



Tulsa Area Workforce Development Board, Inc.

Proudly serving Creek, Osage, Pawnee and Tulsa Counties in Oklahoma

Limited English Proficiency Policy

Board Approved: 06/21/2018

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Limited English Proficiency Policy

Limited English Proficiency Policy Changes Overview

Most Recent Policy Changes:

Implementation by: 07.05.2018
Board Approval: 06.21.2018
Executive Committee Approval: 06.14.2018
Oversight Committee Approval: 05.11.2018

Reason: This policy was created to comply with Office of Oklahoma Workforce Development (OOWD) Oklahoma Workforce Development Issuance (OWDI) #17-2017 and to create policy that reflects the intent of the Workforce Innovation and Opportunity Act (WIOA) nondiscrimination guidance § 188. This policy will allow LEP individuals to have meaningful access to all programs and services and ensure that they are able to participate effectively regardless of their ability to speak, read, write, or understand English.

Recessions: N/A

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I. Purpose:

Establish local policy to ensure LEP individuals have meaningful access to all programs and services and are able to participate effectively regardless of their ability to speak, read, write, or understand English. This policy ensures area wide consistency in language service delivery and further assures quality language services are available for LEP individuals, enabling effective communication with workforce system staff.

II. Authority:

- U.S. Department of Labor, Civil Rights Center, Directive No. 2006-03
- Workforce Innovation and Opportunity Act (WIOA) (29 USC§ 3248)
- Department of Labor Training and Employment Notice 28-16
- Title 29 Code of Federal Regulations (CFR), Part 38
- Office of Oklahoma Workforce Development (OOWD) Oklahoma Workforce Development Issuance (OWDI) #17-2017, Limited English Proficiency.

III. Background:

Identifying language barriers and developing strategies to overcome those barriers are essential for local areas to comply with federal requirements. Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating based on national origin by, for example, failing to provide meaningful access to individuals who are LEP.

Executive Order 13166 signed by the President in August 2000 and titled "Improving Access to Services for Persons with Limited English Proficiency" contains two major initiatives. The first initiative aims to better enforce and implement Title VI of the Civil Rights Act of 1964 by requiring federal agencies that provide federal financial assistance to develop guidance to clarify obligations for recipients of such assistance. The second initiative requires all federal agencies to meet the same standards as federal financial assistance recipients in providing meaningful access for LEP individuals to federally conducted programs.

Section 88 of WIOA prohibits the exclusion of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration of or in connection with, any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA because of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA.

IV. Definitions:

A. A. Babel Notice:

a short notice included in a document or electronic medium (e.g. web site, application, "app" email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages (29 CFR Section 38.4(i)).

B. Employment-related Training:

Training that allows or enables an individual to obtain skills, abilities and/or knowledge that are designed to lead to employment (29 CFR Section 38.4(t)).

C. Limited English Proficiency (LEP) Individual:

an individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English. An LEP individual may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g. reading or writing) (29 CFR Section 38.4(hh)).

D. Limited English Proficiency (LEP) Plan:

A written language access plan which assists in ensuring that LEP individuals have meaningful access to WIOA Title I-financially assisted programs and activities (29 CFR Section 38.9 Appendix).

E. Meaningful Access:

Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

F. Primary Language:

An individual's primary language is the language in which an individual most effectively communicates, as identified by the individual.

G. Vital Documents:

Forms or documents designed and utilized by the LWDB that are critical for accessing federally funded services or benefits or are required by law. Vital documents can include but are not limited to applications for WIOA programs, consent forms designed by the LWDB, letters designed by the LWDB requesting eligibility documentation.

V. Local Policy

As recipients of federal financial assistance, Local Workforce Development Boards (LWDB), One-Stop Operators, and other service providers have a responsibility to ensure non-discrimination in service delivery to LEP individuals. Guiding principles for situations in which an LEP individual is seeking to "access and participate" in public workforce services, programs, and activities include:

- LEP individuals must be advised of availability of competent, confidential language interpretation services. The provision of this notice and the LEP individual's election must be documented in the OSL client notes section, even if the individual chose to use their own interpreter.
- The One-Stop Operator will take reasonable steps, appropriate to the circumstances, to ensure interpretative services are provided that demonstrate the level of fluency, comprehension, and confidentiality warranted by the nature, type, and purpose of the provided information.
- The One-Stop Operator will expand the range or nature of language assistance strategies whenever experience, changes in target or service population demographics, or new program-specific data indicates that the failure to do so may result in a denial of substantially equal and meaningful, effective services to a significant LEP population.
- LEP, in and of itself, shall not act as a barrier to limit access to vital information, available in English, regarding when, where, or how to obtain benefits or services provided through the workforce system.
- Effective immediately, the LWDB, program operators, training provider, etc., are required to comply with this guidance as it supports compliance with Section 2 of Executive Order 13166 and the U.S. Department of Labor, Civil Rights Center, Directive No. 2006-03.

Each American Job Center that is accessible to the public at which vital information is made available (reception desk or areas, resource areas, telephone communication lines, building entries, etc.) will have language assistance resources capable of providing, within a reasonable period of time, information and/or instruction in appropriate languages other than English. A language identification poster or "I Speak" form should be located at each Career Center welcome/reception area for LEP customers to identify their language. Please see Attachment A "I Speak" form.

