

U.S. Department of Labor

Language Access Plan

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Purpose

The Department of Labor (DOL or the Department) is committed to advancing the goals of Executive Orders 13985, 14091, 13166 and 14031 by supporting underserved communities and improving access to DOL-conducted programs and activities for limited English proficient (LEP) workers and individuals. Executive Order (EO) 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021), and its successor EO 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (February 22, 2023), both promote this intention. The latter explicitly requires agencies to conduct linguistically appropriate outreach and engagement and improve language access services to ensure that all communities can meaningfully participate in government programs. EO 14091 also amplifies the continued requirement to implement EO 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), which mandates federal agencies and recipients of federal financial assistance to examine the services they provide, identify services that LEP individuals need, and develop and implement systems to provide those services so LEP individuals can meaningfully access.¹ EO 14031, Advancing Equity, Justice, and Opportunity for Asian Americans (AA), Native Americans (NA), and

¹ Recipients of federal financial assistance are required to ensure meaningful access to information and services pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulations at 29 CFR Part 31. Certain recipients of DOL financial assistance are also required to fulfill this mandate pursuant to Section 188 of the Workforce Innovation and Opportunity Act (WIOA) and its implementing regulations at 29 CFR Part 38. This document does not address recipients' obligations under those laws except by recognizing those DOL agencies that extend grants or other financial assistance and must promote compliance through, in part, clear demonstration of DOL agencies' commitment to meaningful access to federally conducted programs. See [Guidance prepared by the CRC to affect these obligations within certain grant programs](#) While much of the guidance contained in this document remains helpful, developments including the 2017 issuance of regulations to implement the nondiscrimination and equal opportunity provisions of Section 188 of the Workforce Innovation and Opportunity Act (WIOA) postdate issuance. Among other developments, some guidance was elevated to requirements within Section 188. Citations and related obligations should be updated for WIOA-supported programs.

Pacific Islanders (PI) (May 18, 2021), requires Federal agencies to advance equity and racial justice for underserved communities, including AA and NHPI communities. The Department's Language Access Plan (Plan or LAP) updates the previous plan addressing DOL's Language Access efforts,² as required by Executive Order 13166, and outlines the language access responsibilities for DOL staff and sub-agencies under Executive Orders 13985, 14091, 13166 and 14031.

DOL recognizes that to fulfill its mission, it must reach out to all segments of the population, particularly workers who have been insufficiently served and/or are among the most vulnerable, including workers who are LEP. According to the latest data available, there are approximately 168.3 million individuals in the U.S. labor force, with approximately 6.7 million being LEP adults, accounting for 3.97% of the labor force.³

As demonstrated in this Plan, DOL's efforts have been guided by the principle that our equity work must be developed in a purposeful and sustainable manner. Specifically, the Department must engage thoughtfully and deliberately to build sustainable structures for embedding equity into current practices and policies that can endure beyond the current moment and are not dependent on any one individual. As described below, to ensure that DOL programs and services are accessible to all workers including those who are LEP, each DOL sub-agency has assessed its eligible service populations; compared past practice with relevant demographics to consider whether barriers to effective service may exist; considered resources on-hand and resources that need to be developed to ensure meaningful access to LEP workers; and, committed to re-engaging with LEP workers and community based organizations that serve LEP workers to promote awareness and

² Last updated in 2011.

³ [United States Census Bureau home page.](#)

accessibility of DOL programs and services, including the availability of language access services. The policies outlined in this Plan apply to all DOL staff, particularly those in contact with the public.

DOL's commitment to improving the well-being of underserved, marginalized, and excluded communities and advancing equity is further demonstrated by identifying language access in its Equity Plan⁴ as a high impact program area, where ambitious activity to support underserved communities is planned over the next several years.

Definition of Key Terms

- **Babel Notice:** a short notice included in a document or electronic medium (e.g., website, “app,” email) in multiple languages informing the reader that the communication contains vital information and explaining how to access language services to have the contents of the communication provided in other languages.
- **Direct “In-Language” Communication:** monolingual communication in a language other than English between a multilingual staff and a person with LEP (e.g., Korean to Korean).
- **Effective Communication:** communication sufficient to provide LEP individuals with substantially the same level of access to services received by individuals who are not LEP. For example, staff must take reasonable steps to ensure communication with an LEP individual is as effective as communications with others when providing similar programs and service.

⁴ [Department of Labor Equity Action Plan | U.S. Department of Labor \(dol.gov\).](#)

- **Eligible Service Population:** the total population of adults and eligible youth who reside within the labor market area that is served by a particular agency and/or program, and who are eligible to seek assisted aid, benefits, services, or training from that agency and/or program.
- **Interpretation:** the process of conveying an oral message from one language (source language) into the equivalent meaning in another spoken language (target language).
- **Language Assistance Services:** oral and written language services used to provide individuals with LEP meaningful access to, and an equal opportunity to participate fully in, the services, activities, and other programs administered by the Department.
- **Limited English Proficient (LEP) individual:** an individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communication (*e.g.*, speaking or understanding), but still be LEP for other purposes (*e.g.*, reading or writing).⁵
- **Meaningful Access:** language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual needing assistance. Meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English-proficient individuals.

⁵ Individuals with LEP who also have disabilities must be provided with reasonable accommodations, effective communications, and accessible technologies pursuant to Section 501, 504, and 508 of the Rehabilitation Act.

- Online Translation Software, also known as Machine Translation: software or online applications that automatically translate written material from one language to another without the involvement of a human translator or reviewer.⁶ Examples include Google Translate, Microsoft Translator in Office, and Bing Toolbar.
- Primary Language: the language in which an individual most effectively communicates when interacting with the Department. An individual's primary language may be a language variant, which may include regional, social, or contextual differences in the ways that a particular language is used.
- Sight Translation: oral or signed rendering of written text into spoken or signed language by an interpreter without change in meaning based on a visual review of the original text or document.
- Translation: the replacement of written text from one language (source language) into an equivalent written text in another language (target language).
- Vital Document: paper or electronic written material that contains information that is critical for accessing an agency's programs or activities or is required by law.
- Vital Information: information, whether written, oral or electronic, that is necessary for an individual to understand how to obtain any aid, benefit, service, and/or training; necessary for an individual to obtain any aid, benefit, service, and/or training; or required by law. Examples of documents containing vital

⁶ See Machine Translation Ensuring Meaningful Access for Limited English Proficient Individuals. See guidance in this document on machine translation, which cautions against reliance on such tools without review: [Ensuring Meaningful Access for Limited English Proficient Individuals](#).

information include, but are not limited to applications, consent and complaint forms; notices of rights and responsibilities; notices advising LEP individuals of their rights under this part, including the availability of free language assistance; rulebooks; written tests that do not assess English language competency, but rather assess competency for a particular license, job, or skill for which English proficiency is not required; and letters or notices that require a response from the beneficiary or applicant, participant, employee or other recipient.

National Demographic Data

To assist DOL in better understanding and meeting the needs of its LEP communities and stakeholders, DOL's Civil Rights Center (CRC) analyzed language trends at the national, regional, and state/territory levels as well as the Department's current state of language access efforts by DOL agency. The study incorporated internal survey response data from DOL's agencies; open-source data from the Census Bureau's 2020 Census and the 2021 American Community Survey (ACS); and the U.S. Department of State's Refugee Processing Center Admissions and Arrivals. Additionally, CRC, in partnership with DOL's language assistance support contractor,⁷ developed a national demographic report to help agencies further identify LEP populations that could comprise their eligible service populations and/or frequently encountered language groups.⁸

This study of national language trends included regional and state/territory level insights into non-English speaking households,⁹ percentages of limited English-speaking

⁷ Awarded the Enterprise-wide IDIQ for Professional Language Assistance Services (see section below)

⁸ Will be made available upon request.

⁹ A non-English speaking household is a household that speaks a language other than English.

households,¹⁰ most common languages encountered, native language speakers, and refugee populations. The study showed that non-English speaking households were concentrated in the Southeast, Southwest, and New York/New Jersey regions. The most common languages other than English spoken in households were Spanish, Mandarin, Vietnamese, Arabic, and Tagalog. The below chart summarizes the regional findings.

Region	LEP %	Non-English Speakers %	Refugees
New York/New Jersey/Puerto Rico /U.S. Virgin Islands	20.91%	28.76%	1,625
Southeast ¹¹	20.15%	21.18%	5,119
West ¹² /Alaska/Hawaii/Guam	19.71%	36.50%	5,521
Southwest ¹³	19.01%	30.46%	2,423
Northeast ¹⁴	18.90%	21.43%	1,024
Mid-Atlantic ¹⁵	16.72%	14.89%	2,347
Midwest ¹⁶	15.85%	14.22%	6,208

¹⁰ A limited English-speaking household is a household in which no member between 14 years old and over (1) speaks only English or (2) speaks a non-English language and speaks English "very well."

¹¹ States included in this region: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

¹² States included in this region: Arizona, California, Idaho, Nevada, Oregon, and Washington.

¹³ States included in this region: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

¹⁴ States included in this region: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

¹⁵ States/ territories included in this region: Delaware, Washington D.C., Maryland, Pennsylvania, Virginia, and West Virginia.

¹⁶ States included in this region: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

Region	LEP %	Non-English Speakers %	Refugees
Mountain/Plains ¹⁷	15.27%	12.40%	2,045

The study of DOL's current state of language accessibility provided additional insight into DOL LEP communities and stakeholders. Based on the analysis, DOL agencies encounter 80 unique languages and interact with 11 languages on average. Also, multiple agencies encounter LEP stakeholders daily.

Language	Number of Agencies that Encounter Language	Agency	Count of Languages Encountered
Spanish	23	ILAB	38
Mandarin	11	WHD	34
Korean	10	ETA	28
Tagalog	9	OSHA	27
Arabic	9	EBSA	24
Polish	8	OFCCP	23
Russian	8	OASAM	23
Portuguese	8	SOL	20

¹⁷ States included in this region: Colorado, Kansas, Missouri, Montana, Utah, and Wyoming.

Language	Number of Agencies that Encounter Language	Agency	Count of Languages Encountered
French	8	OWCP	9
Japanese	8	OALJ	8
35 Others	< 2	Other agencies	< 8

The Department used national demographic data to inform and assist DOL agencies in identifying language accessibility gaps and solutions in their programs that encounter LEP individuals. Agencies can use other data/mapping resources to create a more detailed understanding of languages spoken by eligible service populations.¹⁸ DOL agencies will monitor demographic changes and make adjustments as needed. As described below, DOL's Employee Benefits Security Administration (EBSA) and Occupational Safety and Health Administration (OSHA) utilize effective practices to identify language groups eligible to be served. It is also noted that, among identified language groups, several indigenous languages were determined to be significant. Certain DOL agencies based this determination on the increased likelihood that LEP individuals who speak indigenous languages would encounter targeted programs or initiatives particularly relevant to indigenous language communities. Additionally, agencies assessed geographic service areas and industry/occupation data and identified languages that have been encountered or are likely to be encountered.

¹⁸ e.g., lep.gov/maps.

Scope of Language Access Plan

CRC, within the Office of the Assistant Secretary for Administration and Management (OASAM), leads the Department's efforts to advance language access goals in EOs 13985, 14091, 13166 and 14031. In FY 2023, CRC launched a comprehensive survey to assess each DOL agency's current language access practices and pinpoint areas to improve access for workers and other external departmental stakeholders. The survey addressed customer needs, particularly those that have been unmet, and the resources needed to ensure meaningful access and participation in DOL's programs.

More specifically, the survey was designed to prompt agencies to conduct a comprehensive assessment to discern agency-specific standard operating procedures, protocols, and plans to improve language access. To successfully complete the survey, each agency reviewed the language needs of their eligible service population(s); outlined how the agency interacts with LEP individuals; determined what resources, including staffing resources, the agency employs to serve LEP individuals; identified gaps that exist in ensuring meaningful access; determined which documents/information were vital to operations;¹⁹ determined whether relationships existed with community-based organizations and others to engage LEP individuals; assessed all geographic areas and populations eligible to be served; collected information on how services/information is being provided;²⁰ and determined the resources needed for oral and written interpretation and translation.

After completing the survey, each agency worked with CRC to draft their agency-specific section of this Plan to highlight current language services and areas in which to improve the

¹⁹ And which of those had been translated into a language/s other than English.

