



# Language Access Implementation Plan

**City of New York  
Mayor's Office of Media and Entertainment**

Updated November 2019

# I. Introduction

The New York City Mayor’s Office of Media and Entertainment (MOME) has prepared this Language Access Implementation Plan in accordance with Local Law No. 30 of 2017 (codified as Title 23, Chapter 11, of the Administrative Code of the City of New York) to outline MOME’s current and planned actions to improve access to programs and services by limited-English proficient (LEP) individuals. The plan is being developed by MOME’s legal unit in coordination with MOME’s four divisions and the Mayor’s Office of Immigrant Affairs.

**Name and Title of MOME Language Access Coordinator:**

Lori Barrett-Peterson, Acting General Counsel  
Mayor’s Office of Media and Entertainment

## II. MOME's Mission and Background

**A. Mission.** The mission of the Mayor's Office of Media and Entertainment (MOME) is to promote New York City's creative industries, including film, television theater, music, publishing, advertising and digital content, and support their growth across the five boroughs.

**B. Vision.** MOME's vision is to ensure the long-term sustainability of the media and entertainment industries by strengthening City engagement and capitalizing on growth opportunities.

**C. Portfolio.** Media and entertainment industries in MOME's portfolio include, but are not limited to: film, television, theater, music, nightlife, publishing, advertising, digital content/VR, comedy, fashion, and photography.

**D. Agency Divisions.** MOME comprises four divisions:

- **The Office of Film, Theatre and Broadcasting** which coordinates film and television production throughout the five boroughs;
- **NYC Media**, the largest municipal television and radio broadcasting entity in the country with a reach of 18 million viewers within a 50-mile radius;
- **Workforce and Educational Initiatives** in film, television, theater, music, publishing, advertising and digital content to support the development of NYC's creative industries, which account for over 305,000 jobs, and an economic output of \$104 billion; and
- **The Office of Nightlife**, supporting the sustainable development of New York City's nightlife industry which accounts for close to 300,000 jobs and an economic output of \$35.1 billion.

# III. MOME Language Access Policy and Goals

## A. Policy

Through this Language Access Implementation Plan, MOME outlines its commitment to language access and its approach to ensuring that MOME is effectively engaging with the City's limited English speakers.

MOME's approach to language access is that limited English speakers should be able to access MOME's information and services and communicate with MOME staff. It is the responsibility of MOME to proactively inform and provide language assistance services to ensure access. MOME continues to identify and address language barriers for individuals with LEP. MOME ensures accessibility to services and information to individuals with LEP by:

- Utilizing bilingual staff for some roles that involve direct engagement with the public.
- Providing phone interpretation services, through a Citywide contractor, that supports exchanges in languages not spoken by bilingual staff. Telephonic interpretation through a City contractor provides ready access in more than 170 languages. All MOME staff can access MOME's telephonic interpretation service. MOME currently uses MOIA's contract with Language Line to provide these services; and it is in the process of working with DOITT to use the contract that DOITT has with Language Line. (DOITT performs MOME's procurement function.)
- Providing translations of materials most commonly distributed to the public that contain or elicit important and necessary information regarding the provision of basic City services.
- Training for staff to ensure their commitment to providing language access by explaining the legal obligations and the resources available to them to communicate with limited English speakers and how to access those resources.
- Providing a means for filing complaints about language access at MOME and responding to those complaints.

- Airing foreign language programs on its radio station (WNYE 91.5 FM) and a cable television station (NYC world).

## IV. LEP Population Assessment

- MOME will provide interpretation services in all available languages, including Spanish, Russian, Chinese, Haitian Creole, Korean, Italian, Bengali, Arabic, Urdu, French, and English, through Language Line (where more than 100 languages are available telephonically).
- MOME will provide translation services in all available languages, including Spanish, Russian, Chinese, Haitian Creole, Korean, Italian, Bengali, Arabic, Urdu, French, and English, through Language Line Translation Services.
- MOME will continue to monitor requests for translation and interpretation assistance, paying particular attention to requests for assistance beyond the ten languages required by Local Law 30. If deemed necessary, we will include the languages in addition to the already translated documents.

