



CENTRAL TEXAS WORKFORCE CENTERS

September 30, 2008

To: Workforce Solutions of Central Texas Centers Staff.

SUBJECT: Policy Letter 05-08, Services to Persons with Limited English Proficiency (LEP)

REFERENCES:

Americans with Disabilities Act, Title II, 1990; Us Civil Rights Act of 1964, Title VI; Workforce Investment Act, Section 188; USDOL Policy Guidance, Federal Register May 29, 2003; TWC EO Letter 03-01, June 15, 2001; TWC WD Letter 24-01, June 22, 2001.

GENERAL: Workforce customers having limited ability to communicate in English face possible exclusion from, or delays or denials in access to services to which they are legally entitled. State and federal directives require that all reasonable steps be taken to provide equal access to those with LEP.

This Policy Letter applies to all programs and activities planned for and operated by Workforce Solutions of Central Texas.

POLICY: Reasonable steps will be taken to ensure that persons with limited proficiency in the English language are provided meaningful access in languages other than English and at the same level as those who are proficient in English. Appropriate accommodations must be planned and delivered so that LEP customers receive information about, and gain access to all center services and activities. When required for workforce purposes, interpreters and translation services shall be made available at no cost to the customer. Administrators may consider contracting with, or procuring for a limited time qualified interpreters/translators.

If indicated through customer assessment and initial screening that the possibility of LEP exists, staff must address possible interpreter and translation needs and be prepared to assist in a timely manner. Staff will ensure that LEP is recorded in program customer files. LEP accommodations include, but are not limited to:

- Appropriate translations of the Workforce web site.
- Noting customer language needs and accommodations in case files, records, and TWIST.
- Placing in existing flyers and outreach literature the fact that free interpreter services are available.
- Translation of program, instructional, informational, and other workforce documents.
- Ensuring availability of qualified interpreters and translators for telephone and personal contacts.

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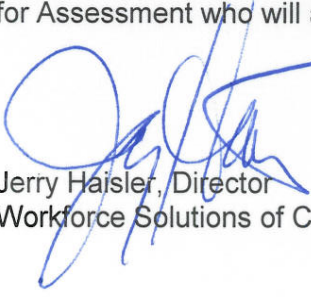
- Placing into the telephone answering menu information in Spanish with directions to press a number to receive Spanish language information.
- Consideration of LEP needs during planning and implementing new programs and activities as well as when publishing new forms or notices.
- Posting of multi-lingual signs in public areas indicating that interpreter and translator services are available at no charge.
- Administering appropriate assessments.

Administrators will identify staff in their centers that are fluent in Spanish and in other languages that are significant first languages for their area of operation. These persons may serve as center interpreters and translators. If a staff interpreter/translator is not available for a needed language outside interpreter or translator services may be considered.

In order to prevent issues arising from confidentiality of information, personal privacy, or conflict of interest, members of the customer's family (especially children), a friend, or another customer will not be used to translate program-related documents (applications, employment plans, official statements or documents, etc.) or interpret for the customer during counseling or other activities of an official nature. Center staff chosen as interpreters or translators must:

- Be proficient (read, write, and speak) in both English and the language they are to interpret and understand the basic terminology and concepts of center operations, programs, and activities.
- Exercise ethical practices by not putting their own meaning, ideas, or bias into the interpretations or translations.

Learning Disabilities: Persons with LEP may also have a learning disability (LD) covered under both the Americans with Disabilities Act and the Civil Rights Act. If it is determined through assessment and screening that in addition to LEP a customer may have a learning disability, staff should determine if a learning disability is documented (for example, Special Education services while in school). If the disability is documented appropriate accommodations must be made for both the disability and LEP. If it cannot be documented but a learning disability is suspected, the customer may be referred to the Program Specialist for Assessment who will administer an instrument to determine if a learning disability is a possibility.



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