



## LANGUAGE ACCESS PLAN FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

**State Agency:** NYS Department of Civil Service

**Effective Date of Plan:** October 1, 2024

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This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:

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



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## **PART 1 – Our Agency’s Services**



We prepared this Language Access Plan (“Plan”) to comply with New York State Executive Law Section 202-a, which establishes New York’s Statewide Language Access Policy. This Plan explains how we make sure that people with Limited English Proficiency (“LEP”) have meaningful access to agency services, programs and activities.

**In this Plan, individuals with LEP are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.**

### **Our agency’s services to the public include:**

The New York State Department of Civil Service has two main functions: administration of the merit system and administration of the New York State Health Insurance Plan (NYSHIP) and related benefits. In administering the merit system, Civil Services provides services to state agencies, local governments, and state employees. The public accesses these services when seeking information on employment opportunities in New York State government and as candidates for competitive Civil Service examinations. Services related to the administration of NYSHIP are provided to state agencies, participating agencies and employers and their employees, retirees, and their dependents. In addition, the State employees, local government employees, retirees and their families enrolled in the NYSHIP program communicate with Civil Service regarding their benefits.

## **PART 2 – The Population with Limited English Proficiency in Our Service Area**



The Statewide Language Access Policy requires state agencies to translate vital agency documents into the top 12 most commonly spoken non-English language among New Yorkers with limited English proficiency. Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top 12 languages most commonly spoken by individuals with LEP in New York State.

### **The top 12 languages spoken by individuals with LEP in New York State are:**

<b>#</b>	<b>Language</b>	<b>Estimated Number of Speakers with LEP (ACS 2018-2022)</b>
<b>1</b>	Spanish	1,198,032
<b>2</b>	Chinese	377,524
<b>3</b>	Russian	124,422
<b>4</b>	Yiddish	90,199
<b>5</b>	Bangla	74,342



6	Haitian Creole	51,947
7	Korean	48,581
8	Arabic	42,907
9	Italian	41,155
10	French	34,304
11	Polish	33,122
12	Urdu	29,983

**New York’s language access law also provides agencies, in consultation with the Office of Language Access, the option to add up to four more languages of translation beyond the top 12. The assessment about whether to include additional languages must be based on factors that are identified in the language access law. Our agency, in consultation with the Office of Language Access, has made the following determination with regard to the addition of languages beyond the top 12:**

Currently, we have determined that there is no need for translation of additional languages. The Department will continually assess its needs to determine if interpretation for additional languages beyond the top 12 are needed.

**Our agency tracks encounters of individuals with LEP in the following ways:**

Through the Client Portal provided by the contractor Civil Service uses for translation and interpretation services.



### **PART 3 – Public Outreach About the Availability of Language Access Services**

**Our agency informs individuals with LEP about their right to free language assistance services in the following ways, using at least the top 12 languages shown in Part 2 of this Plan:**

Individuals with LEP are directly informed by our staff

**In which ways?** When individuals self-identify as being in need of language access services, staff informs them that free language access service is available through selected contractors. The contractor utilized will perform additional assessment as needed, ensuring that individuals with LEP understand that they do not need to provide their own interpreters and that the service is provided free of charge.

Signs posted about language assistance services

In areas operated by the agency and open to the public



Other (describe)

Information is published on our agency’s website in at least the top 12 languages spoken by individuals with LEP in New York State

Outreach and presentations at schools, faith-based groups, and other community organizations

**What are the populations with LEP targeted?**

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

**What are the populations with LEP targeted?**

Social media posts directed at individuals with LEP in their languages

**What are the populations with LEP targeted?**

Telephonic voice menu providing information in non-English languages

**In which languages?** Spanish

Other (describe)

The State has Health Benefit Administrators (HBAs) in each agency to provide information and support to State employees and retirees regarding health benefits. HBAs are equipped with “I Speak” cards and posters that are utilized to inform enrollees and other personnel about the availability of language assistance services. Civil Service’s new Centers for Careers in Government, of which there are 10 Centers statewide, have been equipped with “I Speak” cards and Language Identification Tools for use at outreach events.



## **PART 4 – Provision of Language Access Services**

### **A. Determining the Need for Services**

**During *in person* encounters, our agency uses the following tools to determine whether an individual has LEP, and what their primary language is:**

“I Speak” posters or visual aids that provide information about free interpreting services in multiple languages

Reception staff make those determinations based on training and experience

Bilingual staff members, where available, assist in identifying the language of individuals with LEP



Other (describe): Individuals make a request for language assistance services when contacting the Employees Benefits Division (EBD) Call Center or when calling Civil Service’s general number.

**On telephone calls, our agency uses the following tools to find out if an individual has LEP, and what their primary language is:**

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Telephonic interpreting service
- Other (describe): Individuals make a request for language assistance services when contacting the EBD Call Center or when calling Civil Service’s general number.