MOME applies the “four factor analysis” promulgated by the U.S. Department of Justice to assess obligations for language access as the basis for its Language Access Implementation Plan.

### **Factor 1 – The number or proportion of LEP persons in the eligible service population:**

MOME looked at citywide data to assess the number or proportion of LEP persons and their languages in the eligible service population for our programs, services, and information.

According to an analysis of Census data provided by the Department of City Planning, 49% of New Yorkers above the age of five, or approximately 3.88 million New Yorkers, speak a language other than English at home. Twenty three percent of New Yorkers, or 2 million individuals, are considered limited English proficient (LEP), meaning that they self-identify as speaking English “less than very well.” LEP correlates with an increased need for language

assistance. The Office of the Language Services Coordinator has determined that the ten citywide languages are: Spanish, Chinese, Russian, Bengali, Haitian Creole, Korean, Arabic, Urdu, French, and Polish.

**Factor 2 – The frequency with which LEP individuals come into contact with MOME:**

The frequency with which LEP individuals come into contact with MOME varies according to the division, as follows:

- **The Office of Film, Theatre and Broadcasting** has minimal contact with LEP individuals, as follows:
  - The Office receives tens of thousands of film permit applications per year, and fewer than 10 applicants for film permits self-identified as LEP individuals. This is probably because most permit applicants are television networks, movie studios, and professional film and television production companies rather than individuals.
    - The Office provides “No Parking Signs” to production companies that require reserved street parking. Production companies are responsible for posting the signs. The Office provides translated signs to production companies for their use in neighborhoods where a significant number of residents speak a foreign language.
  - The Office also responds to daily communications from residents and businesses concerning film production on public spaces in their neighborhoods. Although the Office receives few such communications from LEP individuals, potentially, any New York City resident could call the Office about film production in their neighborhoods.
- **NYC Media** operates three broadcast television stations, one broadcast FM radio station, and six cable channels.
  - One of the broadcast television channels and one of the cable channels simulcasts government meetings and press events.
  - One of the broadcast television channels and one of the cable channels provides lifestyle programming.
  - One of the broadcast channels and three of the cable channels exclusively provide third-party content from CUNY,

- the New York Racing Association, Sinovision (Chinese-language programs), and Caribbean Information Network.
- One channel is live traffic feeds, which is silent.

The potential audience for NYC Media programs is anyone who has access to a television or radio in New York City, so the proportion of LEP individuals to the overall number of people served probably reflects overall Census data for New York City. Due to the cost, NYC Media does not track all of its television viewership or radio listenership, so we do not know the frequency that LEP individuals watch or listen to our programs.

- **Workforce and Educational Initiatives** has a low-to-moderate level of contact with LEP individuals. Many of MOME's workforce initiatives prepare students and jobseekers for careers in the media and entertainment industries in New York, where English is the predominant language spoken. Some of MOME's educational programs, such as film festivals that are sponsored by MOME, provide foreign language programming.
- **The Office of Nightlife** has a moderate level of contact with LEP individuals who may be nightlife business owners, members of the public who visit nightlife establishments, and residents where nightlife businesses are operated. The Office of Nightlife also provides information that is important for business owners, such as how to start a nightlife venue and operate in compliance with law.

**Factor 3 – The importance of benefit, service, information or encounter to the LEP person:** Being able to receive information and report problems with filming activity and nightlife establishments is important to an LEP person. Access to NYC Media and educational programs in foreign language is not as important; however, NYC Media's NYC gov station airs government proceedings (such as City Council hearings) and access to this information is important to an LEP person.

