



**Department of
Consumer Affairs**

Language Access Implementation Plan

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Language Access Implementation Plan

Mission of the Agency

The City of New York created the Department of Consumer Affairs in 1969, the first municipal agency in the country focusing on the rights and responsibilities of consumers and businesses. DCA conducts all of its efforts with a single purpose: to ensure that consumers and businesses benefit from a fair and vibrant marketplace. DCA's Office of Financial Empowerment (OFE), the first program initiated by the Center for Economic Opportunity as part of the Mayor's anti-poverty effort, helps protect, empower and educate New Yorkers with low incomes so that they can improve their financial situations.

Direct Services

The Department of Consumer Affairs:

- Licenses more than 70,000 businesses in 55 different categories and operates the DCA Licensing Center at 42 Broadway on the 5th floor. The Center also administers permits on behalf of the New York City Department of Health and Mental Hygiene.
- Conducts inspections citywide to make sure that the laws protecting consumers are upheld, enforces the Weights and Measures, Consumer Protection and business licensing laws.
- Collects fines from licensed and unlicensed businesses that violate the Consumer Protection, Licensing, and Weights and Measures laws.
- Mediates complaints between the consumer and the store owner or merchant.
- Settles violations and legal matters.
- Adjudicates disputes in DCA's tribunal at 66 John Street and in state court.
- Educates both consumers and businesses about their rights and responsibilities through the press, the Web, publications, speaking engagements, and seminars.
- Provides one-on-one financial coaching and counseling through its Financial Empowerment Centers.

Language Access Goals

The goal of DCA's language access implementation plan is to better serve customers by bolstering and augmenting the existing language access protocol within the agency. DCA's policy is that limited English proficiency (LEP) should not be a hindrance in a business owner's ability to obtain a license and know the rules and regulations; nor should it be an obstacle for consumers to know their rights and have the ability to file a complaint against a business.

The following are the 2007-2008 initiatives that DCA adopted to improve language assisted services:

- Designated an official Language Access Coordinator for the agency
- Implemented an agency-wide language access protocol
- Created an internal inter-divisional language bank of volunteer staff translators

- Enhanced front-line staff interactions with the public by creating language access posters and desktop signage
- Convened a Language Access Team consisting of staff across divisions
- Continued using Language Line as the primary tool for translation/interpretation and reinforced its use
- Translated materials and informational brochures targeted to consumers and businesses

Current Language Protocol at DCA

The following is the Department's protocol for all staff regarding the provision of language assistance services for the general public. All employees receive a copy of this protocol and a copy of the Language Line access information from DCA's Language Access Coordinator. The protocol is also posted on DCA's Intranet.

Protocol

“When language interpretation is needed, please follow these steps:

- 1.** Determine which language is required. Language desktop signage and wall posters have been posted in high traffic areas to assist staff. Additionally, division directors will have language identification cards available for staff needs.
- 2.** Use and refer to Language Line as the primary tool for providing interpretation services. A copy of the Language Line access information is attached for your convenience.
- 3.** You may ask a DCA staff member to assist you on a voluntary basis. If a staff member is needed to interpret, please check with that staff member and his/her division director. Please refer to Language Line first before asking a staff member to interpret
- 4.** If a customer brings his/her own interpreter, make sure that you let the customer know that free interpretation services are available. Never allow minors to serve as interpreters.
- 5.** You may access DCA's database of staff members who have volunteered to translate or interpret via DCA's Intranet:
<http://mydca.dca.nycnet/DCAIntranet/MyDCAHomePage/MyDCAHomePage.aspx>
- 6.** Bring any language issues that arise to the attention of your division director.
- 7.** If literature or materials need to be translated, please advise your division director.
- 8.** Divisions must submit approved document translation requests to External Affairs and/or the Language Access Coordinator. The Language Access Coordinator will coordinate translating and formatting of the final document with External Affairs.

9. For special events such as public hearings, press conferences, and/or large meetings where interpretation services are required, please advise your division director and the Language Access Coordinator at least two weeks in advance of the event to allow time to put language services protocols in place. Please contact the Language Access Coordinator for more information.”

Limited English Proficiency Population Assessment

The following LEP population assessment is based on the Four-Factor Analysis issued by the U.S. Department of Justice. The factors are as follows: 1) The number or proportion of LEP persons in the eligible service population; 2) The frequency with which LEP individuals come into contact with the agency; 3) Explanation of the nature and importance of the program/services for the LEP person requiring language assistance; and 4) The resources available to the agency and the cost of providing language services.

The languages targeted at DCA will be Spanish, Chinese (Cantonese & Mandarin), Korean, Russian, Haitian-Creole, and Bengali. The choice of these six languages is based on current census information retrieved from the Department of City Planning. In addition, DCA front-line staffs from three divisions (Licensing, Consumer Services, and Adjudication) have indicated, in informal surveys, that these six languages are encountered with greater frequency when compared to other languages.

