

THE OATH/ECB LANGUAGE ACCESS PLAN

I. Agency Mission and Background

Background

The Office of Administrative Trials and Hearings (OATH) and the Environmental Control Board (ECB) are a consolidated agency, referred to in this document as “OATH/ECB.”

a. The Mission of OATH/ECB

The mission of OATH/ECB is to fairly and efficiently enforce the laws and rules governing the public's health, safety and overall well being. Some details are set out below.

OATH

OATH is an independent tribunal that holds hearings for City agencies on many types of issues, including employment disputes, license revocations, car seizures, and others. The missions of OATH are as follows:

- To give full and fair hearings, and correct decisions and recommended decisions on all cases heard in the tribunal at OATH.
- To give excellent customer service to members of the public and to City agencies.

OATH also provides mediation services to New York City employees through the Center for Mediation Services and offers professional training for the City's administrative hearing officers through the Administrative Judicial Institute.

ECB

ECB is an independent administrative tribunal (a decision-making body that hears disputes like a court). ECB's broad mission is to improve the quality of life and services in New York City. It does this by holding hearings on Notices of Violation (tickets) that involve violations of New York City's quality-of-life laws, such as dirty sidewalk laws, buildings laws, vendor laws, and many others. More specifically, ECB's missions are as follows:

- To give full and fair hearings, and correct decisions and orders, on all cases heard at ECB.
- To appropriately process all Notices of Violation (tickets) that are returnable to ECB.
- To give excellent customer service to members of the public and to City agencies.

b. The direct public services offered by OATH/ECB

Overview of the Direct Public Services Provided by OATH and ECB:

OATH

The OATH provides “direct public services” in its hearings and in its customer service operations.

ECB

ECB provides “direct public services” in its hearings, and also in its customer service operations.

Details Regarding the Direct Services Provided by OATH and ECB:

OATH

The direct public services offered by OATH include public services offered at *trials*, and by *customer service*. These services are described below:

- *Trials*: OATH holds trials for City agencies, Boards and Commissions. Some details about the trial process are set out below:
 - In the tribunal at OATH, there is usually a discussion about the case before the trial takes place. That discussion is called a settlement conference. Sometimes cases are settled this way. If so, there is no need for a trial.
 - If not settled, an Administrative Law Judge (ALJ) hears the case by listening to witnesses and reviewing other evidence from each side. This is a trial. There are free interpretation services at trials, for limited-English proficient (LEP) persons.
 - After the trial, the ALJ writes a decision.
 - In some kinds of cases, the ALJ recommends (suggests) to the head of the agency that referred (sent) the case what action should be taken.
 - In other kinds of cases, the ALJ makes a final decision that can only be appealed to the NYS Supreme Court.
- *Customer Service*
 - Among other jobs, the OATH Customer Service staff gets interpreters for LEP persons. This happens most often in vehicle-seizure trials and in trials in which taxi drivers might lose their licenses.

ECB

The direct public services offered by ECB are the public services offered at *hearings*, and by *customer service*. These services are described below:

- *Hearings*: ECB adjudicates (resolves) Notices of Violation (tickets) given to people and businesses (respondents) by City agencies (petitioners). The tickets charge those people and businesses with violating New York City’s public health and safety and quality-of-life laws. Some details about the hearing process are set out below:
 - When a ticket has been written by a City agency, the person or business named as “respondent” on the ticket must contact ECB to take care of the ticket.
 - If the person or business named as respondent wants to admit the violation and not have a hearing, in many cases the person or business can do that by mailing in the penalty amount (fine).
 - If the person or business named as respondent wants to contest (fight) the violation, but doesn’t want to come to ECB in person, in some cases the person or business can write a letter and have a hearing by mail.
 - In all types of cases, the person or business named as respondent can (and sometimes must) appear at ECB on the scheduled hearing date and have a hearing in person before a hearing officer. There are free interpretation services at hearings, for limited-English proficient (LEP) persons.
 - After a hearing is held, the person or business named on the ticket gets a written decision in the mail that says if the person or business won or lost the case (in other words, if the case was “dismissed,” or found “in violation”).
 - ECB also decides “appeals” of hearing decisions. An appeal is when (i) the person or business named as “respondent” on the ticket disagrees with the decision, or (ii) the City agency that wrote the ticket disagrees with the decision. To appeal, the party (person, business, or agency) that disagrees with the decision sends a letter to ECB saying why, in its view, the decision was wrong.
 - When a hearing decision is appealed, the parties (the person or business named on the NOV and the City agency) receive a written appeals decision in the mail that says who won or lost the appeal (in other words, if the hearing officer’s decision was right, or not).
- *Customer Service*: Customer service (as those words are used in this Plan) includes the staff of both ECB and OATH who work at desks in public waiting areas and also who respond to questions from the public by phone. The public can get information and help from customer service staff on many topics including the following:

