

# Guidance on Temporary Languages

## New York City Administrative Code § 23-1105

### 1. Executive Summary

[Local Law 13 of 2023](#) amends the New York City Administrative Code by adding a new section, [23-1105](#). This document outlines guidance for Section 23-1105. It provides background on both the requirements and the best practices on implementing Section 23-1105 for the agencies providing City services to “individuals whose primary language is not English arriving in the city and seeking city services.”

#### Key points:

- The Mayor’s Office of Immigrant Affairs (MOIA) has designated Wolof and Pulaar/Fulani as the current “temporary languages” in New York City, as required by Local Law 13, based on data from the Office of Asylum Seeker Operations (OASO).
- Wolof and Pulaar/Fulani are both considered oral languages with limited use of the written format. MOIA recommends that agencies refer to MOIA’s [“Best Practices,”](#) to plan ways to utilize video and audio whenever possible, and to prioritize interpretation services for these languages.
- Agencies under OASO’s coordination, including NYC Emergency Management, NYC Health + Hospitals, and NYC Department of Homeless Services, and other relevant agencies are all required to provide translation and interpretation in “temporary languages.”
- The list of “temporary languages” will be updated at least quarterly.

### 2. Requirements Under Section 23-1105

- The Office of the Language Services Coordinator must designate and post on its website the City’s “temporary languages”: these languages are chosen due to global events/ trends leading to an increase in the number of individuals arriving in New York City who speak those languages and are seeking urgent City services.
- Agencies providing those City services, such as shelter, food, or other urgent assistance, must then translate all relevant documents and provide interpretation services in the designated “temporary languages.”
- Any temporary locations for providing services must also post multilingual signage, including in the “temporary languages,” about the availability of interpretation services.

### 3. “Temporary Languages” Designation

#### **3.1 Data source and rationale**

Section 23-1105 does not specify the data source for how the City needs to determine “temporary languages.” MOIA identified several data and proxy measures, including telephonic interpretation requests, country of origin data from the U.S. Department of Homeland Security (DHS), and the preferred languages of people in OASO’s

care. While these datasets provide valuable insights, they have limitations in terms of scope, timeliness, and granularity.

Based on an analysis of existing data, MOIA chose OASO's datasets to determine the "temporary languages" to fulfill Section 23-1105 requirements. OASO's data was chosen because it provides the most current and relevant information on newly arrived individuals seeking City services. However, it's important to note that this data does not capture individuals who are not in the OASO system.

To address this limitation, MOIA continues to engage with federal agencies like the U.S. DHS, community-based organizations, and community members to better understand the full spectrum of language needs.

Lack of operational language data, especially in emergencies and crises, poses challenges that can exacerbate equity gaps.<sup>1</sup> All agencies are urged to work together to strengthen their collection and use of language data.

### **3.2 Current designation**

The current "temporary languages" come from OASO's aggregation of preferred language data from NYC Emergency Management, NYC Health + Hospitals, and NYC Department of Homeless Services.

Determining "Temporary Languages":

- **Federal guidance:** The "safe harbor" guidelines set by the U.S. Department of Health and Human Services state that recipients of federal funds should provide written translations into languages spoken by 5% or 1,000, whichever is less, of the population.<sup>2</sup>
- **City-specific threshold:** Given that 1,000 people represent about 1% of the overall current population in OASO's care, MOIA adopted a 1% threshold for designating "temporary languages." This threshold may be revisited as population changes and more data becomes available.
- **Exclusion of designated Citywide languages:** The languages already designated under Local Law 30 (2017) (Spanish, Chinese, Russian, Bengali, Haitian-Creole, Korean, Arabic, Urdu, French, and Polish) are excluded from the "temporary languages" list to avoid duplication. These designated Citywide languages are determined based on a rubric using the U.S. Census data and the NYC Department of Education data.

