



LANGUAGE ACCESS POLICY AND IMPLEMENTATION PLAN: 2015 Update

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The New York City Commission on Human Rights (“CCHR”) submits this Language Access Policy and Implementation Plan pursuant to Executive Order 120 of 2008. This document is updated as of August 2015.

■ AGENCY MISSION AND BACKGROUND

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CCHR enforces the New York City Human Rights Law (“NYCHRL”), New York City Administrative Code, Title 8, Chapter 1, et seq. The NYCHRL prohibits discrimination in employment, housing and public accommodations, as well as discriminatory harassment and bias-based profiling by law enforcement. With respect to discrimination in employment, the NYCHRL prohibits discrimination on the basis of the following protected classes: race; color; creed/religion; age; national origin; alienage or citizenship status; gender (including gender identity and expression); sexual orientation; disability; pregnancy; marital status; partnership status; status as a victim of domestic violence or status as a victim of sex offenses or stalking; conviction or arrest record; and credit history. With respect to discrimination in housing, the NYCHRL prohibits discrimination on the basis of race; color; creed/religion; age; national origin; alienage or citizenship status; gender (including gender identity and expression); sexual orientation; disability; pregnancy; marital status; partnership status; lawful source of income; lawful occupation; and whether children are, may be, or would be residing with a person. With respect to discrimination in public accommodations, the NYCHRL prohibits discrimination on the basis of race; color; creed/religion; age; national origin; alienage or citizenship status; gender (including gender identity and expression); sexual orientation; disability; pregnancy; marital status; and partnership status. With respect to discriminatory harassment, the NYCHRL prohibits harassment on the basis of race; color; creed/religion; age; national origin; alienage or citizenship status; gender (including gender identity and expression); sexual orientation; disability; marital status; and partnership status. With respect to bias-based profiling by law enforcement, the NYCHRL prohibits such activity on the basis of race; national origin; color; creed/religion; age; alienage or citizenship status; gender (including gender identity and expression); sexual orientation; disability; and housing status.

Any member of the public who believes he/she has been the subject of unlawful discrimination in New York City may contact CCHR by calling 311. If CCHR determines that the matter falls within its jurisdiction, a member of its Law Enforcement Bureau (“LEB”) prepares a Complaint that the member of the public signs, which is then served upon the person, persons, or organization alleged to have violated the NYCHRL. LEB then conducts an investigation of the Complaint and if it concludes that there is probable cause to believe that discrimination has occurred, it refers the matter to the Office of Administrative Trials and Hearings (“OATH”) for an administrative trial. An LEB staff attorney represents the City’s interests in enforcing the protections of the NYCHRL before OATH.

CCHR also provides information and services through its Community Relations Bureau (“CRB”). CRB includes five borough-based Community Service Centers, one currently co-located at CCHR’s central office in Manhattan, and one in each of the outer boroughs. CRB provides free Know-Your-Rights trainings to members of



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the public, free Know-Your-Responsibilities trainings to members of the business and housing provider communities, workshops, and other presentations to schools, community groups, business associations, and community-based organizations concerning the provisions of the NYCHRL. Some of these educational forums are conducted or interpreted in Spanish, Russian, French, and Haitian Creole.

CCHR currently has a total staff of approximately 70 persons with a projected headcount of 128 persons for Fiscal Year 2016. Most of these individuals work in the Manhattan central office (100 Gold Street), which is where the LEB is located.

■ AGENCY LANGUAGE ACCESS GOALS

CCHR seeks to make agency services accessible to all New Yorkers, with a particular focus on improving access for limited English proficiency (“LEP”) New Yorkers and standardizing the use of language access practices for services that include communication with members of the public. CCHR’s goal is that all people who seek our services, regardless of the language they speak, are treated with dignity and respect.

Implementing this updated Language Plan will help CCHR staff to better understand protocols for providing service to LEP individuals.