²⁰ e.g., in person, via written correspondence, for via an agency website.

provision of language services to vulnerable LEP workers. CRC worked with agencies to promote comprehensive reviews that encouraged improvements over time so that the Department can make consistent and sustained progress to provide meaningful access for LEP customers. The LAP is organized by agencies based on their frequency (or potential frequency) of interaction with LEP customers. The Department has mandated that each agency incorporate actions to improve outreach, engagement, and services to LEP persons. Agencies must demonstrate concrete actions within ambitious timeframes to satisfy these obligations.

In FY 2024, agencies will be required to develop their own agency-specific LAP, which will provide a more focused and robust assessment of current services and outline how each agency will improve its language services moving forward. Agency-specific LAPs will outline agency employees' specific responsibilities and obligations in providing LEP individuals with meaningful access to services and activities (see also Agency Specific Language Access Plans section below).

Management and Oversight/Centralized Office of Language Assistance

To further advance the Department's goals pursuant to Executive Orders 13985, 14091, 13166, and 14031, and improve access to DOL-conducted programs and activities for LEP individuals, in FY 2023, the Department established a Centralized Office of Language Assistance (COLA), to be managed by CRC. CRC / COLA is charged with the development and implementation of the Department's LAP. COLA will provide resources and tools to DOL agencies to advance language access efforts. COLA will also work to ensure that agencies have an increased awareness of changing demographics and resources so that

agency-specific plans can evolve to meet the needs of LEP individuals. Prior to the establishment of COLA, DOL's language access efforts were decentralized with each agency being responsible for identifying and funding the language access needs of the populations they serve. As a result, agency compliance had been inconsistent and, at times, insufficient to fulfill the Department's interests and responsibilities.

With the establishment of COLA, CRC will also be able to further support DOL agencies' ability to engage LEP individuals with translation and interpretation needs while promoting shared procurement vehicles and economies of scale for the Department. CRC will also synthesize the Department's overall Language Access Plan in policies and procedures to ensure the aforementioned efforts are sustained.

In FY 2023, CRC recruited and hired three staff for COLA to lead the Department's language access efforts.²¹ The Department also identified funding to support agencies in completing their language access activities.²² Funding will also support translation / interpretation and language assistance contract support services to:

- Provide support for translation of agency identified vital information²³ on DOL's website into nationally significant languages (to be determined with the assistance of the Office of the Assistant Secretary for Policy (OASP) and the Language Access Working Group). For FY 2023, funding will support the translation of each DOL subagency's three most vital documents;²⁴

²¹ Tasked with managing the Department's Blanket Purchase Agreements for translation and interpreting services and language assessment/technical assistance.

²² e.g., developing an outreach and engagement strategy.

²³ Identified by agencies in their responses to the Language Access Survey, administered in 11/2022, as well as through the gap analysis and development of agency-specific plans facilitated by CRC and the language assistance contractor.

²⁴ The number of documents translated may vary based on where the agency is with their translation of vital documents.

- Support the creation and implementation of Babel notices into a number of languages²⁵ that may assist DOL agencies in engaging and providing services to LEP individuals;
- Assist in drafting a new Department language access policy that includes standards and guidelines to promote sustained language access practices across the Department;²⁶
- Provide technical assistance to DOL agency staff responsible for contributing to the development and implementation of their agency specific LEP plans;
- Assist agencies in the development and execution of their outreach and engagement strategies,²⁷
 - Agencies' strategies will outline the various means by which the DOL agency interacts with and serves LEP workers²⁸.
 - Agencies will describe how they will reach out to and engage with individuals and community-based and other organizations to build additional capacity to serve vulnerable LEP workers.
 - Agencies will describe how they will train and support their staff to provide LEP individuals with meaningful access²⁹ to DOL programs and activities, of particular importance after individuals read posted Babel notices and contact the agency.

²⁵ Frequently or possibly encountered by eligible service populations.

²⁶ See Department of Labor Manual Series section.

²⁷ FY 2023 AMP milestone (for agencies).

²⁸ e.g., over the phone, in person, while conducting investigations, outreach and education, phone/hotline inquiries, when workers report violations, intake meetings, and interviews or other meetings.

²⁹ E.g., ensuring that they are aware of the agency specific processes for providing telephone interpreting services to callers

Building on current efforts, COLA will be positioned to further support agencies' translation needs³⁰ beginning with translating the Department's websites.³¹ Specifically, COLA will be tasked with:

- Promoting consistent standards³² in the delivery of language access services across DOL agencies and regions;
- Developing and establishing Department-wide standards for the appropriate use of bilingual employees, with respect to the recruitment, assessment, training and retention of bilingual employees;
- Developing the Department's SOPs for translation/interpretation services;
- Providing technical assistance to agencies responsible for translating digital content³³;
- Establishing baseline language access policies³⁴ to help guide agencies in developing and implementing agency specific language access plans;
- Providing technical assistance to DOL agency staff responsible for implementing their agency-specific language access plans;

³⁰ Covered by the Department's Working Capital Fund.

³¹ To be done under a task order that will be established once the new under a newly awarded BPA for translations and interpreting services is awarded in July 2023.

³² See DLMS discussion.

³³ COLA will work with agencies to promote best practices for translating digital content. This includes transitioning away from machine translation tools and utilizing qualified linguists to translate websites and other content. If machine translation is necessary, COLA will work with agencies to ensure that content is reviewed by a qualified linguist.

³⁴ E.g., Department-wide language access guidelines for appropriate use of machine translation.

- Managing Departmental contracts to ensure availability of translation and interpretation services;³⁵
- Developing and providing training to DOL employees on the ethics of interpretation and other select language access policies and procedures, including best practices when working with LEP customers given language and other interests that may influence participation;³⁶
- Developing and providing training to DOL employees on other topics such as identifying the language needs of an LEP individual; working with an interpreter in person or on the telephone; requesting documents for translation; accessing and providing language assistance services through multilingual employees, in-house interpreters and translators, or contracted personnel; duties of professional responsibility with respect to LEP individuals; interpreter ethics; tracking the use of language assistance services; and tips on providing effective assistance to LEP individuals.
- Working with the Office of Public Affairs (OPA) to periodically assess and monitor translated digital content to improve meaningful access for persons with LEP, which includes routinely identifying with agencies which vital documents need to be translated and into which languages on DOL's website;

³⁵ While COLA will support access to interpretation services, agencies must continue to assess their staffing and other needs to ensure that direct, timely assistance is provided so agencies can affect their missions effectively. COLA may supplement or provide interim interpretation needs, understanding that effective interpreters generally need to be aware of agency procedures, terminology, etc. in order to facilitate communication.

³⁶ E.g., immigration status, work authorization, cultural norms, and socioeconomic factors.

- Working with agencies to assess and ensure that translated material on their agency-specific webpages is tailored to the vulnerable communities that interact with their respective agency;
 - Where DOL agencies utilize systems to accept applications or otherwise require participation, COLA, where appropriate / feasible, will support agencies' development and maintenance of accessible (dynamic) agency systems.
- Working with the Office of the Chief Information Officer (OCIO) to implement changes to agency webpages and ensure they follow appropriate User Experience standards;
- Assessing effectiveness of efforts (e.g., monitoring of demographics, particularly the growth/emergence of new language groups that interact with DOL programs; geographic/regional migration patterns; and changes in technology/delivery systems that affect communications and effective access);
- Developing tools or plans to assess the effectiveness of services to LEP individuals and the outcomes of DOL programs on vulnerable communities;
- Overseeing/coordinating outreach activities to LEP individuals and community-based organizations, which will include notification and instruction on how to obtain language assistance services from the Department and information on the programs and services available. Communications may be provided through in-person events such as town halls or through print or on-line resources, or via appropriate media such as radio;

- Engaging with the DOL National Contact Center to ensure sufficient interpretation services and disseminate information on how to access these services to DOL employees and members of the public;³⁷
- Providing support in the creation of tools, such as glossaries and Babel notices, that may assist the agency in providing services to LEP individuals; and,
- Accepting complaints and facilitating the resolution of concerns.

With the understanding that comprehensive translations efforts require planning, execution and implementation phases that may be staggered, in future years, CRC will need to continue to seek additional funding for COLA to fully support the language access/assistance needs of the Department.

Agency Actions and Language Access

To advance agencies' existing efforts to improve language access for vulnerable workers who are LEP, DOL leadership directed agencies to take certain actions in FY 2023 (see list below). These actions are key to addressing the barriers faced by the most vulnerable workers; building partnerships; and documenting the impact of agencies' work. Understanding the language needs of and improving language access for the most vulnerable and marginalized workers is an important way for agencies to target limited resources. CRC provided technical assistance to DOL agencies to help them achieve the required actions through a newly formed DOL Language Access Working Group.³⁸

³⁷ The National Contact Center will continue to fund its interpretation needs.

³⁸ Please see the Language Access Working Group section below.

Implementation of language access plans are facilitated through Agency Management Plans (AMPs). AMPs are performance planning documents through which agencies set measures and milestones to meet mission-critical functions and other responsibilities defined by Departmental leadership. Certain measures and milestones are defined by the Office of the Secretary (OSEC), including the Office of the Chief Equity and Diversity Officer, to ensure that all agencies advance common goals. This is the case for the following language access activities, applicable to all DOL agencies, among others related to equity. Agencies are held accountable for results and the timely completion of activities and must report their compliance to the Office of the Secretary (OSEC). AMP measures and milestones are also tied to budget decisions and to individual performance plans. The Department's Performance Management Center further monitors agencies in their efforts.

In FY 2023 AMPs, agencies were tasked with the following:

- Identification of Language Groups of Underserved Communities.
 - Using data and evidence, DOL agencies will identify significant language groups eligible to be served by relevant offices (national, regional, district) in relation to the scope/mission of the agency, including focusing on workers that are the most vulnerable.
 - Identifying the eligible language groups to be served by agencies (i.e., LEP workers, especially those most vulnerable) should include an assessment of local areas across the country and/or trends and changes in demographics/economic circumstances.
- Identification of Vital Documents and Information for Workers.

- DOL agencies will identify the vital documents/information, including those on the web, within their program(s) that should be available in languages other than English and, unless already translated, need to be translated into relevant language(s). Each agency shall include the following information about multilingual digital content as an essential element of an agency's LAP.
 - Agencies shall take reasonable steps to provide individuals with LEP with meaningful access to the agency's vital digital content. This may include, for example:
 - An agency's jurisdiction and mission.
 - Contact information, including how to communicate with the component.
 - How to file a complaint (including forms and instructions to fill out those forms).
 - Press releases and important announcements impacting communities with LEP.
- Moreover, vital documents intended for the general public, or a broad audience may include, but are not limited to:
 - Public outreach or educational materials;
 - Claim or application forms (including any necessary instructions);
 - Forms or written materials related to individual rights;
 - Notices of outreach or community meetings or trainings; and

- Notices regarding the availability of language assistance services provided by the agency at no cost to LEP individuals, where applicable.
- Agencies should focus efforts from the perspective of the most vulnerable workers that they serve.
- Vital documents or information must be translated when a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program/activity, needs services or information in a language other than English to communicate effectively. This is an affirmative obligation, meaning that it must be planned for, rather than waiting until an individual need arises.
- Begin Translation of Vital Documents and Information.
 - DOL agencies will begin translation of vital documents and information into languages based on the needs of vulnerable workers.
- Outreach and Engagement Strategy.
 - DOL agencies will develop outreach and engagement strategies that outline the various means by which each agency interacts with and serves LEP workers.³⁹ At a minimum, Outreach and Engagement strategies will:
 - Identify the language needs of LEP individuals the agency encounters;

³⁹ This includes various touch points where an agency interacts with or serves workers (e.g., over the phone; in person; while conducting investigations; outreach and education; phone/hotline inquires; when workers report violations; intake meetings; interviews; or other meetings).

