

LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: New York State Offices of the Inspector General

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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:

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

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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 Office of the New York State Inspector General [“NYSIG”], as established by Executive Law Article 4-A, is entrusted with the responsibility of ensuring that New York State government, its employees, and those who work with the State meet the highest standards of honesty, accountability, and efficiency.

The Office of the New York State Welfare Inspector General [“OWIG”], as established by section 74 of the Executive Law, is responsible for maintaining the integrity of New York State’s public assistance programs.

The Office of the New York State Workers’ Compensation Fraud Inspector General [“WCFIG”], as established by section 136 of the Workers’ Compensation Law, is responsible for investigating violations of the laws and regulations pertaining to the operation of the workers’ compensation system.

The Office of the Gaming Inspector General [“GIG”], as established by the Upstate New York Gaming and Economic Development Act, has the duty to receive and investigate complaints from any source concerning allegations of corruption, fraud, criminal activity, conflicts of interest or abuse in the Gaming Commission.

Collectively, the four offices are known as The Offices of the Inspector General [“OIG”].

OIG does not provide direct services to the general public, but instead interacts with individuals who allege or have knowledge of misconduct and other abuses listed above.

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



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.

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:

OIG tracks its contacts with LEP individuals through three means: OIG’s Case Management Unit, OIG’s regional administrative staff, and OIG’s Finance Unit. While the LEP population OIG serves is fairly small, the great majority of those contacts occur through OIG’s Case Management Unit (CMU), which processes almost all intake complaints and contacts from the public. Along with information collected from CMU, OIG also cross references with regional administrative staff at each of its offices to further ascertain whether any LEP individuals sought assistance via an in-person contact. Finally, OIG confers with its Finance Unit to see whether there were any other LEP services contracted for as a part of investigations or operations, for example, utilizing a translation service for documents.

The number of LEP individuals served by OIG on an annual basis is fairly small. Of the estimated 4,967 complaints received in 2020 by OIG, 8 spoke Spanish. OIG has developed

standardized protocols where all contacts with LEP individuals and their requested languages are tracked. The OIG Language Access Coordinator regularly tracks this data by monitoring usage and noting any deficiencies through contacts with CMU, regional administrative staff and OIG Finance Unit on a monthly basis. This information is up-to-date and is reviewed for accuracy and efficiency periodically by OIG's Chief of Staff and senior operations team.



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? LEP individuals who contact OIG (whether by phone or in person) are informed of free language assistance services, either by bilingual staff (who are fluent in the requested language) or through telephone interpreting service.

Signs posted about language assistance services

In areas operated by the agency and open to the public

Other (describe)

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?

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

What are the LEP populations targeted?

Social media posts directed at LEP individuals in their languages

What are the LEP populations targeted?

Telephonic voice menu providing information in non-English languages

In which languages? Arabic, Bengali, Chinese, Haitian-Creole, Italian, Korean, Polish, Russian, Spanish, Yiddish.

Other (describe)



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) OIG’s trained Case Management Unit staff and/or trained investigators are staff most likely to come in contact with LEP individuals and make this determination in most cases. OIG investigators are equipped with “I Speak” information when in the field. Similarly, OIG’s training staff are equipped with “I Speak” information when conducting trainings at State agencies, as are any staff members conducting outreach and other presentations.

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)

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: OIG’s trained Case Management Unit personnel, front-line staff or investigators first determine, if possible, the language spoken by the LEP individual. If OIG is unable to determine the individual’s language, OIG staff will utilize the “I Speak” information to facilitate language identification. Once the LEP individual’s language is determined, he/she is assisted by an OIG bilingual staff member, if available. When the LEP individual’s language is not among those spoken by a bilingual staff member, OIG staff connects the LEP individual with OIG’s free telephonic interpreting service.

