

1) The actions the Hawaii Department of Labor & Industrial Relations (DLIR) has taken or intends to take to comply with the conciliation agreement with the U.S. Department of Labor's Civil Rights Center (CRC).

a) "Any further policies or procedures drafted or issued for these purposes."

- Our policy directive for the LEP Plan was updated on June 30, 2014, and adopted by the CRC shortly afterwards. The policy directive ensures that the Department addresses the needs of LEP persons as equitably as it assists all other customers who seek our services.
- Also included in the policy directive was a requirement that frontline staff must attend trainings on how to best assist LEP persons, and the trainings took place during May of 2014. (The training is discussed in more detail below.)

\* Please see Appendix A for the Policy Directive.

b) "Any notices, forms, and signs drafted or issued related to language access."

- We updated the list of staff within each division/program that had been identified as points of contact for discussions about the LEP Plan.
- The record keeping form that staff fill out after assisting LEP persons was updated and will be distributed throughout the Department **by the end of December, 2014.**
- We updated the list of volunteer multilingual staff that is willing to assist LEP persons in other languages.
- Easy to follow telephonic interpreting cards were passed out at the training and distributed to the administrators.

\* Please see the Appendices B1-4 for these updated documents and forms.

c) "Any other accomplishments or objectives reached or progress made toward the requirements in this Agreement."

In addition to gathering the input of our staff and community members within our working group, we have expanded our connections outside by attending conferences and external working groups, such as:

- The "Cultural Accessibility for Immigrant Victims – 2014 Summit" held by the Hawaii Immigrant Justice Center at the Legal Aid of Hawaii.
- The "7<sup>th</sup> Annual Hawaii Conference on Language Access" held by the Hawaii Office of Language Access.
- The "Language Access Advisory Council Meeting" held by the Hawaii Office of Language Access.
- The "Hawaii Language Roadmap Initiative" Advisory Council Meeting.
- Aloha Language Access Coordinators Meeting to explore approaches and procedures for inter-agency procurement of translation services.
- Upcoming US Federal Language Access Law Agency Compliance Workshop.

2) "Data regarding request for language services by DLIR agency or office, location, language, and the form and mode of language assistance requested, and how those requests were handled pursuant to the LEP Plan."

\* Please see the Appendix C, which includes a chart with the Language Access Reporting Tool information organized by the LEP languages interpreted.

- a) “Instances in which language assistance is not provided and the reason(s) therefor.”
- o Only one situation has come to our attention. It involved an LEP person who was represented by an attorney who apparently wrote a letter requesting an interpreter following the receipt of a hearing notice. That letter, however, was not received by the hearings office. The hearing was convened without an interpreter. The decision was appealed and upon review of the case, the Labor Appeals Board vacated the decision and remanded the case back to the division for further proceedings and to provide the claimant with an interpreter, allowing full participation at the division’s hearing by all parties.

This situation brought to light the fact that new employees with public contact must have a detailed briefing on LEP issues even before the in-depth training becomes available. In this particular case, the hearings officer had not yet received the training at the time of the hearing. The new LEP orientation will include a more detailed explanation of the Department’s LEP Plan.

- 3) “Data on the application of the LEP Plan, including the number of interpreters and bilingual staff used.”

\* Please see the Appendix D, which includes a chart with the Language Access Reporting Tool information organized by LEP services delivered by division/office.

For future reporting, we will include a summary sheet to highlight changes in the numbers of those seeking assistance in different languages. We will record variations in the number of LEP encounters in each language to determine if the needs in certain languages are increasing or decreasing.

- 4) “Information regarding problems encountered in implementing the LEP plan, including feedback gathered from customers, staff, and the general public”
- o Feedback that we received regarding translating vital documents was that there are several languages commonly spoken in the State of Hawaii in which the native speakers do not know how to read in their language. Many speakers of Micronesian languages fall into this category, which is why we are focusing on implementing “effective communication” at the DLIR and not only focusing on translating documents. “Effective communication” involves working with someone one-on-one and listening closely to what they are saying in order to better assist them.
- 5) “The steps taken to notify the customers, customer representatives, community groups, and public of the policies or procedures to implement the LEP Plan, and any responses thereto.”
- o We have an LEP Working Group comprised of prominent members of various multilingual communities and from different divisions within our Department. The Working Group has met several times to discuss planning and implementation of the LEP Plan, which is then shared with the communities and divisions at large.

- The Unemployment Insurance Division has created inserts which include a paragraph in all of the commonly used languages in Hawaii that states that language assistance can be provided to LEP customers. The insert is included in all of their mailings to the public.
- 6) “The trainings provided to managers, hearing officials, staff, and others regarding the LEP Plan and policies and any related language access matters, including the content of the trainings, training materials, dates held, trainers names and biographies, and names and positions of attendees.”
- The Training:  
Current staff within the DLIR participated in training about the Department’s obligation to assist LEP persons who seek our services. The training was given by the Director of the State Judiciary’s Office on Equality and Access to the Courts, Debi Tulang-De Silva. It was videotaped and copies of the DVD and the accompanying PowerPoint presentation were given to the administrators of each program, including the personnel office.
  - Dates of the Training:  
The DLIR staff split up among three different days but the trainings they received were the same. The dates of the trainings were May 20<sup>th</sup>, May 21<sup>st</sup> and May 23<sup>rd</sup> of 2014.
  - Every new employee at the DLIR will be given the LEP DVD and PowerPoint presentation by the personnel office as part of their new employee training. The personnel office will keep a record of when the employees have been trained and remind them every two years that is time for them to do the refresher training.

\* Please see Appendix E for a list of staff that participated in the LEP training given by Debi Tulang-De Silva.

\* Please see Appendix F for a copy of the summer 2014 Newsletter which includes pictures from the training.

\* Please also see the LEP PowerPoint presentation of the training given by Director Tulang-De Silva that is included with this document. For a copy of the DVD that accompanies the presentation, please let us know and we would be happy to mail it to you.

APPENDIX A – Policy Directive

	<p><b>POLICY DIRECTIVE</b>  <b>regarding</b>  <b>LIMITED ENGLISH PROFICIENT</b>  <b>(LEP) PERSONS</b>  <b>for</b>  <b>DEPARTMENT OF LABOR AND</b>  <b>INDUSTRIAL RELATIONS</b></p>	<p><b>APPROVED BY:</b></p>
		<p><b>Dwight Takamine, Director</b>  <b>Department of Labor and</b>  <b>Industrial Relations</b></p>
		<p><b>Effective date: 6/30/14</b></p>
		<p><b>Replaces:</b></p>

Title VI of the Civil Rights Act of 1964 states that: “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Department of Labor and Industrial Relations is committed to providing free and appropriate language access for Limited English Proficient (LEP) customers in compliance with Title VI of the Civil Rights Act of 1964, as well as Executive Order 13166 and Hawaii Revised Statutes, chapter 321C.

The goal is for the Department to provide all LEP customers with access to free interpreters and translated documents so that they may receive the same information and services as English speaking customers receive. In order to achieve this goal, each employee of the Department has the responsibility to assure that all eligible LEP customers have meaningful access to the benefits, services, and activities the Department provides.

To that end, the Department shall:

- Ensure that LEP customers are informed of their right to be provided with interpreter services free of charge by, at minimum, posting signs in various languages where customers are encountered;
- Keep statistics to document the frequency of encounters with LEP customers, the needs of LEP customers, how the LEP customer was served, and other information;

- Review and update its Language Access Plan every two years with input from an LEP working group that includes representatives from community-based organizations or agencies with experience working with LEP individuals;
- Identify ways to best provide language access services, whether in person or on-line, recognizing that translation of written materials may not be the most effective method of communication;
- Plan and develop training opportunities for Department employees on Department language access policy and how to provide language access services.

Each employee shall:

- Read the Department's Language Access Plan (either attached or give instructions on where to find it);
- Attend training opportunities regarding how to competently identify those customers who are LEP and how to provide language access services;

This policy will be supplemented from time to time with specific instructions on implementing this policy.

**APPENDIX B1 – Updated List of Division LEP Contacts**

Director’s Office (DO): Jade Butay

Administrative Services Office (ASO): Gerilyn Sakai

Personnel Office: Loriann Ikenaga

Research & Statistics Office: Janet Kaya

Disability Compensation Division (DCD): Royden Koito

Employment Security Appeals Referees’ Office (ESARO): Cheryl Medina

Workforce Development Division (WDD): Linda Sakamoto & Carol Kanayama

Wage Standards Division (WSD): Russell Horikawa

Unemployment Insurance Division (UI), several contacts including:

Cindy Yoshida  
Cheryl Hirata  
Jodi Takamori  
Kathy Perry  
Lisa Nakamura

Workforce Development Council (WDC): Russell Ogawa

Hawaii Labor Relations Board (HLRB): Nora Ebata

Labor and Industrial Relations Appeals Board (LIRAB): Lily Ling

Office of Community Services (OCS): Alan Burdick

Hawaii Civil Rights Commission (HCRC): Kanani Mariano

Hawaii Occupational Safety and Health Division (HIOSH): Deirdre Yamasaki

Maui District Office: Sharon Char

Kauai District Office: Aric Fujii

Hawaii District Office: Lynne Inouye

Other Resource:

Office of Language Access (OLA)  
Serafin Colmenares, Director of OLA  
Serafin.Colmenares@doh.hawaii.gov

APPENDIX B2 – Updated LEP Encounter Report

DLIR Staff Information

Name: \_\_\_\_\_ Position: \_\_\_\_\_
Division /Program: \_\_\_\_\_ Office Location: \_\_\_\_\_
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_
Date of Encounter: \_\_\_\_\_ Time of Encounter: \_\_\_\_\_

Language Encountered:

- Cantonese [ ] Chuukese [ ] Hawaiian [ ] LEP Hearing Impaired [ ] Japanese [ ]
Kosraean [ ] Thai [ ] Mandarin [ ] Marshallese [ ] Korean [ ]
Phonpeian [ ] Portuguese [ ] Samoan [ ] Spanish [ ] Tagalog [ ]
Tongan [ ] Vietnamese [ ] Visayan [ ] Ilokano [ ] Other [ ] \_\_\_\_\_

Type of Encounter:

- LEP person(s) walked into the office and needed assistance in a language other than English [ ]
LEP person called over the phone and needed assistance in a language other than English [ ]
Other [ ] \_\_\_\_\_

Additional Comments: \_\_\_\_\_

Who assisted with interpretation?

- Staff within the division/program [ ]
Staff from other division/program [ ] Which division/program? \_\_\_\_\_
Contracted In-Person Interpreter
1) Via Interpreter Agency [ ]
Name of Agency \_\_\_\_\_
2) Independent [ ]
Name of Interpreter \_\_\_\_\_
Paid Telephonic Interpreter [ ] Name of Interpreter \_\_\_\_\_
Other [ ] \_\_\_\_\_

Was a written document orally translated for the LEP? Yes [ ] No [ ]

If a written document was orally translated, please include a copy of that document with this form.

Additional Comments: \_\_\_\_\_

If written language service (translation) was provided, please fill out the information below:

What type of Translator?

- Staff from within the division/program [ ]
Staff from other division/program [ ] Which division/program? \_\_\_\_\_
Contracted Translator [ ]
1) Via Translation Agency [ ]
Name of Agency \_\_\_\_\_
2) Independent [ ]

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- Name of Translator \_\_\_\_\_
- Other  \_\_\_\_\_

**Additional Comments:** \_\_\_\_\_

**If NO language services were provided, please answer the questions below.**

If it was not possible to provide language services, please explain why:

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What measures were taken to assist the LEP person(s)?

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Are there any follow up measures required to assist the LEP person(s)?

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# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

## Appendix B3 – Multilingual Listing of DLIR Employees

<u>Language</u>	<u>Name</u>	<u>Office</u>	<u>Address</u>	<u>Location</u>	<u>Proficiency</u>
<b>Tagalog</b>	Racela, Ricco	ASO	DLIR Room 309	HNL	Fluent also speaks Ilocano
<b>Tagalog</b>	Rivera, Lina	ASO	DLIR Room 309	HNL	Fluent
<b>Vietnamese</b>	Vyhien Peyton	ASO	DLIR Room 309	HNL	Fluent
<b>Japanese</b>	Miyajima, Naohiro	ASO	DLIR Room 309	HNL	Fluent
<b>Tagalog</b>	Gutierrez, Luisa	HCRC	DLIR Room 411	HNL	Fluent
<b>Cantonese</b>	Chao, Tin	HIOSH	DLIR Room 425	HNL	Fluent also speaks Mandarin
<b>Ilocano</b>	Dacanay, Julius	HIOSH	DLIR Room 425	HNL	Fluent also speaks Tagalog
<b>Korean</b>	Edgerton, Sunny	HIOSH	DLIR Room 423	HNL	Fluent
<b>Mandarin</b>	Chao, Tin	HIOSH	DLIR Room 425	HNL	Fluent
<b>Tagalog</b>	Dacanay, Julius	HIOSH	DLIR Room 425	HNL	Fluent also speaks Ilocano
<b>Cantonese</b>	Ling, Lily	LIRAB	DLIR Room 404	HNL	Conversational
<b>Cambodian</b>	Khuy, Chana	OCS	DLIR Room 420	HNL	Fluent
<b>Farsi</b>	Salimova, Lola	OCS	DLIR Room 420	HNL	Conversational
<b>Ilocano</b>	Villaruz, Danilo	OCS	DLIR Room 420	HNL	Fluent also speaks Tagalog

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<b>Language</b>	<b>Name</b>	<b>Office</b>	<b>Address</b>	<b>Location</b>	<b>Proficiency</b>
<b>Ilocano</b>	Dela Cruz, Jovanie	OCS	DLIR Room 420	HNL	Fluent also speaks Tagalog
<b>Ilocano</b>	Kaahanui, Mila	OCS	DLIR Room 420	HNL	Fluent also speaks Tagalog and Visayan
<b>Ilocano</b>	Cabreros, Benjamin	OCS	DLIR Room 420	HNL	Fluent
<b>Ilocano</b>	Duldulao, Glenda A.	OCS	DLIR Room 420	HNL	Fluent
<b>Indonesian</b>	Lee, Debby	OCS	DLIR Room 420	HNL	Fluent
<b>Pohnpeian</b>	Burdick, Alan	OCS	DLIR Room 420	HNL	Fluent
<b>Russian</b>	Salimova, Lola	OCS	DLIR Room 420	HNL	Fluent
<b>Tagalog</b>	Kaahanui, Mila	OCS	DLIR Room 420	HNL	Fluent also speaks Ilocano and Visayan
<b>Tagalog</b>	Villaruz, Danilo	OCS	DLIR Room 420	HNL	Fluent also speaks Ilocano
<b>Tagalog</b>	Dela Cruz, Jovanie	OCS	DLIR Room 420	HNL	Fluent also speaks Ilocano
<b>Tagalog</b>	Muyot, Zenaida	OCS	DLIR Room 420	HNL	Fluent
<b>Tajiki-Farsi</b>	Salimova, Lola	OCS	DLIR Room 420	HNL	Native Speaker
<b>Uzbeki</b>	Salimova, Lola	OCS	DLIR Room 420	HNL	Native Speaker
<b>Visayan</b>	Kaahanui, Mila	OCS	DLIR Room 420	HNL	Fluent also speaks Ilocano and Tagalog
<b>Cantonese</b>	Chong, Wendy	UID	DLIR Room 437	HNL	Fluent also speaks limited Mandarin
<b>Cantonese</b>	Sun, Xian	UID	DLIR Room 110	HNL	Fluent Cantonese/Mandarin

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<u>Language</u>	<u>Name</u>	<u>Office</u>	<u>Address</u>	<u>Location</u>	<u>Proficiency</u>
<b>Cantonese</b>	Hom, James	UID	DLIR Room 324	HNL	Limited
<b>Cantonese</b>	Lin, Fanny	UID	DLIR Room 110	HNL	Fluent also speaks Mandarin
<b>Cebuano</b>	Lanzaderas, Jodel	UID	DLIR Room 437	HNL	Fluent
<b>Ilocano</b>	Gonzales, Richard	UID	DLIR Room 110	HNL	Fluent
<b>Ilocano</b>	Eder, Junior	UID	DLIR Room 437	HNL	Fluent
<b>Ilocano</b>	Quiliquin, Marie	UID	3-3100 Kuhio Hwy, Su. C-12	<b>Kauai</b>	Fluent
<b>Japanese</b>	Kobayashi, Azusa	UID	DLIR Room 110	HNL	Fluent
<b>Japanese</b>	Ueno, Tosh	UID	DLIR Room 317	HNL	Fluent
<b>Japanese</b>	Muranaka, Linda	UID	DLIR Room 324	HNL	Limited
<b>Japanese</b>	Namba, Karen	UID	DLIR Room 437	HNL	Limited
<b>Japanese</b>	Miyamasu, Irene	UID	DLIR Room 325	HNL	Limited
<b>Thai</b>	Nakagawa, Kanjanar	UID	DLIR Room 324	HNL	Limited
<b>Japanese</b>	Nikura, Ray	UID	DLIR Room 110	HNL	Fluent
<b>Korean</b>	Miura, Stacy	UID	DLIR Room 437	HNL	Fluent
<b>Mandarin</b>	Sun, Xian	UID	DLIR Room 110	HNL	Fluent Cantonese/Mandarin
<b>Mandarin</b>	Lin, Fanny	UID	DLIR Room 110	HNL	Fluent also speaks Cantonese
<b>Spanish</b>	Takamori, Jodi	UID	54 S. High Street, Room 201	<b>Maui</b>	Fluent