- Include/Outline Standard Operating Procedures (SOPs) and Staff Procedures
 - e.g., for staff when requesting / securing translation and interpreting services; for bilingual/multilingual employees who are responsible for providing language services; for staff when communicating with LEP individuals⁴⁰;
 - Detail how the agency will track interactions with, and services provided to LEP individuals;
 - Outline the training that will be provided to employees on language access SOPs and customer interactions; and
 - Identify/Assign agency POCs responsible for ensuring that the outreach and engagement strategies are implemented, monitored, and sustained.
- Each agency also will describe how it will conduct outreach to and engage with individuals and community-based and other organizations that offer free language access services as a means to build additional capacity to serve vulnerable LEP workers.
 - Resources.
 - After the identification of significant language groups focusing on workers that are the most vulnerable, DOL agencies will identify bilingual /

⁴⁰ via real-time communications or written correspondence.

multilingual staff resources and needs and review how staff are assessed for language ability.

- Agencies will also determine if and how bilingual/multilingual staff may provide support across the agency while ensuring equitable distribution of work. This process will include:
 - A review of position descriptions.
 - Identification of support such as telephone or web-based language lines or contract translation and interpretation services to be utilized.
- Review of Position Descriptions
 - Agencies, with guidance from the Office of Human Resources (OHR), will continue to review Position Descriptions (PDs) to determine when vacancies should recruit for candidates with bilingual skills.

To further demonstrate the Department's commitment to language access, CRC also took the below actions in FY 2023:

- Language Access Plan
 - CRC revised DOL's Language Access Plan (to strengthen Department-wide standards for ensuring equitable access for limited English proficient workers). As part of the revision, CRC provided technical assistance and training to DOL agencies that may serve or engage with LEP individuals in the development of agency-specific sections of the Plan.
- Language Access Survey (more information can be found in the **Scope of Language Access Plan**)

- CRC developed and launched the Language Access Survey and provided the results of the Language Access Survey analysis to agencies to assist them in the development of their agency-specific Language Access Plans. The survey provided the basis needed to better understand language needs within the Department.
- Translation and Interpretation Services
 - CRC, in collaboration with the Language Access Working Group, established quality control thresholds/measures for translation and interpretation services.
- DOL Policy on Language Access
 - CRC drafted a language access policy and guidelines. The policy will include baseline standards and guidelines for language access across the Department, to ensure that agencies' language access obligations are met.

In FY 2024, agencies must include the following activities in their AMPs to further demonstrate their efforts toward addressing the deepest barriers faced by the most vulnerable workers.

- Continue to review and update current position descriptions to determine the need to expand bilingual requirements for outreach to and engagement with underserved communities. As additional bilingual positions are identified to facilitate agencies' execution of their language access plans, agencies will partner with the Office of Human Resources to update position descriptions needed to recruit bilingual employees as well as identify applicant pools from which to recruit for positions.

- Candidates and employees will be assessed⁴¹ for their language capabilities by a third-party to ensure they are appropriately qualified to serve as translators and/or interpreters.
- For those agencies that have or may serve or engage with LEP individuals in their eligible service population(s): develop agency-specific Language Access Plans (and the necessary framework to operationalize the Plans) with requisite standard operating procedures (SOPs), including monitoring, training and implementation requirements, and milestones for key activities (see also Agency Specific Language Access Plans section below).
 - Create a standard operating procedure to regularly assess the demographics of eligible service populations and potential population shifts over time.
 - Establish a system to track the number of individuals who seek language services and the types of services provided.
- Complete the translation of identified vital documents. In addition to securing translations of vital documents/information into significant language groups, agencies will also be responsible for ensuring quality review and publication/dissemination that may coincide, at least in part, with the outreach and engagement strategy.
 - Create a standard operating procedure to promote the sustained and ongoing need to identify new vital documents/information and provide

⁴¹ Using a standardized assessment test and procedure to determine whether candidates and employees have the requisite skills to perform formal translation and/or interpretation job duties.

timely translations of vital documents/information into languages spoken by significant language groups.

- Implement an outreach and engagement strategy, including conducting a mid-year assessment, that outlines the various means by which the agency interacts with and serves LEP workers and actions taken to communicate/disseminate the availability of services in appropriate languages other than English.

CRC/COLA will also commit to completing the following actions in FY 2024:

- Create a framework or template including baseline language access policies to assist agencies in the development of their FY 2024 agency-specific Language Access Plans.
- Develop a process for agencies to request translation and interpretation services via task orders established under the Blanket Purchase Agreement.
- Develop and provide quarterly technical assistance trainings to Language Access Liaisons. The trainings may include topics related to: Babel notice implementation; best practices for utilizing staff with language capabilities; and best practices when creating SOPs for staff to provide language services.
- Develop new performance metrics to gauge program performance as it relates to language access.

Agency Specific Language Access Plans

In FY 2024, DOL agencies⁴² will be required to develop agency-specific LAPs (and the necessary framework to operationalize the LAPs). Agency-specific LAPs will build off the information, analyses and goals introduced in agency-specific sections of the Department's LAP and will provide more detail and requisite SOPs including monitoring, training and implementation requirements, as well as milestones and associated due dates for key activities. To ensure meaningful access is provided to LEP individuals, the LAPs will also clearly outline the approach/actionable steps agencies are taking or will take to address identified gaps and satisfy activities identified in the Department's LAP and outline implementation plans for the agency-specific outreach and engagement strategies. Agencies will also outline the responsibilities of their staff, particularly those who have the greatest likelihood of interacting with the public and will identify who in their agency will have responsibility for the management, implementation, and revision of the LAP.

To assist agencies with developing their agency-specific LAPs, CRC /COLA will develop a framework⁴³ that outlines the minimum requirements⁴⁴ of what plans should include, such as agency specific processes for obtaining translation and interpreting services; the identification of the data that will be collected and how that data will be managed; and the contact information for agency staff with language capabilities and liaisons.

⁴² That have or may serve or engage with LEP individuals in their eligible service population(s).

⁴³ That will allow agencies to adopt components as they see fit to best address the unique needs and demographics of each agency.

⁴⁴ Agencies may utilize this tool: [Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs \(lep.gov\)](#).

Department of Labor Manual Series (DLMS) Chapter on Language Access

In FY 2023, CRC drafted a language access policy and guidelines for a new DLMS chapter on Language Access. The chapter included baseline standards and guidelines for language access across the Department to ensure that agencies' language access obligations are met. Once the chapter is finalized, the link to the chapter will be incorporated in a future update of this Departmental Language Access Plan. The chapter will also be available on the Department's Intranet ⁴⁵ page and widely disseminated to staff once issued.

Language Access Working Group

CRC also coordinates and leads DOL's Working Group on Language Access. This working group currently has 41 members from 26 different agencies within DOL. The group meets monthly to monitor LEP outreach and enforcement activities and works to develop department-wide policies and procedures to enhance DOL's LEP efforts. During monthly meetings, agency representatives report on agencies' progress on LEP objectives, and the effectiveness of the policies and procedures described in this Plan. The monthly meetings are a time for language access liaisons to ask and receive answers to questions on language access requirements. CRC also uses the monthly meetings to provide training on language access topics and procedures. If questions arise outside of the Language Access Working Group meetings, liaisons are instructed to contact CRC/COLA directly for assistance.

⁴⁵ LaborNet.

DOL Enterprise-Wide Vehicles for Language Access and Translation, Interpretation and Transcription Services

Pursuant to the Federal Government's category management initiative, DOL is employing greater use of enterprise-wide contract vehicles. Enterprise-wide vehicles, such as Enterprise-wide Ordering Agreements (EOAs, Blanket Purchase Agreements (BPAs, and Indefinite Delivery/Indefinite Quantity (IDIQ contracts, are made available for DOL Contracting Officers to place orders. Two of the Department's enterprise-wide contract vehicles: ⁴⁶ i) Professional Language Assistance Services; and ii) Translation, Interpretation and Transcription Services directly support the Department's efforts to improve access to DOL conducted programs and activities for LEP individuals.

Enterprise-wide IDIQ for [Professional Language Assistance Services](#) ⁴⁷

DOL agencies can place orders against the IDIQ for the following services:

- Technical assistance to agency staff responsible for:
 - completing their agency-specific LEP assessment / survey, including demographic research
 - developing their agency-specific Language Access Plans
 - implementing their agency-specific LEP plans

⁴⁶ That agencies can place orders against.

⁴⁷ Ordering procedures are available on DOL's Intranet page.

- Providing support in the creation of tools that may assist the agency in providing services to LEP individuals;
- Development of plans and facilitating outreach and engagement with community-based organizations and LEP customers;
- Developing and providing training to DOL employees on language access policies and procedures;
- Additional DEIA/Equity assessments and support stemming from implementation of relevant Executive Orders;
- Assisting with:
 - development of webpages
 - drafting policies around language access
 - review of complaints or other feedback on language access
 - development of survey questions (for periodic assessments)
- Developing SOPs, one-pagers, desk-aids, glossaries, notices, “I speak cards,” posters, etc. on language access policies and procedures.

Enterprise-Wide Translation, Interpretation and Transcription Blanket Purchase Agreement⁴⁸

Having the sustained ability to communicate with workers in their preferred languages is essential to fulfilling the Department’s mission to protect workers and enforce the law. To

⁴⁸ Ordering procedures are available on DOL’s Intranet page.

ensure the Department is equipped to assist LEP individuals who interact with the agency and that outreach and training materials are provided in appropriate languages other than English, the Department stood up a BPA for language translation/interpretation services, audio messaging, and 24-hour language translation/interpretation services. As part of its Plan, DOL must also ensure that vital documents and information are translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be affected by DOL programs, services, or activities. Services are provided on an as needed basis throughout the fifty United States, the District of Columbia, and U.S. territories including, but not limited to, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam. This enterprise-wide BPA is available to all DOL agency components.

Quality of Translation and Interpretation

DOL's BPA for translation and interpretation services includes quality control measures. The contractor developed and implemented a Quality Control Plan (QCP), which is a procedure to identify, prevent, and ensure non-recurrence of defective service. The contractor's quality control program is a tool for the contractor to assure that work performed complies with the requirements of the BPA. At a minimum, the QCP addressed:

- expected turnaround times for deliverables based on word count and number of steps in the translation based on subject matter (e.g., translation, proofreading, and quality control);
- contractor's plan for identifying and correcting deficiencies in the quality of service before task activities occur and/or the Government points out the deficiencies;

- how deficiencies in services will be addressed, including the identification of personnel who will work on the revisions, and an outline of general process of correcting the errors to ensure they will not occur in future projects;
- procedures for documenting and responding to orders; and
- how the contractor will address personnel performance.

Additionally, DOL has included performance objectives within the BPA focused on ensuring quality of translation/interpretation services provided by the contractor:

Performance Objective	Standard	Performance Threshold (This is the maximum error rate)	Method of Surveillance
Translation Quality	The Contractor will ensure that translations are free of errors and that translations are written using Federal plain language guidelines.	98% of total tasks completed	Poor performance will be recorded in the Contractor Performance Assessment Reporting System (CPARS)

Performance Objective	Standard	Performance Threshold (This is the maximum error rate)	Method of Surveillance
Translator Qualifications	The Contractor will ensure that translators are qualified and have the necessary certifications to complete tasks. DOL may request verification of translator's credentials at any time.	100% of total tasks	Poor performance will be recorded in the CPARS
Revisions to Translations	If DOL identifies any errors in translations, the Contractor will revise the translation free of charge, within 24 hours of DOL's notification.	100% for each task with errors	Poor performance will be recorded in the CPARS

Performance Objective	Standard	Performance Threshold (This is the maximum error rate)	Method of Surveillance
Interpreter Qualifications	The Contractor will ensure that interpreters are qualified and have the necessary certifications to complete tasks. DOL may request verification of interpreter's credentials at any time.	100% of total tasks	Poor performance will be recorded in the CPARS
Interpretation Code of Ethics and Professional Responsibilities	Interpreters will follow the Code of Ethics and Responsibilities ⁴⁹ required by DOL for all requested interpretations.	100% of total tasks	Poor performance will be recorded in the CPARS

DOL may conduct a random sampling or periodic surveillance of any deliverables provided by the contractor to ensure linguistic accuracy. This may be conducted on an as-needed

⁴⁹ The Contractor will establish guidelines that, at a minimum, ensure the accuracy, impartiality, and confidentiality, limitations of practice, and protocol and demeanor.

basis by DOL agencies through acceptable means that may include relying on bilingual/multilingual staff that have language capabilities in the target language.