A. Process

1. When a LEP individual walks into the AJC for services, then indicates the language of choice using the "I Speak" form, the intake personnel will provide assistance and information with the assistance of a staff person that can serve as an interpreter, a volunteer interpreter by telephone, or electronically through Google Translator. The

individual must be informed that all interpretation services are free. Alternative interpreter services are available electronically at: <https://www.lep.gov/resources/resources.html>

2. The LEP individual will be served in a location suitable to allow confidentiality such as a conference room with a speakerphone or other suitable arrangement.
3. During the initial meeting, the LEP individual will be provided a language identification card ("I Speak" card) listing the language of their choice. The LEP individual may keep this language identification card in their possession to display to staff as they are proceed through the WIOA process. Accepting and/or maintaining this language identification card is voluntary and will not impede the delivery of services.
4. In the event the intake personnel are unable to determine the LEP individual's language choice, they will immediately contact the One-Stop Operator to find alternative resources available to use with the LEP individual.
5. Each step of the initial assessment for services including and up to service delivery will include the language interpretation service. This includes email blast of information provided to all participants, so it must be provided in their choice of language.

B. B. Limited English Proficiency Plan

LWDBs that develop, implement, and periodically revise an LEP plan are more likely to fulfill their obligation of taking reasonable steps to ensure meaningful access to programs and activities by LEP individuals. Furthermore, developing and implementing an LEP plan has many benefits including providing Local Area staff with a roadmap for establishing and documenting compliance with nondiscrimination obligations and ensuring that LEP individuals receive the necessary assistance to participate in the programs and activities of a Local Area.

When developing an LEP plan, staff should address the elements that are provided in OWDI #17-2017. Additionally, the LEP plan should be reviewed and updated every three years.

VI. Attachments

- A. "I Speak" Card Form**
- B. 12 Most Common Languages**

VII. Compliance

- A.** This policy shall be used in accordance with all other applicable local policies.
- B.** The TAWD8 is responsible for conducting oversight of local Adult/DLW/Youth programs to ensure both fiscal and programmatic accountability. Local program oversight is conducted in consultation with the chief local elected official.

United States
**Census
2000**

U.S. Department of Commerce
Bureau of the Census



LANGUAGE IDENTIFICATION FLASHCARD

<input type="checkbox"/> املأ هذا المربع اذا كنت تقرأ أو تتحدث العربية.	Arabic
<input type="checkbox"/> Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	Bengali
<input type="checkbox"/> សូមញាក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	Cambodian
<input type="checkbox"/> Matka i kahhon komu un taitai pat un sang i Chamorro.	Chamorro
<input type="checkbox"/> 如果您具有中文閱讀和會話能力，請在本空格內標上X記號。	Chinese
<input type="checkbox"/> Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	Creole
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	Croatian (Serbo-Croatian)
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بدرهستین، این مربع را علامت بگذارید.	Farsi

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	Greek
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस गोले पर चिह्न लगाएँ।	Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérti vagy beszél a magyar nyelvet.	Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	Laotian
<input type="checkbox"/>	Zaznacz tę kratkę jeżeli czyta Pan/Pani lub mówi po polsku.	Polish
<input type="checkbox"/>	Assinale este quadrado se voce lê ou fala Português.	Portuguese

<input type="checkbox"/>	Însemnați această căsuță dacă citiți sau vorbiți Românește.	Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	Russian
<input type="checkbox"/>	Ma'a pe fa'ailoga le pusa lea pe afai e te faitau pe tusitusi i le gagana Samoa.	Samoaan
<input type="checkbox"/>	Обележите овај квадратик уколико читате или говорите српски језик.	Serbian (Serbo-Croatian)
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	Spanish
<input type="checkbox"/>	Markahan ang kahon na ito kung ikaw ay nagsasalita o nagbabasa ng Tagalog.	Tagalog
<input type="checkbox"/>	ให้กาเครื่องหมายลงในช่องดำผ่านอ่านหรือพูดภาษาไทย.	Thai
<input type="checkbox"/>	Faka'ilonga'i 'ae puha ko'eni kapau 'oku te lau pe lea 'ae lea fakatonga.	Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	Ukrainian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانہ میں نشان لگائیں.	Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý biết đọc và nói được Việt Ngữ.	Vietnamese
<input type="checkbox"/>	צייכנט דעם קעסטל אויב איר שרייבט אדער ליינט אידיש.	Yiddish

Attachment A

<p>Kuv xav tau ib tug Hmong neeg txhais lus. I need a Hmong interpreter.</p>	<p>Мне нужен русский переводчик. I need a Russian interpreter.</p>
<p>ຂ້າພະເຈົ້າຈຳເປັນຕ້ອງໃຫ້ແກ່ນາຍພາສາ. I need a Lao Interpreter</p>	<p>Ja treban Srpsko-Hrvatskog prevodloca. I need a Serbo-Croatian interpreter</p>
<p>Turjumana afan Oromiffa enbarbana. I need an Oromiffa interpreter</p>	<p>Necesito servicios de intérprete en español. I need a Spanish interpreter.</p>
<p>Waxaan u baahnahay turJubaan Somali ah. I need a Somali interpreter.</p>	<p>عربي م ترجم إلى ب حاجة أنا I need an Arabic interpreter</p>
<p>Tôi cần một thông dịch viên tiếng Việt. I need a Vietnamese interpreter.</p>	<p>我需要一個翻译粤语 I need a Cantonese interpreter.</p>
<p>我需要一個翻译粤语 I need a Mandarin interpreter.</p>	<p>ខ្ញុំត្រូវការអ្នកបកប្រែភាសាខ្មែរ។ I need a Khmer interpreter</p>

Interpretation services are available FREE of charge.
Please ask for assistance at the receptionist desk.