- Signing in for hearings (at that time, customer service staff will arrange for an interpreter for the hearing, if needed).
- Getting a new hearing date.
- Getting information on the status of their cases.
- Getting information on penalties they need to pay.

II. OATH/ECB's Language Access Goals

a. The goals of OATH/ECB's Language Access Plan.

The overall goal of OATH/ECB's Language Access Plan (LAP) is to provide language access services so that persons with limited English proficiency (LEP) have meaningful access to OATH/ECB's direct public services. This includes making sure that LEP persons can get information about OATH/ECB's direct public services. (See Point I.(b) above for description of OATH/ECB's direct public services.)

Part of this goal is to provide an environment that is welcoming to LEP persons and that makes it easy for OATH/ECB employees to communicate with members of the LEP community. OATH/ECB will work towards providing seamless communication with LEP persons. More specific goals are set out below.

Goals Already Achieved

OATH/ECB has already made significant progress towards its goal of providing language access services, as follows:

- OATH/ECB already has free professional language interpretation services at hearings, for all languages. Some details are set out below.
 - ECB started this professional language interpretation service in November 2007. The tribunal at OATH already had this service. (Before November 2007, ECB got interpreters by asking for volunteers, or else would adjourn the case for the LEP person to come back with an interpreter.)
 - Interpretation at hearings for LEP persons is done over conference phones, using a professional interpretation service (Language Line) (unless the LEP person specifically requests to use his or her own interpreter and the hearing officer or Administrative Law Judge considers that appropriate under all the circumstances).
 - In the tribunal at OATH, interpretation is usually done over conference phones, but sometimes a professional in-person interpreter is used, if an Administrative Law Judge decides that it is a good idea.
- OATH/ECB customer service staff already helps to identify and assist LEP persons. Some details are set out below:

- OATH/ECB has desk top signs, written in sixteen different languages, saying that there is free interpretation service.
 - Customer service staff at ECB have language cards that can help a LEP person identify their primary language. Staff can then arrange for a hearing with an interpreter.
 - Customer service staff at ECB have instruction sheets written in ten LEP languages that can be used to tell LEP persons that staff is contacting a translator to proceed with the hearing.
- One of the two OATH/ECB websites (the ECB website) already has a built-in translation feature. In other words, someone looking at a website page can translate that page.

Goals Still to be Achieved

OATH/ECB's additional goals are set out below.

- Interpret customer-service conversations with LEP persons – both in-person conversations and phone conversations.
- Provide on-line translation capability for all website page views.
- Re-write documents of key importance in plain language and then translate them into the top six LEP languages.
- *Signs*: Display posted signs using universal symbols, or else English and Spanish. Where the text of a posted sign is informational and of key importance, make that text available in the six top LEP languages (Spanish, Mandarin, Arabic, Bengali, Cantonese, and French) by other means, such as by Powerpoint presentation in waiting areas and/or by translated handouts).
- Design a presentation, such a Powerpoint presentation that includes messages about OATH/ECB in at least the top six LEP languages, to be shown continuously on video monitors in any OATH/ECB waiting areas where waiting area conditions permit.

b. How OATH/ECB will decide if it has successfully implemented its Language Access Plan.