Approach to Developing the Language Access Plan

In the sections below, DOL agencies identified gaps in current language services and outlined approaches for addressing each gap. CRC will support each agency's efforts to improve language access and will monitor the progress of each agency to ensure outlined objectives are effectively implemented.⁵⁰ Additionally, each agency has named a language access liaison(s) to the DOL Language Access Working Group who will be responsible for coordinating agency efforts to improve language access.

DOL Monitoring & Evaluation/Revision of Language Access Plan

CRC will review the current DOL Language Access Plan every three years from the date of publication. If revisions are needed, CRC will revise the LAP. Additionally, CRC will monitor the objectives and deliverables outlined by each agency to ensure that plans/policies/procedures are updated and implemented in a timely and accurate manner.

Publicization of the Language Access Plan

The Department of Labor's Language Access Plan will be available to the public through the Quick Links displayed on DOL's homepage.⁵¹ It will also be available on CRC's

⁵⁰ Via COLA.

⁵¹ www.dol.gov.

homepage⁵² and CRC will archive the Plan for Improving Access to Services for Persons with Limited English Proficiency.⁵³

Complaint/Feedback Procedure

LEP customers who would like to provide feedback regarding DOL's Language Access Plan may submit feedback to CRC at the following e-mail address: LanguageAssistance@dol.gov or by calling 202-693-6500. Customers who are deaf, hard of hearing, or have a speech disability may dial 7-1-1 to access telecommunications relay services. LEP customers with a disability will be provided with reasonable accommodations, effective communications, and accessible technologies pursuant to Section 501, 504, and 508 of the Rehabilitation Act. (Customers may also engage the National Contact Center, which will forward any questions, ideas or concerns to CRC/COLA). CRC will review customer feedback and liaise with the cited agency within seven calendar days. DOL may post agency-specific contacts on a website developed for COLA in the future and will disseminate such information. The agency will then work with CRC to provide adequate and timely language services for the LEP customer. Additionally, CRC/COLA will develop a means to review lessons learned from agency-specific outreach and engagement strategies and otherwise engage external stakeholders as this LAP is periodically updated. If revisions to the Language Access Plan should be considered after receiving feedback, DOL will revise the Plan and/or internal processes accordingly.

⁵² [OASAM Civil Rights Center page.](#)

⁵³ Implemented in July 2011.

Agency-Specific LEP Plans

Agencies with Limited LEP Interactions

Administrative Review Board (ARB) / Benefits Review Board / Employees' Compensation Appeals Board

The Adjudicatory Boards consist of the Administrative Review Board (ARB), Benefits Review Board (BRB), and the Employees' Compensation Appeals Board (ECAB). The Boards review and determine appeals under workers' compensation and employee protection laws.

ARB: The Secretary of Labor has granted authority and assigned responsibility to the ARB to issue agency decisions after review or on appeal of matters arising under a wide range of employee protection laws. The jurisdiction of the Board includes, but is not limited to, the following areas of law: environmental, transportation, and securities whistleblower protection; temporary immigration programs; child labor; employment discrimination; job training; and federal construction and service contracts. The Board's cases generally arise on appeal from decisions by Department of Labor Administrative Law Judges or determinations by the Administrator of the Department's Wage and Hour Division. The mission of the Board is to do justice under the law by rendering legally correct and well-reasoned appellate decisions in a timely and efficient manner, treating all those who come before the Board fairly and impartially.

BRB: The BRB was created by Congress in 1972 to review appeals of administrative law judges' decisions arising under the Black Lung Benefits Act, Title IV of the Coal Mine Health and Safety Act, 30 U.S.C. §901 et seq., and the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. §901 et seq., and its extensions, including the Outer

Continental Shelf Lands Act, 43 U.S.C. §1331 et seq., the Defense Base Act, 42 U.S.C. §1651 et seq., and the Non-Appropriated Fund Instrumentalities Act, 5 U.S.C. §8171 et seq. The BRB engages with the parties involved in appeals from decisions from the Office of Administrative Law Judges (OALJ) and the Office of Workers' Compensation Programs (OWCP). The Board has authority to resolve appeals under the aforementioned statutes, filed by any party-in-interest, which raise a substantial question of law or fact, and it reviews the decisions of administrative law judges in order to determine whether the findings are supported by substantial evidence and are in accordance with law.

ECAB: ECAB's mission is to hear and decide cases on appeal from decisions of the Office of Workers' Compensation Programs (OWCP)⁵⁴ in an impartial and expeditious manner. The decisions of the Board are made in accordance with its statutory mandate, based on a thorough review of the case record, as compiled by OWCP. Injured federal workers have the opportunity for a full evidentiary hearing with OWCP's Branch of Hearings and Review prior to review of the record by the Board.

Due to the Boards' scope of appellate review, they have limited interaction with the general public. The only potentially non-English-speaking litigants would generally be pro se appellants. All the appeals sent to the Boards come from lower judicial entities.

Nonetheless, translation or interpretation needs may continue to present themselves as individuals engage in the Boards' processes. As in, individuals may continue to need assistance to pursue their appeals effectively.

In FY 2022, ARB, BRB, and ECAB closed 2,111 cases and docketed 2,011 new appeals. The Boards received more than 375 letters and phone call inquiries for status updates, and over

⁵⁴ Federal Employees' Compensation Act (FECA).

25 FOIA requests. ARB and ECAB held no Oral Argument Hearings. None of these events or actions required translation/interpretation services/support or resulted in requests for translation/interpretation services or support. The Boards do not have a system for tracking the number of LEP individuals who require language services, or the type of language services they request. While the need may not be frequent, in FY 2024, the Boards will develop a system to track the frequency and type of LEP services they provide and will train staff on how to utilize the tracking system.

On the rare occasion that the Boards encounter documents in a case pending before them in another language,^{55, 56} the Boards seek the services of other bilingual DOL employees to translate the documents into English. The Boards also use Google Translate on an as-needed basis; the Boards acknowledge that utilizing online translation software is not a best practice. In FY 2024, the Boards will assess if they need to improve language access for these systems to ensure accessibility for LEP individuals. Additionally, in FY 2024, the Boards will ensure that any content translated by Google Translate is reviewed by a linguist who has been formally assessed for their language capabilities. There is one bilingual, Spanish speaking employee in BRB that provides language assistance services to all three Boards.⁵⁷ Staff that are bilingual, however, have not been formally assessed for their language capabilities. As they rarely encounter LEP individuals, the Boards do not recruit for employees with language capabilities and believe they have sufficient resources in the event that an LEP individual requires language assistance.

⁵⁵ With Spanish being the most frequently encountered language.

⁵⁶ Typically, case documents have been reviewed by and translated by the trial-level organizations before they are submitted to the Boards.

⁵⁷ ARB, BRB and ECAB.

The Boards do not provide information on their websites in any language other than English. In FY 2023, the Boards will include a Babel notice⁵⁸ to ensure that LEP individuals can obtain language services, if necessary.

In FY 2024, the Boards will develop a Language Access Plan to ensure that LEP individuals are provided meaningful and timely language access in the facilitation of the Boards' missions. During the development of the Language Access Plan, the Boards will assess if their vital documents should be translated into, at a minimum, Spanish, the language most likely to be encountered during the facilitation of its mission. The Boards will also outline the procedures for staff to provide language assistance services,⁵⁹ when needed.

Office of Congressional and Intergovernmental Affairs

The Office of Congressional and Intergovernmental Affairs (OCIA) serves to advance the Secretary's mission by educating policymakers in Washington, D.C., throughout state and local governments, and in Tribal Nations about DOL priorities. OCIA assists the Secretary, Deputy Secretary, agency heads, and departmental staff to develop effective programs and strategies to achieve the Department's legislative goals and objectives. OCIA also coordinates with Departmental leadership to educate policymakers about the Department's programs and federal labor issues.

OCIA is the Department's liaison to Congress and other governmental entities. As a result, the agency has very limited engagement with the public and reports minimal engagement with LEP individuals. The agency identified Spanish as the only language other than English

⁵⁸ The Babel notice will be displayed in Spanish at a minimum.

⁵⁹ e.g., translation and interpretation services.

encountered through listening sessions, roundtable discussions, and telephone calls.⁶⁰ OCIA does not track the number of LEP individuals it serves, in what context, or the type of language services it provides.

The agency does not have a formal process for identifying vital information that appears on its website (that is available to the public) or in outreach materials that may require translation. In FY 2023, OCIA will identify its vital information/documents and develop a plan that, at a minimum, considers the translation of select documents into Spanish. Additionally, in FY 2023, OCIA will assess if vital information/documents should be translated into other languages that may be encountered during the facilitation of its mission. Although OCIA's website is only available in English,⁶¹ in FY 2023, OCIA will include a Babel notice⁶² on its website to ensure that LEP customers know how they may be provided with language services, when necessary.

The agency is comprised predominately of political appointees. Due to the small number of LEP customers it serves, OCIA does not specifically hire staff with language capabilities. OCIA, however, currently has staff with language capabilities in Japanese, Navajo, and Spanish. Although these employees were not assessed for their fluency or qualifications, OCIA utilizes their language capabilities to translate documents or provide interpretation, if necessary. In FY 2024, OCIA will draft an agency-specific Language Access Plan that will establish policies/procedures for: providing language services to LEP customers; training employees on how to provide language services (e.g., how to access contracted telephonic

⁶⁰ Until this point, OCIA has engaged with stakeholders who only utilize English.

⁶¹ Because of its limited engagement with LEP individuals.

⁶² In Spanish. In FY 2024, OCIA will assess if it should include Babel notices into any other languages (e.g., Native American languages).

language assistance services); tracking the number of LEP customers who received language services; and the type of language services provided.

In FY 2024, OCIA will develop an outreach and engagement strategy to ensure OCIA is taking meaningful steps to provide language access for its eligible service population. Included in this strategy will be the identification of outreach materials and an assessment of whether they should be translated into Spanish or other languages. For any outreach materials deemed vital, the agency will work to translate them before the end of FY 2024, creating an internal repository of translated materials.

Office of Disability Employment Policy

The Office of Disability Employment Policy's (ODEP) mission is to develop and influence policies and practices that increase the number and quality of employment opportunities for people with disabilities. To fulfill this mission, ODEP promotes the adoption and implementation of policies, strategies and effective practices⁶³ which impact the employment of people with disabilities. ODEP's approach is to drive systems and practice changes by disseminating policies, strategies and effective practices, sharing information, and providing technical assistance to government agencies, service providers and non-governmental entities, as well as public and private employers. Individuals with LEP may also have disabilities and ODEP emphasizes that these individuals should be provided with effective language assistance that may consider both a language other than English including the use of sign language other than American Sign Language (ASL). Access may include the ability to utilize accessible technology pursuant to Section 508 or to be

⁶³ Those that ODEP has developed and/or validated.

supported with reasonable accommodations pursuant to Section 504 of the Rehabilitation Act.

ODEP collaborates with stakeholders including government agencies, community-based organizations, educational institutions, professional associations, businesses, and labor unions. ODEP staff encounters LEP individuals, typically via email, telephone calls, and the 'contact us' feature on the website, approximately 1-3 times a year. ODEP ensures that all communications are effective for the stakeholder or constituent making an inquiry. Policy-related tools and resources are provided in accessible formats.

Occasionally, employers reach out to ODEP for translated National Disability Employment Awareness Month (NDEAM) posters (or download from its website) to provide their employees with resources. For FY 2022, there were 777 Spanish poster downloads and 4,998 Spanish posters ordered.

ODEP considers brochures, pamphlets, grantee agency websites, and public service announcements as vital documents. Translated documents are reviewed by ODEP annually and are maintained in a repository at the national level. ODEP does not utilize online translation software.

Spanish is the language ODEP most encounters for translation requests. When ODEP does receive a request for translation, the office utilizes contract services, an employee in the Department who speaks Spanish,⁶⁴ or a grantee to translate documents⁶⁵ and / or provide language assistance support. ODEP acknowledges that it faces some challenges with

⁶⁴ The office does not have bilingual staff and it uses bilingual individuals from other DOL agencies to provide support when necessary.