**Our agency’s protocols for assessing whether an individual needs oral interpreting services in different service situations is as follows:**

- During office in-person encounters:** By utilization of the “I Speak” cards and posters.
- At initial contact in the field:** By utilization of the “I Speak” cards and posters.
- When speaking on the telephone:** Civil Service responds to request for language assistance services based on self-identification by the caller.
- For pre-planned appointments of individuals with LEP:**
- Other (describe):**

**Our agency records and maintains documentation of language assistance needs of individuals with LEP as follows:**

Any time an individual with LEP requires language access assistance, and our contractor is contacted for translation or interpretation services, the contractor collects the language service requested and notes the duration for the call. The contractor also keeps a tally of the total number of such calls they have received.

**B. Oral Interpreting Services**

**Our agency has made the following resources available for oral interpreting requests:**

- Bilingual staff members who work directly with individuals with LEP



**Number of staff and languages spoken:**

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

**Number of staff and languages spoken:**

- Telephonic interpreting service

**Number of contractors and languages spoken:** The Department of Civil Service uses one primary telephonic interpreting contractor that’s under the NYS Office of General Services (OGS) Statewide Administrative Services Contract and covers over 300 languages and dialects, as well as potentially any contractor under the same contract. Over the past two years, Civil Service’s primary contractor has provided interpretation services for the following languages: Cantonese (Chinese), Korean, Mandarin (Chinese), Russian, Italian, Turkish, Hindi, Bangla, and Spanish.

- Contracts or other arrangements with school and community organizations

**Number of contracts or other arrangements and languages spoken:**

- Other (Describe)

**Our agency protocols for informing individuals with LEP that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:**

- During office in-person encounters:**

**At initial contact in the field:** When an individual with LEP has contact with our agency in the field, the Language Identification Tool is used to communicate that they do not need to provide their own interpreters, and that the service is free of charge.

**When speaking on the telephone:** When an individual with LEP contacts our agency via telephone, telephonic interpreting services are used to communicate that they do not need to provide their own interpreters, and that the service is free of charge.

**For pre-planned appointments of individuals with LEP:** If an interaction with an individual with LEP occurs at the agency’s office, depending on how the appointment is made (in-person/over the telephone) the Language Identification Tool and/or telephonic interpreting services are used to communicate that they do not need to provide their own interpreters, and that the service is free of charge.

- Other (describe):**

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

Once aware that an individual needs language assistance, Civil Service staff takes action to provide interpreting services by using telephonic interpreting services.



**If an individual with LEP insists on having a family member, friend, or other person interpret, our protocols for deciding whether to accept or decline such an arrangement is as follows:**

Individuals with LEP that come into contact with our agency will be informed of the availability of free interpreting services. An individual with LEP may only be permitted to have a friend, family member or minor interpret in the **event of an emergency**, or upon request when asking for routine information such as the location of the office or hours of operation. Where the interaction with the individual with LEP occurs at the agency’s office, and an individual is permitted to have an interpreter of their choosing, they must fill out a written consent/waiver form. When an individual with LEP is engaged in official business with the agency, the agency will always provide the interpreter.

**Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:**

All Civil Service staff and HBAs are provided with instruction on how to access the telephonic interpreting contractors under the NYS Office of General Services (OGS) Statewide Administrative Services Contract . The information is also available on the Civil Service’s intranet and the EBD public website for HBAs and staff.

**The agency’s Language Access Coordinator (“LAC”) maintains a list of oral interpreting resources that are available to staff. This resource list includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the primary language of an individual with LEP
- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

**Our agency records and maintains documentation of oral interpreting services provided to individuals with LEP at each encounter. Our protocol in this regard is as follows:**

Telephonic interpreting contractors under the NYS Office of General Services (OGS) Statewide Administrative Services Contract used by Civil Service track statistics on the number of calls they receive. In addition, the Language Access Coordinator tracks calls for annual reporting purposes.

**Cultural Competence and Confidentiality**

**Our agency makes sure interpreters are culturally competent<sup>1</sup> in the following ways:**

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<sup>1</sup> Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from: [https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring\\_Cultural\\_Competence\\_in\\_Health\\_Care-1999.p](https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.p)



Where Civil Service utilizes independent interpreting services, that contractor has implemented quality assurance standards to guarantee that its interpreters are trained and linguistically and culturally competent.

**A Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:** The training provided to staff addresses the importance of confidentiality. As noted above, Civil Service uses the services of independent interpreters from the NYS Office of General Services (OGS) Statewide Administrative Services Contract for interpretation and translation services. The contract sets fourth confidentiality requirements, which are enforced by the contract holder in accordance with the contract provisions and NYS Law.

