

# DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

## LANGUAGE ACCESS PLAN



## **I. INTRODUCTION AND PURPOSE**

This plan was developed by the Department of Labor and Industrial Relations (DLIR) to comply with [Title VI of the Civil Rights Act of 1964](#), [Chapter 321C, Hawaii Revised Statutes](#), and [Presidential Executive Order 13166](#), "*Improving Access to Services for Persons with Limited English Proficiency*" that was created to "improve access to ...federally assisted programs and activities for persons, who as a result of national origin, are limited in their English proficiency...." Title VI provides that no person 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." Several DLIR programs receive Federal funding, therefore, Title VI applies to all of the DLIR.

Additionally, the DLIR is subject to the nondiscrimination and equal opportunity provisions outlined in [Section 188 of the Workforce Innovation and Opportunity Act](#) (WIOA), and the implementing regulations at [29 CFR Part 38](#), which prohibits the exclusion of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration or connection with any programs and activities funded otherwise financially assisted in whole or in part under Title I of the WIOA. These provisions prohibit discrimination on the basis of national origin, including Limited English Proficiency (LEP).

The DLIR has established this Language Access Plan to ensure that LEP individuals may access all resources and services provided by us. A "LEP person" is defined 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." A LEP person is eligible to receive free language assistance with respect to services, programs, or activities.

## **II. MEANINGFUL ACCESS TO SERVICES, PROGRAMS AND ACTIVITIES**

The purpose of this plan is to establish strategies for interacting with and providing language services to LEP individuals in order to ensure equity and inclusion. Section 321C(a), Hawaii Revised Statutes, requires a Four-Factor Analysis and states:

*Each state agency and all covered entities shall take reasonable steps to ensure meaningful access to services, programs, and activities by limited English proficient persons, which will be determined by a totality of circumstances, including the following factors:*

- (1) The number or proportion of limited English proficient persons served or encountered in the eligible service population;*
- (2) The frequency with which limited English proficient persons come in contact with the services, programs, or activities;*
- (3) The nature and importance of the services, programs, or activities; and*
- (4) The resources available to the State or covered entity and the costs.*

The DLIR requires each program to submit semi-annual logs to the Language Access Coordinator that report the number of encounters that the program has with LEP persons. The Language Access Coordinator compiles the logs into the Language Access Reporting Tool that is submitted to the Office of Language Access (OLA) twice a year (**Appendix A**).

### III. LANGUAGE ACCESS COORDINATOR

The WIOA State-Level Equal Opportunity Officer (Civil Rights and Equal Opportunity Officer in the DLIR Director's Office) serves as the Language Access Coordinator. Each program is required to designate an employee who will serve as the program's internal Language Access Liaison who will work with the departments Language Access Coordinator on language access matters.

### IV. PROVIDING NOTICE OF LANGUAGE ASSISTANCE SERVICES

To ensure that members of LEP communities are aware of the free language assistance services are available to them, the DLIR provides notice in the most common languages spoken by LEP individuals in Hawaii. To inform the public that free language assistance is available, the department has taken the following steps:

- Posted the Office of Language Access's *If You Need an Interpreter* poster in conspicuous places throughout its offices, including on bulletin boards and at all public service desks/areas (**Appendix B**), and
- Provided website Babel notices in the fifteen languages via pop-up banner notices, which include the right to free interpreter services and a telephone number to connect with an employee at the agency to request the services.

### V. LANGUAGE ASSISTANCE SERVICES

DLIR LEP Liaisons at each program will offer/provide free interpretation services over the phone, in person, or remotely (virtual) in the LEP persons' primary or preferred language. The DLIR utilizes the state-contracted LanguageLink service (**Appendix C**), the Judiciary interpreter list, the Disability and Communication and Access Board's American Sign Language interpreter list, and other local vendors for language access services (**Appendix D**).