⁶⁵ In FY 2021, \$10,000 was spent on translation services.

respect to communicating with LEP individuals, such as when LEP individuals contact the agency and staff cannot identify the language used, or when LEP individuals contact the agency and staff cannot find someone who speaks the preferred language. In FY 2024, ODEP will develop procedures and training for staff that outline how staff provide language assistance to LEP customers. In FY 2024, ODEP will assess if it should recruit employees with Spanish and other language capabilities in order to better serve LEP individuals with disabilities.

In FY 2023, ODEP will work to provide Babel Notices in Spanish on its website and will advise all grantees that Babel notices should be included on their websites, at a minimum, in Spanish. In FY 2024, ODEP will develop an agency-specific Language Access Plan to ensure that identified gaps in providing language access services are addressed. This Language Access Plan will establish ODEP's plan to regularly assess the demographics of eligible service populations, as populations (and their associated language access needs) shift and / or grantees change. This assessment may include the identification of additional documents that should be translated, current documents that should be translated into other languages, and the development of a formalized process for identifying and / or addressing the language needs of LEP individuals.

In FY 2023, ODEP will develop an outreach and engagement strategy for interacting with LEP individuals. In FY 2024, ODEP will outline plans for tracking engagements (with stakeholders / grantees) and the type of language assistance services provided to LEP individuals. ODEP will also start requesting from its grantees the number of times they engage with LEP individuals and / or provide direct support and will develop processes that outline translation procedures, assess the efficacy of current translations, and develop a more accurate method to track language services provided.

Office of Inspector General

The Office of Inspector General (OIG) at the U.S. Department of Labor (DOL) conducts audits to review the effectiveness, efficiency, economy, and integrity of all DOL programs and operations, including those performed by its contractors and grantees. This work is conducted in order to determine whether programs and operations are in compliance with the applicable laws and regulations; DOL resources are efficiently and economically being utilized; and DOL programs achieve their intended results. OIG also conducts criminal, civil, and administrative investigations into alleged violations of federal laws relating to DOL programs, operations, and personnel. In addition, OIG conducts criminal investigations to combat the influence of labor racketeering and organized crime in the nation's labor unions in three areas: employee benefits plans, labor-management relations, and internal union affairs. OIG also works with other law enforcement partners on human trafficking matters.

OIG identified approximately four language populations that are frequently encountered⁶⁶ in the execution of its duties: Spanish, French, Russian and Hindi. OIG's website is only available in English. In FY 2023, with assistance from CRC, OIG will include Babel notices on its website in Spanish, French, Russian, Hindi, Simplified Chinese, and Arabic to ensure that LEP individuals are aware that they can obtain language services, if necessary. In FY 2024, OIG will assess which materials (e.g., Hotline Complaint Form) should also be translated on its website into frequently encountered languages and will work to place translated material on its website.⁶⁷

⁶⁶ A few times a week.

⁶⁷ To ensure that LEP customers do not need to navigate English in order to access the translations.

OIG does not recruit individuals based on their language skills, however it does utilize bilingual / multilingual staff to assist with providing language services, when required. These staff, however, are not assessed for their language capabilities nor are they trained. OIG also does not provide its staff with training on how to identify and engage with LEP customers or how to provide language services to LEP customers. In FY 2024, OIG will work with CRC to develop training to ensure staff are aware of how to provide LEP customers with access to language services.

In FY 2024, OIG will draft an agency-specific Language Access Plan. The plan will outline the procedures for how staff can acquire / secure language assistance services (e.g., interpreting and translation) for LEP individuals, when needed; identify vital documents and the timeline to translate them; outline the process for assessing documents as vital when created; detail how the number of individuals who receive language services and the type of services provided will be tracked; and identify language needs of LEP individuals. In FY 2024, OIG will also assess if there is a need to recruit for staff with language capabilities and assess how the OIG will implement an outreach and engagement strategy to effectively interact with LEP individuals who may need OIG services.

Office of the Ombudsman

The Office of Ombudsman (OMBUDS) for the Energy Employees Occupational Illness Compensation Program Act provides information, guidance, and assistance to claimants, potential claimants, and other interested parties on the benefits available under the Energy Employees Occupational Illness Compensation Program Act, and the requirements and procedures applicable to the provision of these benefits. Additionally, OMBUDS makes recommendations to the Secretary regarding the location of resource centers for the acceptance and development of claims and submits an annual report to Congress outlining

the numbers and types of complaints, grievances, and requests for assistance received, and provides an assessment of the most common difficulties encountered by claimants and potential claimants during the preceding year.

Despite frequent engagement with the public, OMBUDS has limited and infrequent interaction with LEP individuals. These individuals are usually members of Native American nations and tribes that OMBUDS engages with in town hall-style outreach meetings held on Native American reservations. These meetings are infrequent, and the majority of these meetings are sponsored by the Department of Labor Division of Energy Employees Occupational Illness Compensation (DEEOIC) and/or the Department of Justice (DOJ) Radiation Exposure Compensation Act (RECA) Program. DEEOIC and DOJ provide interpreter services for these meetings. When meetings are sponsored by the OMBUDS where Native American LEP individuals may attend, OMBUDS will arrange for interpreter services using the enterprise-wide BPA.

In FY 2023, OMBUDS will develop an outreach and engagement strategy to ensure the OMBUDS is taking meaningful steps to provide language access for its eligible service population. Included in this strategy will be identification of outreach materials, and an assessment of whether they should be translated into Navajo or other languages. For any outreach materials deemed vital, the agency will work to translate them before the end of FY 2024, creating an internal repository of translated materials. Additionally, OMBUDS will assess if any vital documents identified should be translated or otherwise made available in other languages that are likely to be encountered during the facilitation of its mission (e.g., other Native American languages and Spanish). Based upon the determination/identification of vital documents on its' website and/or outreach materials,

OMBUDS will also provide Babel notices in Navajo and Spanish on its website to ensure that LEP customers can access language services from the agency, when needed.

In FY 2023, OMBUDS will also develop procedures for staff to assess requests for language services from LEP individuals. OMBUDS does not hire staff with language capabilities due to the small number of LEP customers it serves. As needed, OMBUDS will refer any LEP individuals to relevant DEEOIC written materials, online video clips, and/or DEEOIC Resource Center staff for appropriate information and services related to the EEOICPA. Likewise, OMBUDS will contact the DOL Language Access Working Group to access LEP resources if there is a language need that is beyond the scope of OMBUDS' established procedures. The OMBUDS will work in FY 2023 to develop procedures for staff when engaging with LEP individuals in the field and telephonically, to ensure that services are provided in a timely manner. Moreover, the OMBUDS will also reach out to the workgroup and/or CRC to determine if additional services are required, and, if so, to ensure that services are provided in a timely manner.

In FY 2024, based upon the results of the OMBUDS' assessment of the requests for services by LEP individuals in FY 2023, and in preparation for the potential of increased agency contacts by LEP individuals, OMBUDS will draft an appropriate agency-specific Language Access Plan that will establish policies / procedures for providing language services to LEP customers; training employees on how to provide appropriate language services; tracking the number of LEP customers who received language services and the type of language services provided; and translation procedures.

Office of Public Affairs / Office of Public Engagement

The Office of Public Affairs (OPA) interacts with the media and the public through its Division of Media and Editorial Services (Press Office) and Office of Digital Strategy and Services (Digital Team). The digital manages all social media accounts for DOL.

OPA also interacts directly with the public through the Department of Labor National Contact Center (DOL-NCC), a toll-free call and e-mail response service. The DOL-NCC services the American public with general information and referral services for all DOL agencies via phone, email, text, and U.S. mail. OPA engages with the public and external stakeholders daily, including LEP individuals, through mail correspondence, e-mail, telephone calls, newsletters/pamphlets, website ('contact us' or chat features) and social media.

DOL-NCC provides language interpretation service for all of the toll-free lines managed by OPA. The DOL-NCC is not advertised in any language other than English and does not notify the public that free and timely language services are provided. If a LEP customer contacts the DOL-NCC, they will be prompted by the interactive voice response (IVR) to speak with a bilingual Customer Service Representative (CSR) and interpretation will be immediate. For other Non-English-Speaking customers, the CSR connects to the Language Line⁶⁸ by performing a conference call bridge to the Language Line service to translate the conversation. From December 2020 through July 2022, DOL-NCC handled 1,142 LEP telephone calls, of which 985 calls were conducted in Spanish. During that period, DOL-NCC

⁶⁸ The Language Line service is operated independently, they have no knowledge of the Department's processes or programs.

also handled phone calls in multiple other languages,⁶⁹ however these were much less frequent.

OPA does not currently have the capacity to translate all materials into languages other than English. Certain OPA materials, including news releases are routinely translated into Spanish or other languages as needed. When a document requires translation into a language other than English, a bilingual or multilingual employee⁷⁰ is asked to translate the document. This may be an OPA employee, or a DOL colleague from another agency who is fluent in the required language. In general, releases and other materials are translated when it is apparent that a language other than English is widely spoken in a particular media coverage area. The DOL.gov homepage also includes an “Español,” link that takes users to a variety of DOL resources in Spanish. OPA also maintains the DOL Español Twitter account.

The office also uses Google Translate⁷¹ and the NCC line for Spanish translation needs. When utilizing Google Translate, OPA takes steps to ensure the quality of its translations by having all translated materials reviewed by bilingual or multilingual staff. In FY 2023, OPA will identify vital documents and information and develop a timeline for translating these into other languages.⁷² In FY 2024, OPA will develop an internal review procedure to ensure that content translated via online translation software⁷³ is reviewed by a linguist.⁷⁴ In FY 2023, OPA will include, at a minimum, a Spanish Babel notice on its website to ensure that

⁶⁹ Mandarin, Russian, Korean, Haitian Creole, Vietnamese, Arabic, Polish, Somali, French, Cantonese, Uzbek, Farsi, Turkish, Portuguese, Burmese, Bengali, Tagalog, Sylheti, Hindi, Nepali, Swahili, Georgian, Urdu, Krio, Sudanese Arabic, Ilocano, and Bosnian.

⁷⁰ Approximately six employees provide Spanish language services but were not hired for their language capabilities.

⁷¹ OPA acknowledges that it is not a best practice to utilize online translation tools (e.g., Google Translate).

⁷² Such languages could be Russian, Polish, or Vietnamese.

⁷³ Google Translate.

⁷⁴ This should be a linguist who is formally assessed for language capabilities.

LEP customers are notified of language services. In FY 2024, if not sooner, OPA will include additional Babel notices on its website in frequently encountered languages.

While DOL has some multilingual web content, it is not apparent or easily accessible from DOL's main webpage. Access to the Spanish translation of the webpage is located at the bottom of the main page but may be difficult for users to readily find. On November 14, 2022, the U.S. Web Design System issued guidance on displaying a language selector. This is the “consistent placement, interface, and behavior of the language selection component [that] allows users to easily find and access content in the language the user is most comfortable in.” OPA will review this guidance and consider modifications in the spirit of this initiative.⁷⁵ CRC/COLA and OPA will also work with DOL agencies to review and incorporate practices to ensure that DOL’s multilingual content is accessible to persons with LEP.⁷⁶ This will include an analysis of digital content, and how these materials can be made more accessible.

OPA notes that the agency currently recruits for employees with non-English language capabilities, and the DOL-NCC employs about 30 Spanish bilingual staff. OPA currently employs approximately 5 bilingual staff that are separate from the DOL-NCC. The Office maintains a listing of employees with language capabilities it provides to staff for when they need assistance with telephone and e-mail inquiries. In FY 2024, OPA will develop procedures and training for staff about identifying LEP individuals and providing language assistance to LEP customers.

⁷⁵ See <https://designsystem.digital.gov/components/language-selector/>.

⁷⁶ See [Improving Access to Public Websites and Digital Services for LEP Persons PDF](#)

In FY 2024, OPA will develop an agency-specific Language Access Plan to ensure that identified gaps in providing language access services are addressed. This will establish OPA's plan to regularly assess the demographics of eligible service populations and their associated language access needs. In FY 2024, the Office will outline plans for tracking engagements with LEP individuals and the type of language assistance services provided. Importantly, this will include a strategy for engaging LEP individuals through digital channels.

OPA routinely works with the Office of Public Engagement (OPE) on events and department-wide initiatives. While the two agencies' audiences are not identical, the two often overlap in organizing events that are attended by both the media and the public. The two offices also collaborate in identifying workers, employers and other stakeholders to be featured in internal DOL media products (i.e., videos). The two agencies are engaged in projects and work in groups that cover a range of department initiatives.