**Factor 4 – Resources available:** MOME is able to obtain interpretation services through Language Line, other interpretation tools provided by the Mayor's Office of Immigrant Affairs, and American sign-language interpreters

through the Mayor's Office of Disabilities. MOME is able to obtain the translation of documents distributed or available to LEP communities through other City contractors. Some of MOME's staff are bi-lingual or multi-lingual and can assist with interpretation and translation. And MOME's televised programs are closed-captioned for the hearing impaired to the extent required by law.

The cost to translate MOME's radio and television programs to foreign languages would be very high, and translation would exceed MOME's financial resources. Nonetheless, MOME airs some foreign-language programming that would appeal to LEP individuals.

## V. Provision of Language Access Services

### A. **MOME is taking the following steps to provide interpretation services:**

- For LEP individuals who call MOME with comments about filming activity or nightlife establishments in their neighborhood, MOME employees will either utilize an available bilingual employee or use Language Line.
- For large public events, such as a "Town Hall," where access to information and an opportunity to voice concerns is important, MOME will assess the community where the event occurs and provide American Sign Language and foreign language interpreters and translate notices about these events.
- MOME will comply with closed captioning requirements in its televised programs in accordance with Title 47, Part 79 of the Code of Federal Regulations.
- MOME does not have walk-in locations for the public, so we will not be providing multi-lingual signs about the availability of free interpretation services. MOME provides "I

speak” cards in the 10 most common languages to members of the public who may be limited English proficient.

- MOME has no plans to translate its film permit application because there is almost no demand. MOME has authority to issue film permits for filming in New York City; MOME does not issue other permits, licenses, and registrations. Over the past several years, fewer than 10 film permit applicants identified themselves as LEP individuals.

**B. MOME is taking the following steps to translate the most commonly distributed documents to the public:**

- For the advertisement of public programs available to a particular geographic community, MOME will advertise the program in the predominant languages spoken in that community.
- MOME follows plain-language principles for documents most commonly distributed to the public that contain or elicit important and necessary information regarding the provision of MOME’s services and for other public communications and MOME uses layout and design strategies to make such documents and communications easier to read, understand, and act upon.
- MOME has Google Translate built into its website, which can translate MOME’s web-content into numerous language. There are currently no plans for full-scale website translation since most of the content can be translated using this feature.
- MOME has incorporated consideration of language access in agency communications as follows:
  - Emergency preparedness and response. MOME will post notifications to the website that can be translated via the translate feature on the site in the event of an emergency. MOME does not provide emergency services so notifications would be limited to announcing agency hours and postponements.

- Public hearings and events. MOME considers translations of public hearings and events for all public events. For example, the Language Access Coordinator asked the project manager of a professional training program to consider translating the advertisement and including a notice about the availability of interpretation services.
- Press releases and promotional communications. MOME’s Communications team considers translations of press releases and promotional communications, particularly those relating to programs available to the public. We have plans to advertise our one grant program in 10 different languages next year. And we promote Broadway in the Boros in multiple languages.

C. MOME uses the following criteria to determine which documents are the “Most Commonly Distributed” and will be translated:

- Is the intended audience for distribution of documents at least 150 or more individuals? If yes, move to the next question.
- Is the communication intended for the public at large about a program or public service provided by MOME? If yes analyze the potential audience, and if potential LEP individuals are included, consider translating. (E.g., Broadway in the Boros advertisement, Town Halls.)
- If the communication is intended for a small segment of the population, are some members of that segment reasonably likely to benefit from translated materials? If yes, translate. (E.g., Grant application announcement; flyer announcing a panel about nightlife.)

## VI. Training

MOME’s commitment to provide meaningful access to LEP individuals requires a skilled and informed staff.

- All staff will be informed of LEP policies and procedures and how to assist LEP individuals through training on Language Line interpretation and translation services at a monthly staff meeting in September 2019

and will be provided additional training by MOIA at a meeting in autumn 2019.