The inclusion of Bengali as a targeted language for interpretation and translation is based on DCA’s expanded interaction with the Bengali community, especially in the area of home improvement contractors, licensed by the Department. We have conducted a number of external seminars with Bengalese community-based organizations at their specific request to educate and license Bengali immigrants interested in becoming home improvement contractors. Because home improvement contracting is DCA’s top complaint category, we are eager to help every segment of the industry understand the license laws and “get it right”. DCA has also translated materials into Bengali for other important Department initiatives that are relevant to Executive Order 120, such as immigration service providers, tax preparation, and employment agencies.

The majority of DCA services, programs, and campaigns that affect the general public on a daily basis are quality of life concerns. In striving to maintain a fair and vibrant marketplace in an ever growing diverse population, the balance that DCA will strike is to:

- Translate essential documents for consumers and businesses
- Supply verbal translations services
- Provide in-house staff translators/interpreters when available
- Evaluate and update language access services on a consistent schedule

Translation and interpretation services are necessary for DCA to fulfill its strategic priorities: empowering and protecting consumers, facilitating fair business practices and conducting efficient, accountable and customer-friendly operations. Without such services, consumers would not be able to file complaints or know their basic consumer rights. Business owners would not be able to navigate the rules and regulations that govern commerce in New

York City nor would they be able to apply, on their own, for a license to run a compliant establishment

Consumer advocacy groups and business associations in immigrant communities have been vital resources as information portals for DCA. From gathering groups of complaints to implementing educational training seminars, relationships with community-based organizations has been at the heart of DCA's strategic priorities. With the adoption of language services in the Mayor's Executive Order 120, DCA will be working even more closely with groups that represent immigrant consumers and businesses that have clientele with limited proficiency in English.

As stated in DCA's agency protocol, Language Line is the agency's chief language interpretation and translation resource. Special telephonic devices are already in place in public areas to aid in interpretation. Materials are reviewed on a regular schedule and prioritized for translation through Language Line. DCA's Finance division maintains the agency contract with Language Line.

Implementation Plan Logistics

The timeline for the Department of Consumer Affairs language access implementation plan is as follows:

- Bi-monthly Language Access Team meetings will be held starting in the first quarter of 2009, for representatives of divisions with front-line staff that deal with the public on a regular basis (External Affairs, Enforcement, Adjudication, Consumer Services, Research & Investigations, Legal, OFE, Collections, and Licensing). These meetings will address daily operational concerns and issues regarding language access. Additionally, the Language Access Coordinator will report on language usage in the agency along with any updates to the language access plan to Senior Management on a quarterly schedule. The Language Access Coordinator will also coordinate all requests for document translations.
- The language access plan will be updated on a bi-annual schedule by the Language Access Coordinator. If necessary, updates can be made more frequently to assure immediate compliance. Monitoring of the plan will include reports made by division directors to the Language Access Coordinator on usage of language access services. Additionally, should concerns or issues arise from normal daily usage of the language access plan, they will be addressed accordingly. The Language Access Coordinator will ensure copies of an up-to-date plan are readily available to the public upon request and strategically displayed on DCA's website and public areas.
- In the first quarter of 2009 the External Affairs staff and the Language Access Coordinator will prioritize requests from each division for document translation.
- Translation of documents will start in the first quarter of 2009 and staff will seek to complete all requests by the last quarter of 2009. Prioritization will take into account the importance of the information to the LEP person and the consequences of lack of translation. Requests for document translation will be ongoing and based on review by the Language Access Officer, External Affairs and Senior Management. The Department

may consider, when appropriate, the resources available to the Department and the costs of translating documents in prioritizing translations.

- Recruitment of staff volunteers to be added to the existing Language Access Bank will be on-going. A recognition and appreciation event will be held annually for Language Access Bank volunteers.
- Working in conjunction with DCA's Executive Director of Training, refresher training of current DCA front-line staff on language access and the use of Language Line will commence in the first quarter of 2009 and continue on an annual schedule. New staff will be briefed on language access by Human Resources and trained by their respective division directors and/or the Language Access Coordinator.
- A new protocol on language access-specific training will be disseminated in the first quarter of 2009.
- DCA will track language access requests through the use of Language Line data, document requests, and qualitative feedback from division directors. The Language Access Coordinator will review and evaluate language access data and information on a bi-monthly basis. Assessment of this data will include general monitoring of the Language Access Plan for Executive 120 compliance. These reports will be forwarded quarterly to Senior Management for review.

