaliation Against Employees Fact Sheet	
P-711	Know Your Rights as a Worker	
P-712	Domestic Workers Rights Fact Sheet	Chinese French Haitian Creole Hindi Nepali Polish Portuguese Spanish Tagalog
P-713	Domestic Workers Rights Palm Card/poster	Spanish
P-715	Wage Theft Fact Sheet	
P-738	Construction Industry Fair Play Act	Spanish
P-739	Message to Immigrant Workers Sweeps Card	Spanish
P 740	DIPA Fact Sheet	Haitian Creole Spanish
P744	Human Trafficking Tri-fold DIPA Fact Sheet	Chinese Haitian Creole Italian Korean Polish Russian

			Spanish
			Chinese Haitian Creole Italian Korean Polish Russian Spanish
P745		Human Trafficking Outreach Card DIPA Fact Sheet	Spanish
P 800		Applying for UIB	Arabic Bengali Chinese (Simplified and Traditional) French Hindi Italian Japanese Korean Polish Punjabi Russian Spanish Urdu Vietnamese
P-808		UI Agent Fact Sheet (Do You Help Others File?)	Spanish
P-882		Laws Governing the Employment of Minors (English)	Spanish
P-897		Bureau of Public Work Guide for Employees	
P-906		PESH Act (Employees) Fact Sheet	

**The process for ensuring that translations are accurate and incorporate commonly used words is as follows:**

The DOL, through its vendor (where applicable), will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided by any vendor under contract as part of the publication process. Our contracts with vendors specify their responsibility and accountability for accurate translations, and also specify a method for addressing possible errors identified by other people, e.g. DOL staff members. The DOL will also ensure that plain language is used in materials produced before translation to ensure information is accessible to a range of literacy levels.

**We use, or have available for translating, the following resources:**

- Contracts with language service vendors

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

**Names of individuals/organizations and languages:** Our numerous community-based organizations contacts usually send their edits/suggestions to DOL fact sheets, which are sent to the Communications office for incorporation where appropriate.

- Oral translations of written documents by bilingual staff members
- Oral translations of written documents by other individuals or community organizations
- Other (describe) The DOL also goes through another State agency – OTDA’s Bureau of Refugee and Immigrant Assistance (BRIA) – to obtain translations.

**The agency’s Language Access Coordinator maintains the list of written translation resources that are available to staff, which includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to provide oral translations of written documents
- Languages in which each translation service is qualified
- Procedure for accessing each translation service

## **PART 5 – STAFF TRAINING**

**The person(s) in the agency who is responsible for the provision of training to staff in language access issues is:** Eric Denk, DOL Language Access Coordinator.

**The staff training includes the following components:**

- The legal obligations to provide meaningful access to benefits and services to LEP individuals
- How to access language assistance services
- How to work with interpreters
- Cultural competence and cultural sensitivity

- Documenting the language needs of LEP individuals and the language services provided to them by the agency
  
- How to obtain written translation services

**The methods and frequency of training are as follows:**

The Office of Staff and Organizational Development provides mandatory training for all staff members who have contact with the public. The mandatory language access training is to be taken by staff every year. Also, the Division of Labor Standards has monthly, statewide videoconference staff trainings during which Labor Standards staff members can be trained on any pertinent issue, including the effective use of interpreters. The Division of Employment and Workforce Solutions also holds weekly conference calls, webinars, conferences, and in-person trainings as needed to address any training issues.

**PART 6 – ADMINISTRATION**

**Monitoring**

**To ensure compliance with the Plan, the LAC will monitor its implementation as follows:**

The LAC will use project management methodology to ensure the Plan will be followed and delivered effectively. The LAC will obtain regular feedback on our Plan from supervisors and staff, who will report performance metrics on the use of all DOL’s language assistance services. Suggestions from LEP individuals and other stakeholders, including community-based organizations, will also be taken into consideration for Plan enhancement and efficacy.

**Complaints**

**We provide information to the public, including to LEP individuals in languages regularly encountered in this service area, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. The information we provide describes how and/or where to file a complaint. We do not retaliate or take other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs.**

**We display information on the right to file a complaint, and the procedures to file a complaint, in the following manner:**

Information on the right to file a complaint is posted in areas where it is easily seen by the public. Information is also displayed on our agency’s website. The standard complaint form is made available to individuals upon request at the agency’s public offices and on the agency’s website in all six (6) languages described in Part 2.

**We handle complaints made to the agency regarding the provision of language assistance services in the following manner:**