OATH/ECB will decide if it has successfully implemented its Language Access Plan (in other words, done everything it should do under the Plan) by doing the following:

- Look at data from its language interpretation contractor to be sure that its interpretation service is being used on a regular basis.
- Do surveys of OATH/ECB staff about their experiences with LEP persons to be sure their experience indicates they are having effective encounters with LEP persons.
- Do surveys of the LEP persons who use OATH/ECB translation services.
- Review the OATH/ECB Language Access Plan periodically.

- Have a Language Access Coordinator to implement and monitor compliance with the Language Access Plan on an ongoing basis.
- Maintain records of compliance with the Language Access Plan.

III. LEP Population Assessment

a. OATH/ECB will use the top six LEP languages in its Language Access Plan.

OATH/ECB will use the top six LEP languages in its plan. Based on agency research, the top six languages are as follows: Spanish, Mandarin, Arabic, Bengali, Cantonese, and French.

How OATH/ECB has determined the top six languages.

Language access services must be provided in at least the top six LEP languages as those languages are determined by the Department of City Planning and also “as those languages are relevant to services offered by each agency” (Executive Order 120 of 2008).

To determine the top six languages of its service population, OATH/ECB has reviewed data on how many hearings and trials have been interpreted, and into which languages, in its hearings and trials. Data on those interpretations is a good indicator of the languages that are spoken by OATH’s service population. That is because OATH/ECB’s service population is in large part made up of persons who are required to contact ECB and OATH about Notices of Violation (tickets) and similar legal matters. Many of those persons appear at ECB and OATH for hearings and trials. For that reason, data about what languages are interpreted at hearings and trials is a good indicator of what languages are spoken by OATH/ECB’s service population. OATH/ECB has also reviewed City Planning data. Based on this information, OATH/ECB has concluded that the top six languages are as follows:

- Spanish
- Mandarin
- Arabic
- Bengali
- Cantonese
- French

Desk-top signs saying there are free translation services: OATH/ECB already has desk-top signs saying there are free interpretation services (the services provided at hearings). These signs include sixteen languages, namely Spanish, Chinese, Bangla, Kreyol, French, Urdu, Hindi, Russian, Sign language, Hebrew, Korean, Albanian, Polish, Punjabi, Arabic and Yiddish.

Interpretations at hearings and trials: At hearings, conferences, and trials, OATH/ECB provides interpretations into all languages available through its language interpretation contractor.

Signs: OATH/ECB will translate important signs posted in its offices into LEP languages. The translated information will be put either on a posted sign, or into a Powerpoint-type presentation, or into a handout, depending on what is appropriate. The number of LEP languages used in a translated posted sign will depend in part on the importance of the information and on the space available for the sign. All decisions about signs will be made taking into account the four US DOJ factors (see point III(b) below).

Documents: It is a goal of OATH/ECB to translate key documents into the top six languages.

Interpretations of customer service conversations: It is a goal of OATH/ECB to provide interpretations of customer service conversations.

b. How OATH/ECB will execute the U.S. DOJ “Four-Factor Analysis.”

City agencies have flexibility to decide what is appropriate language assistance for their service population. In deciding, the agency must do an analysis based on the four factors set out by the U.S. Department of Justice (DOJ). Those four factors are set out below.

Factor 1: “The number or proportion of LEP persons in the eligible service population.”

Factor 2: “The frequency with which LEP persons come in contact with the agency.”

Factor 3: “The importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation/translation).

Factor 4: “The resources available to the agency and the costs of providing various types of language services.”

The proportion of LEP persons in the service population and the frequency with which they come in contact with the agency.

Factor 1 of the four U.S. DOJ factors is “the number or proportion of LEP persons in the eligible service population.” OATH/ECB can estimate the proportion of LEP persons in the service population and the frequency with which LEP persons come in contact with OATH/ECB in the following way:

- Comparing the number of hearings that are done with interpreters to the number of hearings that are done without interpreters. (After OATH/ECB starts interpreting customer service calls also, it will be able to compare the number of

customer service calls done with interpreters to the number of calls without interpreters.) This will let OATH/ECB estimate the proportion of LEP persons in its service population.