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<u>Language</u>	<u>Name</u>	<u>Office</u>	<u>Address</u>	<u>Location</u>	<u>Proficiency</u>
<b>Tagalog</b>	Lanzaderas, Jodel	UID	DLIR Room 437	HNL	Fluent
<b>Tagalog</b>	Lunas, Shirley	UID	94-275 Mokuola St. #301	Waip	Fluent
<b>Tagalog</b>	Edano, Socorro	UID	DLIR Room 110	HNL	Fluent
<b>Tagalog</b>	Quilinquin, Marie	UID	4370 Kukui Grove St, Su. 3- 214 Lihue	<b>Kauai</b>	Limited
<b>Tagalog</b>	Tacsiat, Jannette	UID	4370 Kukui Grove St, Su. 3- 214 Lihue	<b>Kauai</b>	Fluent
<b>Vietnamese</b>	Nguyen, Tony	UID	DLIR Room 110	HNL	Fluent
<b>Visayan</b>	Cabiles, Desiree	UID	94-275 Mokuola St. #301	HNL	Fluent
<b>Visayan</b>	Lanzaderas, Jodel	UID	DLIR Room 437	HNL	Fluent
<b>Ilocano</b>	Ignacio, Margie	WDD	1990 Kinoole St., Su. 102	<b>Hilo</b>	Conversational
<b>Ilocano</b>	Fernandez, Edgar	WDD	DLIR Room 329	HNL	Fluent
<b>Ilocano</b>	Manera, Adele	WDD	4444 Rice Street #302	<b>Kauai</b>	Conversational
<b>Japanese</b>	Ah Sam, Sheryl	WDD	2064 Wells Street, Room 108	<b>Maui</b>	Limited
<b>Samoan</b>	Suafai, Anne Marie	WDD	601 Kamokila Blvd., Rm 138	Kapolei State Bldg	Fluent
<b>Pohnpeian</b>	Smith, Amy	WSD		<b>Kona</b>	Fluent

APPENDIX B4 – Telephonic Interpreting Cards & Sample Script

## TELEPHONIC INTERPRETING

If no Bilingual Volunteer Staff is available:

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**1** Call CTS LanguageLink (toll free):  
**1-877-650-8014**

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**2** Subaccount Number (4-digits):

_	_	_	_	#
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**3** Language needed:

Spanish → Press 1

Other languages → Press 9

Request the language needed. Confirm your department.

Conference call → Press 9

Provide customer's name and a phone number.

(See *Conference Calls* on back)

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**\*\* See *Sample Script* on back \*\*** OEAC 11/2011

## **SAMPLE SCRIPT**

- “Interpreter, we are using a (Single handset, Speakerphone, Two phones, etc.).
- The customer has questions about a (Traffic ticket, Hearing, Restraining order, etc.)”
- To the LEP customer: “My name is \_\_\_\_\_. I don’t speak (name of LEP customer’s language), so I have called an interpreter.
- The interpreter does not work for us and will be fair & not take sides. The interpreter will not give you advice and will interpret everything that we say.”

## **CONFERENCE CALLS**

1. Call the LEP customer.
2. During the call, press the "**more**" button on the bottom right-side of the telephone screen until you see the "**Confrn**" button.
3. Press "**Confrn**" button. You will hear a dial tone for a new line, and the LEP Customer is placed on hold.
4. Dial CTS LanguageLink, 9+1-877-650-8014.
5. After the interpreter is on the line, press the "**Confrn**" button. All 3 people will be connected to the call.

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

## APPENDIX C - Language Access Reporting Tool; Organized by Language

LANGUAGE ACCESS REPORTING TOOL																									
LEP Services by Language		Department/Agency <u>Labor and Industrial Relations</u>										Period Covered <u>January - June 2014</u>													
Contact Person <u>Jade T. Butay</u>		Phone No. <u>586-8855</u>																							
1		2				3										4		5		6					
Language	# of LEP Encounters	Type of Services Provided to LEP Customers (#)				Type of Oral Language Service Utilized (#)										# of Documents Translated		Language Services Expenditures (\$)							
		Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted Interpreter (via an Interpreter Agency)	Contracted Interpreter (Directly)	Staff Interpreter	Telephone Interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents	Oral Language Services (in person)	Sight Translation Services	Telephone Interpreter Services	Written Translations	Other (please specify):	Amount (Total \$)				
<b>Total:</b>	755	724	116	0	25	0	0	72	32	0	25	516	109	8	0	\$ 5,225.10	\$ 345.55	\$ 310.00	\$ -	\$ -	\$ 5,880.65				
<b>% of Total:</b>	100%	83.7%	13.4%	0.0%	2.9%	0.0%	0.0%	9.5%	4.2%	0.0%	3.3%	68.4%	14.5%	100.0%	0.0%	88.9%	5.9%	5.3%	0.0%	0.0%	100%				
Cantonese	282	282	42					5			1	252	26			\$ 263.84		\$ 45.00			\$ 308.84				
Chuukese	3	3						2			1					\$ 112.50					\$ 112.50				
Hawaiian																									
Ilokano	152	151	13					18	3		8	89	27	4		\$ 1,262.63		\$ 65.00			\$ 1,327.63				
Japanese	18	18	10					9	2		2	5	1	1		\$ 673.75		\$ 45.00			\$ 718.75				
Korean	19	16	14					1				12	6			\$ 60.00					\$ 60.00				
Kosraean																									
LEP Hearing Impaired	26		1		25				25			1					\$ 345.55				\$ 345.55				
Mandarin	61	61	5					5			2	39	16			\$ 287.68		\$ 45.00			\$ 332.68				
Marshallese	15	15	4					6						8	3	\$ 90.00					\$ 90.00				
Portuguese																									
Samoan	2	2						2								\$ 180.00					\$ 180.00				
Spanish	85	85						2	1		7	66	9			\$ 137.50					\$ 137.50				
Tagalog	57	57	12					12	1		4	39	3			\$ 633.14		\$ 110.00			\$ 743.14				
Thai	3	3										3													
Tongan	1	1												1											
Vietnamese	8	8	5					2				2	5			\$ 90.00					\$ 90.00				
Visayan (Cebuano)	2	2	2					2								\$ 132.51					\$ 132.51				
Chinese	7	6	6									6	1												
Laotian	3	3	2					1				2				\$ 45.00					\$ 45.00				
Italian	1	1												1											
Micronesian	5	5												5											
Sign-Press Conference	1	1						1								\$ 157.07					\$ 157.07				
Sign-Intake Interview	1	1						1								\$ 157.07					\$ 157.07				
Sign-Fact-Finding Conf.	1	1						1								\$ 471.20					\$ 471.20				
Sign-Investigation	1	1						1								\$ 157.07					\$ 157.07				
Sign-Settlement Agree.	1	1						1								\$ 314.14					\$ 314.14				

Totals for "Type of Services Provided" and "Type of Oral Language Service Utilized" may be more than "# of LEP Encounters" since there may be more than one type of service provided or service utilized for each encounter.

**Type of Oral Language Service Utilized:**

"Other" includes friends, family, personal interpreter

The number of "Type of Oral Language Services Utilized" may be less than the "# of LEP Encounters" due to agency managing to assist customer without utilizing an oral language service.

American Sign Language interpreter contracted for Job Fair: 25 Hearing Impaired, English abilities unknown.

Interpreters were contracted to translate in DLIR Honolulu office for 13 clients on other islands or Mainland.

Interpreters were contracted but seven clients were no-shows.

Mandarin: "Other" - Kapiolani Community College, I-Can Program, English as a Second Language instructors provided interpreter services for 16 Mandarin speaking individuals referred by C3T Program staff.

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

## APPENDIX D - Language Access Reporting Tool; Organized by Division/Office

LANGUAGE ACCESS REPORTING TOOL																									
LEP Services by Division/Office		Department/Agency <u>Labor and Industrial Relations</u>										Period Covered <u>January - June 2014</u>													
Contact Person <u>Jade T. Butay</u>										Phone No. <u>586-8855</u>															
1		2			3			4						5						6					
Language	# of LEP Encounters	Type of Services Provided to LEP Customers (#)				Type of Oral Language Service Utilized (#)								# of Documents Translated		Language Services Expenditures (\$)									
		Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted Interpreter (via an Interpreter Agency)	Contracted Interpreter (Directly)	Staff Interpreter	Telephone Interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents	Oral Language Services (in person)	Sight Translation Services	Telephone Interpreter Services	Written Translations	Other (please specify):	Amount (Total \$)				
<b>Total:</b>	755	724	116	0	25	0	0	72	32	0	25	516	109	8	0	\$ 5,225.10	\$ 345.55	\$ 310.00	\$ -	\$ -	\$ 5,880.65				
<b>% of Total:</b>	100%	83.7%	13.4%	0.0%	2.9%	0.0%	0.0%	9.5%	4.2%	0.0%	3.3%	68.4%	14.5%	100.0%	0.0%	88.9%	5.9%	5.3%	0.0%	0.0%	100%				
Director	1	1												1											
ASO																									
Personnel																									
Research																									
HLRB																									
LIRAB	7	7						6				1				\$ 627.70					\$ 627.70				
ESARO	44	44	44					39	6		6					\$ 2,093.35		\$ 310.00			\$ 2,403.35				
OCS																									
OLA																									
HCRC	12	12						12								\$ 1,594.05					\$ 1,594.05				
WDC																									
Haw aii DO																									
West HI DO	1	1							1							\$ 70.00					\$ 70.00				
Maui DO	16	16									14			2											
Kauai DO																									
DCD	13	13						11			1			1		\$ 840.00					\$ 840.00				
HIOSH																									
UI	498	497	1					4			4	473	18												
WDD	160	130	71		25				25			40	86	8							\$ 345.55				
WSD	3	3										2	1												

Totals for "Type of Services Provided" and "Type of Oral Language Service Utilized" may be more than "# of LEP Encounters" since there may be more than one type of service provided or service utilized for each encounter.

**Type of Oral Language Service Utilized:**

"Other" includes friends, family, personal interpreter

The number of "Type of Oral Language Services Utilized" may be less than the "# of LEP Encounters" due to agency managing to assist customer without utilizing an oral language service.

WDD: Contracted American Sign Language interpreter for Job Fair: 25 Hearing Impaired, English abilities unknown (Waipahu).

"Other" - Kapiolani Community College, I-Can Program, English as a Second Language instructors provided interpreter services for 16 Mandarin speaking individuals referred by C3T Program staff (Waipahu).

ESARO: Interpreters were contracted to translate in DLIR Honolulu office for 13 clients on other islands or Mainland.

Interpreters were contracted but seven clients were no-shows.

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

## APPENDIX E – Sign in Sheet for Staff Training in Assisting LEP Persons; Including Staff Names & Position Titles

Division Trainees	Position	May 20	May 21	May 23
<b>DO</b>				
Ashley Kruse	Private Secretary II	x	x	X
Jade Butay	Deputy Director	x		X
Robbie Adams	Planner VI			X
Shawna Lau-Kong	Private Secretary III	x		
<b>DCD</b>				
Ann Santoki	Office Assistant III		x	
Cheyenne Hiapo	Office Assistant III	x		
Kanoe Simpliciano	Office Assistant IV			X
Keith Kim	Wkrs' Comp Claims Prcssg Supvr		x	
Kory Vasquez	Office Assistant III		x	
Macy Muraoka	Office Assistant IV	X		
Marrietta Corpuz	Professional Trainee II			X
Misty Sumida	TDI/Health Care Spclt III	X		
Nadine Teramae	Disability Comp Enfc Spclt V	X		
Rachel Masuda	Professional Trainee II	X		
Wendy Iwai	Office Assistant IV		x	
<b>ESARO</b>				
Cheryl Medina	Secretary II			X
Gale Kaneshiro	Office Assistant III			X
James Hom	Empl Security Appeals Referee		x	
Janice Silva	Office Assistant III		x	

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Karen Moore	Empl Security Appeals Referee			X
Laura Hirayama	Empl Security Appeals Referee			X
Pam Toguchi	Employment Securty Appls Offcr		x	
Ryan Harimoto	Empl Security Appeals Referee			X
Stacy Miyatake	Empl Security Appeals Referee			X
<b>HCRC</b>				
April Wilson-South	Staff Attorney			X
Bill Hoshijo	Executive Director			X
Carolyn Vierra	Investigator V			X
Cathy Simmons	Secretary II		x	
Connie Yonashiro	Investigator III			X
Constance DeMartino	Investigator IV		x	
Gayle "Robie" Lovinger	Investigator IV			X
Kanani Mariano	Secretary III		x	
Kathy Yamada	Office Assistant IV			X
Ken Kuehn	Investigator IV			X
Livia Wang	Hearings Officer			X
Luisa Gutierrez	Office Assistant IV			X
Marcus Kawatachi	Dep Exec Director			X
Mary Wunsch	Investigator IV			X
Mee Sun Takayesu	Office Assistant IV			X
Robin Rudolph	Investigator IV			X
Robin Wurtzel	Staff Attorney			X

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Scott Brown	Investigator IV			X
Stephen Chang	Investigator V			X
Wayne Akana	Investigator IV			x
<b>HIOSH</b>				
Alan Yamamoto	Environmental Health Spclt IV			X
Albert Li	Environmental Health Spclt III			X
Bradley Shields	OSH Compliance Offcr II			X
Ceronda Enocencio	OSH Program Specialist IV			X
Clayton Chun	Supvg Osh Compliance Offcr I			X
Conroy Dang	OSH Compliance Offcr IV			X
Darrell Suzuki	OSH Compliance Offcr I			X
Deirdre Yamasaki	Secretary III	x		
Doreen Miyaki	OSH Program Specialist V			X
Irvin Yoshino	OSH Compliance Offcr II			X
Janel Schiller	Environmental Health Spclt II			X
Jason Rakofsky	Environmental Health Spclt II			X
Karen Kamihara	Occ Saf & Health Advisor IV			X
Lovelle Koike	Environmental Health Spclt IV		x	
Marla Kalama	Office Assistant III		x	
Nicolas Gosnell	Environmental Health Spclt II			X
Nika Tarr	Environmental Health Spclt III			X
Phyllis Gomes	OSH Compliance Offcr II			X
Robyn Sakai	Secretary II		x	

## LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Soon Hye Edgerton	Supvg OSH Compliance Offcr II			x
Timothy Scalzone	OSH Compliance Offcr I			X
Tin Shing Chao	Environmental Health Spclt VI			X
B/E				
Leana Kaapana	Secretary II		x	
Maria Palting Santos	Office Assistant III			X
Merna Ibuos	Office Assistant III	x		
LIRAB				
Melanie Matsu	Member Appeals Board		x	
Lily Ling	Executive Officer		x	
OCS				
Chana Khuy	OCS Clerk Typist		x	
Zaneaida Muyot	OCS Secretary		x	
PO				
Susan Armacost	Departmental Pers Officer III	x		
Lori Ikenaga	Personnel Mgmt Specialist IV	x		
R&S				
Janet Kaya	Research Statistician V		x	
UI				
Agnes Sajor	Unemployment Ins Asst VII		x	
Anne Chung	Unemployment Ins Asst V		x	
Anne Perreira-Eustaquio	Unempl Ins Prgm Dev Offcr			X
Arlene Oshiro	Unemployment Ins Asst V		x	

## LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Arlette Duvernay	Unemployment Ins Asst VI			X
Art Barba	Unemployment Ins Spclt VI		x	
Ayreen Valenzuela	Unemployment Ins Asst VI		x	
Azusa Kobayashi	Unemployment Ins Asst VI			X
Barbara Chu	Unemployment Ins Asst VI	x		
Bessie Lee	Unemployment Ins Spclt IV	x		
Brandi Conn	Unemployment Ins Asst V	x		
Carla Pacupa	Unemployment Ins Asst VI		x	
Caroline Sasaki	Employment Service Spclt V	x		
Cheryl Hirata	Secretary III	x		
Cheryl Inamine	Unemployment Ins Spclt V		x	
Cindy Terao	Unemployment Ins Spclt IV		x	
Cindy Yoshida	Secretary IV		x	
Derek Fukuda	Unemployment Ins Spclt V		x	
Diane Kouchi	Unemployment Ins Asst V			
Dulcie Dunaway	Auditor VI			X
Erica Fontaine	Unemployment Ins Asst			X
Fanny Lin	Unemployment Ins Asst VI	x		
Frances Nagamine	Unemployment Ins Spclt IV		x	
Greg Sue	Unemployment Ins Spclt VI			
Irene Miyamasu	Unemployment Ins Spclt II	x		
Jamie Petersen	Unemployment Ins Spclt IV		x	
Jan Silva	Office Assistant III		x	

## LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Jennifer Nakamura	Unemployment Ins Spclt III		x	
Karen Christiansen	Unemployment Ins Spclt III	x		
Karen Kajiura	Unemployment Ins Spclt V		x	
Karen Namba	Unemployment Ins Asst VII	x		
Kenji Kwock	Unemployment Ins Spclt II	x		
Krystal Kassebeer	Unemployment Ins Asst V	x		
Lance Hart	Unemployment Ins Spclt V		x	
Linda Muranaka	Unemployment Ins Asst VI	x		
Linda Uesato	Unemployment Insurance Admr			X
Linda Yen	Auditor V		x	
Lori Hayasaka	Unemployment Ins Asst V		x	
Lori Tengan	Secretary III		x	
Manuel Valle	Unemployment Ins Asst IV	x		
Mei Ling Cuba	Unemployment Ins Spclt III	x		
Merry Chung	Unemployment Ins Spclt VI		x	
Michelle Hamilton	Unemployment Ins Spclt IV		x	
Monty Kalilikane	Unemployment Ins Spclt III	x		
Myra Kamihara-Pablo	Unemployment Ins Spclt III	x		
Nadine Uyeda-Horio	Unemployment Ins Asst VI	x		
Nicole Keola	Unemployment Ins Asst V			X
Phyllis Tom	Unemployment Ins Asst VI	x		
Reginald Tanaka	Unemployment Ins Asst V	x		
Ruth Samuel	Unemployment Ins Spclt IV		x	

## LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Samantha Link	Unemployment Ins Spclt II	x		
Shari Lee	Unemployment Ins Spclt V			x
Sharon Lum	Unemployment Ins Spclt IV		x	
Sheryl Ozaki	Unemployment Ins Spclt IV		x	
Soccoro Edano	Unemployment Ins Spclt IV	x		
Stacy Miura	Auditor V		x	
Stanley Higashi	Unemployment Ins Spclt V		x	
Steven Nakamura	Unemployment Ins Spclt VI		x	
Tanya Lee	Unemployment Insurance Mgr		x	
Thomas Fong	Unemployment Ins Spclt V		x	
Toni Parrott	Unemployment Ins Asst III		x	
Tony Nguyen	Unemployment Ins Spclt II			x
Uluwehi Pena	Unemployment Ins Spclt II		x	
Wendy Maher	Unemployment Ins Spclt V		x	
Xian Sun	Unemployment Ins Asst IV			x
<b>WSD</b>				
Eugene Matsuda	Office Assistant III	x		
Janeen Abe	Secretary III	x		
Jeffrey Oh	Labor Law Enfc Spclt IV	x		
Laine Sodetani	Labor Law Enfc Spclt IV	x		
Mari Imamura	Labor Law Enfc Spclt IV		x	
Pamela Kuwamura	"Labor Law Enfc Spclt IV			
Pamela Martin	Labor Law Enforcement Admr	x		

## LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT

Division Trainees	Position	May 20	May 21	May 23
Russell Horikawa	Labor Law Enfc Spclt V	x		
Sheryl Lee	Labor Law Enfc Spclt V	x		
Wade Fujimori	Labor Law Enfc Spclt II	x		
Wesley Lum	Labor Law Enfc Supervisor	x		
<b>WDD</b>				
Cynthia Nakamura	Employment Service Spclt V			X
Donna Takahashi	Employment Service Spclt III	x		
Edgar Fernandez	Employment Service Spclt V			X
Eric Butler	SESP Program Spclst	x		
Kristen Tello	Office Assistant IV			X
Laurie Tachino	Employment Service Spclt III	x		
Linda Sakamoto	Employment Service Spclt V	x		
Mark Olds	Employment Service Spclt V		x	
Myrna Suzuki	Secretary IV			X
Penny Nakamura	Employment Service Spclt III	x		
Stanford Fichtman	Employment Analyst IV	x		
Yvonne Chong	Job Training Prog Spec V		x	
Lei Mahoe	Employment Service Spclt IV			X
Cheryl Takunaga	Job Training Prog Spec IV			x

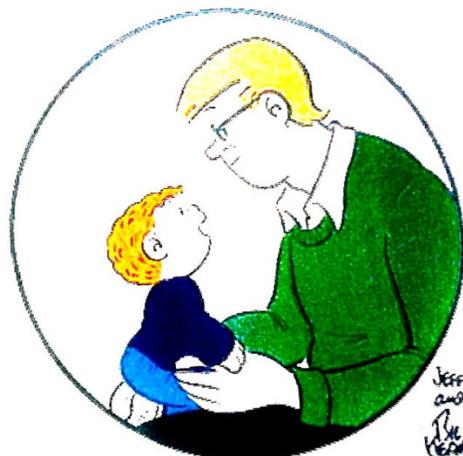
**APPENDIX F – LEP Training in May (Published in DLIR Summer 2014 Newsletter)**

On August 11, 2000, the President signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," which requires that federally-funded agencies such as DLIR examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

DLIR implemented the "LEP Plan," a pilot program, on May 3, 2006 and has been committed to continually review and revise the plan based on recommendations from customers, interested stakeholders, employees, and the general public. Last May, over 200 DLIR employees participated in a 2-hour training session provided by Director of the Judiciary's Office of Equality and Access to the Courts Debi Tulang-DeSilva. The training provided a detailed overview of federal language access laws and the how to accommodate LEP customers. The attendance turnout to these training sessions speaks of DLIR's commitment to provide essential and meaningful access to LEP customers.



Mommy said you have L-E-P training today.  
What is L-E-P mean?



Daddy, what is "Let's Eat Pizza" training?  
Can I go?

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT



Over 200 DLIR employees attended LEP training sessions on May 20, 21, and 23



Deputy Director Jade Butay gives a brief introduction to trainees



Director of the Judiciary's Office of Equality and Access to the Courts Debi Tulang-DeSilva

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX MONTH PROGRESS REPORT



Trainees listen attentively to a pre-recorded call placed with a telephonic interpreter



Left to right: Derek Fukuda, Michelle Hamilton, Karen Kajjura and Art Barba (UI)



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
[www.labor.hawaii.gov](http://www.labor.hawaii.gov)  
Phone: (808) 586-8844 / Fax: (808) 586-9099  
Email: [dlir.director@hawaii.gov](mailto:dlir.director@hawaii.gov)

April 13, 2015

TO: Robin Runge,  
Senior Policy Advisor, Civil Rights Center (CRC)

FROM: Leonard Hoshijo,  
Deputy Director, Department of Labor & Industrial Relations (DLIR)

RE: **SIX MONTH PROGRESS REPORT PURSUANT TO  
CONCILIATION AGREEMENT OF APRIL 4, 2014**

Pursuant to the April 4, 2014 Conciliation Agreement (Agreement) entered into between the United States Department of Labor's CRC and the DLIR, and on behalf of the DLIR, I am submitting this six month progress report that covers the period of October 17, 2014 to April 13, 2015.

This report updates DLIR's efforts to comply with the Agreement and the department's Limited English Plan since DLIR's last report, which was submitted to the CRC on October 16, 2014.

If you should have questions regarding this report, please contact Lily Ling, Executive Officer to the Labor and Industrial Relations Appeals Board, at (808)586-8600, or via email at [lily.o.ling@hawaii.gov](mailto:lily.o.ling@hawaii.gov) or William Kunstman, Assistant to the Director, at (808)586-8845 or via email at [william.g.kunstman@hawaii.gov](mailto:william.g.kunstman@hawaii.gov).

# LIMITED ENGLISH PROFICIENT (LEP) PLAN: SIX-MONTH PROGRESS REPORT

## CONCILIATION AGREEMENT SIX MONTH PROGRESS REPORT

(Reporting Period of October 17, 2014 to April 13, 2014)

### 1. The actions the DLIR has taken or intends to take to comply with the agreement and execute the LEP Plan:

#### a. Any further policies or procedures drafted or issued for these purposes.

- For those divisions or agencies that utilize interpreters at hearings, a DLIR attached agency (Labor and Industrial Relations Appeals Board) has drafted instructions that are intended to be orally interpreted to the LEP client by the interpreter to facilitate the use of interpreters at these types of quasi-judicial proceedings. The instructions have been circulated to appropriate DLIR divisions or agencies for their use, if applicable. (Appendix A)

- Distributed to DLIR divisions and attached agencies the "Final Report and Protocol for Obtaining Translations of Vital Documents" prepared by Dr. Suzanne Zeng as a resource to develop translation protocols. (Appendix B)

#### b. Any notices, forms, and signs drafted or issued related to language access.

An updated record keeping form that DLIR staff has been asked to complete after assisting LEP persons was slated for distribution to all DLIR divisions by the end of December 2014, according to DLIR's first progress report. However, due to the change in administration in December 2014 and the departure of DLIR's director and deputy director, this form was not distributed until 2015 under the direction of DLIR's Acting Director. As of the date of this progress report, the updated LEP Encounter Report has been distributed to DLIR staff for their use. (Appendix C)

In reviewing this encounter report, however, DLIR was advised by division and agency staff that they have been using a User Log of LEP Services to capture LEP data (Appendix D). The User Log collects information that DLIR is required to compile and submit to the State Office of Language Access. A comparison of the two forms showed that some of the information the forms sought to collect appeared to be duplicative. DLIR is evaluating the need to fill out both forms or to consolidate the forms to avoid redundant efforts. DLIR plans to seek advice from the State Office of Language Access and to discuss the matter further at its next policy meeting. DLIR will update CRC of its efforts in the next progress report.

#### c. Any other accomplishments or objectives reached or progress made towards language access.

- Babble Blurb: An internal DLIR LEP Working Group consisting of representatives from various DLIR divisions and attached agencies was convened to develop a "babble" blurb in English that the divisions and agencies can use and be translated into various languages. This blurb would be attached to vital documents that each division or agency sends to its clients or customers. It is very similar to one that was developed by the Unemployment Insurance Division. (Appendix E). This working group has had two meetings thus far to discuss the exact wording of the blurb and to determine what and how many languages to translate. To make that determination, the working group is reviewing DLIR's LEP encounter data and identifying the divisions' eligible population. The working group is also researching procurement issues and consulting with the fiscal office to determine how best to fund the translation project.

- Website Improvements: In its discussions about translating a babble blurb, DLIR's LEP working group is looking at ways to link the translated babble blurbs on the webpages of each DLIR division, if applicable. This might require a coordinated effort with DLIR's webmaster and perhaps the State's Office of Information Management and Technology, the architect of the website.

- A DLIR division (Employer Security Appeals Referee's Office) has initiated efforts to translate hearing instructions and appeal rights in Spanish and Ilocano. This is a vital document that this division uses in its unemployment appeal proceedings. Quotes for this translation project have been requested.

- A DLIR attached agency (Hawaii Civil Rights Commission) has four YouTube videos on Housing, Employment, Language Access, and "What to Do." All four videos were produced in English, with voice-over versions in Ilocano, Tagalog, and Charukesi. This agency is working to set up links to all four videos in the three languages on its webpage.

- A DLIR division (Workforce Development Division) is planning to translate certain written materials and information on the WDD-sponsored job board.

**2. Data regarding request for language services by DLIR agency or office, location, language, and the form and mode of language assistance requested, and how those requests were handled pursuant to the LEP Plan, including data that indicates instances in which language assistance is not provided and the reason(s) therefor.**

Please refer to Appendix F, which represents DLIR's LEP data for language services by division, location, language, and LEP spending for the reporting period of July 2014 to December 2014.

A comparison of the LEP data for the July-December 2014 period with the LEP data for the prior January-June 2014 shows that the top five languages encountered by DLIR remained consistent for the year 2014. The top five encountered languages were Cantonese, Ilokano, Mandarin, Spanish, and Tagalog.

The data shows that while the number of LEP encounters decreased from 755 in the first half of 2014 to 574 in the second half of 2014, the amount of spending for LEP services increased in the second half of 2014 by about \$2,048.00.

DLIR is not aware of any instances in which language assistance was not provided during this reporting period.

**3. Data on the application of the LEP Plan, including the number of interpreters and bilingual staff used.**

Attached as Appendix G is DLIR's LEP report for July 2014 to December 2014 detailing the LEP encounters broken down by divisions and offices, type of event, nature of LEP service provided, the number of contracted interpreters used, and the number of bilingual staff used.

**4. Information regarding problems encountered in implementing the LEP Plan, including feedback gathered customers, staff, and the general public.**

DLIR has not received any feedback or complaints for this reporting period.

**5. The steps taken to notify the customers, customer representatives, community groups, and public of the policies or procedures to implement the LEP Plan and any responses thereto.**

- As discussed in 1(c) above, an internal DLIR LEP working group has been meeting to develop a babble blurb in English and then translate the blurb into multiple languages for use by various divisions and agencies as an attachment to vital documents that are distributed or disseminated to the public or the program's eligible population. Once the blurb is translated into multiple languages, the group hopes to post a link to the translated blurb on each office's webpage.

- A DLIR division (Wages Standards Division) suggested the inclusion of translated babble blurbs on envelopes used to mail vital documents. The internal DLIR working group is evaluating the feasibility of creating such blurbs on envelopes. (See Appendix H for a sample.)

**6. The trainings provided to managers, hearing officials, staff, and others regarding the LEP Plan and policies and any related language access matters.**

**including the content of the trainings, training materials, dates held, trainers names and biographies, and names and positions of attendees.**

As last reported, department-wide LEP training took place in May of 2014. For this reporting period, three divisions/agencies sent representatives to a two-day workshop:

Translation of Vital Documents Workshop

January 22-23, 2015, Queens Medical Center

8:00am-4:30pm

**Presenters:**

Kleber Palma, Director, New York City Department of Education  
Translation and Interpretation Unit

Serafin Colmenares, Jr., Ph.D., Executive Director, Office of Language  
Access

Rebecca Gardner, J.D., Senior Legal Analyst, Office of Language Access

**Panel Discussion:** Representatives of Department of Human Services  
(Helen Manzano), State of Hawaii Civil Defense Agency, and State of Hawaii  
Judiciary (Uilani Pauole and Debbie Tulang-Silva)

**DLIR Attendees:**

Pamela Toguchi, Administrator, Employer Security Appeals Referees  
Office

Lily Ling, Executive Officer, Labor and Industrial Relations Appeals Board

Robbie Adams, Mediation Coordinator, Hawaii Civil Rights Commission

Attached as Appendix I are biography of key presenter, Kleber Palma,  
Agenda, and PowerPoint training materials.

APPENDIX A

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➤ The Board is providing an interpreter at no cost to you.

➤ All of your statements and responses must be in \_\_\_\_\_.

➤ So that there will be no confusion later, please do not respond or make statements in English.

➤ If you do make any statements in English, you may be asked to restate it in \_\_\_\_\_ for interpretation.

➤ The Interpreter will not take sides.

➤ The Interpreter's only job is to interpret what you say into English and interpret what others say into your language.

➤ Please PAUSE between sentences to allow the interpreter time to interpret.

➤ LISTEN carefully to the interpreter.

➤ WAIT for the interpreter to finish talking before you speak.

➤ SPEAK SLOWLY AND CLEARLY in your language so the interpreter can hear everything you say.

➤ SPEAK directly to the attorney or the Board Chair or Board Member, not to the interpreter.

➤ Do not interrupt when others are talking. You can speak when it is your turn.

➤ Do not ask the interpreter for advice or information about your case.

➤ If you have any questions or cannot understand the interpreter, tell your attorney or the Board or its staff immediately.

APPENDIX B

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**HCRC HUD PARTNERSHIP INITIATIVE PROJECT  
TRANSLATION OF VITAL DOCUMENTS**

**FINAL REPORT AND PROTOCOLS FOR OBTAINING  
TRANSLATIONS OF VITAL DOCUMENTS**

**Dr. Suzanne Zeng  
Language Services Hawai'i**



**Dr. Suzanne Zeng is with the University of Hawaii's *Center for Interpretation and Translation Studies (CITS)*. Her courses and research include the principles and theory of interpreting, court and medical interpreting, interpreting skills and techniques, as well as translation techniques. She has conducted numerous workshops at home and abroad particularly for Asian and Pacific Island language speakers. As a long-standing member of the *Supreme Court Committee for Court Interpreting and Language Access*, Dr. Zeng was actively involved in helping establish higher standards and certification for Hawaii State court interpreters. She also served as an Advisory Council member for the Hawaii Office of Language Access. Besides teaching, she interprets in Hawaii State, Federal and Immigration Courts, for government agencies and hospitals, and at international conferences. She has overseen many multi-language translation projects for agencies and businesses. Dr. Zeng received her M.A. and Ph.D. in Chinese Linguistics from the University of Hawaii at Manoa, where she also received Certification in Chinese-English Simultaneous and Consecutive Conference Interpreting.**

## **Translating Vital Documents for LEP Persons**

"Language for limited English proficient persons can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by state-funded programs and activities."<sup>1</sup>

**Objective:** Identify vital documents for LEP groups that should be targeted for translation to (1) increase the access from LEP communities to our services, and (2) increase the participation from LEP persons who may be interested in HCRC services. Because the money coming in is from a HUD grant, the documents should be focused on fair housing issues.