The DLIR also maintains a list of bilingual staff who agree to serve as interpreters for LEP customers. These bilingual staff will be used only to facilitate communication with LEP customers on ministerial and non-substantive matters, for example, to determine what services that the LEP person is seeking or preferred language. For substantive issues, such as questions about how to file a document or make arguments in a hearing, dual and multi-lingual employees are prohibited from assisting.

#### A. Oral Language Assistance

DLIR staff will offer/provide interpretation services over the phone, in person, or remotely (virtual) in the LEP persons' primary or preferred languages. Staff will:

- Avoid assumptions about a customer's primary language and make every effort to ascertain it.
- Provide interpretation for all languages if requested regardless of the customer's perceived level of English proficiency.
- Neither discourage LEP persons from seeking DLIR services nor refuse services.
- Deliver DLIR services promptly i.e. without delays that are significantly greater than those that English proficient customers experience.
- Use professional and qualified interpreters to interpret for LEP persons, and

not rely on other organizations, family, friends, neighbors, volunteers, bystanders, or children.

- A volunteer bilingual DLIR staff with proper training may be utilized only for ministerial and non-substantive communication.

DLIR staff will attempt to determine (by phone or in-person) if a customer is LEP by asking, “Do you speak English?” and follow these steps:

- If the person can speak or understand some English, staff will state, “Would you like an interpreter in your language, free of charge, to help us communicate better?” If the person agrees, staff will ask the person’s primary or preferred language using **Appendix E** or “I Speak” cards, or other available lists of languages, or the telephonic interpretation provider.
- If the person does not understand the question, “Do you speak English?” or it otherwise appears further language assistance is necessary:
  - In-person/walk-in customer: Staff will use the Language ID poster or other available lists of languages to ask the person to ‘point your language.’ If the person’s language is not listed, staff will connect to a telephonic interpreter (LanguageLink) to attempt to identify the person’s language and facilitate communication.
  - Over-the-phone customer: Staff will use LanguageLink (or other authorized company) to identify the person’s language and connect to an interpreter.
- Staff will use the State contracted language service provider (**Appendix C**) for telephonic interpreter services. Other language providers, including fee-for-service local companies (**Appendix D**), will be used as necessary.
- If an in-person interpreter is needed, staff will schedule an appointment using one of the local language service providers.
- If the LEP person’s issue is non-substantive or ministerial, the bilingual staff may assist.

Bilingual staff/volunteer interpreters – the DLIR will maintain an intranet list of bilingual staff who agree to serve as interpreters for LEP customers. These bilingual staff will be used to facilitate communication with LEP customers on ministerial and non-substantive matters. The DLIR will take reasonable steps to screen self-identified bilingual staff who volunteer to serve as interpreters by completing the Staff Volunteer Interpreter form (**Appendix F**). Bilingual staff volunteer interpreters will receive basic training on interpretation, including the Interpreter Code of Ethics and Confidentiality. Generally, volunteer bilingual staff (unless qualified or professional interpreters) may interpret only for ministerial and non-substantive purposes.

## **B. Written Language Services**

The DLIR has developed a list of vital documents and a notice regarding the provisions of free language services shall be attached to vital documents (sample, **Appendix G**) to help provide meaningful access to LEP customers.

Vital information includes but is not limited to: written notices of rights, responsibilities, and program eligibility requirements; applications for services; consent forms; notices of denials or changes in benefits; hearing notices; appeals decisions; complaint forms; and other important information included in agency brochures, websites, or other social media platforms.

The DLIR will use the safe harbor requirement as a starting point to provide translated documents. Under state and federal safe harbor guidelines, agencies must provide written translation of vital documents for each eligible language group that constitutes 5% or 1,000 persons, whichever is less, of the population eligible to be served, or likely to be affected or encountered. If there are less than 50 people in a language group, LEP persons must be provided written notice of the right to receive free oral interpretation of written materials.

## **VI. TRAINING**

This Language Access Plan serves as the department's official Language Access Policy and is accessible to all employees via the DLIR's intranet and via the WIOA Equal Opportunity Program webpage. Each program may develop their own specific policies and procedures as long as they do not conflict with this Plan.