Factor 2 of the four U.S. DOJ factors is “the frequency with which LEP persons come in contact with the agency.” OATH/ECB can estimate how often LEP persons come in contact with OATH/ECB in the following way:

- Reviewing reports from its interpretation contractor (Language Line) to see how often LEP persons have hearings. Those reports indicate the number of interpretations at hearings that were made at OATH/ECB in a given period of time, and in what languages. This will let OATH/ECB estimate the frequency (how often) LEP persons come in contact with OATH/ECB.
- In the future, once customer service calls and conversations are also being interpreted for LEP persons (a goal of the Language Access Plan), OATH/ECB will have more information about how often LEP persons come in contact with OATH/ECB.

Factor 3 of the U.S. DOJ factors is “The importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation/translation). OATH/ECB looks at the importance of its services to its LEP population in the following ways:

- Hearings: Fair hearings on Notices of Violation are essential to due process. Accordingly, OATH/ECB’s first step in its plan was to provide interpretation services at pretrial conferences and hearings. This is because it is important that LEP respondents:
 - Make themselves clearly understood at hearings
 - Understand everything that occurs at hearings
- Customer Service: Customer Service staff provides important information about OATH/ECB services.
 - OATH/ECB plans to provide interpretation services for customer service conversations as is set out in the benchmarks in this LAP.
- Documents: It is important that key documents, including key website materials, be translated or interpreted.
 - OATH/ECB is in the process of deciding which documents will be translated and in what order.

Factor 4 of the U.S. DOJ factors is “The resources available to the agency and the costs of providing various types of language services.” OATH/ECB has designated the following resources for language assistance services:

- Personnel: OATH/ECB has designated the following personnel to ensure compliance with its LAP:
 - Language Access Coordinator, who will be assisted by OATH/ECB staff as needed.

- Translation & Interpretation: OATH/ECB has set aside money in its budget for contractors on an ongoing basis for the following purposes:
 - Interpretation contractor for interpretations at hearings and for interpretations of customer service conversations.
 - Translator contractor for translations of documents and signs.
- Equipment: OATH/ECB has set aside money in its budget for the following one-time costs:
 - Signage.
 - Telephone equipment needed for interpretation services.
 - Other equipment, including computers used for Powerpoint or other presentations.
- Training: OATH/ECB staff will be trained using the following resources:
 - OATH/ECB's staff or interpretation contractor will provide training on using equipment needed for interpretations.
 - OATH/ECB staff or its interpretation contractor will provide training on working with interpreters.
 - OATH/ECB's Administrative Judicial Training Institute will provide training on cultural competency.
- Surveys: OATH/ECB will set aside staff resources as necessary to conduct periodic surveys of the LEP persons and ECB staff who use ECB's interpretation and translation services to assess the quality and sufficiency of those services.

All four factors will be considered.

OATH/ECB will be taking the four U.S. DOJ factors into account on an ongoing basis, as it implements its Language Access Plan.

IV. Implementation Plan Logistics

a. The timeline for implementing the OATH/ECB Language Access Plan.

The general timeline for implementing the OATH/ECB Language Access Plan is set out below:

- A key part of the OATH/ECB Language Access Plan is already implemented, as follows.
 - Interpretation of hearings is already available for LEP persons.
 - Customer service staff is trained in identifying LEP persons.
 - Signs at customer service desks let LEP persons know that free interpretation of hearings is available.
- Further implementation of OATH/ECB Language Access Plan will be ongoing (see the major milestones set out below).

b. What are the major milestones in your plan?