■ DEMOGRAPHICS, LEP POPULATION ASSESSMENT

CCHR will take the following steps to assess the LEP populations it serves, and to offer the widest level of language access possible. CCHR will provide interpretation services in all available languages through its in-house Language Bank, the Citywide Volunteer Language Bank (“VLB”), and phone interpretation through its contract with Voiance. The LEB is currently working with community-based interpreters on an ad hoc basis when volunteers through the VLB are unavailable, and CCHR is in the process of determining if it is possible to enter into a contract for regular in-person interpretation services for LEB.

CCHR will translate all core written CCHR materials into nine languages in addition to English: Spanish, Haitian Creole, Russian, Chinese, French, Korean, Urdu, Bengali, and Arabic. CCHR will continue to assess the language access needs of the agency and of the population it serves.

CCHR’s CRB has access to statistical information regarding the racial and ethnic composition of each area of their respective boroughs and will continue to establish relationships within different racial and ethnic communities throughout their boroughs. As CRB increases its staff in each of its borough-based Community Service Centers over the next year, it will prioritize hiring staff that speak the languages of the communities it seeks to serve. This will allow CRB to provide presentations and workshops in more languages than it currently provides and engage in outreach and relationship-building in communities in which it currently does not have a presence.

CCHR’s LEB will track the language needs of the members of the public who seek to file complaints with the Bureau. The LEB will work to develop an improved tracking system to collect this information over the next six months. The LEB will



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also be increasing its staff of attorneys and investigators and will prioritize hiring staff who speak the languages of the communities it serves. CCHR is currently evaluating whether it can enter into a contract with an in-person interpretation vendor for intakes and interviews.

■ SERVICE PROVISION PLAN

CCHR interacts with members of the public by phone and in a variety of face-to-face meetings. When an LEP individual contacts CCHR by calling 311, CCHR's infoline staff can conduct short phone interviews in English and Spanish. If an LEP individual speaks a language other than Spanish, infoline staff immediately call a phone interpreter through CCHR's vendor, Voiance. If an appointment is made for the LEP individual to meet with an attorney, the infoline staff member ensures that an attorney speaking the language of the LEP individual is scheduled for that interview. If the LEP individual speaks a language for which the LEB lacks capacity, the infoline staff member requests an interpreter through the VLB. If the VLB cannot match a volunteer for the appointment, LEB then seeks to engage a volunteer in-person interpreter through its community contacts within the agency. If no other options are available, LEB will seek phone interpretation by Voiance during the interview.

CCHR will not ask an LEP individual to provide a relative or friend to act as interpreter, but will permit the individual to do so if he/she wishes.

Some of the CRB presentations are given in, or interpreted in, Spanish, Russian, French, and/or Haitian Creole. These languages were chosen based on staff capacity and community need. CRB is working to ensure that all presentations it develops are available in Spanish, Russian, and Haitian Creole, and eventually additional languages.

CRB is working to increase its outreach to various immigrant communities throughout the City and is updating its materials on immigrants' rights under the NYCHRL in collaboration with the Mayor's Office of Immigrant Affairs. CRB will be presenting these materials to English for Speakers of Other Languages ("ESOL") classes of LEP individuals in public libraries and other spaces throughout the City.

CCHR now requires that all staff complete a language access questionnaire so that CCHR's Language Access Coordinator can track CCHR's in-house language capacity.

As CCHR develops new print and web materials for large-scale distribution, it will use a certified outside vendor (Language Line) to translate all print materials into the following nine languages: Spanish, Chinese, Korean, Russian, French, Haitian Creole, Arabic, Bengali, and Urdu. CCHR will work to ensure that its literature is written in plain language and is translated accordingly. CCHR's future redesigned website will allow LEP visitors to translate content into the language of their preference through the latest Google translate application.

To assist members of the public seeking to file complaints with the LEB, CCHR will translate the intake form into the languages for which the LEB currently has in-house capacity, so that individuals can complete the form in their language and it will be reviewed by an attorney who speaks that same language. If the LEB does not have internal capacity, CCHR will have the person acting as interpreter, as described



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above, orally translate the information in the document, and assist the LEP individual by writing his or her orally communicated responses in English on the form.

