

LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: NYS Department of Civil Service

Effective Date of Plan: August 1, 2021

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This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:

	<p>The Limited English Proficient (“LEP”) population in our service area.</p>
	<p>How we notify the public about language access services.</p>
	<p>Our resources and methods for providing language access services.</p>
	<p>How we train our staff to provide language access services to the public.</p>
	<p>How we monitor language access services and respond to complaints.</p>

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PART 1 – Our Agency’s Services

We prepared this Language Access Plan (“Plan”) to comply with Executive Order No. 26, as amended by Executive Order No. 26.1, which established New York’s [Statewide Language Access Policy](#).¹ This Plan explains how we make sure that Limited English Proficient (“LEP”) individuals have meaningful access to agency services, programs, and activities.

In this Plan, LEP individuals are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Our agency’s services to the public include:

The New York State Department of Civil Service has two main functions: administration of the merit system and administration of the New York State Health Insurance Plan (NYSHIP) and related benefits. In administering the merit system, Civil Service provides services to state agencies, local governments, and state employees. The public accesses these services when seeking information on employment opportunities in New York State government and as candidates for competitive Civil Service examinations. Services related to the administration of NYSHIP are provided to state agencies, participating agencies, and employers and their employees, retirees, and their dependents. In addition, State employees, local government employees, retirees and their families enrolled in the NYSHIP program communicate with Civil Service regarding their benefits.



PART 2 – The Limited English Proficient Population in Our Service Area

Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top ten languages most commonly spoken by LEP individuals in New York State.

The estimated total number of LEP individuals in our service area is: Approximately 2.5 million LEP individuals in New York State.

¹ For additional information about our agency’s obligations to provide language access services, please visit: <https://www.ny.gov/language-access-policy>

The top ten languages spoken by LEP individuals in New York State are:

#	Language	Estimated Number of LEP Speakers
1	Spanish	1,201,322
2	Chinese	379,745
3	Russian	119,380
4	Yiddish	64,070
5	Bengali	64,020
6	Korean	55,506
7	Haitian Creole	54,746
8	Italian	46,431
9	Arabic	40,781
10	Polish	34,840

Our agency will reassess the public’s language needs at least every two years after the effective date of this Plan.

Our agency tracks encounters with LEP individuals in the following ways:

Through the Client Portal provided by the vendor the Department uses for translation and interpretation services.



PART 3 – Public Outreach About the Availability of Language Access Services

Our agency informs LEP individuals about their right to free language assistance services in the following ways, using at least the top ten languages shown in Part 2 of this Plan:

LEP individuals are directly informed by our staff

In which ways? When individuals self-identify as being in need of language access services, staff informs them that free language access service is available through contracted vendors. The vendor utilized will perform additional assessment as needed, ensuring that LEP individuals understand that they do not need to provide their own interpreters and that the service is provided free of charge.

Signs posted about language assistance services

In areas operated by the agency and open to the public

Other (describe)

[Click here to enter text.](#)

Information is published on our agency’s website in at least the top ten languages spoken by LEP individuals in New York State

- Outreach and presentations at schools, faith-based groups, and other community organizations
What are the LEP populations targeted? [Click here to enter text.](#)
- Local, non-English language media directed at LEP individuals in their languages
What are the LEP populations targeted? [Click here to enter text.](#)
- Social media posts directed at LEP individuals in their languages
What are the LEP populations targeted? [Click here to enter text.](#)
- Telephonic voice menu providing information in non-English languages
In which languages? Spanish
- Other (describe)
The State has Health Benefit Administrators (HBAs) in each agency to provide information and support to State employees and retirees regarding health benefits. HBAs are equipped with “I Speak” cards and posters that are utilized to inform enrollees and other personnel about the availability of language assistance services.



PART 4 – Provision of Language Access Services

A. Determining the Need for Services

During *in person* encounters, our agency uses the following tools to determine whether an individual is LEP, and what their primary language is:

- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying LEP individual’s language
- Other (describe) Individuals make a request for language assistance services when contacting the Employees Benefits Division (EBD) Call Center or when calling Civil Service’s general number.

On *telephone calls*, our agency uses the following tools to find out if an individual is LEP, and what their primary language is:

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying an LEP individual’s language
- Telephonic interpreting service

Other (describe) Individuals make a request for language assistance services when contacting the EBD Call Center or when calling Civil Service’s general number.

Our agency’s protocols for assessing whether an individual needs *oral interpreting* services in different service situations is as follows:

During office in-person encounters: By utilization of the “I Speak” cards and posters that are provided by the vendor.

At initial contact in the field: By utilization of the “I Speak” cards and posters that are provided by the vendor.

When speaking on the telephone: DCS responds to requests for language assistance services based on self-identification by the caller

For pre-planned appointments with LEP individuals: Click here to enter text.

Other (describe): Click here to enter text.

Our agency records and maintains documentation of each LEP individual’s language assistance needs as follows:

Any time an LEP individual requires language access assistance, and our vendor is contacted for translation or interpretation services, the vendor collects the language service requested and notes the duration of the call. The vendor also keeps a tally of the total number of such calls they have received.

B. Oral Interpreting Services

Our agency has made the following resources available for oral interpreting requests:

Bilingual staff members who work directly with LEP individuals

Number of staff and languages spoken: Click here to enter text.

Bilingual staff members who provide oral interpreting services on a volunteer basis

Number of staff and languages spoken: Click here to enter text.

Telephonic interpreting service

Name of vendors: The Agency retains a vendor for all telephonic interpretation under the NYS OGS Statewide Administrative Services contract.