The major milestones in the OATH/ECB Language Access Plan, calculated with a start date of February 2, 2009, include the following:

- *Signs*: Review and document all existing signs in all OATH/ECB offices and decide which signs should be translated and into what format (posted sign; Powerpoint or handout); order translations of the sign texts; wait for completion of translations; prepare proofs of texts of signs; order signs and wait for delivery; install signs.
 - *Completion date (rough estimate)*: September, 2009.
- *Equipment for interpretation of customer service conversations*: Review and document as necessary existing equipment and wiring, as well as locations in all customer service areas that could be used as interpretation areas, and determine what modifications, if any, are needed; get specifications for all new equipment, wiring and alterations that are needed; order equipment; wait for delivery; make any necessary modifications to work space; install equipment.
 - *Completion date (rough estimate)*: September, 2009.
- *Training*: Train staff who will be speaking with LEP persons in using equipment, working with interpreters, cultural competency, and any related training.
 - *Completion date (rough estimate)*: October, 2009.
- Begin interpreting in-person conversations at all customer service desks and also customer service calls, using dual-handset phones, conference phones, or equivalent technology.
 - *Completion date (rough estimate)*: November, 2009
- *Documents*: Complete plain language version of the key information on the back of the standard ECB Decision and Order form, including the information on how to appeal; order translation of that document in the top six LEP languages; wait for delivery; make document available to LEP persons (for example, on the website and at customer service counters).
 - *Completion date (rough estimate)*: September, 2009.
- *Power point presentation*: (i) *Equipment*: Review waiting room areas to decide if layout and authorizations will enable ECB to use a Powerpoint presentation. If so, decide what equipment is needed, order necessary equipment; install equipment; (ii) *Text*: Write text for presentation that includes some basic information about ECB, possibly including information currently on signs, to be translated into the top six LEP languages, and shown in ECB offices where the design of waiting room areas makes this possible; prepare text in Powerpoint format; install presentation.
 - *Completion date (rough estimate)*: December, 2009.

- *Surveys*: Conduct surveys of both LEP persons and of ECB staff to see if OATH/ECB is meeting its Language Access goals. The start date of the first survey will likely be approximately two months after the beginning of interpretation services for customer service calls.
 - *Completion date (rough estimate)*: December 2009

c. Persons at OATH/ECB who will be involved in implementing the Language Access Plan.

The persons at OATH/ECB who will be implementing the Language Access Plan are as follows:

- The Language Access Coordinator.
- The Legal Director.

Language Access Coordinator: The responsibilities of the Language Access Coordinator include the following:

- Achieve the specific goals of the Language Access Plan.
- Work on an ongoing basis with the Managing Attorneys and Branch Managers of ECB, and with the staff of the tribunal at OATH, to achieve those goals.
- Work with the Legal Director, and also with other OATH/ECB executive staff as needed, in connection with the implementation of the Language Access Plan.
- Maintain records of the language services provided by OATH/ECB, including maintaining copies of all translated documents.
- Together with Legal Director, and also with any other OATH/ECB executive staff as needed, conduct a yearly review of the Language Access Plan.
- Alert the Legal Director, and also other OATH/ECB executive staff as needed, of any significant problems that come up regarding the Language Access Plan.

V. Service Provision Plan.

a. Interpretation services

1. OATH/ECB will provide interpretation both over the phone and at its offices.

Once the OATH/ECB plan is fully implemented, it is expected that OATH/ECB will be able to provide interpretation services both at its offices (in hearings and at customer service desks) and also over the phone, as follows:

- OATH/ECB already provides interpretation at hearings. Based on past experience, OATH/ECB estimates that approximately 2,000 hearings per year will be interpreted.

- A goal of OATH/ECB is to interpret conversations at customer service desks in OATH/ECB offices, using dual-handset phones, conference phones, or equivalent technology. OATH/ECB estimates that approximately 4,000 conversations per year will be interpreted.
- A goal of OATH/ECB is to interpret phone calls between customer service staff and LEP persons. OATH/ECB estimates that approximately 6,000 calls per year will be interpreted.

i. OATH/ECB will use the DoITT citywide contract for telephonic language interpretation service. OATH/ECB will use existing bilingual staff only on a limited basis.