The Office of Public Engagement's (OPE) mission is to build and maintain two-way relationships with stakeholders on behalf of the Secretary and DOL, informing and improving our collective work in the process. Additionally, OPE supports the Secretary's direct engagement with these stakeholders to foster partnership and goodwill towards the department and administration. In fulfilling this mission, OPE interacts with LEP stakeholder groups and workers. At times, informal translation has been required and bilingual OPE staff members have both translated and staffed a meeting or moderated a roundtable. This translation is outside staff's job description. Additionally, OPE has at times (roughly 2-4 times per year) had to assist in translating materials to make them accessible to OPE's target stakeholders.

In FY 2024, OPE would like to do deeper engagement with LEP worker groups – like day laborers, meat packing workers, farmer workers, etc. OPE will seek funding to support translation services for roundtables and listening sessions, as well as outreach materials, as appropriate.

In FY 2024, OPA will develop an agency-specific Language Access Plan to ensure that identified gaps in providing language access services are addressed. This plan will establish OPA's plan to regularly assess the demographics of eligible service populations. The Office will outline plans for tracking engagements with LEP individuals and the type of language assistance services provided.

Veterans' Employment and Training Service

The mission of the Veterans' Employment and Training Service (VETS) is to prepare America's veterans, service members, and military spouses for meaningful careers; provide them with employment resources and expertise; protect their employment rights; and promote their employment opportunities. Priorities include getting the military to civilian employment transition right; leveraging partnerships to maximize employment outcomes; and promoting and advancing equity, inclusion and accessibility for underserved communities.

VETS regularly engages with public and external stakeholders in a variety of ways including through listening sessions, roundtable discussions, mail correspondence, investigations, conferences, and training. Being that its primary target populations are comprised of eligible veterans and service members who are English proficient,⁷⁷ VETS has very limited

⁷⁷ A requirement of entry into uniformed services.

interactions⁷⁸ with LEP individuals. When VETS does encounter an LEP individual, the most common language encountered is Spanish.

VETS has identified vital information that is provided on its website. Additionally, VETS' grantees operate programs that provide vital information to LEP individuals, when needed. VETS' website, however, only provides content in English. On the rare occasions where Spanish content is requested, VETS provides the translations accordingly. VETS has conducted a review of its documents and has found that there are no additional documents that contain vital information. In FY 2023, VETS will display a Babel notice in Spanish on its website to ensure that LEP customers can access language services from the agency when needed. VETS will also consider whether Babel notices in other languages should be created. In FY 2024, in an effort to improve language access, VETS will translate the vital information that is provided on its website into Spanish.⁷⁹

VETS does not explicitly recruit for bilingual positions. VETS, however, has staff with language capabilities that serve its Spanish speaking LEP population at the national and regional level. Puerto Rico field staff (from the Boston region) are bilingual, as are a number of staff in the southern border states (from the Dallas region). If VETS cannot meet language needs internally, it will seek help from bilingual staff from other agencies in the Department and/or engage contractor resources. In Puerto Rico, VETS estimates that approximately two positions utilize Spanish language capabilities. These positions conduct Uniformed Services Employment and Reemployment Rights Act (USERRA) Investigations, monitor grants, and conduct outreach.

⁷⁸ Approximately 1-3 such individuals served annually.

⁷⁹ At a minimum.

In FY 2023, VETS completed its development of an outreach and engagement strategy to ensure it is taking meaningful steps to provide language access for its eligible service population. In FY 2024, VETS will draft an agency-specific Language Access Plan that will further assess the language services VETS currently provides, as well as outline any additional steps necessary to ensure meaningful language access to LEP customers. In its assessment, VETS will discuss how they will ensure meaningful access to military spouses, a segment of VETS' service population that does not have an English fluency requirement, and other customers.

Bureau of Labor Statistics

The Bureau of Labor Statistics (BLS) is the principal fact-finding agency in the broad field of labor economics and statistics and serves as part of the U.S. Federal Statistical System. Specifically, BLS collects, calculates, analyzes, and publishes data essential to the public, employers, researchers, and government organizations. BLS measures labor market activity, working conditions, price changes, and productivity in the U.S. economy to support public and private decision making. Additionally, BLS employs innovative methods to collect, analyze, and disseminate accurate, objective, and relevant information while protecting the confidentiality of data providers.

In the past, BLS has recorded limited encounters with LEP individuals during its work, which involves one-on-one interactions with employers and households to collect economic data, discussions with federal and state agency partners concerning economic programs, and responses to public inquiries. When BLS does interact with LEP individuals, it is via mail correspondence, telephone calls, conferences, training, and in-person or telephone data collection. BLS estimates approximately 10 encounters with LEP individuals per year, mostly involving in-person data collection. The most frequent language encountered is Spanish,

followed by Chinese (Mandarin and Cantonese). BLS has rare interactions for data collection (fewer than 1 per year) with individuals who speak Korean, Japanese, and Polish. As described briefly below, BLS will study whether its interactions with LEP employers and households may increase with outreach and engagement and the effective provision of language assistance services.

In FY 2023, BLS compiled a list of its identified vital documents,⁸⁰ BLS will develop a timeline to translate identified vital documents in the languages most frequently encountered⁸¹ in the execution of the agency's mission. BLS' website does not display Babel notices and does not provide information in languages other than English. In FY 2023, BLS will provide a Babel notice in Spanish and other appropriate languages on its website to ensure that LEP customers can access language services from the agency, when needed. BLS committed to translating portions of the Occupational Outlook Handbook into Spanish. The portions BLS selected for translation were those occupations where the barriers to entry was low (little to no education required); the pay was at least \$40,000 per year; and the job outlook was either steady or on the rise. In FY 2023, BLS will also translate into Spanish an article on resume writing, job applications, and cover letters⁸² that will help foster job seeking skills. The resume writing article translation work is underway and will be completed by the end of FY 2023. The identified Occupational Outlook Handbook profiles will be translated into Spanish by the end of FY 2024. Translation of these and other helpful information and tools into languages other than Spanish will continue into FY 2024.

⁸⁰ Identified vital documents were largely website pages.

⁸¹ By the end of FY 2024.

⁸² [BLS Resumes, Applications, and Cover Letters PDF](#).

In very limited instances, BLS recruits for Spanish speaking employees/contractors for data collection purposes. BLS typically recruits these positions in the Boston region (which includes New York and oversees data collection in Puerto Rico) and San Francisco region (California). Currently, BLS employs a total of eight bilingual staff who were recruited due to their language skills. Separately, BLS has many bilingual staff who are called upon from time to time to assist those with LEP. The agency does not utilize any language assistance services to provide language access and relies on these staff who have language capabilities⁸³ across the country, to translate and interpret for LEP individuals. When BLS needs to translate documents, it has more than one individual review the quality of the translation. BLS staff also utilize a telephone translation application⁸⁴ to communicate with LEP individuals, especially when collecting data. As such applications generally have limitations and are not considered a best practice, BLS will work in FY 2024 to explore new procedures for staff when engaging with LEP individuals for data collection, to ensure that services are provided in a timely manner and best meet the needs of the LEP individuals requiring services. Additionally, in FY 2024, BLS will explore the use of voicemail prompts in Spanish to ensure LEP callers can access meaningful language services. Training will be offered to staff on how to identify LEP customers and how to provide language services, when required. Additionally, in FY 2024, BLS will assess if additional staff should be recruited specifically with language capabilities to ensure accurate data collection and representative samples.

In FY 2024, BLS will draft an agency-specific Language Access Plan. As BLS continues to produce and make available some of the aforementioned information and/or tools (articles

⁸³ BLS has staff that speak Vietnamese, Cantonese, and Spanish.

⁸⁴ The iPhone Translate application that is available on government issued cellular devices.

on resume writing, etc.), such services should be described and made available in languages other than English. Included in this plan will be the policies / procedures for providing language services to LEP customers; an outline of training for employees on how to provide language services; the feasibility of BLS tracking the number of LEP customers who received language services and the type of language services provided; and translation / interpretation procedures.

In FY 2023, BLS will develop an outreach and engagement strategy. Included in this strategy will be the identification of vital outreach materials and an assessment of languages likely to be encountered to determine translation needs. For any outreach materials deemed vital, the agency will work to translate them before the end of FY 2024, creating an internal repository of translated vital documents. BLS will monitor its enhanced outreach and accessibility, which may result in engagement of LEP individuals who speak other languages. This may be particularly true if language assistance services were not well known, advertised, and/or were provided in a limited manner.

Office of Assistant Secretary for Policy

The Office of the Assistant Secretary for Policy (OASP) is the principal policy, regulatory, data governance and evaluation office for the Department of Labor. OASP plays a crucial role in developing and advancing the department's priorities, providing advice to the Secretary of Labor, Deputy Secretary of Labor, and department leadership on actions to improve the lives of workers, retirees, and their families.

OASP has limited engagement with the public and external stakeholders on its own and reports minimal engagement with LEP individuals directly. OASP typically encounters LEP individuals, most commonly Spanish speaking individuals, a few times a year at listening

sessions, roundtable discussions, through telephone calls, and via website traffic, often in collaboration with other agencies. OASP offers language services for listening sessions and roundtable discussions by notifying the public that they are available, free of charge, if necessary. For example, in December 2022, OASP hosted a listening session on environmental justice. A notice of the listening session was posted in the Federal Register and translation and accessibility options were also listed.⁸⁵ One participant requested Spanish translation and the service was provided through the Department's BPA. Additionally, in June 2022, OASP hosted a large-scale summit of over 300 participants, and all were offered translation / interpretation services, if they needed them.⁸⁶

Due to the small number of LEP individuals it serves / encounters, the agency does not hire staff with language capabilities. Rather, OASP utilizes the Department's enterprise-wide BPA to meet its translation and interpretation needs. OASP does not track the number of LEP individuals encountered, or the type of language services provided. When employees need an interpreter to communicate with LEP individuals, OASP will at times ask the LEP individual to provide their own interpreter.⁸⁷ OASP acknowledges that this is not a best practice and will create internal procedures in its FY 2024 language access plan to deter this practice.

In FY 2023, OASP will identify its vital documents and develop a plan to translate them into, at a minimum, Spanish. In FY 2023, OASP will also provide a Babel notice in Spanish on its website to ensure that LEP customers can access language services from the agency, when

⁸⁵ Requiring participants to provide five days' notice of requested services.

⁸⁶ No requests were made.

⁸⁷ Family member or friend.

needed. Currently, OASP does not include any information in languages other than English on its website.⁸⁸

OASP manages Worker.gov and Employer.gov; both sites are fully translated in Spanish. Worker.gov is a one-stop resource center to help workers understand their rights and access resources at the Department of Labor. Employer.gov is a site that provides answers to questions that employers may have regarding a variety of issues including, but not limited to pay and benefits, workplace safety and health and other federal requirements. OASP is in the process of translating the newly redesigned Worker.gov into the following languages – Spanish, Simplified Chinese, Traditional Chinese, Arabic, Korean, and Vietnamese. Recently, OASP translated the Know Your Rights Flyer into a total of 19 languages,⁸⁹ and all translated flyers are now available on Worker.gov. OASP is considering opportunities to translate the yet to be redesigned Employer.gov into the following five languages – Spanish, Simplified Chinese, Traditional Chinese, Korean, Vietnamese, and Hindi. In FY 2024, OASP will assess if any information should be provided in Spanish on its website and will display Spanish information so that LEP individuals do not need to navigate through English webpages in order to locate available information. OASP will also develop a Spanish voicemail recording to ensure that LEP callers can be dispatched to telephonic language services.

In FY 2023, OASP will develop an outreach and engagement strategy to ensure it is taking meaningful steps to provide language access during listening sessions and roundtable discussions. OASP will develop procedures for ensuring that languages services are

⁸⁸ LEP individuals must navigate English content to reach content in another language.

⁸⁹ Arabic, Chinese (Simplified), Chinese (Traditional), Filipino, Haitian Creole, Hindi, Hmong, Japanese, Korean, Nepali, Polish, Portuguese, Punjabi, Russian, Somali, Spanish, Thai, Urdu, and Vietnamese.

available when communicating with LEP individuals, including utilizing the language line, when necessary.