### **Target Language:**

- Chuukese

## **General Guidelines**

Vital documents are "printed documents that provide important information necessary to access or participate in [the] services"<sup>2</sup> that the HCRC provides. These documents fall into one of three groups that indicates whether the documents will be (1) translated entirely, (2) translated partially, or (3) affixed with a notice indicating the availability of a translator/interpreter.

### **Group 1: Documents translated in their entirety**

Vital documents that should be translated in their entirety include outreach materials that serve to inform the general public of rights they have so that LEP persons can recognize situations in which their rights are infringed. Translating these documents will help achieve the goal of HRS § 371-31 of increasing access and participation to HCRC's services.

Additionally, communication documents, such as letters, that are form-based and short in length may also be translated entirely, especially if the documents inform a Cp of a change in legal rights during the complaint process. Form-based means the majority of the letter is based on language obtained from a form letter with only minor, fill-in-the-blanks changes to identify the specific case.

### **Steps to identify documents that should be translated entirely**

- Is the document one that alerts a person of his/her rights?
- Is the document purely informational?
  - \*if a document requires a Cp to fill out any portion of it, it is likely the HCRC will require the services of a translator if the responses are in a language other than English.
- Does the document communicate a change in rights during the complaint process?
  - If so, is the communication letter fairly short in length?

<sup>1</sup> HRS § 371-31.

<sup>2</sup> Hawaii Revised Statutes (HRS) § 371-32.

## **Group 2: Documents translated partially**

Vital documents that do not have to be entirely translated but only partially translated include documents that require an affirmative action by the Cp that may affect or change the rights of a Cp during the complaint process. The translated portion of the document must include the truly vital parts—the parts or paragraphs of the document that informs the Cp of their rights. These paragraphs that must be translated include deadlines by where a Cp must take additional steps, respond to, etc, or risk forfeiting a claim. This will increase the ability of LEP persons to meaningfully participate in HCRC services.

Other documents that would be included in this category include longer documents where full translation would not be practical. Example: Settlement Agreements. Generally, if form-based communication letters add in any specific language in English, it may be more appropriate to partially translate the document instead of trying to patch-work the translated parts together.

Documents in Group 2 would also include a prominently displayed notice informing an LEP person in his/her primary language of the availability of a translator/interpreter for the document.

### **Steps to identify documents that should be partially translated**

- Does the document inform Cps of future action they must take?
  - (e.g. communication letters)
- Would a non-response by the Cp change the rights of the Cp?
  - (e.g. 14-day Doctor's note for disability)
- Does the document require the Cp to affirmatively acknowledge they understand the purpose of the document?
  - (e.g. signing the document)

### **Steps to identify which portions of these documents to translate**

- Does a portion of the document include a specific date or deadline when the Cp must take further action?
  - (e.g. "Please respond by [DATE].")
- Does a portion of the document include "I" statements that acknowledge the rights of a Cp?
  - (e.g. "I wish to withdraw my charge. I have not been forced to request this action.")

## **Group 3: Documents affixed with a notice informing the Cp of the availability of a translator/interpreter.**

Vital documents that only need to have a notice informing LEP persons of the availability of a translator/interpreter include those documents, such as forms, where the end user of the information provided by a Cp is an English speaker handling the case.

Notice of the availability of a translator or interpreter must (1) be in the primary language of the Cp, (2) be prominently displayed, and (3) state that the translator/interpreter's services will be free of charge.

**Steps to identify documents that should be affixed with a notice**

- Does the document require a Cp to respond in writing?
- Will the responses by a Cp be eventually used by an employee of the HCRC to assess the case?

## Document Lists

### Group 1: Vital Documents Translated in Whole

- HCRC General Flyer\*
- Housing Discrimination Flyer\*
- Information Sheet Accompanying the Housing Pre-Complaint Questionnaire (PCQ)\*
- Option to Mediate\*
- Withdrawal Form HUD\*
- Letters
  - Closure, no Cause (Notice of Dismissal) & Right to Sue\*
  - Doctor's Medical Release Forms\*
  - Notice of Completed Investigation\*

### Group 2: Vital Documents Partially in Part

- Intake appointment letter\*
- Letter for Last response from Complainant\*

### Group 3: Vital Documents Affixed with Notice

\*N/A for this project

### Additional information regarding partial translation of documents

Sample language of translator/interpreter notice:

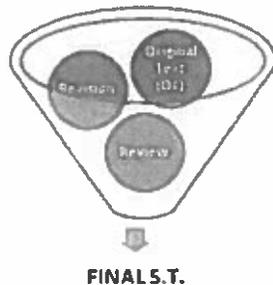
**Translation Available:** Please contact our office if you would like a translator or interpreter to help you with this document. If requested, HCRC will provide you with a translator or interpreter at no cost to you.

## STEPS TO TRANSLATION

An understanding of how much the LEP speaker can read in his/her native language is important when deciding what to translate and which language(s) to translate. If a document is rarely used, it might be easier and less costly to hire an interpreter to interpret what is being said instead. Yet vital documents need to be accurately conveyed, and even experienced interpreters would have difficulty sight translating documents that are culturally bound in American law, or sentences packed with information. They would benefit from having a translated document in front of him/her.

### PREPARING THE DOCUMENTS

There are steps an agency must take to actually "prepare" a document for translation. The following graph shows what goes into preparing a document to give to the translator.



We have the original text document that we want translated. But only after it is revised and reviewed should we give it to the translator. We call this final document the "final source text".

#### 1) Revise for Plain Language

Upon identifying which documents in one's organization are "vital," an agency needs to decide whether the whole document or only part of it should be translated. Upon choosing the documents, the agency should put it through the "plain English" (also called "plain language") test.

The Plain Language Action and Information Network (PLAIN), a group of federal employees from various government agencies to bring practical support to the use of clear communication in government writing, explains that written material is in plain language if your audience can:

- Find what they need;
- Understand what they find; and
- Use what they find to meet their needs.<sup>3</sup>

**PLAIN** suggests writing techniques that can help an organization achieve this goal. Among the most common are:

- Logical organization with the reader in mind
- "You" and other pronouns
- Active voice
- Short sentences
- Common, everyday words
- Easy-to-read design features

Plain language results in a document being easy to read, understand, and use. When translating a document that is written in plain language, the translator will rarely need to ask the organization to clarify the meaning of certain sentences or terms, thereby saving the translator time and frustration. Having clear and easy to understand original language makes it easier for a qualified translator to produce clear, easy to read target language text.

## **2) Review for Errors**

Agencies are often given the task to produce important flyers, letters or documents within a very short amount of time to notify its clients of something extremely significant. It is at this time that careless errors often occur; therefore, before actually giving a document to a translator to translate, it needs to be reviewed.

Review the document for grammatical errors, awkward word or idiom usage, punctuation or spelling errors, etc. Someone qualified should read over the document for errors. In Hawaii, translators have seen a number of original texts with poorly written English. Many times, the job

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<sup>3</sup> <http://www.plainlanguage.gov/whatisPL/index.cfm>

of creating a flyer or a notice is given to a staff member who may not have the best written English skills. Someone identified in the organization of having good English writing skills should look over that document before sending it out to be translated. Translation companies have had to "clean up" the English sentences (and formatting) of documents before sending it on to the different translators of various languages to translation to avoid calls to clarification of meaning.

An example of an unpolished flyer that seemed to be created in a hurry is a Parking Rules notice created for all tenants living in a particularly unit. The following are sample sentences/phrases from that flyer (original formatting kept):

Parking Decals WILL EXPIRE ACCORDING TO YOUR INSURANCE.

All Residents shall not park in visitors stalls.

All vehicle's parked on the Property is required to be insured at all times.

UPON AVAIBILITY SECOND STALLS MAY BE ISSUED

The above shows unclear sentences, wrong use of words (*shall*), and errors in spelling (*avaibility*), grammar (*is required*) and punctuation (*vehicle's*).

### **3) Prepare the Layout**

After polishing the original text, we need to consider the formatting and how we want to arrange the English, and how that will affect the translator.

An agency needs to decide whether or not they want the English to be on the same form as the translation, perhaps underneath the translation in a smaller font size, or not at all. Formatting and overall length need be taken into consideration. Once that is decided, the agency should determine who is going to do the final formatting or layout of the translated document. Is the formatting difficult? If so, rather than pay the translator for formatting, consider having an in-house staff to do the formatting or a professional designer to handle the design. With simpler documents that are created using a common program, such as Microsoft Word, one can ask the translator to just replace the original text with the translated text. This works well with forms.

The target language might need more space than the English if it uses more words to say the same thing, but that can be handled with a font size change. Many good translators are uncomfortable with computer software and formatting. They might run into difficulty and not be able to finish by the agreed upon time due to formatting issues. The simpler you make the job, the easier for them to concentrate on the translation, and can have more time to spend on revising the translation rather than revising the formatting.

If an in-house staff or designer will handle the layout, then the translation must come back in a form that the designer will know which translation section belongs to which English section. To do this, the agency can create a separate document with English on top or in the left column, and a space underneath or on the right for the translator to write in their translation. The easier you make the job for the translator, the faster the turnaround time. Appendix A shows one sample of a document that can be given to the translator that removes most of the formatting, but keeps it clear for both the translator and the agency or designer. You will need to keep any boldfaced items, but can remove bullet points, symbols and other hard-to-handle formatting. This will also force the translator to try to be concise in order to fit the translation into the format.

#### FOCUS GROUP – SELECTING LANGUAGE

This project decided to choose one language to concentrate on when translating the vital documents. This way, we could test out our theory and protocol we came up with in getting/producing a quality translation. Upon discovering what was not known before beginning this project, we adjusted the original protocol. The Civil Rights Commission noticed a rise in requests for assistance among Micronesian languages. For purposes of this report, we will call these speakers "COFA migrants<sup>4</sup>," since we are including Palau, the Marshall Islands (RMI) and the Federated States of Micronesia (FSM), whose citizens do not need a special visa to live and work in the U.S. due to a treaty signed by those countries with the United States. The influx of these language speakers into the U.S. and into Hawaii in particular, has been great. Their need for government services is great as well, since many are considered low-income, and they have the right to free or partially free government services. After some discussion, we decided to

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<sup>4</sup> COFA Compact of Free Association migrants refers to those who, under an agreement with the U.S. government, do not need a special visa to live and work in the U.S.

choose Chuukese as the language of focus for this project, while keeping in mind that what we discover could probably pertain to COFA migrant speakers in general.

While trying to create a protocol for translation, we thought it important to understand more about the language and culture of our target language<sup>5</sup> speakers.

#### EDUCATIONAL BACKGROUND of COFA MIGRANTS

Although the majority of schools in the Federated States of Micronesia use English as the medium of instruction, statistics show (see graph below) that less than half of adults in Micronesia and the surrounding areas have a high school diploma. Francis X. Hezel, SJ who has lived and taught in Chuuk for years, put together statistics among the population 25 years and older in Palau, the Marshall Islands and the Federated States of Micronesia (Yap , Chuuk, Pohnpei, Kosrae) :

**Educational Attainment of the General Population (25+)**

	<b>Palau (1994)</b>	<b>Marshalls (1999)</b>	<b>FSM (1994)</b>
finished elementary	71%	85%	60%
finished high school	58%	39%	36%
some college	31%	15%	18%
college degree	10%	4%	5%

Newer concepts that come from America and Western influences, such as science, internet and computer terminology, legal concepts, medical discoveries and pharmaceutical inventions, have no equivalent in the COFA Migrant languages. Schools do not formally teach kids to read and write in their own language as they are oral languages; therefore, spelling and punctuation are

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<sup>5</sup> "Target language" refers to the language one is translating into, whereas "source language" refers to the language of the source document from which one is translating.

not emphasized. One word in Chuukese, for example, can be spelled differently by two different people from two different regions.

## CHUUKESE

Since we are choosing Chuukese as our target languages, we should understand something about the Chuukese language and culture to help secure the best translator possible and avoid a number of problems and frustrations during the translation project.

Chuuk (formerly spelled "Truk"), is one of the four island nations of the Federated States of Micronesia (FSM) and is a nation of many islands. The main language spoken on Chuuk, "Chuukese," is divided into four major regions, namely:

- Namoeas region (Includes Weno (central government), Fefan, Tonoas, Uman) (Lagoons)
- Faichuuk region (Tol, Wonei, Paata, Polle, Udot, Fanapanges, Romolum) (Lagoons)
- Mortlock region (Lukunoch/Lukunor, Satawal, Oneop, etc.) (speak "Mortlockese")
- Western /Pattiw/Faan region (e.g. Polowot, Unu )

There is no standard of spelling in Chuuk. One standard was introduced into the school system a number of years ago, but the people ultimately rejected it, since the spelling was awkward, long, different, and seemed to push one region's pronunciation over the others as "standard." An example of this is with the word for "age," one person might spell it as *fite ierin* and another as *fite ierum*.

Some Chuukese feel that the Namoeas region of dialect is what should be used to translate the spelling of words since the central government is located there, others are rather offended at the thought. Therefore we suggest that someone or two people who are familiar with the differences be involved in a translation.

Much of what is written in Chuuk is actually written in English. Flyers may be written in Chuukese, but there no local language newspapers. Much of the important news is broadcast over the radio. Perhaps the only sample of Chuukese writing that no one will argue with is the translated Bible. When translating a "western" document with "foreign" concepts into Chuukese, the translator will come across a number of terms that have no Chuukese term, and they will

need to explain the concept behind that term, which could lead to quite a long translation. They might spend twice as long a time translating a document into Chuukese compared to a Spanish translator, for example. Normally, the first draft of a translation will be much longer in length than the original. This can be problematic if printing a brochure or if there is complicated formatting involved, such as a form of some sort (e.g. Mediation form, Housing Discrimination form). The next step is to simplify the translation into shorter, more precise wording, while keeping it understandable. The third step, after a lot of initial revising, is to hire an outside reviewer to make sure the sentences sound natural and that none of the words used can be confused with some other word due to the spelling of it. And the last step is the formatting of the document, although that might be done before step three, or might be handled by the agency, which we suggest.

The burden of handling these steps falls on the translator. All of this extra time spent on translation should be compensated with a higher per-word charge in the beginning. However, Chuukese may not know what their translations are worth.

#### FINDING A TRANSLATOR

Business concepts of running one's own business, creating contracts, invoicing, charging, paying GE taxes, etc, are quite new to COFA migrants. Few have a website. Many don't even have a computer or printer at home, even if they have a higher education. Getting a good translator just to bid on a job will be quite difficult. This is why it is easier for an agency to either work through a translation company to get a bid, or to calculate the charges for the translator, tell a translator the budget and to have a contract designed ahead of time.

Working with a translation company means with the company will need to ensure quality work is done. One should be cautioned, though, when finding a company online who says they translate any language, as we have discovered online translation companies will bid first and find a translator afterwards. Mainland companies will often look for a Micronesian language translator in Hawaii and do not know the quality of that translator's work. It is difficult to hold a company responsible after they turn in the translation and payment has been made if the contract does not clearly mention updating and editing.

When working with a company who will use a subcontractor to translate, I strongly recommend that questions be asked first about the translator before agreeing. If the company has a good reputation of quality translations, then they will appreciate the questions, and will not be offended by them or try to avoid them. You should be able to ask the name of the translator, or how the company will guarantee the quality of the translation, along with it's policies for improving the translation if you find improvement is needed. All of this should be in writing, such as email correspondence.

Working with a reputable locally-based company who works with COFA migrant languages might be a safer avenue, albeit you may need to "wait in line" since they may be overwhelmed with requests. If an agency knows how, they can work directly with a translator, but will need to know what to look for in a translator and how to pay.

## **THINGS TO CONSIDER**

### **1) Size of paper & formatting issues**

Many language speakers come from countries that use size A4 paper to print. If this is to be printed and distributed in the US, then the correct size of paper should be stated. Some brochures are printed on legal-size paper, and letters use 8.5 x 11 paper, with a letterhead to be added. Therefore, it is important to tell the translator the size of the paper and the format you would like the TT (target text) to be (see *Prepare the Layout* above). It is also important to ask the translator or designer to put the name of the language (e.g. CHUUKESE) on the translation in the header or footer so staff will know in which language the document is written.