- OATH/ECB already uses the DOITT citywide contact for its interpretation contractor.
- OATH/ECB will use an existing contract for ordering telephones.
- OATH/ECB's Plan does not include a formal role for bilingual OATH/ECB staff. At present, bilingual staff are used, and will continue being used, in connection with ECB in the following situation:
 - If a LEP person is at an ECB customer service desk and only a short conversation is needed, and an ECB staff member who speaks the LEP language (for example, Spanish) happens to be at the desk and is willing to translate, that staff member may translate that short conversation.

ii. How OATH/ECB identifies someone as an LEP person.

- *Customer service:* Both ECB and OATH have desk top signs, written in sixteen different languages, at its front desks. An LEP person can point to his or her language on the sign. This is one way that customer service will know that someone is an LEP person. Also, even if a LEP person does not point to a sign, customer service staff may know the person needs language assistance, by speaking with that person.
- *Customer Service:* The tribunal at OATH has a poster that states in a number of LEP languages that free translation services are available and that also includes pictures of the flags of the nations associated with those languages. This assists LEP persons in pointing to and identifying their native languages.
- *Hearings:* Hearing officers and Administrative Law Judges (ALJs) sometimes are told by customer service staff, before the hearing begins, that an interpreter is needed at the hearing. If not, the hearing officer or ALJ will know someone is an LEP person because either (i) the person will ask for an interpreter, or (ii) the hearing officer or ALJ realizes when talking to the person that he or she is an LEP person.
- If the methods described above still do not help OATH/ECB staff find out what language the LEP person speaks, OATH/ECB staff will call the interpretation service. Their interpreters will help find the correct language.

b. Translation of Written Material

OATH/ECB will use a contractor to translate signs and documents.

1. How OATH/ECB will identify essential public documents.

The term “essential public documents” is defined in Executive Order 120 of 2008 as documents which contain or elicit important and necessary information regarding the provision of “basic City services” and that are commonly distributed to the public. OATH/ECB’s documents do not fall within the literal terms of this definition, because OATH/ECB does not provide “basic City services” (for example, it does not provide government benefits). Regardless of the words used to describe its documents, OATH/ECB does have key documents that will be translated (other documents may also be translated). For example, a sign that says that free translation services are available is a key document that will be translated.

Decisions about which documents will be translated, and in what order, and into what languages, will be made by OATH/ECB’s Language Access Coordinator and Legal Director, in consultation with other OATH/ECB executive staff as needed (see Point IV.(c) above). These decisions will take into account U.S. DOJ four-factor analysis.

Decisions about which documents will be translated will be made on a document-by-document basis. Different types of translation will be considered for different types of documents. For example, an approach that will be considered in connection with document types will be as follows:

- *Signs*: For posted signs, a universal symbol will be used or else the sign will be in English and Spanish. Where the text of a posted sign is informational and of key importance, that text will be available in the six top LEP languages (Spanish, Mandarin, Arabic, Bengali, Cantonese, and French) by other means, such as by Powerpoint presentation in waiting areas and/or by translated handouts).
- *Informational documents*: When the text of a key document is translated, it will be translated into the top six LEP languages.
- *Forms*: Forms are documents on which the name (the field name) of each blank area on the form is always the same, but on which one-of-a-kind (unique) information is filled in. Some forms are filled in by ECB staff (such as an ECB Orders of Adjournment); and some forms are filled in by persons appearing at OATH (such as ECB Notices of Appearance).

Quality Assurance Check: OATH/ECB will do a quality assurance check on documents that it translates to ensure that the translation is accurate. OATH/ECB anticipates using the services of the Office of Immigrant Affairs to assist with this process.

2. Use of plain language guidelines and standards.

OATH/ECB's goal is to use plain language as much as possible. Before translating a document into another language, OATH/ECB will rewrite the document using plain language principles.

3. Website

OATH/ECB has two websites – one for ECB (the “ECB” website) and one for the tribunal at OATH (the “OATH” website).