## **VII. Record Keeping and Evaluation**

MOME will conduct an annual review of its LAIP program based on systematic feedback from staff. The LAIP is a fluid document and will be updated as the need arises. MOME will review its language access policy at least once a year. MOME will track all requests for interpretation (telephonic and in-person) and will monitor the frequency of staff contact with LEPs through a Language Access log. Staff will be asked to log each encounter with an LEP and note the language and type of service(s) requested and/or provided; a logbook is kept with the Language Access Coordinator.

## **VIII. Resource Analysis and Planning**

MOME will use translation and interpretation vendors provided through the Mayor's Office of Immigrant Affairs and bi-lingual staff.

## **IX. Outreach and Public Awareness of Language Access Services**

MOME will increase awareness regarding the availability of MOME's language access services through messages on social media and on MOME's website.

## **X. Language Access Complaints**

MOME will monitor and respond to public complaints about language access as follows:

- The Language Access Coordinator and team will address all inquiries, requests, and complaints on behalf of MOME.
- The Language Access Coordinator will facilitate resolutions and track response time for reporting purposes.

- Complaints and requests related to language services may be submitted by contacting the Language Access Coordinator at [languageaccess@media.nyc.gov](mailto:languageaccess@media.nyc.gov), by calling 311 (complaints to be forwarded to [languageaccess@media.nyc.gov](mailto:languageaccess@media.nyc.gov)), or by calling us at 212-602-7400. MOME established a dedicated email address for complaints at: [languageaccess@media.nyc.gov](mailto:languageaccess@media.nyc.gov). This email address is monitored by Lori Barrett-Peterson, Language Access Coordinator.
- Complaint data will be tracked quarterly and MOME will include information about complaints as part of our annual reporting.

<b>How members of public can submit language access complaints, questions, and requests</b>	<b>Agency 311 Data (CY 2018)</b>	<b>Description of how complaints/requests were addressed</b>
Currently, through 311. However, the public will also be able to submit language access requests through MOME’s website, via-email.	# of language access complaints received via 311: 0	N/A
	# of requests for language access services via 311: 0	N/A

## XI. Implementation Plan Logistics

<b>Language Access Goal</b>	<b>Milestones</b>	<b>Responsible Staff</b>	<b>Deadline</b>
Establish a dedicated email address	Complete	Language Access Coordinator	September 3, 2019
Staff will know how to use Language Line for interpretation needs	Staff training at a staff meeting	Language Access Coordinator	Training on September 3 and October 7, 2019
MOME submits draft Language Access Implementation Plan (LAIP) to MOIA	Complete	Language Access Coordinator	Sept. 6, 2019

MOME's public-facing reception staff has "I Speak" cards in 10 languages	Complete	Language Access Coordinator	October 16, 2019
MOME incorporates MOIA's comments and submits revised LAIP to MOIA	In progress	Language Access Coordinator	November 30, 2019
MOME will train all staff who create communications documents about plain language requirements	Complete	Language Access Coordinator	November 15, 2019
MOME will arrange to have 311 complaints about language access routed to the dedicated email address language.access@media.nyc.gov	In progress	Language Access Coordinator	December 31, 2019
MOME will post LAIP publicly	Webpage revised to include LAIP	Language Access Coordinator	December 31, 2019
MOME will identify its most commonly distributed documents.	Documents identified.	Language Access Coordinator	December 31, 2019
MOME will complete its requisition to enable it to use DOITT's contract with Language Line. (DOITT oversees MOME's procurements.)	Requisition complete.	Language Access Coordinator	December 31, 2019
MOME will translate its most commonly distributed documents	Translation	Language Access Coordinator	February 29, 2020
MOME will include a link on its film permit webpage directing LEP film permit applications to call the office for telephonic interpretation and	Link	Language Access Coordinator	April 30, 2020

assistance completing the application			
LAIP will be reviewed twice a year		Language Access Coordinator	Semi-annually (Feb. 28 and Sept. 30)
LAIP will be updated on MOME's website at least once every three years	MOME will track all updates quarterly to ensure accuracy and efficacy of the LAIP	Language Access Coordinator	At least once per every three years