Contracts or other arrangements with school and community organizations

Number of staff and languages spoken: Click here to enter text.

Other (Describe)

Click here to enter text.

Our agency protocols for informing LEP individuals that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:

During office in-person encounters: If an interaction with an LEP individual occurs at the agency's office, Civil Service staff will take action to provide interpreting services by using telephonic interpreting services.

At initial contact in the field: Click here to enter text.

When speaking on the telephone: When an LEP individual contacts our agency, they are informed of the availability of free interpreting services.

For pre-planned appointments with LEP individuals: If an interaction with an LEP individual occurs at the agency's office, Civil Service staff will take action to provide interpreting services by using telephonic interpreting services..

Other (describe): Click here to enter text.**Our agency's protocols for obtaining interpreting services in a timely manner is as follows:**

Once aware that an individual needs language assistance, Civil Service staff takes action to provide interpreting services by using telephonic interpreting services.

If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocols for deciding whether to accept or decline such an arrangement is as follows:

An LEP individual may only use a friend, family member or a minor to interpret in the event of an emergency, or upon request when asking for routine information such as the location of the office or hours of operation. When an LEP individual is engaged in official business with the agency, the agency will always provide the interpreter. The LEP individual will not be permitted to use an independent interpreter of their choosing when filling out applications or when involved in other legal matters.

Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:

All Civil Service staff and HBAs are provided with instructions on how to access the NYS OGS approved telephonic interpreting vendor services. The information is also available on the Civil Service's intranet and the EBD public website for HBAs and staff.

The agency's Language Access Coordinator ("LAC") maintains a list of oral interpreting resources that are available to staff. This resource list 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 an LEP individual's primary language

- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

Our agency records and maintains documentation of oral interpreting services provided to LEP individuals at each encounter. Our protocol in this regard is as follows:

OGS approved vendors used by DCS track statistics on the number of calls they receive. In addition, the Language Access Coordinator tracks calls for annual reporting purposes.

Cultural Competence and Confidentiality

Our agency makes sure interpreters are culturally competent² in the following ways:

Where Civil Service utilizes independent interpreting services, that vendor has implemented quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent.

Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:

The training provided to staff addresses the importance of confidentiality. As noted above, the Department uses the services of independent interpreters from the OGS centralized contract for interpretation and translation services. The contract sets forth confidentiality requirements, which are enforced by the contract holder in accordance with the contract provisions and NYS Law.

C. Translations of Documents

At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents (including website content) that must be translated. This process is accomplished in the following ways:

The LAC reviews Civil Service's publications at least every two years to determine which, if any, publications are vital and require translation.

Our agency's process for making sure documents are written in plain language³ before they are translated into other languages is as follows:

The LAC and staff review vital documents to ensure they are written in plain language prior to being translated.

² Cultural Competence is defined as a *set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from: https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf

³ The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>

Our agency has the following resources available for translation of documents:

- Contracts with vendors for translation services

Names of vendors/languages: Language Link and potentially any vendor under the NYS OGS Statewide Administrative Services Contract.

- Contracts or other arrangements with schools and community organizations

Names of schools/organizations and languages: [Click here to enter text.](#)

- Translation of documents by bilingual staff members

- Other (describe)

[Click here to enter text.](#)

The agency's Language Access Coordinator ("LAC") maintains a list of translation resources that are available to staff. This resource list includes:

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

Our agency translates documents that LEP individuals submit in their primary languages in a timely manner. Our protocol in this regard is as follows:

Documents received from an LEP individual in their primary language are reviewed by staff and submitted to the vendor for translation in consultation with the staff's supervisor. Documents are forwarded within a reasonable timeframe.

The following non-exhaustive list of documents are currently translated by our agency in the languages indicated:

DCS does not currently have any vital documents requiring translation. Documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

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

DCS through its vendor, will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services. DCS will also ensure that plain language is used in materials produced before translation to ensure information is accessible.



PART 5 – Staff Training

The person in the agency who is responsible for training staff in language access services is: Jeffrey Doring, Training Coordinator and Mia Timmons, Language Access Coordinator.

The staff training includes the following components:

- The agency’s legal obligations to provide language access services
- The agency’s resources for providing language access services
- How to access and work with interpreters
- Cultural competence and cultural sensitivity
- How to obtain translation services
- Maintaining records of language access services provided to LEP individuals

The methods and frequency of training are as follows:

New employees are provided handouts/training as part of their orientations. In addition, Civil Service employees take the Governor’s Office of Employee Relations (GOER) mandatory annual training, with refreshers provided as needed.



PART 6 – Monitoring the Plan and Responding to Complaints

A. Monitoring

Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:

The LAC verifies, on an annual basis, that the plan is being followed. This included verifying that information on accessing language services is available online and ensuring staff participates in training.

B. Complaints

We provide information to the public in at least the top ten most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.

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

The standardized complaint forms, along with the procedures for filing a complaint, are available in all ten languages in our public offices upon request. The complaint forms are also available for download or online submission through our website. Additionally, information on the right to file a complaint is posted in the top ten languages on our website and in our offices in areas where it can be easily seen by the public.

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

Civil Service provides a form for the intake of complaints to standardize the information received. The form is then sent to the LAC for review and resolution. All complaints must be timely forwarded to the Statewide Language Access Coordinator.

PART 7 – Signatures



<i>Rebecca A. Corso</i>	Acting Commissioner	7/30/2021
Head of Agency	Title	Date

<i>Mia Timmons</i>	Diversity and Inclusion Specialist 3	07/30/2021
Agency LAC	Title	Date

<i>Debra Alligood Syte</i>		7/30/2021
Deputy Secretary for Civil Rights		Date