With respect to the filing of complaints, the complaint is drafted in English and the interpreter will read the document to the LEP individual in his or her primary language before he/she signs the document, and the document will include an Affidavit of Translation in the LEP individual's language and in English, which notes that the complaint was read to the LEP individual in their language. It will be signed by the LEP individual and the interpreter.

CCHR is committed to ensuring that no person is denied services, or denied timely services, simply because he/she has limited English proficiency. Further, CCHR is committed to ensuring that all members of the public who seek CCHR's services are treated with dignity and respect. To that end, the Language Access Coordinator will oversee the development of this Plan, as well as monitor its implementation and effectiveness. The Language Access Coordinator will review the Plan at least annually, and modify it as needed.

■ ADVERTISING AND SIGNAGE

CCHR currently has signage developed by the Mayor's Office of Immigrant Affairs in conspicuous locations at all of its offices that advises members of the public of their right to free interpretation.

■ OUTREACH AND PUBLIC AWARENESS

Partnering with the Mayor's Office of Immigrant Affairs, CCHR is planning several outreach events with community-based organizations that work with immigrant communities to share CCHR's work and to communicate that CCHR is a resource to these communities. As discussed earlier, CCHR is in the process of expanding, and will prioritize the hiring of individuals with existing contacts and relationships with communities that have not historically been served by CCHR, including certain LEP communities, and will prioritize the hiring of individuals that have the skills to increase CCHR's language capacity. CCHR has made available all of its latest agency publications in nine languages other than English and is in the process of redesigning its website to ensure it integrates user-friendly translation features. In coordination with the Spanish coordinator of nyc.gov social media accounts, CCHR has started to release content in Spanish on all CCHR social media. Lastly, all future large-scale public information campaigns by the agency will include strategic outreach to the large number of ethnic media that serve LEP communities in the five boroughs in the form of advertisement, press stories, and panel discussions with reporters and editors working at these media outlets.

■ TRAINING

CCHR will work with the Mayor's Office on Immigrant Affairs annually to train all staff on proper engagement with LEP members of the public who are seeking the agency's services to ensure that all members of the public receive the same standard of services and are treated with dignity and respect. CCHR will also train its staff as to all facets of this Policy and its implementation on an annual basis and all newly hired staff will be trained on this policy during the on-boarding process. Topics of the



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training will include: the protocol for use of bilingual staff; the procedure for providing or arranging for the provision of interpretation services; means of identifying a LEP individual's primary language; the use of Voiance phone interpretation services; and cultural competency for working with LEP individuals.

■ RECORD KEEPING AND EVALUATION

CCHR will develop improved methods for recording requests for both interpretation services and translations. It will also develop and implement means for evaluating the quality of the services it provides to LEP individuals. This may include seeking feedback from LEP individuals as to their level of satisfaction with the services they have received.

■ RESOURCES ANALYSIS AND PLANNING

CCHR will continue to utilize the resources discussed above, as well as any others that become known or available to it, in order to assure continued improvement in the quality of the interpretation and translation services it provides. The Agency is committed to full compliance with Executive Order 120.

■ TIMELINES

In the next three months:

- Train all staff on the updated Language Access Plan and cultural competency in working with LEP individuals;
- Prioritize the hiring of staff to increase internal language capacity to reflect CCHR's service population;
- Determine the feasibility of obtaining a contract for in-person interpretation services;
- Hold a panel discussion event with representatives of NYC ethnic and community media in coordination with CUNY's Ethnic and Community Media Center; and
- Ensure social media content is consistently published in Spanish and English.

In the next six months:

- Ensure that all CCHR materials are translated into nine languages in addition to English;
- Plan series of outreach events to LEP communities;
- Translate CCHR trainings into Spanish, Russian, French, and Haitian Creole, and train staff on providing those trainings;
- Develop improved data collection system to track LEP individuals seeking CCHR's services;
- Redesign the CCHR website with translation features; and
- Revamp all agency publications to be aligned with language access requirements.