At initial contact in the field: OIG staff are trained to first ask open-ended questions to determine language proficiency. In addition, all OIG staff have been provided with “I

Speak” information to assist in determining the LEP individual’s requested language. When OIG staff is fluent in the requested language and is available to assist, that staff member will serve as an interpreter for the LEP individual. In the event the LEP’s individual requested language is not spoken by a bilingual staff member, OIG staff connects the LEP individual with OIG’s free telephonic interpreting service for assistance.

When speaking on the telephone: OIG assesses whether the LEP individual needs oral interpreting services when it becomes apparent that the individual does not speak English at a level that will allow him/her to interact effectively with the OIG staff. Trained Case Management Unit personnel, front-line staff or investigators first determine, if possible, the language spoken by the LEP individual. If a bilingual staff member is fluent in the language spoken by the LEP individual, the individual will receive immediate assistance from OIG staff. When the LEP individual’s language is not among those spoken by a bilingual staff member, OIG staff connects the LEP individual with OIG’s free telephonic interpreting service.

For pre-planned appointments with LEP individuals: Prior to meeting with LEP individuals, OIG informs the individual(s) of free interpreting services, either through a bilingual staff member who is fluent in the LEP individual’s language, or through an interpreting service.

Other (describe): Prior to conducting an interview of an LEP individual, OIG determines the language of the LEP individual and either utilizes a bilingual staff member to assist, telephonic interpretation services (if appropriate), or solicits an in-person interpreting service available on the NYS OGS Statewide Administrative Services Contract to schedule an interview.

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

OIG has developed standardized protocols where all contacts with LEP individuals and their requested languages are tracked. The OIG Language Access Coordinator regularly tracks this data by monitoring usage and noting any deficiencies through contacts with CMU, regional administrative staff and OIG Finance Unit on a monthly basis. This information is up-to-date and is reviewed for accuracy and efficiency periodically by OIG’s Chief of Staff and senior operations team.

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:

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

Number of staff and languages spoken: Spanish (4), Russian (1), Ukrainian (1), Chinese (Mandarin and Shanghainese) (1)

Telephonic interpreting service

Name of Vendors: OIG uses LinguaLinx and potentially any vendor under the NYS OGS Statewide Administrative Services Contract.

Contracts or other arrangements with school and community organizations

Number of staff and languages spoken:

Other (Describe)

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: OIG staff are trained to inform LEP individuals of OIG's free interpreting services via bilingual OIG staff members or telephonic interpreting services.

At initial contact in the field: OIG staff are trained to inform LEP individuals of OIG's free interpreting services via bilingual OIG staff members or telephonic interpreting services.

When speaking on the telephone: OIG staff are trained to inform LEP individuals of OIG's free interpreting services via an OIG bilingual staff member or telephonic interpreting service.

For pre-planned appointments with LEP individuals: OIG staff are trained to inform LEP individuals of OIG's free interpreting services via bilingual OIG staff members, telephonic interpretation services (if appropriate), or through an in-person interpreting service.

Other (describe):

Our agency's protocols for obtaining interpreting services in a timely manner is as follows:

OIG has trained staff to promptly contact an interpreter in a timely manner upon request by an LEP individual or upon making a determination that an interpreter is needed. OIG only utilizes interpreting services listed on OGS-approved contracts, who guarantee what OIG determines to be an acceptable response time.

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:

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 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.

However, where an LEP individual is engaged in official business with our agency, including filling out applications, interviews, and/or when any legal or official matters are involved, an LEP individual will not be permitted to use an interpreter of their own choosing, as discussed above. Instead, OIG will provide an independent interpreter.

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:

At the beginning of employment all OIG staff are provided with instructions on obtaining interpretation services. New staff are also directed to OIG's intranet with instructions to review and understand all staff content, which includes OIG's Language Access Plan. Moreover, OIG's Chief Counsel or her designee provides annual all-staff training on OIG's Language Access Plan, which includes procedures for obtaining language-access services, as well as broader training topics on cultural sensitivity, inclusion, and confidentiality. New York State's Statewide Learning Management System also provides an annual training module on language access, which contains information about how to obtain oral interpreting services.