### **2) The Translator**

You will want to find a qualified translator who is or who works with a native speaker of the language. Only native speakers of a language can understand and determine when "natural" words, phrases and sentences are being used, and when something sounds "awkward." A translator needs to be someone whose English is proficient enough to understand the nuances of the English language. They should also be able to understand about the services offered by your agency so that their understanding of the original is not debated.

I do not know of any Chuukese translator who has ever taken a class in the skills, principles or techniques of translation. I do not know anyone whose has even taken a workshop in translation skills. Translation skills are quite different than interpretation skills. Interpreting skills require agility, fast thinking, concentration, note-taking skills, memory skills and ethical decision-making skills. Translation, on the other hand, requires a love for the language(s) involved, a good understanding of the original and target language, a knack for writing, enjoyment when searching a better way to say something, inquisitive mind, and good writing skills. They may not enjoy speaking or being around other people, but might enjoy the solitude and fulfillment when finding a good way to express something after spending hours or even days thinking about the "puzzle" of a phrase or sentence.

Translation and interpretation are very different worlds, and learning the skills associated with translation and having the patience to write and edit and rewrite and re-edit is extremely important for translation. That means that when looking for a translator, one should carefully consider 1) the translator's educational background , 2) their experience, 3) their knowledge about the process of translation.

If an agency decides to work directly with a translator, I would strongly recommend asking the potential translator if they could tell you the ideal process a translator should go through when doing a translation. The process should include both research or inquiry if needed, and another person who is either a helper or editor. Payment is normally important to translators, so to guarantee a translation is submitted on time, you may want to add an incentive, such as, "If translation is submitted by March 31, a payment of \$100 will be added to the total." Be sure to add that you expect quality standard.

### **3) The Contract--knowing what include**

As stated above, most COFA migrant translators will not know what to include in a contract, or even how to write one. The American Translating Association (ATA) is an authoritative organization which has tried to offer its members guidance on a translation agreement, called "Model Contract for Translators". (See Appendix B). This model agreement mentions the

necessary parts of an agreement, namely, 1) the parties, 2) the description of services, 3) scheduled completion date, 4) method of deliver and format of delivery, 5) fees for services, 6) client right-to-review statement, 7) confidentiality agreement, and 8) copyrights.

Although it is written in a way to protect the translator (its members), it also includes such things as confidentiality and copyright protection, meaning that the translation ultimately belongs to the CLIENT and not the TRANSLATOR. There should be a clause in the contract that states the translator is an independent contractor and is responsible for paying their own taxes. Some COFA migrants are still unfamiliar with paying GE taxes and the agency should protect itself.

Last year, one Hawaii-based agency included in its "Request for Quote" bidding process, "Translator must be a member of ATA," which demonstrates the fact that they were misinformed about the translators residing in Hawaii. Very few translators in non-Spanish languages in Hawaii are actually members of ATA, and even fewer have heard of ATA since we have no chapter in Hawaii and promotion here is scarce. Furthermore, the languages that are tested for ATA membership do not include COFA migrant or Filipino languages.

It is very important for the agency to request in the agreement that the translator send the translation in the original program, such as a Microsoft Word doc, or similar text-editing program, as well as a pdf, so one can see the layout as the translator sees it. If there needs to be changes to the original text later on, a new translator can easily update the translation, without having to retype all of it.

An agency may want to add to the contract a requirement for the translator to submit a glossary of "technical terms" (specialized vocabulary) used by that agency found within the document. Some translation companies offer this for free. In the future, if the agency has a other documents needing translation, they can give the glossary to the translator they will use at that time (who may be a different translator) to have consistency among terms throughout their translated documents.

For example, a Housing Discrimination document might state *Under state law, it is illegal for an owner, landlord, real estate company, broker, sales person, or any other person involved in a real property transaction, to treat persons unequally.* Except for the term "housing discrimination," none of the terms used are technical and special to the agency. In the following statement, however, there are terms that would constitute as technical terms: *An Order of Eviction and Writ of Possession has been issued as provided for and in full compliance with the provisions of Chapter 356D, Hawaii Revised Statutes.* Most translators will request the agency to provide the list and might charge extra for doing this, unless they use computer assisted translation (CAT) software, which can easily provide this. It is rare in Hawaii to find a translator who has translation software since the cost for such software is around one thousand dollars.

Finally, one must think about how the translator will be paid. A check is the best and only method that a COFA migrant translator will know how to handle. If an invoice is needed, and an agency is working directly with the translator, the agency might want to create an invoice for the translator to sign. Some translators will know how to create one, but for many, it is easier if one is already created for them to simply sign. Most COFA migrant language translators have never heard of an electronic check and do not understand electronic transfers. They certainly do not accept P-card payments and some do not even have a bank account. They live quite simply and have never had the need for one. Payment methods should be agreed upon before signing the contract.

#### **4) Review for Quality**

Translators have a differing view on what a "good" translation consists of and clients are normally ignorant of the subject. One rumor says that to check the quality of a translation, one should have "back translation" done. A back translation is to take a translated document and translated it back into the original language. Back translation is a very useful tool if, for example, you want to test the accuracy and nuances of survey questions in order to rate the reliability of the answers. But for most translations that are needed by an agency, the money would be put to better use by hiring a reviewer to review the translation and make suggestions for improvement. This way, the grammar, word choice and naturalness can be carefully examined. One thing that must be reviewed is punctuation, particularly among languages that do

not have a standard for and/or do not emphasize punctuation in school. Be sure to ask the translator about any punctuation you find odd or missing.

There is a lack of standards to judge a quality translation, and that is why the Center for Interpretation and Translation Studies at the University of Hawaii has come up with five main categories to test a translation quality with a rating 1 - 3, with 3 being the highest. Appendix C is a sample of the form that is used, and an explanation of what each category means.

An agency should request that the translator or translation company guarantee that an outside reviewer will be used. The agency may want to hire a reviewer themselves and use the enclosed guidelines and form to have the reviewer review the document. It is easier for the translator to use their own trusted source, so they can discuss and decide upon the spelling of certain words, for example, instead of having the outside reviewer become the "expert" just because they are the ones reviewing the document. It is also possible to have an in-house native speaker of the language review the translation. An agency can also use the translation with it's clients and ask the client to explain what is not understandable. Changes can normally be requested within 30 days of the date the translation is handed over, so an agency should be prepared and swiftly check and use the translated documents to check for misunderstandings.

**APPENDIX A**  
**SAMPLE FORMATTING OF DOCUMENT FOR TRANSLATOR**

APPENDIX A  
Sample Formatting for Translator

## **What is quality child care?**

The ways in which a child care provider interacts with young children indicate the quality of care they can give. Look for a care provider who:

- shows love and respect toward the children in his/her care
- exhibits a genuine enjoyment in interacting with young children
- provides children with learning experiences that match their ages and interests
- talks with and reads to children every day
- acknowledges children's accomplishments and positively encourages appropriate behavior through effective methods
- provides a safe environment in which children can freely explore and learn.

Translation (replace the English):

## **What is quality child care?**

The ways in which a child care provider interacts with young children indicate the quality of care they can give. Look for a care provider who:

- shows love and respect toward the children in his/her care
- exhibits a genuine enjoyment in interacting with young children
- provides children with learning experiences that match their ages and interests
- talks with and reads to children every day
- acknowledges children's accomplishments and positively encourages appropriate behavior through effective methods
- provides a safe environment in which children can freely explore and learn.

**APPENDIX B**  
**MODEL CONTRACT FOR TRANSLATORS**

APPENDIX B

TRANSLATION AGREEMENT

Date of this Agreement: \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ ("Translator")  
Translator's Name Translator's Address

and

\_\_\_\_\_ of \_\_\_\_\_ ("Client")  
Client's Name Client's Address

hereby agree as follows:

1. **Description of services.** Translator, as an independent contractor, will provide the following service(s) [Identify item(s) to be translated and the particular service(s) to be performed]:

\_\_\_\_\_  
\_\_\_\_\_

Scheduled completion date is: \_\_\_\_\_

Translator shall make every effort to complete service(s) by the above date but shall not be responsible for delays in completion caused by events beyond Translator's control.

Method of delivery: \_\_\_\_\_

Format of delivery: \_\_\_\_\_

2. **Fee for services.** Client agrees to pay \$ \_\_\_\_\_ as Translator's fee for the above service(s). Payment is due as follows:

\_\_\_\_\_  
\_\_\_\_\_

The due dates for payment of fees and costs under this Agreement shall be the date(s) specified in this Agreement, provided that if no date is specified, the due date shall be the date of Translator's billing for the fees or costs. Any payments for fees or costs not received by Translator within \_\_\_\_\_ days of the due date will be deemed late and shall be subject to a \_\_\_\_\_% per month late charge. Client agrees to be responsible for Translator's costs in collecting late payments due from Client, including reasonable attorneys' fees.

3. **Cancellation or withdrawal by Client.** If Client cancels or withdraws any portion of the item(s) described in paragraph 1 above prior to Translator's completion of the service(s), then, in consideration of Translator's scheduling and/or performing said service(s) Client shall pay Translator the portion of the above fee represented by the percentage of total service(s) performed, but in any event not less than \_\_\_\_\_% of said fee.

4. **Additional fees.** Additional fees will be payable, to be calculated as provided below, in the event the following additional services are required: (a) investigation, inquiry, or research beyond that normal to a routine translation is required because of ambiguities in the item(s) to be translated; (b) additional services are required because Client makes changes in the item(s) to be translated after the signing of this Agreement; and (c) Translator is requested to

APPENDIX B

make changes in the translation after delivery of the translation, because of Client's preferences as to style or vocabulary, and such changes are not required for accuracy. Such additional fees will be calculated as follows:

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5. Additional costs. Client shall reimburse Translator for necessary out-of-pocket expenses incurred by Translator that are not a normal part of routine translation procedure, such as overnight document delivery service requested by Client, long distance telephone and telefax expenses to clarify document ambiguity, etc.

6. Client's review of translation. Upon receipt of the translation from Translator, Client shall promptly review it, and within 30 days after receipt shall notify Translator of any requested corrections or changes. Translator shall correct, at no cost to Client, any errors made by Translator.

7. Confidentiality. All knowledge and information expressly identified by Client in writing as confidential which Translator acquires during the term of this Agreement regarding the business and products of Client shall be maintained in confidentiality by Translator and, except as expressly authorized by Client in writing, shall not be divulged or published by Translator and shall not be authorized by Translator to be divulged or published by others. Confidential information for purposes of this paragraph shall not include the following:

a. Information which is or becomes available to the general public, provided the disclosure of such information did not result from a breach by Translator of this paragraph.

b. Terminological glossary entries compiled by Translator in the course of Translator's performance of the translation service(s) under this Agreement; provided, however, that Client and Translator may agree in writing that, upon payment by Client to Translator of an agreed-upon fee, such terminological glossary entries shall be the property of Client and shall be covered by the confidentiality provisions of this paragraph.

8. Translation is property of client, copyright. Upon Client's completion of all payments provided herein, the translation of the item(s) described in paragraph 1 above shall be the property of Client. Translator has no obligation to take any steps to protect any copyright, trademark or other right of Client with respect to the translation, except as may be expressly otherwise provided in this Agreement. Notwithstanding the foregoing, Translator shall have the right to retain file copies of the item(s) to be translated and of the translation, subject to the provisions of paragraph 7 above.

9. Indemnification and hold-harmless by Client. Client agrees to indemnify and hold Translator harmless from any and all losses, claims, damages, expenses or liabilities (including reasonable attorneys' fees) which Translator may incur based on information, representations, reports, data or product specifications furnished, prepared or approved by Client for use by Translator in the work performed under this Agreement.

10. Changes by others. Translator shall have no responsibility whatever as to any changes in the translation made by persons other than Translator.

11. Governing law. This Agreement shall be governed by the laws of the State of \_\_\_\_\_.

12. Additional provisions. *[Add all additional provisions required by the parties.]*

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13. Complete agreement. This is the complete agreement of the parties as to the subject matter hereof. Any changes in this Agreement must be in writing signed by both parties. This Agreement becomes a binding contract only upon signature by both parties and the delivery of fully signed copies to each party.

Translator: \_\_\_\_\_

Client: \_\_\_\_\_

**APPENDIX C**  
**TRANSLATION EVALUATION FORM**

Translator ID # \_\_\_\_\_

**APPENDIX C**  
**Translation Evaluation**  
**English to CHUUKESE**

Evaluator: \_\_\_\_\_

1 = excellent, 2 = fair, 3 = needs improvement

DESCRIPTION	1	2	3	COMMENTS (or examples)
1. Fidelity a. <u>Translator:</u> <i>Understands the ideas &amp; concepts of OT (Original Text)</i>				
b. <u>Completeness:</u> <i>No words or meanings were added, omitted or distorted</i>				
2. Language Appropriateness a. <u>Word Choice:</u> <i>Appropriate &amp; natural choice of words</i>				
b. <u>Expressions:</u> <i>Uses native-like expressions appropriately</i>				
c. <u>Style:</u> <i>Maintains similar style as OT (legalize, official, tone, etc)</i>				
d. <u>Understandability:</u> <i>(How well a native Chuukese speaker understands the target text)</i> <i>Good flow and organization of words</i>				
3. Structure a. <u>Grammar:</u> <i>Sentences have native-like flow with no 'foreignisms' in grammar</i>				
b. <u>Connectors:</u> <i>Phrases/sentences are connected smoothly</i>				
4. Mechanics <i>Proper use of spelling, punctuation capitalization, etc.</i>				
5. Other: _____				

Please use back side to write any additional comments.

Translator ID # \_\_\_\_\_

**APPENDIX C**

Evaluator: \_\_\_\_\_

**Additional Comments:**

Translator ID # \_\_\_\_\_

**APPENDIX C**  
**Translation Evaluation**  
**English to CHUUKESE**

Evaluator: \_\_\_\_\_

1 = excellent, 2 = fair, 3 = needs improvement

DESCRIPTION	1	2	3	COMMENTS (or examples)
1. Fidelity a. <u>Translator</u> : <i>Understands the ideas &amp; concepts of OT (Original Text)</i>				
b. <u>Completeness</u> : <i>No words or meanings were added, omitted or distorted</i>				
2. Language Appropriateness a. <u>Word Choice</u> : <i>Appropriate &amp; natural choice of words</i>				
b. <u>Expressions</u> : <i>Uses native-like expressions appropriately</i>				
c. <u>Style</u> : <i>Maintains similar style as OT (legalize, official, tone, etc)</i>				
d. <u>Understandability</u> : <i>(How well a native Chuukese speaker understands the target text)</i> <i>Good flow and organization of words</i>				
3. Structure a. <u>Grammar</u> : <i>Sentences have native-like flow with no 'foreignisms' in grammar</i>				
b. <u>Connectors</u> : <i>Phrases/sentences are connected smoothly</i>				
4. Mechanics <i>Proper use of spelling, punctuation capitalization, etc.</i>				
5. Other: _____				

Please use back side to write any additional comments.

Translator ID # \_\_\_\_\_

**APPENDIX C**

Evaluator: \_\_\_\_\_

**Additional Comments:**

APPENDIX C

---

# Limited English Proficient (LEP) Encounter Report

## DLIR Staff Information

Name: \_\_\_\_\_ Position: \_\_\_\_\_  
Division /Program: \_\_\_\_\_ Office Location: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_  
Date of Encounter: \_\_\_\_\_ Time of Encounter: \_\_\_\_\_

## Language Encountered:

Cantonese  Chuukese  Hawaiian  LEP Hearing Impaired  Japanese   
Kosraean  Thai  Mandarin  Marshallese  Korean   
Phonpeian  Portuguese  Samoan  Spanish  Tagalog   
Tongan  Vietnamese  Visayan  Ilokano  Other  \_\_\_\_\_

## Type of Encounter:

- LEP person(s) walked into the office and needed assistance in a language other than English
- LEP person called over the phone and needed assistance in a language other than English
- Other  \_\_\_\_\_

Additional Comments: \_\_\_\_\_

## Who assisted with interpretation?

- Staff within the division/program
- Staff from other division/program  Which division/program? \_\_\_\_\_
- Contracted In-Person Interpreter
  - 1) Via Interpreter Agency   
Name of Agency \_\_\_\_\_
  - 2) Independent   
Name of Interpreter \_\_\_\_\_
- Paid Telephonic Interpreter  Name of Interpreter \_\_\_\_\_
- Other  \_\_\_\_\_

Was a written document orally translated for the LEP? Yes  No

If a written document was orally translated, please include a copy of that document with this form.