OATH/ECB has already done the following website translations:

- The ECB website has a built-in translation feature. In other words, someone looking at a website page can translate that page.
- The OATH website has a Spanish translation of the rules of the tribunal at OATH.

OATH/ECB's further goals are as follows:

- To add a built-in translation feature to the OATH website.
- To make the translation feature easier to use, on both websites, if possible.
- To re-write websites pages as needed using plain English principles.
- To put translated documents onto the websites, as the documents are translated.

c. Signage at Public Service Centers

OATH/ECB has six public service centers, as follows:

- OATH, 40 Rector Street, 6th Floor, New York, NY 10006
- ECB Manhattan, 66 John Street, 10th Floor, New York, NY 10038
- ECB Brooklyn, 233 Schermerhorn Street, 11th Floor, New York, NY 11201
- ECB Queens, 144-06 94th Avenue, Main Floor, Jamaica, NY 11435
- ECB Bronx, 3030 3rd Avenue, Room 250, Bronx, NY 10455
- ECB Staten Island, 350 St. Marks Place, Main Floor, S.I. 10301

1. Public notices about OATH/ECB's free language assistance.

- OATH/ECB has already installed desk top signs at its customer service desks that inform the public that OATH/ECB provides free interpretation service in sixteen different languages, namely (as described on the signs): Chinese, Kreyol, Urdu, Russian, Hebrew, Albanian, Punjabi, Yiddish, Spanish, Bangla, French, Hindi, Sign Language, Korean, Polish, and Arabic.

2. Translation of directional signage in OATH/ECB offices

- OATH/ECB will be translating directional signs. See Point V(b)(1) above.

d. Letting the public know about services offered for LEP persons

OATH/ECB will let the public know about services offered for LEP persons in the following ways:

- The OATH/ECB Language Access Plan will be posted online.
- OATH/ECB has signs at its customer service desks, written in sixteen different languages, which state that OATH/ECB has free interpretation service.
- OATH/ECB's customer service staff helps to find out if someone is an LEP person, and then let them know that interpretation is available, and arranges for a hearing with an interpreter.

VI. Training

a. Training on OATH/ECB's Language Access Plan.

Training on OATH/ECB's Language Access Plan will include the following.

- OATH/ECB staff who have regular contact with LEP persons will get training on OATH/ECB's Language Access Plan. This staff includes OATH/ECB hearing officers, Administrative Law Judges and customer service staff. The training will be on-the-job training, training by Memo, or classroom training, as needed.
- Language Access Plan information will be incorporated into new employee orientation.
- Language Access Plan training will include information on the following topics:
 - OATH/ECB's legal obligation to provide language assistance.
 - A review of when OATH/ECB provides language assistance.
 - A review of their role in providing language assistance.
 - Tips on working with interpreters.
 - Who to contact at OATH/ECB if they have questions about language access issues.
- The Language Access Coordinator will meet with managers to explain the Language Access Plan and to explain their roles in implementing the plan and in training staff.

b. Training on identifying a person's primary language; use of dual hand-set phones and conference phones for interpretation.

Training on identifying a person's primary language.

ECB

- ECB has already started training customer service staff to engage in conversation with respondents that requires their verbal response to questions. If the respondent appears to experience difficulty in understanding basic English sentences, staff is instructed to utilize a language card to help the LEP person to indicate their native language.
- If the LEP person wishes to have a hearing, customer service staff tells the Managing Attorney of the borough office, so that the Managing Attorney can arrange for a hearing with an interpreter.

Use of dual- handset phones and conference phones.

- Hearing officers and Administrative Law Judges have received on-the-job training in using phone interpretation services and conference phones.
- After dual-connection handset phones (or equivalent technology) are available for use by customer service staff (which is a goal of the Language Access Plan), OATH/ECB's customer service staff will be trained on using the equipment and working with interpreters.