Implementation of Language Access Plan

- DCA has a single Language Access Coordinator who will facilitate the implementation of the language access plan agency-wide. The Language Access Coordinator will ensure that the plan is revised and/or updated when necessary, track and report language access numbers, coordinate the Language Access Team meetings, supervise the language access volunteer bank and accept requests for and coordinate document translations.
- Division directors will assist in this initiative by monitoring and ensuring their staff complies with the directives and protocols of the new plan. Signage and general language access upkeep will be monitored by division directors who will address any issues with advice from the Language Access Coordinator.
- Front-line staff is directed to adhere to the plan and make every effort to ensure that customers receive services in their specific language. General issues with document translation, verbal translation, signage, and Language Line are to be reported by staff to their respective division directors and/or the Language Access Coordinator.

Service Provision Plan

- DCA will track language access requests to assess language assistance needs for particular divisions.
- DCA will provide access to Language Line, a telephonic interpretation service, at DCA locations (66 John Street, its Test Station in Brooklyn, and 42 Broadway offices). Telephones designated for Language Line are provided to DCA by Language Line and are the dual hand-set type for multi-user interaction.
- When an individual indicates he/she needs an interpreter, DCA staff will immediately determine the person's native language and offer Language Line as an interpretation service.

- If DCA staff encounters difficulties in assisting customers after exhausting all options at their disposal, the Language Access Coordinator should be contacted for further assistance.
- DCA currently uses Language Line as its primary translation/interpretation tool for front-line staff and document translation.
- When available, staff from DCA's internal language bank will assist in proof reading materials translated by Language Line.
- Essential documents that will be requested by each division for translation will be considered critical. These include complaint forms, settlement letters, etc.
- For document translations, care will be taken to avoid jargon and legal language. Where applicable, plain language will be used.
- DCA's MIS staff and External Affairs Online Information Manager will explore translating the DCA and OFE websites. Further guidance will be given by DOITT on this initiative. The availability of language translation/interpretation services at DCA will be made known on the respective websites.
- In high traffic areas, DCA has placed language translation wall posters and desktop signage. Directional signage for these high traffic areas will be created as well.
- DCA will create language identification cards similar to the "I speak..." cards developed to assist LEP individuals.
- DCA staff may be requested to provide outreach presentations in their native language. If no DCA staff is available, DCA will request that the host organization provide an interpreter. Translated materials and brochures will be utilized to support outreach efforts.
- DCA currently licenses over 70,000 businesses and we docket approximately 120 complaints a week on average. Based on this data, the predicted potential usage of languages services by both businesses and consumers would be approximately 20,000 individual entities or roughly one quarter of the total entities served on an annual basis. The majority of business owners have adequate proficiency in English to be able to function in a business environment. However, DCA anticipates an increase in the need and demand for language services among consumers filing complaints as about one quarter of those filing complaints have marginal or less than marginal proficiency in English.
- Language interpretation/translation signs are currently in place at three key public locations of the Department: the main office at 42 Broadway on the 8th Floor, the Licensing Center on the 5th floor, and the 9th floor where Consumer Services, Collections and the Legal Divisions interact with public; at our Adjudication Division at 66 John Street on the 11th floor; and at our Weights and Measures Test Station located at 245 Meserole Avenue in Brooklyn.
- External Affairs will include general information about the availability of language access services at the Department in outreach presentations, on the Web, in press releases, etc. For information about DCA and its language access program, consumers and businesses should call 311 or visit the agency's website. Relevant outreach materials for the Department's campaigns and major initiatives are, and will continue to be, translated into the languages indicated above.

Language Access Training

- A copy of the new language access implementation plan will be made available to all DCA staff via the agency's Intranet. The Language Access Coordinator and division directors shall maintain a hard copy of the plan in their respective areas for quick reference.
- The Language Access Coordinator will review the language access implementation plan with Division Directors.
- The Language Access Coordinator will develop a training module with the Training Director to address front-line staff interactions with LEP individuals. This training may also include input from MOIA and cultural sensitivity information as well.
- Working with the Executive Director of Training, the Language Access Coordinator will coordinate training on the usage of Language Line for all staff. Staff training will be scheduled annually and by request from division directors.
- Language Access staff trainings will occur on a bi-annual timetable and training modules will be approximately an hour and a half.
- Training will include, but not be limited to, the following topics: How to Engage LEPs and Assess Their Language Needs; How to Use Language Line Services; How to Record Language Line and Language Access Information; Selecting Appropriate Documents for Translation

Record Keeping and Evaluation

- Beginning in January 2009, DCA will maintain records of interactions with LEP individuals.
 1. Requests for translation or interpretation will be noted from Language Line reports with the language requested, time and date. This includes incoming phone calls.
 2. The Language Access Coordinator will ensure the creation of a user-friendly format to record language information.
 3. Division Directors will review information for accuracy and submit the reports to the Language Access Coordinator.
 4. The Language Access Coordinator will review agency-wide language access information and when necessary, update the implementation plan to address issues.
 5. The Language Access Coordinator will also submit language access information to Senior Management for review.
 6. The Language Access Coordinator will maintain all such information for use in outreach, press events, FOIL inquiries, etc.
 7. Language access usage will be monitored bi-monthly by the Language Access Coordinator for Executive Order 120 compliance. Both the Mayor's Office of Operations and Office of Immigrant Affairs will be sourced for guidance and updates.