Additional Comments: \_\_\_\_\_

## If written language service (translation) was provided, please fill out the information below:

### What type of Translator?

- Staff from within the division/program
- Staff from other division/program  Which division/program? \_\_\_\_\_
- Contracted Translator 
  - 1) Via Translation Agency   
Name of Agency \_\_\_\_\_
  - 2) Independent   
Name of Translator \_\_\_\_\_
- Other  \_\_\_\_\_

Additional Comments: \_\_\_\_\_

**If NO language services were provided, please answer the questions below.**

**If it was not possible to provide language services, please explain why:**

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**What measures were taken to assist the LEP person(s)?**

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**Are there any follow up measures required to assist the LEP person(s)?**

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APPENDIX D

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APPENDIX E

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## Unemployment Insurance Division

### Translation/Interpretation Assistance Insert

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<b>ENGLISH</b>	<b>Important!</b> This document(s) contains important information about your unemployment compensation right, responsibilities and/or benefits. It is critical that you understand the information in this document. If you need assistance in the translation and understanding this information, report to your local office immediately.
<b>ILOKANO</b>	<b>Napateg!</b> Daytoy (Dagitoy) a dokumento ket naglaon dagiti napateg nga impormasyon maipapan iti karbengam maipapan dagiti bayad, responsibilidad ken/wenno benepisyo no maikkatka iti trabaho. Nakapatpateg la unay a maawatam ti impormasyon a nilaon daytoy a dokumento. No kasapulam ti tulong iti pannakaipatarus ken pannakapaawat iti daytoy nga impormasyon, agreportka a dagus iti lokal nga opisina.
<b>TAGALOG</b>	<b>Mahalaga!</b> Ang (mga) dokumento na ito ay naglalaman ng mahalagang impormasyon tungkol sa inyong karapatan at/o responsibilidad sa pagtanggap ng kompensasyon o benepisyo kung kayo ay walang o nawalan ng trabaho. Kritikal na mauunawaan ninyo ang impormasyon na nasa dokumentong ito. Kung kailangan ninyo ng tulong sa pagsasalin sa Filipino at sa pag-unawa ng impormasyon na ito, iulat kaagad sa iyong lokal na tanggapan.
<b>CHINESE SIMPLIFIED</b>	<b>注意!</b> 此文件有关您的失业救济金的重要信息, 包括您的权利, 责任和利益。您必需清楚地理解此文件的内容。如果您需要翻译及协助了解此文件的内容, 请您立刻到当地失业局办事处请求帮助。
<b>CHINESE TRADITIONAL</b>	<b>注意!</b> 此文件有關您的失業救濟金的重要信息, 包括您的權利, 責任和利益。您必需清楚地理解此文件的内容。如果您需要翻譯及協助瞭解此文件的内容, 請您立刻到當地失業局辦事處請求幫助。
<b>SPANISH</b>	<b>¡Importante!</b> Este documento (s) contiene información importante acerca de su derecho de compensación por desempleo, responsabilidades y / o beneficios. Es muy importante que usted entienda la información contenida en este documento. Si necesita ayuda en la traducción y comprensión de la información, reportar a su oficina local de inmediato.
<b>JAPANESE</b>	<b>重要!</b> この文書 (s) は、あなたの失業補償の権利、責務および/または利益に関する重要な情報が含まれています。それはあなたがこの文書に記載されている情報を理解することが重要です。あなたが翻訳で援助を必要とし、この情報を理解した場合は、直ちにお近くのオフィスに報告する。
<b>CHUUKESE</b>	<b>Mi Auchea!</b> Ei toropwe taropween poraus mi auchea ren pungun napanapen kounon omw angang (unemployment), omw puung ren niwinum non angang, omw kewe sekining me pwan pekin aninnis mi kuuk fan asengesin omw angang. Mei fakkun auchea omw kopwe weweiti met ekkei poraus mi nomw non ei toropwe. Ika kese weweiti masoen non ei toropwe, kopwe mwitir chok ne esine ngeni ewe ofes a kan wisen tumunu me masamas won ewe kinikin ke nomw ia.
<b>MARSHALESE</b>	<b>Kōjjeļā!</b> Elōñ meļeļe ko ilo peba (ke)in me eļap tokjān kōn aṃ marōñ in bōk oṃeṃ ilo iien ko im eļeļok aṃ jerbal (unemployment compensation), eddo ko aṃ im jipañ ko kwo marōñ in bōk. Eļap tokjān aṃ meļeļe kōn meļeļe ko ilo peba in. Ñe kwōj aikuj jipañ ilo ukok im meļeļe men kein, kwōn ṃōkaj im kaju ñan wōpij eo ijeṃe.
<b>KOREAN</b>	<b>중요!</b> 이 문서 (들)은 실업 보상 오른쪽, 책임 및 / 또는 혜택에 대한 중요한 정보가 포함되어 있습니다. 당신이이 문서의 정보를 이해하는 것이 중요합니다. 당신이 번역에 도움이 필요하고이 정보를 이해하는 경우에는 즉시 해당 지역의 사무실에보고합니다.
<b>VIETNAMESE</b>	<b>Quan trọng!</b> Tài liệu này (s) chứa các thông tin quan trọng về quyền bồi thường thất nghiệp, trách nhiệm của bạn và / hoặc lợi ích. Điều quan trọng rằng bạn hiểu các thông tin trong tài liệu này. Nếu bạn cần hỗ trợ trong bản dịch và sự hiểu biết thông tin này, báo cáo cho văn phòng địa phương của bạn ngay lập tức.

APPENDIX F

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LANGUAGE ACCESS REPORTING TOOL

LEP Services by Language

Department/Agency Labor and Industrial Relations

Phone No.

Period Covered July - December 2014

Language	# of LEP Encounters	Type of Services Provided to LEP Customers (#)				Type of Oral Language Service Utilized (4)								# of Documents Translated		Language Services Expenditures (\$)					Amount (Total \$)
		Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted Interpreter (via an Interpreter Agency)	Contracted Interpreter (Directly)	Staff Interpreter	Telephone Interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents	Oral Language Services (in person)	Sight Translation Services	Telephone Interpreter Services	Written Translations	Other (please specify):	
Total:	574	543	42	2	22	0	5	83	30	0	14	386	52	4	0	\$ 7,012.09	\$ 287.96	\$ 529.56	\$ 4.76	\$ 95.00	\$ 7,928.37
% of Total:	100%	89.2%	6.9%	0.3%	3.6%	0.0%	0.9%	14.3%	5.2%	0.0%	2.4%	68.3%	9.0%	100.0%	0.0%	88.4%	3.6%	6.7%	0.1%	1.2%	100%
Cantonese	233	233	2					9			2	213	9			\$ 485.97		\$ 126.67			\$ 612.64
Chukese	3	2						4								\$ 210.00					\$ 210.00
Hawaiian																					
Ilokano	72	70	14	1				28			3	25	17	1		\$ 2,418.33		\$ 205.00			\$ 2,623.33
Japanese	19	18	9					7	8			2	1			\$ 1,080.94			\$ 8.12		\$ 1,089.06
Korean	9	9	1					3			1	3	3	2		\$ 219.48					\$ 227.60
Kosraean	1	1	1					1								\$ 98.48					\$ 98.48
LEP Hearing Impaired	21				21				21							\$ 287.96		\$ 178.52			\$ 466.48
Mandarin	49	49	3					4			4	41	1			\$ 342.80					\$ 342.80
Marshallese	3	2		1								1	2	1							\$ 18.12
Portuguese	2	2						1				1				\$ 445.65		\$ 102.5	\$ 4.76		\$ 460.65
Samoa	63	63	7					4	11	1	4	45	2	2		\$ 340.70					\$ 340.70
Spanish	59	59										56									\$ 340.70
Tagalog																					
Thai																					
Tongan																					
Vietnamese	11	10	2					1		4		3	2	1		\$ 223.74					\$ 223.74
Visayan (Cebuano)	1	1																			
Laotian																					
Micronesian	13	13										2	11								\$ 167.35
Pohnel	1	1											1								\$ 60.00
Filipino	2	2											2								\$ 167.35
Chinese	4	4										4									\$ 60.00
French	3	3																			\$ 95.00
Unknown	1	1																			\$ 586.39
American Sign Lang	1	1			1											\$ 586.39					\$ 586.39
Sign Public Training	1	1																			\$ 314.14
Sign-Investigation	2	2																			\$ 314.14

Totals for "Type of Services Provided" and "Type of Oral Language Service Utilized" may be more than "N" of LEP Encounters" since there may be more than one type of service provided or service utilized for each encounter or interpreters were contracted but clients were no-shows.

Type of Oral Language Service Utilized:

\*Other\* includes friends, family, personal interpreter

American Sign Language interpreter contacted for Job Fair: 21 Hearing Impaired, English abilities unknown.

Interpreters were contracted but 10 clients were no-shows.

Unable to obtain interpreter, therefore 1 hearing was cancelled; 2 other hearings were cancelled.

Interpreters did not show for 1 encounter.

## APPENDIX G

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LANGUAGE ACCESS REPORTING TOOL

LEP Services by Division/Office

Department/Agency Labor and Industrial Relations

Period Covered July - December 2014

Contact Person

Phone No.

Language	# of LEP Encounters	Type of Services Provided to LEP Customers (#)				Type of Oral Language Services Utilized (#)							# of Documents Translated		Language Services Expenditures (\$)					Amount (Total \$)	100%		
		Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted interpreter (via an Interpreter Agency)	Contracted Interpreter (Directly)	Staff Interpreter	Telephone interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents	Oral Language Services (in person)	Sight Translation Services	Telephone interpreter Services	Written Translations			Other (please specify):	
<b>Total:</b>	574	543	42	2	22	0	5	83	30	0	14	396	52	4	0	\$ 7,012.09	\$ 287.96	\$ 526.56	\$ 4.76	\$ 95.00	\$ 7,928.37	100%	
<b>% of Total:</b>	100%	89.2%	6.9%	0.3%	3.6%	0.0%	0.9%	14.3%	5.2%	0.0%	2.4%	68.3%	9.0%	100.0%	0.0%	88.4%	3.6%	6.7%	0.1%	1.2%			
Director																							
ASD																							
Personnel																							
Research																							
HLRB																							
LIRAB	6	6						6	9							\$ 702.93					\$ 702.93		
ESARO	42	42	39					40	9		3					\$ 3,787.68		\$ 324.07			\$ 4,111.75		
OCS																							
OLA																							
HCRC	15	12	3					15								\$ 1,411.48					\$ 1,411.48		
WDC																							
Hawaii DO																							
West HI DO																							
Maui DO	5	5									1												
Kauai DO	3	3						3								\$ 150.00					\$ 150.00		
DCD	20	16						15					1			\$ 960.00					\$ 960.00		
HOSH	12	12									6	6						\$ 196.89			\$ 196.89		
UI	387	386						4				375	8								\$ 95.00	\$ 95.00	
WDD	76	55		2	21				21			14	43	2		\$ 287.96					\$ 287.96	\$ 287.96	
WSD	6	6									4	1		2				\$ 7.80	\$ 4.76		\$ 12.36	\$ 12.36	

Totals for "Type of Services Provided" and "Type of Oral Language Service Utilized" may be more than "# of LEP Encounters" since there may be more than one type of service provided or service utilized for each encounter or interpreters were contracted but clients were no-shows.

Type of Oral Language Service Utilized:

\*Other\* includes friends, family, personal interpreter

WDD: Contracted American Sign Language Interpreter for Job Fair- 21 Hearing Impaired, English abilities unknown (Waipahu).

ESARO: Interpreters were contracted but 10 clients were no-shows.

DCD: Interpreter was contracted but 1 interpreter was no-show. Unable to obtain interpreter, therefore 1 hearing was cancelled, 2 other hearings were cancelled.

APPENDIX H

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STATE OF HAWAII  
Department of Human Services  
Med-QUEST Division  
Customer Service Branch  
P.O. Box 700190  
Kapolei, HI 96709-0190

*Return Service Requested*





**Important Notice from DHS, Please Read.**

**Important nga Paka-ammo ti DHS, Panga-asuyo ta basanryo.**

**Auchean esinesin·seni DHS kose mochen aneani.**

**Kojela Aurok jen DHS, Jouji im Riiti.**

**DHS (후생국) 에서의 중요한 공지 사항, 꼭 읽으세요.**

**請閱讀, DHS 重要通知。**

**Thông Báo Quan Trọng từ DHS, Xin Vui Lòng Đọc.**



STATE OF HAWAII  
Department of Human Services  
Med-QUEST Division  
Customer Service Branch  
P.O. Box 700190  
Kapolei, HI 96709-0190

*Return Service Requested*





STATE OF HAWAII  
Department of Human Services  
Med-QUEST Division  
Customer Service Branch  
P.O. Box 700190  
Kapolei, HI 96709-0190

*Return Service Requested*



**ANNUAL PLAN  
CHANGE**  
Please Open –  
Very Important

APPENDIX I

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# Translation of Vital Documents

## 2-Day Workshop for Agencies

**Thursday & Friday - January 22 & 23, 2015**

**8:00 AM to 4:30 PM**

—Queens Medical Center—1301 Punchbowl St. Honolulu --  
King Kamehameha Wing Auditorium & Lounge  
(Directions on next page.)



To be conducted by **Kleber Palma**  
Director, New York City Department of Education Translation and Interpretation Unit

Kleber Palma is currently the Director of the New York City Department of Education's Translation and Interpretation Unit, which he established in 2004. The unit provides translation and interpretation services, and language access support to more than 1,700 schools. Prior to this, Kleber served as the Director of the Los Angeles Unified School District's Translations Unit, a Language Specialist for the FBI and a Translation Services Manager for a private firm in California. He has extensive experience as a freelance Spanish translator and a language access consultant, and holds a BA in International Relations from the University of Southern California and an MBA from California State University in Los Angeles.

**FREE!** Register online (only) by **Friday, January 16, 2015** by clicking here:

<https://uhmcampusservices.wufoo.com/forms/translation-of-vital-documents-workshop/>

**This workshop is limited to 100 participants; priority will be given to state, county and non-profit agencies. It is free but participants have to register.**

### This workshop will cover:

- Complying with language access translation obligations
- Identifying, tracking, and prioritizing documents
- Contracting and procurement
- The translation process—planning, content creation, workflow, final product, etc.
- Panel of agencies - success stories
- Language access basics & more

***ACCESSIBILITY ASSISTANCE:** If you require special assistance or auxiliary aids and/or services to participate in this conference (i.e., sign interpreter; interpreter for language other than English; or wheelchair accessibility) please contact the Office of Language Access (OLA) at 586-8730 no later than January 16, 2015.*

**Please share this information  
with your colleagues.**

**Questions on registration?** Contact UH Conference & Event Services: (808) 956.8204

**Questions on content?** Contact: Office of Language Access 830 Punchbowl Street, Room 322  
Honolulu, Hawaii 96813 Phone: (808) 586-8730 - Fax: (808) 586-8733. Contact email address: [ola@doh.hawaii.gov](mailto:ola@doh.hawaii.gov)



**The Office of  
Language Access**

Serafin Colmenares Jr., Ph.D.  
Executive Director

Workshop on Translation of Vital Documents  
January 22-23, 2015  
Kamehameha Auditorium  
Queen's Medical Center  
Honolulu, Hawaii

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**Outline**

- I. Hawaii's LEP Profile
- II. OLA's Functions, Goals and Activities
- III. Translation of Documents
- IV. Closing Thoughts

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**I. Hawaii's LEP Profile**

- Out of Hawaii's total population of 1,361,628, more than 24% or 329,827 speak a language other than English at home.
- Out of those who speak a language other than English at home, 151,187 or 46% are LEP.
- Out of the total LEP population, 125,602 or 83% live on Oahu.
- Out of the total LEP population, 80% are Asian language speakers while more than 13% are Native Hawaiian and Pacific Island language speakers.

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## Age

Age Group	# LEP
19 years old and below	14,245
20 to 39 years old	35,239
40 to 59 years old	50,056
60 to 79 years old	39,207 (48% are Ilokano and Tagalog; 16% Japanese; and 14% Chinese)
80 years old and above	12,440 (38% are Japanese; 38% are Ilokano and Tagalog; 11% Chinese)
Total LEP	151,187

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## Education

Less than high school	51,319	34.0%
High school diploma	46,862	31.0%
Not beyond high school	98,181	65.0%
No college degree (Associate or Bachelor's)	122,099	81.0%

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## Income and Poverty Level

- ▶ 75% earn less than \$35,000 annually
- ▶ 61% earn less than \$25,000 annually
- ▶ 43% earn less than \$15,000 annually
- ▶ 32% earn less than \$10,000 annually

% of Poverty Level	# LEP
<= 100 %	21,056
> 100 and <= 150 %	13,422
> 150 and <= 200 %	14,835
> 200 %	99,395

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## OLA's Functions

- ▶ Provide oversight, central coordination and technical assistance to state agencies and covered entities in their implementation of the requirements of Hawaii's language access law;
  - ▶ review and monitor state agencies for compliance;
  - ▶ receive, investigate and resolve complaints on language access through informal methods;
  - ▶ operate a language access resource center and a multilingual website.
- State agencies – executive, legislative and judicial branches of government
- Covered entities – agencies/entities receiving funds from the state (includes county agencies, nonprofits, etc.)