The Language Access Coordinator is responsible for ensuring that all employees receive training in providing services to LEP persons. The Language Access Coordinator works with the Human Resources Office to ensure that all new employees view the training video as a part of their onboarding process and works with program Administrators and Agency Heads to ensure all employees are receiving annual LEP training, which can include reviewing the training video. Additionally, the Language Access Coordinator will inform all program Administrators, Agency Heads, and program language access coordinators of training opportunities and resources.

The Language Access Coordinator will monitor program compliance as a part of the annual WIOA equal opportunity monitoring.

The Language Access Coordinator also ensures that subcontractors are informed of their legal obligation to provide language assistance to LEP persons by confirming that language requiring the subcontractor to provide such services are included in the contract and by conducting annual monitoring as a part of the WIOA equal opportunity monitoring.

## **VII. EFFECTIVE DATE**

This revised Language Access Plan shall take effect on July 1, 2024.



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Jade T. Butay, Director  
Department of Labor & Industrial Relations

## APPENDICES

- A. DLIR Language Access Reporting Tool –
- B. If You Need an Interpreter Poster
- C. LanguageLink: How to Use
- D. DLIR Language Assistance Resources
- E. Office of Language Access “I Speak” Cards
- F. Staff Volunteer Interpreter Form
- G. Commonly Used Taglines

APPENDIX A.

LANGUAGE ACCESS REPORTING TOOL: Division Coordinators please email completed form to Research and Statistics Office at Dayle.N.Kobashigawa@hawaii.gov																					
LEP Services by Language																					
Contact Person																					
Department/Agency																					
Phone No.																					
Period Covered (Semi Annual/FY)																					
Revised as of 7-17-2023																					
Language	# of LEP Encounters	Type of Services Provided to LEP Customers (#)				Type of Oral Language Service Utilized (#)				# 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)	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:	439	411	1	11	16	1	0	48	0	1	364	1	0	2	2	\$ 910.00	\$ 178.01	\$ 7,119.89	\$ 2,150.73	\$ -	\$ 10,358.63
% of Total:	100%	93.6%	0.2%	2.5%	3.6%	0.2%	0.0%	11.6%	0.0%	0.2%	87.7%	0.2%	0.0%	50.0%	50.0%	8.8%	1.7%	68.7%	20.8%	0.0%	100%
Cantonese	45	39			6			6			39					\$ 790.92		\$ 120.11	\$ 75.00		\$ 790.92
Chukese	6	5		1				2			4					\$ 130.00					\$ 130.00
Hawaiian	0																				
Ilokano	29	26			3			8			21					\$ 325.00		\$ 1,671.66			\$ 1,996.66
Japanese	86	82			4			10			76					\$ 390.00		\$ 1,061.55			\$ 1,451.55
Korean	42	41			1			1			41					\$ 398.23		\$ 75.00			\$ 473.23
LEP Hearing Impaired	1		1					1								\$ 178.01		\$ 161.83	\$ 726.00		\$ 887.83
Manadani	32	28			4			4			28					\$ 424.11		\$ 75.00			\$ 499.11
Marshalese	18	17			1			1			17										
Portuguese	0																				
Samoa	3	3														\$ 155.33					\$ 155.33
Spanish	80	79			1			1			79					\$ 65.00		\$ 705.85	\$ 75.00		\$ 845.85
Tagalog	57	56			1			1			53					\$ 688.10		\$ 75.00			\$ 763.10
Thai	8	6						2			6					\$ 361.93					\$ 361.93
Tongan	1	1														\$ 7.30					\$ 7.30
Vietnamese	15	14			1											\$ 183.25		\$ 75.00			\$ 258.25
Cebuano	2	2														\$ 255.19					\$ 255.19
Ponapean	1	1														\$ 71.10					\$ 71.10
Nepali	0																				
Arabic	0																				
Laotian	1	1														\$ 18.48					\$ 18.48
Romanian	1	1														\$ 44.95					\$ 44.95
Desktop Publishing	11	9			2			11								\$ 974.73					\$ 974.73

APPENDIX B.