In FY 2024, OASP will draft an agency-specific Language Access Plan that will establish policies / procedures for providing language services to LEP customers; outline training for employees on how to identify LEP individuals and provide language services; outline procedures for staff when engaging with LEP individuals; determine the most effective means by which to track the number of LEP customers who received language services and the type of language services provided; and translation / interpretation procedures.

Agencies with Frequent LEP Interactions

Employee Benefits Security Administration

The Employee Benefits Security Administration (EBSA) is committed to educating and assisting the nearly 152 million workers, retirees and their families covered by approximately 747,000 private retirement plans, 2.5 million health plans, and 673,000 other welfare benefit plans holding approximately \$11.7 trillion in assets, as well as plan sponsors and members of the employee benefits community. EBSA balances proactive enforcement with compliance assistance and works diligently to provide quality assistance to plan participants and beneficiaries. It is the policy of EBSA to provide the highest quality of service to its customers.

EBSA operates in a regional structure with 10 regional offices and 3 district offices geographically located in Atlanta, Boston, Chicago, Cincinnati, Dallas, Kansas City, Los Angeles, New York, Miami, Philadelphia, San Francisco, Seattle and Washington, D.C. These regional offices support services in all 50 states and the territories.

EBSA encounters LEP individuals on a daily basis. EBSA has made a commitment and taken significant, meaningful steps to provide access to its information, programs, and services for LEP persons. Specifically, each EBSA region determined its significant language groups by conducting assessments of the populations within their geographic area to determine hiring/staffing needs to engage LEP persons. The regions conducted this demographic analysis by reviewing statistical databases⁹⁰ and did not rely on a review of those individuals who engaged with EBSA in the past. In doing so, EBSA identified 24 languages that are encountered in the execution of its mission; 12 of those languages are frequently encountered in the regional and district offices, with Spanish, Cantonese, and Mandarin-speaking individuals frequently encountered in all regions where EBSA operates. The table below outlines the additional 9 languages frequently encountered, by office.

EBSA Office	Frequently Encountered Languages⁹¹
Atlanta Regional / Miami District Offices	Haitian Creole and Korean
Boston Regional Office	French, Polish, and Portuguese
Cincinnati Regional Office	Arabic
Chicago Regional Office	Arabic, Polish, and Tagalog
Dallas Regional Office	French and Vietnamese
Kansas City Regional Office	Vietnamese
Los Angeles Regional Office	Korean, Tagalog, and Vietnamese

⁹⁰ e.g., [Statistical Atlas, Overview of the United States page](#).

⁹¹ Spanish, Cantonese, and Mandarin-speaking individuals are frequently encountered in all regions where EBSA operates.

EBSA Office	Frequently Encountered Languages ⁹¹
New York Regional Office	Russian
Philadelphia Regional / Washington D.C. District Offices	Arabic, French, Korean, Russian, Tagalog, and Vietnamese
San Francisco Regional / Seattle District Offices	Tagalog

Currently, EBSA's website is available in English and has a landing page that provides information in Spanish. By the end of FY 2023, EBSA will revise the website to provide Babel notices in the 12 languages it has identified as significant.⁹² EBSA also has plans to add webpages in other frequently encountered languages by the end of FY 2023. In FY 2022, EBSA began offering access to live Benefits Advisors in 12 different languages.⁹³ Further, translation services are available in 105 languages. EBSA is currently engaged in website usability testing that includes LEP communities. The results of this testing should be reflected in future website development. In FY 2024, the agency will establish a timeline for these website translations and determine if further translations are required (as well as to translate new or revised information and documents as they are created).

EBSA primarily engages with LEP individuals through a telephone interpretation contractor that has the capability to provide interpretation assistance in 105 languages. In FY 2022,⁹⁴ through this telephone interpretation contract, approximately 1,600 contacts were made in Spanish; less than 21 contacts were made with people who speak other languages,

⁹² Spanish, Arabic, Simplified Chinese, Traditional Chinese, French, Haitian Creole, Korean, Polish, Portuguese, Russian, Tagalog, and Vietnamese.

⁹³ Spanish, Arabic, Cantonese, Mandarin, French, Haitian Creole, Korean, Polish, Portuguese, Russian, Tagalog, and Vietnamese.

⁹⁴ Approximately October 2021 to September 2022.

including Cantonese, Mandarin, Haitian Creole, Vietnamese, Portuguese, Korean, Polish, French, and Tagalog. The frequency of calls varies by language groups. EBSA is concerned that the relatively small number of contacts from non-English speakers may reflect their lack of awareness of EBSA's services. Accordingly, in FY 2024, EBSA will give special attention to outreach efforts to significant language groups to ensure sufficient access.

EBSA also has a toll-free hotline for LEP individuals. To ensure it was "user friendly," the agency worked with a contractor to interpret audio system messages into 12 languages.⁹⁵ Approximately 7,500 - 9,000 calls are made to the Spanish toll-free hotline annually. In FY 2024, EBSA will further advertise these LEP services with vulnerable communities.

EBSA's Office of Outreach, Education, and Assistance has been translating publications, video scripts, and other medium into languages for many years using professional translation services. For shorter documents, staff with language capabilities review these translations to verify their accuracy. EBSA also maintains an agreement with the Department of Defense's National Language Service Corps to provide translation assurance for publications, presentations, and other materials. EBSA does not use online translation tools or software during their review of translations. For longer documents, EBSA utilizes contracted translators and proofreaders. Many regional offices have staff that speak various languages and investigators will seek assistance from those individuals if the case involves LEP workers. Each regional office maintains a list of staff with language capabilities for this purpose. EBSA also maintains a repository of translated documents at both the regional and national level and utilizes an interagency network to store all translated documents for staff to use/reference. EBSA also utilizes a Spanish glossary to assist staff

⁹⁵ Spanish, Cantonese, Mandarin, Vietnamese, Korean, Haitian Creole, Polish, Tagalog, French, Arabic, Russian, and Portuguese.

with translation and interpretation functions. Prior to FY 2022, EBSA translated 10 of its most requested and utilized participant assistance publications into Spanish.⁹⁶ In FY 2022, EBSA began translating these primary publications into 11 additional languages.⁹⁷ EBSA started with these publications as they directly impact American workers. The translation of these publications is expected to be complete by the end of FY 2023. As part of EBSA's LEP initiatives for FY 2024, the agency will continue to determine which materials will be translated, including publications and outreach presentation materials.

EBSA's Benefits Advisors answer questions via telephone and in writing, and conduct outreach. They also detect and refer potential violations that cannot be resolved informally. Benefits Advisors currently use contract resources to provide language assistance services. The use of these resources is effective when: 1) language needs can be readily ascertained; 2) staff know how to engage translation services and how to interact with the translators and LEP individuals while they await assistance; and 3) effective communication/engagement can occur in a timely manner. Additionally, the agency will work in FY 2024 to ensure that Benefits Advisors that provide outreach assess language needs in advance of events so that the events are staffed with individuals who can communicate with LEP individuals in appropriate languages. Materials (with contact information to obtain assistance free of charge) in multiple languages will also be made available.

⁹⁶ Top 10 Ways to Make Your Health Benefits Work for You; Top 10 Ways to Prepare for Retirement; Your Rights After a Mastectomy; What You Should Know About Your Retirement Plan; An Employee's Guide to Health Benefits Under COBRA; Savings Fitness; Taking the Mystery Out of Retirement Planning; Life Changes Require Health Choices; Work Changes Require Health Choices; and Filing a Claim for Your Health Benefits.

⁹⁷ Arabic, Simplified Chinese, Traditional Chinese, French, Haitian Creole, Korean, Polish, Portuguese, Russian, Tagalog, and Vietnamese.

Investigators interact with claimants and witnesses, taking statements and reviewing documentation, which may be in languages other than English.⁹⁸ EBSA, however, does not have a formal system to ascertain and/or assign bilingual employees to investigations or other cases that may involve LEP workers. Rather, as LEP individuals are encountered, EBSA seeks assistance from staff with language abilities, as available. To ensure language services are provided consistently, in its FY 2024 agency-specific Language Access Plan, EBSA will outline a protocol for how investigators will/should engage in telephone translation and/or interpretation services, when necessary. Training will also be created and conducted for staff on the policies to be developed for engaging with LEP individuals.

EBSA plans to ensure meaningful access with LEP individuals in investigative activities, e.g., how EBSA will access interpretation assistance while conducting investigations, including those while on-site. EBSA will improve equitable access in its own programs/services but may also influence the industry to support effective communications with LEP individuals when ensuring LEP experiences are sought/considered.

In FY 2022, EBSA's job announcements sought bilingual skills for Benefits Advisors and Investigators. To date, ten individuals were hired with bilingual skills. During FY 2023, EBSA has continued its commitment to hiring bilingual Benefits Advisors and investigators to meet its mission needs. Each region has been asked to focus its hiring efforts in the language areas identified in the completed language assessment. Position descriptions and job announcements have been created for this purpose.

⁹⁸ Typically, such documentation is in Spanish, particularly in investigations related to plans located in Puerto Rico.

EBSA has engaged with a marketing contractor to develop messaging and mediums in 12 languages other than English.⁹⁹ This marketing plan will create awareness of the information available on EBSA's website in those languages. EBSA also makes contact with community organizations to establish relationships that support engagement with LEP individuals. EBSA's regional offices identify LEP communities in their jurisdictions and, through outreach and networking, set up presentations in those communities to educate participants and beneficiaries of their rights under employee benefits laws. These presentations are conducted by EBSA's Benefits Advisors who are bilingual and speak the language of the LEP community to which they are presenting. During COVID-19, many of these presentations were conducted virtually although, in the past, these presentations were done in the local communities (e.g., Mexican Consulates). EBSA intends to continue the process of conducting on-site presentations in FY 2024. The frequency of events varies based on the region, but several regions conduct these presentations monthly. In FY 2022, EBSA established the Benefits Advisor Underserved Community Outreach Committee (the Underserved Committee), which is comprised of Benefits Advisors from around the country and is aimed at increasing EBSA's presence in underserved communities, including those that have significant numbers of LEP communities. During FY 2023, the Underserved Committee meets monthly to provide best practices to the regional offices on how to effectively create connections with LEP communities. The Underserved Committee will continue to perform its important work in FY 2024. In FY 2022, EBSA reported conducting 183 outreach events in languages other than English: 170 in Spanish and the other 13 in Arabic, Chinese, French, Haitian Creole, Polish, and Tagalog. In order to sustain its progress and ensure that regular monitoring and subsequent efforts continue, in FY 2023, EBSA will

⁹⁹ Spanish, Arabic, Simplified Chinese, Traditional Chinese, French, Haitian Creole, Korean, Polish, Portuguese, Russian, Tagalog, and Vietnamese.

continue to advertise the availability of free language assistance services, how to access these services, and how to raise questions or concerns.

Additionally, in its FY 2024 agency-specific Language Access Plan, the agency will outline its plans to assess the demographics of eligible service populations (those individuals that could engage with EBSA's programs, services/information) and corresponding resources that are needed to ensure ongoing meaningful access as populations shift and programs change.

Employment and Training Administration

The Employment and Training Administration (ETA) contributes to the functioning of the U.S. labor market by providing high-quality job training, employment, labor market information, and income maintenance services primarily through state and local workforce development systems.

Specifically, ETA administers federal government job training and worker dislocation programs, grants to states for public employment service programs, foreign labor certification application processing, and unemployment insurance programs. These services are primarily provided through state and local workforce development systems.

Program offices within ETA fund workforce investment partners to manage workforce development programs that provide services for LEP individuals, and/or serve LEP individuals directly. While ETA has program offices other than the ones highlighted below, they do not necessarily engage with LEP customers directly. However, in FY 2024, ETA will assess all program offices' engagement with LEP individuals to ensure that it adequately addresses the needs of LEP individuals to provide meaningful language access.

ETA (General)

ETA's grantees interact with and serve LEP individuals on a daily basis, but the agency has limited direct customer interaction. ETA provides the public access to a toll-free helpline that delivers information about ETA-funded services, which is available in up to 253 languages, and the LEP individuals that ETA and its grantees service speak multiple languages,¹⁰⁰ including several Native American languages.