Based on this 1% threshold and omitting the designated Citywide languages, Wolof and Pulaar/Fulani are currently designated as New York City's "temporary languages." Based on MOIA's research and conversations with language experts and community members, Wolof and Pulaar/Fulani are considered oral languages with limited use of the written format. MOIA recommends that agencies refer to our recommended "[Best Practices](#)," utilize video and audio when possible, and prioritize interpretation services for these languages. Note that the 1% threshold only applies to the written translation of documents. Under Local Law 30, covered agencies are also required to provide telephonic interpretation services in at least 100 languages, including both common and esoteric languages.<sup>3</sup>

### **3.3 Required Actions**

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<sup>1</sup> [Why We Need to Collect Data on the Languages of Crisis-Affected People](#) (Translators without Borders)

<sup>2</sup> [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons](#) (U.S. Department of Health and Human Services)

<sup>3</sup> [The New York City Administrative Code § 23-1102](#)

Agencies under OASO’s coordination, including NYC Emergency Management, NYC Health + Hospitals, and NYC Department of Homeless Services, and other relevant agencies providing urgent City services to newly arrived individuals are all required to provide translation and interpretation in “temporary languages.”

- Document Translation:
  - Translate essential documents into designated "temporary languages"
  - Focus on documents related to shelter, food, and other urgent assistance
  - Consider alternatives for oral languages (e.g., audio recordings)
- Interpretation Services:
  - Provide interpretation in "temporary languages" for all client interactions
  - Ensure availability of telephonic interpretation in at least 100 languages
- Signage:
  - Post multilingual signage at all service locations
  - Include information about free interpretation services availability
- Language Identification:
  - Implement a process to verify an individual's preferred language, dialect, or variant
  - Utilize MOIA-provided language identification tools (e.g., "I Speak" cards)

### 3.4 Language Data

Below is a list of preferred languages shown in OASO’s data. The percentage is an average from FY24 Q4 (April – June 2024) and FY25 Q1 (July – September 2024) data.

		<b>FY24 Q4</b>	<b>FY25 Q1</b>
<b>#</b>	<b>Preferred Language</b>	<b>Percent</b>	<b>Percent</b>
1	Spanish	75.5%	75.2%
2	French	9.2%	9.1%
3	Wolof	3.0%	2.7%
4	English	2.6%	2.6%
5	Russian	2.2%	2.0%
6	Arabic	2.1%	2.4%
7	Fulani (aka Peul, Pulaar, Fula, Fulah, Fulfulde)	1.1%	1.4%
8	Chinese	0.8%	0.9%
9	Haitian Creole	0.5%	0.5%
10	Portuguese	0.5%	0.5%
11	Creole and pidgins	0.5%	0.5%
12	Turkish	0.3%	0.2%

13	Persian (Farsi)	0.2%	0.2%
14	Ukrainian	0.1%	0.1%
15	Urdu	0.02%	0.02%
16	Georgian	0.02%	-
17	Uzbek	0.02%	-
18	Mandinka (aka Mandingo)	0.01%	0.03%
19	Pashto Pushto	0.01%	0.02%
20	All others	1.5%	1.6%

### 3.5 Utilizing OASO Language Data

It is crucial to understand that the OASO’s language data is a tool for informed decision-making, not a prescriptive checklist. Language needs can vary across agencies and service types. Therefore, we recommend that agencies:

- **Use the language data as a starting point:** OASO’s language data provides a simple overview. Use it to anticipate potential language needs, but do not limit planning to just these languages or only in this order.
- **Contextualize language strategy:** Supplement “temporary languages” with agency-specific language data. Track the preferred languages of your specific service users.
- **Consider language marginalization:** The order of the “temporary languages” listed reflect reported frequency, not importance. Languages spoken by smaller communities may appear lower on the list but they are still vital for those individuals. Ensure that these language needs aren’t overlooked.
- **Ensure meaningful access:** Meaningful access is not about the number of languages covered, but thoughtful communication planning. Consider factors like literacy levels, cultural nuances, dialects and variants, and the appropriateness of written and oral communication. Please refer to the [“Best Practices”](#) section for further guidance.

### 3.6 Future Updates

Section 23-1105 does not specify how often the “temporary languages” must be updated. To be responsive to demographic changes and evolving language needs, MOIA will revisit and refine this temporary language list, threshold standard, and guidance at least quarterly. OASO will notify relevant City agencies of these changes.

## 4. Best Practices

### 4.1 Importance of Language Variants and Dialects

- When providing services in “temporary languages,” carefully consider variants, dialects and regional differences within each language. Do not make assumptions based solely on country of origin.
- Implement a process to verify an individual’s preferred language, dialect, or variant.