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## OLA's Goals

1. Promote public awareness and ensure that the LEP population is informed of and educated about their rights.
2. Ensure that all state agencies and covered entities are in compliance with language access requirements.
3. Assist in the development of an adequate pool of trained and competent language access providers.
4. Develop OLA staff expertise and resources.
5. Ensure the timely resolution of complaints about language access.
6. Provide statewide leadership in the area of language access.

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## Projects and Activities

- ▶ Education, information and outreach
- ▶ Technical assistance and training
- ▶ Coordination
- ▶ Compliance review and monitoring
- ▶ Complaints resolution
- ▶ Research and reporting
- ▶ LARC and multilingual website

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### III. Translation of Vital Documents

- › Technical assistance - training and conferences (2012 Language Access Conference)
- › Part of the language access plan
- › LEP reporting
- › Part of compliance review
- › Vital documents survey

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### Language Access Plans

OLA recommends that agency language access plans should:

- › Include a list of vital documents;
- › Identify which languages the vital documents have been or will be translated into;
- › Identify how the documents are to be translated; and
- › Provide written notice in the LEP person's primary language of the right to receive competent, free oral interpretation of written materials if their group meets the 5% threshold but less than 50 persons.

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### LEP Reporting

- › Semi-annual report to OLA
  - January-June report due on August 31
  - July-December report due March 1
- › Reporting tool includes:
  - # of documents translated upon request
  - # of vital documents translated
  - translation service used
  - languages translated into
  - \$ spent on translation

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## Monitoring Instrument

Includes questions on:

- ▶ List of vital documents
- ▶ List of translated vital documents
- ▶ Volunteer bilingual staff
- ▶ In-house translators
- ▶ Contracts with outside translation services
- ▶ Translated written notices of right to receive oral interpretation of written materials

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## Vital Documents Survey

- ▶ Done in 2008 and 2012
- ▶ For state agencies, to determine:
  - if they have identified their vital documents
  - if they have translated them and into what languages
  - who did the translation
  - how much they spent on or budgeted for translation
  - challenges

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## Survey Results

- ▶ Few agencies responded to the surveys (7 in 2008 and 8 in 2012 – out of 26).
- ▶ Most of those who responded have identified their vital documents but very few of the documents have been translated.

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### Survey Results

- › Documents translated into major LEP languages (Ilokano, Tagalog, Japanese, Cantonese, Korean, Samoan, Chuukese, Marshallese, Spanish, etc.).
- › Translation done mostly by private contractors; some by bilingual staff.
- › Most agencies have not included translation services in budget.

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### Survey Results

#### Challenges faced:

- Cost
- Lack of translators
- Lack of guidance on the translation process
- Identifying vital documents
- Simplifying documents
- Not a priority; apathy; no buy-in from leadership

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### Survey Results

#### Other Comments

- Encountered population less than 5%
- Health documents are challenging due to medical, cultural and ethical considerations
- Most patients bring own translators
- Statewide assistance in translating vital documents in certain languages
- Helpful to have a centralized state contractor or vendor

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## IV. Closing Thoughts

- › Translation of vital documents remains a major challenge in Hawaii due to cost, lack of resources (funds, qualified translators), lack of political will, and a lack of understanding of the translation process.
- › Need for training, inter-agency collaboration, and a centralized translation contracting system.

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"Translation of vital documents is not an unfunded mandate. It is like water and electricity – a necessity if you are going to take federal funds."

– Deana Jang, Chief  
Federal Coordination and Compliance  
Section, Civil Rights Division  
US Department of Justice (2012)

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## OLA Contact Information

Office of Language Access  
Department of Health  
830 Punchbowl Street, Suite 322  
Honolulu, HI 96813  
Phone 808-586-8730  
email [serafin.colmenares@doh.hawaii.gov](mailto:serafin.colmenares@doh.hawaii.gov)

MAHALO!



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### Language Access:

Our Duty to Communicate with the LEP Populations We Serve

Rebecca Gardner, J.D.  
Senior Legal Analyst - Program Specialist, Office of Language Access

*Translation of Vital Documents Workshop*

--Queens Medical Center--1301 Punchbowl St. Honolulu --  
King Kamehameha Wing Auditorium & Lounge  
January 22, 2015

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### FOUNDATIONAL CONCEPT- What is LEP under Hawaii Law?

A Limited English Proficient [LEP] individual" is defined under Hawaii Law as:

*"an individual who, on account of national origin, does not speak English as the person's primary language and self identifies as having a limited ability to read, write, speak or understand the English language."*

HRS sec. 321C-2

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### Our Audience's Profile

- Who here speaks English as a second language?
- Who here has a parent who is LEP?
- Who here has/had a grandparent who is LEP?
- Who here works for a government agency?
- Who here works for a non-profit that receives government funding?
- Who does not work for a government or government-funded agency?
- Who here speaks "legalese"? (A lawyer?)

*(A cross-section of Hawaii's population)*

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## Language Access is a CIVIL RIGHT

**Language access** - is the provision of language services (interpretation and translation) to limited English proficient (LEP) individuals to ensure meaningful access to government services, programs and activities.

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## Key Definitions

The following definitions are from HRS Chapter 321C-2

**Access** - be informed of, participate in, and benefit from the services, programs, and activities offered by the State and covered entities."

- **Covered Entity** - means a person or organization receiving state financial assistance, including grants, purchase of service contracts, or any other arrangement by which the State provides or otherwise makes available assistance in the form of funds to the person or organization for the purpose of rendering services to the public. It shall not include procurement contracts, state insurance or guaranty contracts, licenses, tax credits, or loan guarantees to private businesses of general concern that do not render services on behalf of the state."

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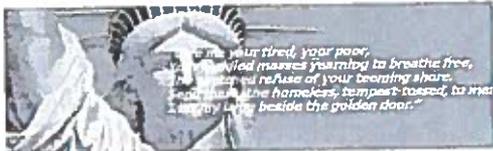
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## Why Language Access ?

The Promise of 'America'

- Historically, our diversity has defined American society. Our country has expressly opened its arms to immigrants - the "huddled masses".



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## Why Language Access?

It's Better for Society

- After several generations, most individuals living in the United States now speak, read, write and understand English. But there are many who are limited English proficient (LEP).  
*(Remember, English is not the 'Native' language of our land.)*
- Language for LEP persons can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by government and government-funded programs and activities.
- Denial of Language Access can be costly in lost opportunity, lost human capital, and increased damage control.

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## Why Language Access?

Because it is Justice ...

- "The protection of the Constitution extends to all, to those who speak other languages as well as to those born with English on the tongue."  
*Justice McReynolds in - Meyer v. Nebraska, 262 U.S. 390, 401 (1923)*
- "Simple justice requires that public funds, to which *all* taxpayers of *all* races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."  
*Justice Douglas in - Lau v. Nichols, 414 U.S. 563, 569 (1974) quoting President John F. Kennedy's message to Congress, June 19, 1963.*
- "Language Access is NOT an unfunded mandate. It is like water and electricity--a necessity if you are going to take federal funds." -  
*Devana Jang, JD - Chief of the Federal Coordination and Compliance Section of the Civil Rights Division of United States Department of Justice*

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## Federal and State Mandates & Case Law

- Title VI, Civil Rights Act of 1964
- Lau v. Nichols, 414 U.S. 563 (1974)
- Executive Order 13166 (2000) & Related Regulations/Guidance
- Hawaii's Language Access Law (2006), Chapter 321c, Hawaii Revised Statutes

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## Title VI – Civil Rights Act of 1964



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## Title VI – Civil Rights Act of 1964

- › Sec. 601 of Title VI of the Civil Rights Act of 1964 provides that:

**No person** in the United States shall, on the ground of race, color, or **national origin**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity **receiving Federal financial assistance**.

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## Lau v. Nichols (1974)

This case involved a federally-funded school district and approximately 1,800 public school students of Chinese ancestry in the San Francisco area who did not speak English, and to whom the school system provided the same services – an education solely in English – that it provided to students who spoke English.



Figure 1  
Source: Math in the 21st Century: A Call to Action (2014). San Francisco: The Math Learning Center.

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## Lau v. Nichols

The US Supreme Court concluded that the school violated Title VI by failing to provide LEP students with any language assistance services (e.g. bilingual education or other language instruction); stating "it seems obvious that the Chinese-speaking minority receive fewer benefits than the English-speaking majority from respondents' school system which denies them a meaningful opportunity to participate in the educational program - all earmarks of the discrimination banned by Title VI and its implementing regulations.

The Court held that Title VI requires federally funded entities to provide language access sufficient to give LEP people meaningful access to a recipient's programs and activities. Denial of such access constitutes "national origin" discrimination.



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## Executive Order 13166 (2000)

President Clinton

- Purpose was to improve access to federal government services for persons with limited English proficiency (LEP).
- Required each federal agency to prepare a Language Access Plan to improve access to its federally conducted programs and activities by eligible LEP persons, consistent with the compliance standards set forth by the LEP guidance issued by the DOJ - released on same date.
- Required each federal agency to draft its own guidance, reflective of principles in DOJ guidance.

LEP.gov  
DOJ - guidance

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## 4 Factor Analysis in DOJ Guidance

Also reflected in other Federal Agency-issued guidance

- (1) Number or proportion of LEP persons served or encountered in the eligible service population
- (2) Frequency of LEPs' contact with services, programs or activities
- (3) Nature and importance of services, programs or activities
- (4) Resources available and the costs

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### DoJ Guidance on Translation

"In balancing the factors discussed above to determine what reasonable steps must be taken by recipients to provide meaningful access to each LEP individual, agencies should particularly address the appropriate mix of written and oral language assistance. Which documents must be translated, when oral translation is necessary, and whether such services must be immediately available will depend upon the factors previously mentioned."

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### DoJ Guidance on Translation

"Under the four-part analysis, for instance, Title VI would not require recipients to translate documents requested under a state equivalent of the Freedom of Information Act or Privacy Act, or to translate all state statutes or notices of rulemaking made generally available to the public. The focus of the analysis is the nature of the information being communicated, the intended or expected audience, and the cost of providing translations. In virtually all instances, one or more of these criteria would lead to the conclusion that recipients need not translate these type of documents."

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### DoJ Guidance on Translation

"In some cases, "meaningful opportunity" to benefit from the program requires the recipient to take steps to assure that translation services are promptly available. In some circumstances, instead of translating all of its written materials, a recipient may meet its obligation by making available oral assistance, or by commissioning written translations on reasonable request. It is the responsibility of federal assistance-granting agencies, in conducting their Title VI compliance activities, to make more specific judgments by applying their program expertise to concrete cases."

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Background: Hawaii's Language Access Law

Under Act 290:

"Each state agency and all covered entities shall take reasonable steps to ensure meaningful access to services, programs, and activities by [LEP] persons[.]"

"Each state agency and covered entity\* shall establish a plan for language access."

-The Office of Language Access was established.

-The Language Access Advisory Council was established.

\*A "covered entity" (revised) is defined as "a person or organization receiving state financial assistance, including grants, purchase-of-service contracts, or any other arrangements by which the state provides or otherwise makes available assistance in the form of funds to the person or organization for the purpose of rendering services to the public. (Some exemptions)"

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Background: Hawaii's Language Access Law

Act 290 added a new part to **Chapter 371** of the Hawaii Revised Statutes (HRS).



The HRS are laws of the State of Hawaii that are of a "general and permanent nature."

*~~The real deal.*

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Background: Hawaii's Language Access Law

*A drafting/statutory/organizational anomaly?*

Chapter 371 is within Title 21 of HRS; and both regard Hawaii's Department of Labor & Industrial Relations.

However, the state's language access law applied to all state agencies and state-funded agencies.

Act 290 placed the Office of Language Access and the Language Access Advisory Council within the Dept. of Labor "for administrative purposes only", which explains why it is in this part of HRS.

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Background: Hawaii's Language Access Law

HRS Chapter 321C

Within Title 19 relating to Health – for administrative purposes.

Please correct your citations in your pamphlets, rules, policy memos, contracts, etc. because if you are referring to chapter 371, you are citing to a REPEALED ... DEAD ... law.



New HRS Chapter  
for Lang Acc Law

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**Requirements**

State agencies and covered entities are **required** to:

- Assess the need for providing language services and take "reasonable steps" to ensure "meaningful" access to state services, programs and activities
- Provide oral language services in a "timely" and "competent" manner
- Provide written translations of "vital" documents
- Establish a "language access plan"

State agencies are also required to designate a language access coordinator and hire bilingual personnel for existing, budgeted, vacant public contact positions

Focus now on written trans

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Your Obligation to Translate Vital Documents

**What is a "VITAL DOCUMENT"?**

HRS 321C-2 defines "Vital Documents" as:

"printed documents that provide important information necessary to access or participate in services, programs, and activities of a state agency or covered entity, including but not limited to applications, outreach materials, and written notices of rights, denials, losses, or decreases in benefits or services."

Notice

PTOs

Denials + Orders

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Fed standard?

State of HI

### Your Obligation to Translate Vital Documents

HRS 321C-3 provides:

"each state agency and covered entity shall provide written translations of vital documents to [LEP] persons who seek to access services, programs, or activities, as follows:

(1) Written translations of vital documents for each eligible [LEP] group that constitutes five percent or one thousand, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered, or

(2) If there are fewer than fifty persons in a [LEP] group that reaches the five percent threshold in paragraph (1), written notice in the primary language to the [LEP] language group of the right to receive competent oral interpretation of those written materials, free of cost."

Handwritten lines for notes, including an asterisk on one line.

### How do you make these determinations? The Four Factor "Reasonable Steps" Test

- (1) Number or proportion of LEP persons served or encountered in the eligible service population
- (2) Frequency of contact with services, programs or activities
- (3) Nature and importance of services, programs or activities
- (4) Resources\* available and the costs

Note: Agencies must consider the totality of circumstances; no one factor is determinative.

*\*DOJ Guidance: Claims of limited resources need to be "well-substantiated"*

Handwritten note: "If you meet the threshold, ... ?" followed by several blank lines.

### Take-Home message:

Language Access Compliance Enforcement is on the horizon.

- Write your Language Access Plan (LAP).
- Educate your staff about it.
- File it with OLA.
- Review, revise, revisit your LAP frequently.
- Do the 4 - Factor Analysis. Show your work.
- Make Best Efforts and Document.
- Train staff to treat LEP clients with respect and courtesy, lest it become evidence of intentional discrimination.

Handwritten lines for notes.

## OLA Contact Information

Office of Language Access  
Department of Health  
830 Punchbowl Street, Suite 322  
Honolulu, HI 96813  
Phone: 808-586-8730  
website: <http://health.hawaii.gov/ola/>

Serafin P. Colmenares, Executive Director  
[serafin.colmenares@doh.hawaii.gov](mailto:serafin.colmenares@doh.hawaii.gov)

Becky Gardner, Senior Legal Analyst  
[becky.gardner@doh.hawaii.gov](mailto:becky.gardner@doh.hawaii.gov)

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If time, some relevant comic relief.

▶ [http://www.dailymotion.com/video/xhr7nk\\_suntary\\_time\\_shortfilms](http://www.dailymotion.com/video/xhr7nk_suntary_time_shortfilms)

Copyright © 2008 by the Department of Health, State of Hawaii. All rights reserved.

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# Language Access & Data

KLEBER PALMA  
JANUARY 22, 2015

## Objectives

- Understand the importance of language data collection
- Identify the correct data to collect
- Identify best avenues to collect data
- Understand how to use the data
- Identify data that measures successful implementation of language access

Why  
data?

**This is a  
“must do”  
item, not a  
“wish list”  
item.**

## Federal & Local Mandates



## Guidance from the Department of Justice

- The number or proportion of LEP (Limited English Proficient) persons served or encountered in the eligible service population
- The frequency with which LEP (Limited English Proficient) individuals come in contact with the program
- The nature and importance of the program, activity, or service provided by the program
- The resources available to the recipient and costs

\*

Why data?

Makes business sense

## Strategic

- Defines the needs of entire service population
  - Number of languages
  - Translation vs. interpretation
- Serves as a building block for future language access decisions
  - Budget
  - Coordination
- Helps advocate for greater language access support/resources

work on what language come across. tx/data

What data?

Census, agency specific, home language, etc?

### Census data is good...

- Approximately 25% of the population speaks a language other than English at home
- Top non-English languages
  - Tagalog
  - Japanese
  - Haitian
  - Chinese
  - Spanish
  - Hawaiian
  - Korean

### ...but not the best

- Census criteria includes data for "persons 5 years and over"
  - Range may be too large
- Census asks what "language other than English is spoken at home"
  - Identifying language preference may be more useful
- May not be able to connect Census data to internal systems

Be proactive, not reactive  
Culture change - takes years

Doc - English 12th grade level

Translate - do it @ same level. Not down it down.