Resource Analysis and Planning

- The Language Access Coordinator will work with DCA's Human Resources to continue to explore expanding job titles to include language ability in the preferred job skills category for *non-civil-service titles*.
- DCA's Human Resources Division will collaborate with division directors seeking to hire staff at DCA to make certain that potential candidates are notified of DCA's and the City's commitment to language access.
- When all resources for translation/interpretation are exhausted in assisting a LEP individual, including the use of Language Line, staff will contact their division director or the Language Access Coordinator. Considerations for contacting a known community-based organization to assist in translation/interpretation can be made by staff. Additionally, if necessary, contact with the respective consulate or embassy offices may be conducted as well.
- If additional funding resources become available, the Language Access Coordinator and External Affairs staff may allocate such funds for translation/interpretation services, updating materials, brochures, signage, etc. This will foster an expanded partnership with Language Line and a more accessible use of the service throughout the agency.
- If City-approved language translation/interpretation classes become available, the Language Access Coordinator will work with Human Resources to share this information with all staff. Further recruitment for the internal language bank from participating staff may also be conducted.

Major Milestones

Timeframe	Milestone
Start first quarter 2009 (ongoing)	Regularly-scheduled Language Access Team meetings will be held starting in the first quarter of 2009, for representatives of divisions with front-line staff that deal with the public on a regular basis (External Affairs, Enforcement, Adjudication, Consumer Services, Research & Investigations, Legal, OFE, Collections, and Licensing). These meetings will address daily operational concerns and issues regarding language access.
Start first quarter of 2009. <ul style="list-style-type: none"> • Reports filed with the Mayor's Office of Operation on a quarterly basis. • Updates to the Language Access Plan performed on a bi-annual schedule. 	The Language Access Coordinator will report on language usage in the agency, provide updates to the language access plan, and coordinate all requests for document translations.
Start first quarter of 2009 (ongoing)	In the first quarter of 2009 the External Affairs staff and the Language Access Coordinator will prioritize requests from each division for document translation. Translation of documents will start in the first quarter of 2009 and staff will seek to complete all requests by the last quarter of 2009. Prioritization will take into account the importance of the information to the LEP person and the consequences of lack of translation. Requests for document translation will be ongoing and based on review by the Language Access Officer, External Affairs and Senior Management. The Department may consider, when appropriate, the resources available to the Department and the costs of translating documents in prioritizing translations.
Start first quarter of 2009. <ul style="list-style-type: none"> • Recruitment to be conducted on a quarterly basis per year. 	Recruitment of staff volunteers to be added to the existing Language Access Bank will be on-going. A recognition and appreciation event will be held annually for Language Access Bank volunteers.
Start first quarter of 2009. <ul style="list-style-type: none"> • Scheduling of first training class to be done during second quarter of 2009. • Training classes to commence in the third quarter of 2009 and proceed on an annual schedule. • Evaluation on training module will be performed in fourth quarter 2009 and necessary updates will be made accordingly. 	Working in conjunction with DCA's Executive Director of Training, refresher training of current DCA front-line staff on language access and the use of Language Line will commence in the first quarter of 2009 and continue on an annual schedule. New staff will be briefed on language access by Human Resources and trained by their respective division directors and/or the Language Access Coordinator. A new protocol on language access-specific training will be disseminated in the first quarter of 2009.
Start first quarter of 2009. <ul style="list-style-type: none"> • Evaluation of data to be performed on a bi-monthly schedule to ensure Language Access Plan and EO 120 compliance. • Reports to be submitted to Senior Management on a quarterly schedule. 	DCA will track language access requests through the use of Language Line data, document requests, and qualitative feedback from division directors. The Language Access Coordinator regularly will review and evaluate language access data and information. In turn, these reports will be forwarded to Senior Management for review on a regular basis.
Start first quarter 2009. (ongoing)	External Affairs will include general information about the availability of language access services at the Department of Consumer Affairs in outreach presentations, on the Web, in press releases, etc. The point of contact for information on DCA and language access will be 311 or the agency's website. Relevant outreach materials for major initiatives and campaigns will be translated supporting DCA's commitment to language access.