- Utilize language identification tools, such as “I Speak” cards and “notification of free interpretation services” posters, provided by MOIA. Please contact MOIA to further customize these tools.
- For languages that have multiple variants (e.g., Fulani/ Pulaar), ask for an individual’s country of origin to help narrow down the specific variant.
- During interpreted conversations, regularly check for comprehension to ensure correct identification of language variants and adjust as needed.
- **For lingua francas<sup>4</sup>** (Spanish, French, Arabic, Portuguese), note regional variations. Especially for Arabic, some lingua franca dialects may not be easily understood by speakers of other dialects.<sup>5</sup>
- **For oral languages** (Fulani/Pulaar<sup>6</sup>, Mandinka/Mandingo<sup>7</sup>), there are various dialects that are not always easily understood by speakers of other dialects. Utilize country of origin data to ensure that the correct dialect is identified.
- **For Chinese**, there are two primary Chinese writing systems: Traditional and Simplified Chinese. There are also many oral Chinese dialects, the most common of which are Mandarin and Cantonese. Readers of the two writing systems and the speakers of different dialects may not be able to understand each other easily.

#### **4.2 Considerations for Regional, Indigenous, and Oral Languages**

Speakers of regional or indigenous languages are often multilingual, with different preferred written and spoken languages. It is imperative to correctly identify the languages in which individuals are most proficient in and most comfortable reading and speaking.

- Identify both the **preferred written and spoken languages** for multilingual individuals in culturally resonant ways;
- **For oral languages with written forms not widely used by the population** (e.g., Wolof, Fulani/Pulaar, and Mandinka/Mandingo), translated written materials are not the best means of communication. Instead, prioritize interpretation services and utilize alternative methods, such as video or audio recordings. Additionally, in order to ensure “meaningful access,” it is imperative for agencies to ask how the population would like to receive information.
- Be mindful of **varying literacy levels**. Provide alternatives to written materials, such as audio or visual, to ensure wide access.

#### **4.3 Translation best practices**

While Wolof and Fulani/ Pulaar are primarily oral languages, Local Law 13 requires written materials to be translated. This presents unique challenges that agencies must navigate carefully. The following guidelines aim to maximize the effectiveness of written translations while prioritizing meaningful access for the target population.

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<sup>4</sup> Lingua franca is a language used as a form of communication between populations who speak different languages.

<sup>5</sup> [Language Factsheet – Arabic](#) (Translators without Borders)

<sup>6</sup> [Fulfulde Language Family Report](#) (SIL International)

<sup>7</sup> [About the Manding Languages](#) (University of Wisconsin)

- Prioritize interpretation services and audio/visual materials (as detailed in section 4.2). Use written translations as a supplement to, but not a replacement for these more accessible formats. Consider multiple communication channels for maximum reach.
- For Wolof and Fulani/ Pulaar, use Latin script for written translations, as it is more widely recognized. Arabic script is also used, but it is less common in most contexts.
- For Fulani/ Pulaar, which also has multiple dialects, label translated materials as “Language (Country)” to clarify the specific variant. (Example: “Pulaar (Senegal)” or “Pulaar (Guinea)”
- To increase meaningful access, create bilingual documents pairing Wolof and Pulaar with more widely written languages, such as pairing Wolof or Pulaar with French.

#### **4.4 Machine Translation Tools Usage**

Machine translation tools like Google Translate can be useful when communicating simple information. However, their use presents both quality and security concerns that agencies must carefully consider. The quality of machine translation depends on the availability of training data, which is not equitable across languages, especially for oral languages like Wolof and Fulani/Pulaar. Utilizing machine translation tools haphazardly can contribute to miscommunication, misinformation, and misunderstanding. Additionally, free machine translation tools may pose data security risks when handling sensitive information.

- Use machine translation tools cautiously, recognizing their limitations, especially for oral languages like Wolof and Fulani/ Pulaar.
- Restrict machine translation to basic, non-critical information.
- For legal, medical, financial, or other vital information, always use professional interpretation services.
- Never input sensitive personal information into free, public machine translation tools.

Agencies should make informed decisions about when and how to use machine translation tools, ensuring both effective communication and data security across language barriers.

#### **5. Contact Information**

MOIA provides guidance and technical assistance to agencies in implementing language access and services. Please contact MOIA’s Language Access team at [languageaccessnyc@moia.nyc.gov](mailto:languageaccessnyc@moia.nyc.gov) for further guidance.