Translate ≠ simplify. Legal terms/docs? Plain language - English

Translate - very subjective

### Agency-specific Data

- Agency-specific data provides a clear picture of your service users
- More is needed than simply knowing what is spoken at home
  - Oral preference (Mandarin or Cantonese, not just Chinese)
  - Written preference (Traditional or Simplified, not just Chinese)
  - Mandarin may be spoken at home, but English is preferred method of communication
- More accurate data may create realistic goals under the federal requirement of "reasonable steps to ensure meaningful access"
- Consider collecting data on a periodic basis (Annually)

### Agency-specific Data

- Data to collect, oral or written preference, may depend on the type of interaction with LEP service users
- Oral preference data applies to agencies that
  - Host visiting service users
  - Visit service users' households
  - Hold public meeting, forums
- Written preference data applies to agencies that
  - Send out general or personalized communications
  - Require forms to be completed by service users

general vs personalized  
we do both kinds of interaction

Over the phone - sm! pop of LEP

Have a reactive procedure or plan as well

**How....?**

**I know why and what I need, what are the next steps?**

### Collection of Data

- At entry point of a service user
  - Initial registration
  - First contact
- Distribution of language preference survey
  - Hard copy
  - Electronic
- Collection of data will, inherently, require translation
- Questions may include:
  - In what language do you prefer to receive written communications?
  - In what language do you prefer to have oral communications?

### Storing Data

- Existing database of service users
  - New fields
  - Assessment of who can have access to data
  - Connectivity to other internal systems (e.g., creation of form letters)
- If no database exist, it's never too late to come up with systems
  - Language preference database
  - Number of interactions with LEP service users and/or level of satisfaction

**Feedback**

**Marunong ako magsalita sa wikang tagalog.**

**Hablo español.**

### Data to measure success

- ▶ Monitor number of interactions with LEP service users
  - Change could be due to normal or unexpected immigration patterns
  - Change could be due to agency's proactive promotion of language access services
- ▶ Gauge level of satisfaction of LEP service users
  - Poll LEP service users
    - Does (service provider) communicate with you in a language you can understand?
    - Do you receive written communications from (service provider) in a language you can understand?
    - When speaking to (service provider) are you provided with language services?
- ▶ Internal Staff Survey
  - Gauge satisfaction with language services provided

## Language Access & Data

KLEPPEN RALPH  
JANUARY 27, 2015

Foreign language vs plain English language

# Assessing Translation Options

Kleber Palma  
January 23, 2015

## Objectives

- Identify current method used to obtain translations
- Discuss pros and cons of all options

## Translation Options

- Bilingual staff
- On-staff translators
- Contracted vendor
- Volunteers
- Machine translation

## Bilingual Staff

### Advantages:

- Easy access
- Superior knowledge of content
- Allows for continuity of translations
- No "translation" cost

↳ cost-time spent covered from reg activities

### Bilingual Staff

Disadvantages:

- ▶ Lack of availability
- ▶ Has effects on other workflows → collect other proj & deadlines
- ▶ Quality may be suspect
- ▶ Difficult to quantify effort/costs
- ▶ Potential for labor concerns

↳ EE not hired to do this, other work, solving, not period more to do

### On-staff Translators

Advantages:

- ▶ Easy access
- ▶ Superior knowledge of content
- ▶ Allows for continuity of translations
- ▶ Work done by professionals
- ▶ No effects on internal workflows
- ▶ Known costs

NY/DOE - 30 on staff (translators)

FBI  
LA school system

### On-staff Translators

Disadvantages:

- ▶ Only languages staffed can be supported
- ▶ Limited resources causes bottleneck of work
- ▶ Potential for down time for salaried staff
- ▶ Requires budget for personnel and non-personnel expenses

### Contracted Vendor

Advantages:

- ▶ One-stop shop for all needs
- ▶ Work done by professionals
- ▶ No effects on internal workflows
- ▶ Known costs

### Contracted Vendor

**Disadvantages:**

- Knowledge of content may vary
- Style and continuity of translations may vary
- Quality levels may vary
- Availability of services may be limited
- Procurement processes may cause delays
- High cost

format fees  
text boxes - add \$  
word count

### Getting the most from your vendor

- Establish clear expectations for services, turnaround time, outputs and pricing
- Require the use of translation memory software
- Establish customer service and billing requirements
- Establish a relationship with your vendor
- Require the identification of the pool of potential translators
- Address quality control expectations
- Share glossaries, style guides, past translations

make it a given  
connect how it's implemented, expense, req. lot of training  
A lot of CO's don't have

Doc. to be reviewed by 2-3 - 5 people  
Send you drafts of each version  
Write glossary of terms  
Style guides - how to lead  
Acronyms - how to lead  
best volume #s

DOC has to be reviewed by 2, or 3 people  
spell it out.

minimum charge? Pricing -  
How many Vietnam translators? #  
How big is the pool? Not just one  
Credentials, Sample Resumes.  
Assess their talent pool.

### Volunteers

Not recommended.

### Volunteers

Unless...

Freelance people may not have  
After hours / weekend emergency

### Volunteers

- ▶ **YOU** are assured that the volunteer is proficient in the second language, understands and correctly applies its grammatical rules, and has knowledge and experience translating your agency's content.
- ▶ Volunteer is responsive and responsible
- ▶ Volunteer has access to necessary software/hardware
- ▶ Volunteer loves working hard for free

### Machine Translation

Not recommended.

### Machine Translation

Unless...

*does not recognize context  
fly vs. verb  
insect*

### Machine Translation

- ▶ **YOU** are assured that the translation output is of high quality; or
- ▶ Don't worry, high quality translation output; or
- ▶ You, it is assured converted output is high quality; or
- ▶ This ensures that you convert the output of high quality

*Google Translate → NYCDOE on website*

*English  
Chinese  
Jap  
Korean*

## Translation Options

- ▶ Bilingual staff
- ▶ On-staff translators
- ▶ Contracted vendor
- ▶ Volunteers
- ▶ Machine translation

## Assessing Translation Options

Kleber Palma  
January 23, 2015

Vendor  
insist have internal translation, review,  
& proofreader. Diff people involved.

Then field test to outsiders.

Exussary  
Eng version next to translated doc.

Dream  
~~Life~~ of a Translated Document

FLEBER PALMA  
JANUARY 22, 2015

### Objectives

- Review of the initial planning stages
- Optimize content creation
- Address layout considerations
- Become familiar with the translation process
- Ensure a quality and effective end product

NO right answer - Language, Acc  
and length of doc - audio or video (Pau Ts quea)  
if something you do over & over again,  
better to get it translated.

### Raise the Translation Flag

- Start the translation discussion early and often
- Incorporate in planners, job trackers, calendars, etc
- Allocate time for translation process

### Engage Translation Provider

- Provide draft to estimate timelines
- Request additional input
- Common timeline factors
  - Length of document — get word count, rather than pages
  - Formatting
  - Number of languages
  - Availability of resources

Some lang expand,

Software - work through it  
legal medical terms.

Contract - Left to Right,  
vice versa.  
Field test Engl doc as well.

### Content Creation

- Use plain language
  - Avoid buzzwords, idiomatic expressions, etc.
- Ensure document is "language access" ready
  - Instructions to visit English websites are addressed \*
  - Inclusion of interpretation services on documents promoting events \*
- Assess how document will be used
  - Forms
  - Surveys
- Ensure document is final and approved by all
  - Updates/visions cause delays and could be costly

### Content Creation

- Include a multi-lingual grid on the English version
  - Helps promote the existence of available translations

Use translated instructions as guide to complete a form in English. OK to do. (Appeal)

### Layout Considerations

- Consider uniqueness of languages involved
  - Expansion of languages (e.g. Spanish)
  - Contraction of languages (e.g. Chinese)
  - Increased leading of language (e.g. Urdu)
  - Right to left languages (e.g. Arabic)
- Refrain from the overuse of text boxes \*
- Use mainstream word processors or desktop publishing software
  - Microsoft Word
  - Adobe InDesign

*Handwritten note: } come over for text boxes*

### Translation Process 101

*Handwritten notes:*  
 Pre-flight Process  
 Involve Linguists  
 Quality Checks  
 Desktop Publishing

there could be extra charge for formatting. Affected by translation.

diacritical marks - above or below the letter or character (spacing issues)

letting - space above or below the character line space

## Pre-flight Process *prep doc*

Objective: Minimize future delays/questions

- Review source document to ensure content is clear, free of errors
- Inspect for file abnormalities
- Address graphics with text
- Confirm translation do not already exist
- Confirm content is FINAL!

## Involve Linguists

Objective: Identify best qualified and available team for job

- Address translators: familiarity with content, translation memory, etc
- Finalize timelines with translators
- Include proofreaders (if applicable) — *mostly required*
- Allow/expect translators to troubleshoot content

*time errors.  
2nd point of eyes.  
Not to change translation.*

\*  
\* - make sure your PC has the fonts for the lang. than the send to you in PDF so it appears as if you don't have fonts, will look like jobbenik and you would know can you but know language

*translation memory software*

*Human will use this software (Translator). Builds database of translated work.*

*machine = Google translate*

*Expedite translation  
Less costly  
Translator's work  
+ machine*

## Quality Checks

Objective: Minimize margin for error

- Can be done by anyone
- Non-language checks
  - Completeness check
  - English words and numbers
  - Address, websites, emails
- Comparison between different languages
  - Translators approach translations challenges differently

## Desktop Publishing

Objective: Awareness of this critical component

- Highly formatted documents require additional time
  - Translators are not formatters
  - Foreign languages may push Microsoft Word to its limits
  - Use of desktop publishing software (e.g., Adobe InDesign)
  - Font matching in highly designed documents may be needed
- Review of layout
  - Completeness check (again)
  - Ensure translated content matches images, graphics in document

*Exclude marks!  
- some lang use, other don't  
fine. There are minor diff.*

*Block period @ end of highlight color website address*

*hour of argument over this.*



## Project Wrap-up

## Maintaining Quality

Deliver translations as PDF (non-editable) files

- Pros
  - Helps maintain the integrity of the content
  - Embeds the foreign language font in the file
- Cons
  - Does not allow for quick edits or updating of variable items (e.g. telephone number)
  - Solution: form fields *from fields*

For translations that will be professionally printed

- Ensure print proofs are part of the process

## Aim for maximum dissemination

For translations that will be made available as hard copy

- Ensure/recommend that all front-line staff are aware of how to access translated copies
- Ensure/recommend that sufficient copies are made available at entry points for service users
- Ensure/recommend that direct mailing efforts cross reference language data (if available)
- Ensure/recommend that translations are also posted online

## Aim for maximum dissemination

For translations that will be disseminated electronically

- Ensure/recommend that the translations accompany the English communication, not follow it
  - As attached PDFs
  - Via a link to a site hosting the translations
- Ensure/recommend that the site that hosts the translations is properly and continuously promoted

*got it out same time  
Gris + trans'd  
Doc*

A happy translated document



Dream  
~~Life~~ of a Translated  
Document

ELLEEN PALMA  
JANUARY 25, 2015

# A Trip through the Universe... of Documents

Kleber Palma  
January 22, 2015



## Objectives

- Identify universe of documents
- Categorize and prioritize documents
- Track and archive translated documents
- Make documents "language access" ready
- Disseminate translated documents

## How big is the universe?

- Poll all divisions within agency to, at a minimum, identify:
  - Documents that are meant for service users
- This exercise will also yield content owners/authors, helpful for:
  - Location of files
  - Version control
- To further assess translations needs, also identify:
  - Length of documents (pages and words)
  - Whether translations exist
  - Whether soft copies are available and if so, in which file format

## Vital Documents

### vi-tal

*Nidū* [adjective] absolutely necessary or important, essential

### doc-u-ment

*Idā kyū men* [noun] an official paper that gives information about something

→ make a list  
Doc Name -  
Purpose -  
Target -

## Vital Documents

**vi-tal doc-u-ment**

*Nidi da kyū men/ [noun]* something that brings chaos and disruption to an otherwise calm environment

## What gets translated first?

- Consider the frequency document comes in contact with LEP service users
  - Forms
  - Flyers
  - Information brochures
- Documents used on a calendar basis
  - Periodic or seasonal communications
  - Communications connected to calendared events F \*

*Notice*

## What gets translated first?

- Policy documents
  - Mandates regulations that detail policy affecting service users
- Agency signage
  - Welcome or directional signage at sites that service users may frequent
- Agency website

## Guidance from the Department of Justice

- The number or proportion of LEP (Limited English Proficient) persons served or encountered in the eligible service population
- The frequency with which LEP (Limited English Proficient) individuals come in contact with the program
- The nature and importance of the program, activity, or service provided by the program
- The resources available to the recipient and costs

No decide what is priority based on \$ resources.  
 Some huge initial investments, templates. → Policy docs.  
 Do some, not all, til there's no \$.  
 or do none? Better to do some, start somewhere.



## Now you have your universe in order...

...preparing for the translation process is next.

## Track & Archive

- Why?
  - Builds a list of the agency's translated documents
  - Identifies where the document come from internally
  - Identifies who did the translation
  - Allows for quick retrieval of translated documents
  - Expedites the delivery of documents that have been updated
  - Reduces translation costs

*so you dont waste all drawing stuff that already was done*

*before. Also, for updating. Dont have to re-do the wheel*

## Track & Archive

- How?
  - A tracking tool or mechanism is required
    - Database (e.g. Microsoft Access)
    - Spreadsheet (e.g. Microsoft Excel)
  - Required fields should include at a minimum
    - Contact information (e.g. name, office number, email)
    - Document information (e.g. name, length)
    - Provider of services (e.g. internal/external, cost)
    - Tracking or job number
  - Archiving simply requires a file naming convention and location
    - Example: 201\_invite\_for Winter Meeting\_SP\_1 22 15

## Track & Archive

- Who?
  - Anyone or all involved in the coordination of getting documents translated for the agency
  - If your agency doesn't yet translate documents, this is a good place to start

### Making documents language access ready

- This requires...
  - Acknowledging that getting items translated is only the first step
  - Seeing things from the lens of a LEP service user
  - Addressing personalized communications

*docs w info specific to person*

### Flyer vs. Translation ready flyer

Join us next week to learn more about our program  
 Guest Speaker: Jane Smith  
 Date: January 1, 2015  
 Time: 8:00 p.m.  
 Location: Library  
 For more information or to register for the event, visit [www.bella.com](http://www.bella.com)

Join us next week to learn more about our program  
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 Date: January 1, 2015  
 Time: 8:00 p.m.  
 Location: Library  
 For more information or to register for the event, visit [www.bella.com](http://www.bella.com) (English only) or call 111-222-3333  
 Interpretation services will be available

*not enough to draw this website - everything is English. not helpful.*

*advise LEP person is integ + service @ event so should go. so if cant use English website, can call + register in another language.*

*personally comm.*

### Letter vs. Translation ready Letter

<January 22, 2015>  
 Dear <Jane Smith>,  
 This is regarding your child, <Joe Smith>  
 Please contact us at 111-222-3333.  
 Thank you.

January 2015  
 Dear Parent,  
 This is regarding your child  
 Please contact us at 111-222-3333. Interpretation services will be available.  
 Thank you.

**Standby... "translation" is now happening**

### Getting the word out!

- Items complete
  - Identify universe of documents
  - Categorize and prioritize documents
  - Track and archive translated documents
  - Make documents 'language access' ready
- Final step: Ensuring that all of this work reaps benefits

### Dissemination of translated documents

- Hard copy delivery (i.e. print version)
  - Send all language versions of the communication along with the English
  - Send English only with foreign-language reference to where/when translation can be obtained
  - Use data (if available) to pre-identify need and send appropriate language
  - If applicable: post online

*In Engl Doc, have a translated blurb in foreign lang how to get the non-engl version, like on website, etc.*

### Dissemination of translated documents

- Soft copy delivery (i.e., email) - PDF cannot change
  - Send English communication along with translated versions as attachments
  - Send English communication, with a reference to when or where online translation can be obtained
  - Post online

*don't have the fonts in your PC - comes out gibberish*

### Dissemination of translated documents

- Online access to translations (i.e., website)
  - Consider developing two interfaces online
    - Public facing interface
    - Internal interface
  - One-stop shops for accessing translations

*if you want know how you don't read Bengali*

# **A Trip through the Universe... of Documents**

Kleber Palma  
January 22, 2015



# Common translation topics...

Kleber Palma  
January 23 2015



**I need this document in standard Spanish.**



germ -> domestic  
purpose -  
mex - spanish  
span -> spanish

Translate into Mexican?  
Dialect - means?



**Translations are so expensive.**



**Just use Google Translate.**

 **That translation is so bad/too formal!**

 **We should translate our website.**

*good luck!  
Best of its own*

\* Home select lang  
 Bing lang  
 Tabs  
 not google use translators

Enough translate buttons  
 ↳ only do text  
 not graphics  
 or PDFs

← translate only the static info on website? dates + time from PTO?

 **Language access requires a lawsuit.**

*Do it under your terms  
 Proactive*

 **You speak that language, you translate it.**

*like in ADA*

*heritage speaker  
 (speak at home, but not  
 educated in it)  
 conversational vs. fluent*



**The presenter  
should start  
wrapping this up.**



**Thank you!**