Please point here if you need an interpreter in this language (at no cost to you).



Table with 2 columns: Language and Translation. Languages include Hawaiian, Japanese, Korean, Mandarin, Cantonese, Ilokano, Tagalog, Cebuano, Vietnamese, Myanmar, Thai, Khmer, Lao, Marshallese, Chuukese, Chamorro, Pohnpeian, Kosraean, Yapese, Samoan, Tongan, Russian, and Spanish.



## APPENDIX C.



### How to Access Over the Phone Interpretation Services

- Step 1:** Call 1-888-338-7394
- Step 2:** Enter Account Number , followed by # sign
- Step 3:** Select whether a 3<sup>rd</sup> party call is needed
- If a 3<sup>rd</sup> party call is selected, you will be prompted to enter and confirm the domestic phone number that will be used to reach the 3<sup>rd</sup> party.
- Step 4:** Select Language by Entering the Corresponding Number
- If the language you need is not listed in the options, Enter "9" for all other languages
  - If you need to speak with a customer service rep. prior to being connected with the interpreter, Enter "9"
- Step 5:** Follow Additional Prompts (if applicable)

#### IVR FAQs:

##### What if I do not know my Account number?

In order to obtain interpretation services, an account number is required. If you do not know your account number please contact your account manager or Language Link's Client Relations team at 855-579-2704.

##### What is a third party call?

A third party call is when you need Language Link to call the LEP client and then bridge the call together with you and the interpreter.

##### I need another language other than the ones listed. How do I get my interpreter on the line?

**Press 9** for other languages and let the CSR know which language you require and they will connect you. If the language is unknown, you may reference the "Point to your Language" visual for help with most requested languages or ask a representative for assistance.

##### What number should I call if my toll-free interpretation line isn't working?

Language Link understands that some telephone providers do not allow customers to access toll free lines. Because we want to ensure our customers have access to interpretation services, we assign backup local numbers for customers that may fall into this category. If you are unable to access the toll-free interpretation line assigned to your account, you may access interpretation services by dialing the backup number **360-314-0728**. Please note, you may incur long distance charges from your telephone provider when accessing the backup local number.

Please contact our Client Relations Team if you have any further questions:

Email: [ClientRelations@Language.Link](mailto:ClientRelations@Language.Link)

Toll Free: 1-855-579-2704

**Contact your Language Access Liaison or Coordinator for your program account and / or location code numbers.**

## APPENDIX D.

### DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS LANGUAGE ASSISTANCE RESOURCES

Name of Organization	Telephone	Website
<b>CONTRACTOR FOR INTERPRETATION AND TRANSLATION SERVICES</b>		
Language Link, A Big Language Company	(888) 338-7394	<a href="http://www.languagelink.com">www.languagelink.com</a>
<b>HAWAII-BASED INTERPRETATION AND TRANSLATION SERVICES</b>		
Helping Hands Hawaii	(808) 526-9724	<a href="https://www.helpinghandshawaii.org/what-we-do/bilingual-access-line/">https://www.helpinghandshawaii.org/what-we-do/bilingual-access-line/</a>
Language Services Hawaii	(808) 892-3446	<a href="https://languageserviceshawaii.com/about.htm">https://languageserviceshawaii.com/about.htm</a>
Pacific Gateway's Hawaii Language Bank	(808) 773-7051	<a href="https://www.pacificgatewaycenter.org/hawaii-language-bank/">https://www.pacificgatewaycenter.org/hawaii-language-bank/</a>
<b>HAWAII STATE JUDICIARY COURT INTERPRETER REGISTRY</b>		
Office on Equality and Access to the Courts	(808) 539-4860	<a href="https://www.courts.state.hi.us/wp-content/uploads/2024/02/out24Feb16tiers.pdf">https://www.courts.state.hi.us/wp-content/uploads/2024/02/out24Feb16tiers.pdf</a>
<b>AMERICAN SIGN LANGUAGE SERVICES</b>		
Hawaii State Disability and Communications Access Board	(808) 586-8121	<a href="https://health.hawaii.gov/dcab/files/2024/05/MAY-2024-CAP-PList.pdf">https://health.hawaii.gov/dcab/files/2024/05/MAY-2024-CAP-PList.pdf</a>
<b>STATE OF HAWAII LANGUAGE ASSISTANCE RESOURCE</b>		
Office of Language Access	(808) 586-8730	<a href="https://health.hawaii.gov/ola/">https://health.hawaii.gov/ola/</a>