OATH Tribunal

- The tribunal at OATH has desk top signs, written in sixteen different languages, at its front desks. These show the public that OATH/ECB has free interpretation service. Therefore, an LEP person can point to his or her language on the sign.
- The calendaring unit staff of the tribunal at OATH is experienced in identifying LEP persons and in getting interpreters for them. For example, calendaring staff sometimes gets interpreters for LEP persons in cases when vehicles are taken away by the City and in cases when taxi drivers might lose their licenses.
- Administrative Law Judges have received on-the-job training in using phone translation services.
- When dual-connection handset phones (or equivalent technology) are installed for use by customer service staff (which is a goal of the Language Access Plan), staff of the tribunal at OATH will be trained on using the equipment and working with interpreters.

b. Cultural competency training

Cultural competency training is training to increase awareness about and sensitivity to diversity and cultural differences.

- OATH/ECB's Administrative Judicial Training Institute will provide cultural competency training to hearing officers and Administrative Law Judges and customer service staff.

VII. Record Keeping and Evaluation

a. Ensuring quality of language access services.

OATH/ECB will ensure the quality of its language access services by doing the following:

- OATH/ECB will conduct periodic surveys of the LEP persons and of ECB staff who use ECB's interpretation and translation services to determine quality of language access services.
- OATH/ECB will use professional interpreters for its interpretation services at hearings and (when implemented) for its customer service interactions with LEP persons, and also for translation of documents.

b. Maintaining records of the language services OATH/ECB provides.

OATH/ECB will maintain records of the language services it provides by doing the following:

- Obtaining statistics from the interpretation provider that indicate how many interpretations were done at OATH/ECB, and what languages were interpreted.
- Keeping file copies of all translated documents.
- Documenting any formal classroom training provided and keeping file copies of training materials.
- Keeping copies of the results of any surveys it conducts in connection with services provided to LEP persons.

c. Ensuring compliance with the Executive Order.

OATH/ECB will ensure compliance with Executive Order 120 of 2008 in the following ways:

- Hearing Officers, ALJs and customer service staff will be trained in the use of language assistance services.
- OATH/ECB will get reports from the interpretation contractor, and from OATH/ECB staff, to ensure that interpretation services are being used, and how they are being used.
- The Language Access Coordinator will regularly communicate with, and work with OATH/ECB staff to ensure they are implementing the Language Access Plan.
- The OATH/ECB Language Access Coordinator will work with ECB's Legal Director, and with other OATH/ECB executive staff as needed, to continue deciding issues relevant to compliance, including deciding which documents should be translated and in what order and into what languages.
- OATH/ECB will review the Language Access Plan at least once a year.

VIII. Resource Analysis and Planning

a. Using current agency resources to implement the Language Access Plan.

Some parts of the OATH/ECB Language Access Plan can be afforded in its current budget as one-time costs. These will be placed in our budget for Fiscal Year 2009 (or for Fiscal Year 2010, depending on how quickly the Language Access Plan milestones can be reached) as follows:

- Signage.
- Purchase of dual-handset phones, conference phones, or equivalent technology.
- Training of current customer service staff in the use of dual-handset phones and use of interpretation services.
- Re-writing of document(s) into plain language
- Translation of document(s) into LEP languages.
- Preparation of a Powerpoint presentation.
- Providing on-line translation capability for all website page views.

Other parts of the OATH/ECB Language Access Plan, such as interpretations at hearings, involve ongoing costs.

1. Using existing contracts for services or training.

The current telephonic interpretation requirements contract will be used for interpretation services, data retrieval, and possibly for some staff training.

2. Use of a volunteer language bank.

OATH/ECB does not intend to use a volunteer language bank at this time.

b. Use of citywide resources.

When possible, OATH/ECB will use citywide resources to help provide language access services at OATH/ECB. To learn about citywide resources (such as pre-printed language cards), OATH/ECB will be in contact with the Mayor's Office of Operations. That Office, as is directed by Executive Order 120 of 2008, helps City agencies to get language services to the public and gives technical assistance to City agencies in providing language services.

CONTACT US

Contact the OATH/ECB Language Access Coordinator. The website version of this Plan will have an active link to email the Language Access Coordinator.