**C. Translations of Documents**

**At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents<sup>2</sup> that must be translated. This process is accomplished in the following ways:**

The Language Access Coordinator (LAC) reviews Civil Service’s publications at least every two years to determine which, if any, publications are vital and require translation.

**Our agency’s process for making sure documents are written in plain language<sup>3</sup> before they are translated into other languages is as follows:**

The LAC and staff review vital documents to ensure they are written in plain language prior to being translated.

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

Contractors for translation services

**Number of contractors:** One primary translation services contractor that’s under the NYS Office of General Services (OGS) Statewide Administrative Services Contract and covers over 300 languages and dialects, as well as potentially any contractor under the same contract.

Contracts or other arrangements with schools and community organizations

**Names of schools/organizations:**

Translation of documents by bilingual staff members

Other (describe)

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<sup>2</sup> Vital Documents is defined as any paper or digital document that contains information that is critical for obtaining agency services or benefits or is otherwise required to be completed by law.

<sup>3</sup> The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>



**The agency’s Language Access Coordinator (“LAC”) maintains a list of translation resources that are available to staff. This resource list includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to provide translations of documents
- Languages in which each translation service is qualified
- Procedures for accessing each translation service

**Our agency translates documents that individuals with LEP submit in their primary languages in a timely manner. Our protocol in this regard is as follows:**

Documents received from an individual with LEP in their primary language are reviewed by staff and submitted to the contractor for translation in consultation with the staff’s supervisor. Documents are forwarded within a reasonable timeframe.

**The following non-exhaustive list of documents are currently translated or in the process of translation by our agency in the languages indicated. Documents with an asterisk (\*) are determined by the agency to be vital documents.**

- *AR: Arabic*
- *BA: Bangla*
- *CH: Chinese*
- *FR: French*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *UR: Urdu*
- *YI: Yiddish*

Form #	Name	Top 12 Languages												Additional Languages
		AR	BA	CH	FR	HA	IT	KO	PO	RU	SP	UR	YI	
	*Right to File Language Access Complaint and Complaint Form	X	X	X	X	X	X	X	X	X	X	X	X	



*Right to File Language Access Complaint Poster	X	X	X	X	X	X	X	X	X	X	X	X	X	
*Website Multilingual Message	X	X	X	X	X	X	X	X	X	X	X	X	X	

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

**The process for ensuring that translations are accurate and incorporate commonly used words is as follows:**

Civil Service, through its contractor, will ensure that proofreading/editing for correctness and cultural sensitivity are a component of the translation services. Civil Service will also ensure that plain language is used in materials produced before translation to ensure information is accessible.



**PART 5 – Staff Training**

**The person in the agency who is responsible for training staff in language access services is:** Jeffrey Doring, Training Coordinator and Mia Timmons, Language Access Coordinator.

**The staff training includes the following components:**

- The agency’s legal obligations to provide language access services
- The agency’s resources for providing language access services
- How to access and work with interpreters
- Cultural competence and cultural sensitivity
- How to obtain translation services
- Maintaining records of language access services provided to individuals with LEP

**The methods and frequency of training are as follows:**

New employees are provided handouts/training as part of their orientations. In addition, Civil Service employees take the Office of Employee Relations (OER) mandatory annual training, with refreshers provided as needed.



**PART 6 – Monitoring the Plan and Responding to Complaints**



### **A. Monitoring**

**Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:**

The LAC verifies, on an annual basis, that the plan is being followed. This includes verifying that information on accessing language services is available online and ensuring staff participates in training.

### **B. Complaints**

**We provide information to the public in at least the top 12 most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.**

**We display information on the right to file a complaint, and the procedures for filing a complaint, in the following manner:**

The standardized complaint forms, along with the procedures for filing a complaint, are available in all 12 languages in our public office upon request. The complaint forms are also available for download or online submission through our website. Additionally, information on the right to file a complaint is posed in the top 12 languages on our website and in our offices in areas where it can be easily seen by the public.

**We handle complaints made to the agency regarding the provision of language assistance services in the following manner:**



Civil Service provides a form for the intake of complaints to standardize the information received. The form is then sent to the LAC for review and resolution. All complaints must be timely forwarded to the Office of Language Access.

**PART 7 – Signatures**



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<i>Z. R. Hogues</i>	Commissioner	09/18/2024
<b>Head of Agency</b>	<b>Title</b>	<b>Date</b>

X \_\_\_\_\_

<i>Mia Timmons</i>	Diversity and Inclusion Specialist 3	09/18/2024
<b>Agency LAC</b>	<b>Title</b>	<b>Date</b>

X *Margarita Larios* \_\_\_\_\_

	Margarita Larios	09/27/2024
<b>Executive Director, NYS Office of Language Access</b>		<b>Date</b>