## APPENDIX E.

<b>"I SPEAK" LANGUAGE CARDS</b>	
Cantonese (Chinese)	<a href="#">廣東話 / 广东话 "I Speak" card</a>
Chuukese	<a href="#">Kapasen Chuuk "I Speak" card</a>
Ilocano	<a href="#">Ilokano "I Speak" card</a>
Japanese	<a href="#">日本語 "I Speak" card</a>
Korean	<a href="#">한국어 "I Speak" card</a>
Kosraean	<a href="#">Kosrae "I Speak" card</a>
Mandarin (Chinese)	<a href="#">國語 / 普通话 "I Speak" card</a>
Marshallese	<a href="#">Kajin Majôl "I Speak" card</a>
Pohnpeian	<a href="#">Pohnpei "I Speak" card</a>
Samoaan	<a href="#">Gagana Samoa "I Speak" card</a>
Spanish	<a href="#">Español "I Speak" card</a>
Tagalog	<a href="#">Tagalog "I Speak" card</a>
Tongan	<a href="#">Lea faka-Tonga "I Speak" card</a>
Vietnamese	<a href="#">Tiếng Việt "I Speak" card</a>

**APPENDIX F.**

**DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
BILINGUAL VOLUNTEER SURVEY FORM**

Employee Name: \_\_\_\_\_

Position Title: \_\_\_\_\_ Division/Agency: \_\_\_\_\_

Office Number: (808)\_\_\_\_\_ Office Email: \_\_\_\_\_

1. Do you speak a language other than English? (Check one)  YES  NO  
If yes, please specify which languages you speak.  
(If you speak more than one language, complete additional form.)

\_\_\_\_\_

2. How would you describe your oral language ability? (Check one)
- Elementary (basic words, yes-no questions)
  - Conversational (can converse on simple topics)
  - Advanced (can converse on deeper or more technical topics)
3. How would you describe your written language ability? (Check one)
- No ability
  - Elementary (basic word level, some simple sentences)
  - Conversational (can read/write sentences on simple work-related topics)
  - Advanced (can read/write on deeper or more technical topics)
4. Would you be willing to help DLIR staff provide basic (non-legal, ministerial) translation services to accommodate limited English proficient customers?  
(Check one)  YES  NO

**Please return completed survey form to the States Equal Opportunity Officer.**  
Email: [david.j.rodriquez@hawaii.gov](mailto:david.j.rodriquez@hawaii.gov) Office Phone: (808) 586-8855