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:

OIG has developed standardized protocols where all contacts with LEP individuals and their requested languages are tracked. The OIG Language Access Coordinator regularly tracks this data by monitoring usage and noting any deficiencies through contacts with CMU, regional administrative staff and OIG Finance Unit on a monthly basis. This information is up-to-date and is reviewed for accuracy and efficiency periodically by OIG's Chief of Staff and senior operations team.

Cultural Competence and Confidentiality

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

The linguistic competence of bilingual staff is self-assessed. Cultural competence, cultural sensitivity, inclusion and confidentiality are topics covered in OIG staff trainings. Where the agency utilizes independent interpreting services, that vendor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent, as in accordance with vendor requirements on all New York State-approved vendor interpretation services contracts and in accordance with New York State Law.

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

Where the agency utilizes independent interpreting services, that vendor must adhere to and enforce confidentiality standards that are also in accordance with New York State-approved vendor interpretation services contracts and New York State 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 Language Access Assessment Team is comprised of the Language Access Coordinator, Chief Counsel, Chief of Staff, Deputy Chief of Staff, Assistant Director of Finance, Director of IT, Chief of Investigations for the Case Management Unit, and Deputy Inspector General for Communications. Its mission includes reassessing language access internal operations, vendors, OIG's documents, website content and the like, every two years.

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

Members of OIG's Language Access Assessment Team are tasked with ensuring that documents are written in plain language before they are translated into other languages.

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

- Contracts with vendors for translation services

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>

Names of vendors: Vendors assigned under OGS Statewide Administrative Services Contract.

Contracts or other arrangements with schools and community organizations

Names of schools/organizations and languages:

Translation of documents by bilingual staff members

Other (describe)

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:

OIG will solicit an outside translation service who must guarantee a reasonable response time in the translation of documents.

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

In compliance with Executive Order 26.1, our agency will complete translations of the below list of documents in the newly added top languages (Arabic, Italian, Polish, and Yiddish) by August 1, 2022 and the additional top languages promptly.

- *AR: Arabic*
- *BE: Bengali*
- *CH: Chinese*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *YI: Yiddish*

Name	Top Ten Languages									
	AR	BE	CH	HA	IT	KO	PO	RU	SP	YI
OIG Complaint Form	By end of August 2021									

New 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:

OIG will ensure that plain language is used in materials produced before translation to ensure information is accessible to a broad range of literacy levels. OIG through its vendor will ensure that proofing/editing for both correctness and cultural sensitivity are vital components of the translation services provided.



PART 5 – Staff Training

The person(s) in the agency who are responsible for training staff in language access services are: Chief Counsel, Language Access Coordinator, and members of the Language Access Assessment Team.

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:

OIG has added Language Access training as a part of OIG’s annual all staff training curriculum. New staff are trained in Language Access as they are hired. OIG’s Chief Counsel and Chief of Staff utilize, and incorporate information obtained from OIG’s Language Access Plan into the annual staff training. In addition to OIG’s front-line staff, all OIG staff are required on an annual basis to complete GOER’s online Language Access training, available through the Statewide Learning Management System.



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:

Monitoring of compliance with the Language Access Plan includes: monthly meetings with offices to assess compliance, concerns, and needs; ensuring annual training is completed by staff; and ongoing communication with the Language Access Committee.

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:

Complaints made to OIG regarding the provision of language assistance services are directed to OIG's Chief of Staff and Chief Counsel for review and handling, and if need be, with the assistance of the Division of Equal Opportunity Development.

All complaints must be timely forwarded to the Statewide Language Access Coordinator.

PART 7 – Signatures



Letizia Sagliani

Inspector General

7/29/2021

Head of Agency

Title

Date

Patricia Wyzard

Language Access Coordinator

7/28/2021

Agency LAC

Title

Date

Debra Alligood Sente

Deputy Secretary for Civil Rights

7/30/2021

Date