**Thank you participating in this survey.**

## APPENDIX G.

### COMMONLY USED TAGLINES FOR FREE INTERPRETER

<p>Do you need help in another language? We will get you a free interpreter. Call <b>(Insert your division number)</b> to tell us which language you speak.</p>	<p>English</p>
<p>你講唔其咗種語言? 如有需要, 請致電 <b>(Insert your division number)</b>. 我們會提供免費翻譯服務。          你講唔其咗種語言? 如有需要, 請致電 <b>(Insert your division number)</b>. 我們會提供免費翻譯服務。</p>	<p>廣東話/廣客話 (Chinese - Cantonese)</p>
<p>你講唔其咗種語言? 如有需要, 請致電 <b>(Insert your division number)</b>. 我們會提供免費翻譯服務。          你講唔其咗種語言? 如有需要, 請致電 <b>(Insert your division number)</b>. 我們會提供免費翻譯服務。</p>	<p>國語/普通話 (Chinese - Mandarin)</p>
<p>En mi njiit aliilis lon owal eu kapas? Sipwe angei smon chon chiaku ngonuk ese kamo. Kokori <b>(Insert your division number)</b> omw kopwe ureni kich meni kapas ka ani.</p>	<p>Kapaseo Chuuk (Chuukese)</p>
<p>Makemake 'og i kokua i pili kakahi 'olelo o na 'aina 'e? Makemake la mava i ki' 'os msa yubhi manwahi. E kalepona. <b>(Insert your division number)</b> 'os ia la kawa a e ha'ina 'os ia la mava msa 'olelo o na 'aina e.</p>	<p>'Ōlelo Hawai'i (Hawaiian)</p>
<p>Masapulvo kadi ti tulong iti sabali a paasasao? Ikkandakayo iti libre nga paraipatarus. Awaganvo ti <b>(Insert your division number)</b> tapno ibagayo kadakami no ania ti paasasao nga ar-aramatanyo.</p>	<p>Ilokano (Ilocano)</p>
<p>貴方は、他の言語に、助けを必要としていますか？私たちは、貴方のために、無料で通訳を用意できます。電話番号の、<b>(Insert your division number)</b>に、電話して、私たちに貴方の話されている言語を申し出てください。</p>	<p>日本語 (Japanese)</p>
<p>다른언어로 도움이 필요하신가? 저희가 무료로 통역을 제공합니다. <b>(Insert your division number)</b>로 전화해서 사용하는 언어를 알려주세요</p>	<p>한국어 (Korean)</p>
<p>Kwoi aikuii ke iiban kin iyon bar kaiin? Kim nai lewai iyon am dri ukok eo eiliek wonon. Kirrok <b>(Insert your division number)</b> im kwalok non kim kaiin ta eo kwo melele im kenono kake.</p>	<p>Kaiin Maiel (Marshallese)</p>
<p>E te mana'o mia se fesoosani i se isi gagana? Matou te fesoosani e ave atu fua se faaliliu upu mo oe. Vili mai i le numera lea <b>(Insert your division number)</b> pea e mana'o mia se fesoosani mo se faaliliu upu.</p>	<p>Gagana Samoa (Samoan)</p>
<p>¿Necesita ayuda en otro idioma? Nosotros le ayudaremos a conseguir un intérprete gratuito. Llame al <b>(Insert your division number)</b> y díganos que idioma habla.</p>	<p>Español (Spanish)</p>
<p>Kailangan ba ninyo ng tulong sa ibang lengguwage? Ikukuba namin kayo ng libreng tagasalin. Tumawag sa <b>(Insert your division number)</b> para sabihin kung anong lengguwage ang nais ninyong gamitin.</p>	<p>Tagalog (Tagalog)</p>
<p>คุณต้องการความช่วยเหลือทางสำเนาภาษาหรือไม่ ทางเราจะจัดหาสามฟรีให้คุณ โทรที่เบอร์ <b>(Insert your division number)</b> และบอกเราว่าคุณพูดภาษาอะไร</p>	<p>ภาษาไทย (Thai)</p>
<p>Ban có cần giúp đỡ bằng tiếng khác không? Chúng tôi sẽ giúp bạn một người thông dịch viên miễn phí cho bạn. Gọi <b>(Insert your division number)</b> cho chúng tôi biết bạn dùng tiếng nào.</p>	<p>Tiếng Việt (Vietnamese)</p>
<p>Gakinahanglan ka ba ug tabang sa imong pinulongan? Amo kang mahatagan ug libre nga mashuhubad. Tawag sa <b>(Insert your division number)</b> aron magpahibalo kung unsa ang imong sinulti-ban.</p>	<p>Visayan (Cebuano)</p>
<p>'Okú ke fie ma'u tokoni 'i ha lea fakafonua 'e taha? Jemau kumi ha'á taha fakatonulea ta'etotongi. Telefoni ki he <b>(Insert your division number)</b> ke fakahā mai 'a e lea fakafonua 'okú ke lea ai.</p>	<p>Lea Faka-Tonga (Tongan)</p>