The agency's Toll-Free Help Line serves as a "front door" to an information-rich database of departmental services and resources, such as American Job Center locations nationwide, national in-demand hiring opportunities, layoff information, and unemployment insurance assistance.

The Toll-Free Help Line offers interpretation services on an on-call, as-needed basis. The helpline also answers frequently asked questions and will initiate a research request if additional information is needed. If so, ETA has and will continue to engage the caller in the appropriate language. ETA lists the Toll-Free Help Line on several public-facing websites, such as its [CareerOneStop](#) site and agency contact page, and often includes the contact information on hard copy materials distributed to the public.

To ensure that LEP individuals are aware that free and timely language services are available, in FY 2023, ETA will provide Babel notices¹⁰¹ on its main website. In FY 2024, ETA will also create separate language support webpages¹⁰² that offer information and

¹⁰⁰ Among the language encountered are Spanish, French, Portuguese, Italian, Chinese (Mandarin, Chinese (Cantonese), Korean, Vietnamese, Tagalog (Philippines), Thai, Arabic, Hindi/Urdu, Gujarati, Russian, Polish, Farsi, French Creole, Swahili, Amharic/Somali, Native Hawaiian, Samoan, Fijian, Tongan, Marshallese, Cherokee/Tsalagi, Choctaw, and Muskogee.

¹⁰¹ In Spanish, Simplified /Traditional Chinese, Vietnamese, Korean, Tagalog, Cherokee/Tsalagi, Arabic, Hindi/Urdu, and Native Hawaiian.

¹⁰² That mirror vital information provided on the English webpage.

links/forms for, at a minimum, two non-English languages¹⁰³ most frequently encountered by ETA, and will remove Online Translation Software from its websites.

ETA has identified a list of vital documents for translation. In FY 2023, the agency will develop a plan for translating the identified vital documents into nationally significant language groups and will assess if program offices have any additional vital documents requiring translation. The agency will also articulate their objectives for translating vital documents into other languages, including detailing the target languages, creating timeframes for completing translations, and working to translate vital documents and information using available contract services. The specific needs of offices will be considered when developing the timeline to translate vital material. By the end of FY 2024, ETA will translate all documents it has identified as vital into the languages most frequently encountered in executing its mission. ETA will also create a SOP that outlines how vital documents will be identified in the future.

Several ETA offices work with community-based organizations or advocacy groups. Given the breadth and focus of the programs administered through the office, the Office of Workforce Investment's (OWI) programs have the highest level of engagement with community-based organizations, though, even for OWI, most of its communications are with grantees. ETA is working to increase its direct engagement with community-based organizations to reach more organizations. As part of that outreach effort, which is currently conducted only in English, ETA is reviewing how it could provide information to community-based organizations in other languages. ETA will develop its outreach in languages other than English through the required Outreach and Engagement Strategy that

¹⁰³ Spanish content is required.

each DOL agency will complete in FY 2023. For example, OWI holds webinars for community-based organizations to alert them of funding opportunity announcements, frequently meets with youth-service providers to provide technical assistance, and regularly engages community-based organization grantees. ETA will develop an Outreach and Engagement strategy in FY 2023 that will engage organizations that serve LEP individuals and convey information about ETA's programs and services and how it will provide timely assistance in languages other than English.

In FY 2024, ETA will draft an agency-specific Language Access Plan, organized by function, that will establish policies/procedures for:

- Providing language services to LEP customers.
- Training employees on how to provide language services (e.g., how to identify if an individual is LEP, how to identify the needs of an LEP individual, and how to provide language services to customers).
- Tracking the number of LEP customers who received language services and the type of language services provided; and translation procedures.

Each program office outlined below will assess their potential level of engagement (comparing this level to historical engagement to determine, in part, if prior efforts need enhancement) with LEP customers to ensure that offices are fulfilling their responsibility to provide language services. ETA will also create an internal list¹⁰⁴ of employees who have language capabilities and that are willing to provide language services and assess if it should incorporate language capabilities/assessments into the hiring process at both the

¹⁰⁴ To be shared with staff.

national and regional levels. ETA will assess current employees' language capabilities to ensure they can effectively interpret and/or complete translation work in languages other than English.

Office of Apprenticeship

The Office of Apprenticeship (OA) promotes the training of America's globally competitive workforce through registered apprenticeship programs (RAPs). OA provides funding and other resources, oversight, guidance, and technical assistance to businesses, industry associations, labor, states, educational organizations, the public workforce system, and other related partners and stakeholders to start, expand, and promote apprenticeships.

Within the Registered Apprenticeship System, OA's two primary direct touch points with customers typically occur during its apprenticeship registration process and its complaint process. In support of increasing language access within its apprenticeship program, OA identified two key forms that will be translated in Spanish as part of the FY 2023 translation goals: 1) Apprenticeship Intake Form and 2) Apprenticeship Complaint Form. OA will continue to review its identification of vital documents and consider other languages in which to translate materials in FY 2024.

Office of Job Corps

The Office of Job Corps (OJC) is the country's largest nationwide residential career training program and has been operating for more than 50 years. OJC helps eligible youth ages 16-24 train for meaningful careers, complete high school education, and obtain employment. The program offers 81 high-demand career paths and students are trained in 18 to 24 months. OJC has 123 centers in the U.S. and Puerto Rico.

Per Job Corps' Policy and Requirements Handbook (PRH) that provides policy directives and guidance regarding the operation of centers nationwide, the outreach and admissions contractors must have a LEP Readiness Plan that outlines the steps that will be taken to meet the needs of LEP applicants. As a result, OJC requires its Job Corps admission providers to retain access to translation and interpretation services in multiple languages to assist LEP individuals during the admissions phase. Admissions providers are also required to ascertain at the start of the application process whether the applicant requires language assistance. It is common for applicants to receive support in the form of in-person or telephonic interpretation. Currently, Job Corps provides outreach collateral (informational materials, the Express Interest Tool) in Spanish. Some informational materials (e.g., program brochures) are also available in additional languages. In FY 2024, Job Corps will evaluate whether other information should be made available in different languages.

Beyond admissions, OJC requires centers to develop strategies to meet the unique needs of LEP students in all phases of the Career Development Services System. Centers assign an English Language Learner (ELL)/LEP coordinator to oversee and monitor programs and services for LEP students including managing regular collaboration between English language instructors and career technical training instructors to develop strategies for working with LEP students. OJC monitors compliance with this requirement as a part of the Regional Office Comprehensive Assessment and Regional Office Targeted Assessment process. If necessary, the Regions monitor the center's corrective action in this area if non-compliance is found.

OJC also leverages its PRH to provide mandatory program operation and reporting requirements for contractors operating Job Centers and providing enrollment and placement services. The PRH aligns with Federal laws and regulations, including Section 188

of the Workforce Innovation and Opportunity Act (WIOA), and the nondiscrimination and equal opportunity provisions. Beginning in May 2023, OJC will collect center academic program data including barriers to students' literacy and numeracy gains on an annual basis as a part of the Annual Center Academic Programs Review and Planning Reporting process.

Office of Unemployment Insurance

The Office of Unemployment Insurance (OUI) is responsible for providing leadership, direction, and assistance to state workforce agencies in implementing and administering state unemployment insurance (UI) programs, Federal unemployment compensation programs, and other wage-loss, worker dislocation, and adjustment assistance compensation programs. OUI provides oversight, guidance, and technical assistance for the federal-state unemployment compensation system and budget and legislative support to state workforce agencies to administer their UI programs.

OUI's interactions with customers generally occur through its oversight, funding, and technical assistance that they provide to state UI agencies. State UI agencies interact directly with customers, with one exception. When customers disagree with a state's determination of eligibility under the Disaster Unemployment Assistance (DUA) program, ETA's Regional Offices are responsible for conducting a fair hearing. However, these hearings do not include interviews with claimants. If information and/or decisions are issued, ETA will ensure that communications occur in appropriate languages.

In administering UI programs, state workforce agencies must comply with nondiscrimination requirements outlined in Section 188 of WIOA and provide meaningful access to LEP service needs. State agencies typically leverage a combination of qualified state merit staff and vendor supported translation and interpretation experts for

continuous and on demand LEP service delivery. State workforce agencies often have relationships with community-based organizations to understand evolving LEP needs. OUI is actively assisting state workforce agencies to improve services to underserved and historically marginalized groups, including LEP individuals, via grants and hands on technical assistance.

OUI is partnering with the Department's Office of Unemployment Insurance Modernization to expand and promote "plain language" of customer facing materials and systems within state workforce unemployment insurance programs, as well as piloting with states better mechanism for translation services to customers navigating these programs.

[Office of Workforce Investment](#)

The Office of Workforce Investment (OWI) is responsible for providing national leadership, oversight, policy guidance, and technical assistance to the one-stop system and the youth and adult employment and training programs funded under the Workforce Innovation and Opportunity Act. OWI administers most of its' programs through grants, but there are a few areas where OWI staff manage products or programs that directly interact with the public.

OWI manages the agency's CareerOne Stop website (www.CareerOneStop.org), the single-entry point for electronic tools and resources related to career exploration, training and education options, and job search. The [website is currently available and translated into Spanish](#) and includes a range of resources for job seekers, allowing them to research careers, investigate salary and benefit information, research education and training opportunities, plan a job search, write and improve resumes and cover letters, and prepare for a job interview. In FY 2024, ETA will engage in a review process to ensure the reliability of translation of this site. Additionally, it will consider whether translation should occur in

languages other than English or Spanish and/or if other efforts to supplement the availability of information would be feasible and effective. If deemed appropriate, ETA will then initiate the planning process for further development in this regard.

OWI also manages O*NET, which serves as the nation's primary source of occupational information and provides data to support individuals in finding the training and jobs they need, and employers in the skilled workers necessary to be competitive in the marketplace. O*NET offers a Spanish language career exploration website, MiProximoPaso (www.miproximopaso.org), allowing Spanish-speaking career explorers to investigate over 900 occupations with interactive web-based tools. In FY 2024, ETA will engage in a review process to ensure this site's translation reliability. Additionally, it will consider whether translation should occur in languages other than English or Spanish and/or if other efforts to supplement the availability of information would be feasible and effective. If deemed appropriate, ETA will then initiate the planning process for further development in this regard.

OWI oversees the Monitor Advocate System, a federal-state monitoring system that ensures migrant and seasonal farmworkers (MSFW) have equitable access to career services, skill development, and workforce protections to help improve their living and working conditions. At the state-level, each state workforce agency has a State Monitor Advocate (SMA), who reviews state MSFW services continuously. In carrying out the Monitor Advocate System, ETA oversees state compliance with federal regulations requiring that each state workforce agency employ a State Monitor Advocate and staff who can conduct outreach to farmworkers, all of whom must be able to communicate in a language common among migrant and seasonal farmworkers—which is most commonly

Spanish, although other languages have been growing in prevalence—or who either come from MSFW backgrounds or have substantial work experience in farmwork.

At the federal level, ETA regional offices have Regional Monitor Advocates, who support the State Monitor Advocates (SMA), and one National Monitor Advocate, who oversees the entire system. ETA complies with similar qualifications requirements in selecting its National Monitor and Regional Monitor Advocates. With one exception, the office does not produce material for farmworkers; state outreach staff described above communicate with farmworkers. The office maintains a form to file a complaint about employment services, under OMB approval number 1205-0039. OWI is translating this form into Spanish and other languages common to farmworkers in FY 2023. On the rare occasion that a member of the public will contact DOL MSFW staff for information or assistance, DOL staff will have a protocol in place to provide ad hoc language assistance services.

OWI's Division of Indian and Native American Programs (DINAP) administers employment and training grants under Workforce Innovation and Opportunity Act Section 166 to Federally-recognized tribes, state-recognized tribes, and tribal organizations. Like other program teams in OWI, DINAP does not provide services to job seekers, but instead works through grantees. All grantees conduct the administration of their grants in English with ETA and other Federal agencies. The most commonly spoken indigenous language in the U.S. is Navajo. The Navajo Nation is DINAP's largest grantee and communicates to ETA and DINAP in English. Though conducting business in English has been the practice of all of DINAP's grantees in the past, a grantee may have a different need in the future, at which point ETA will find translation and interpretation services. Grantees have flexibility in how they deliver services to jobseekers; as a matter of eligibility for services under the grant, jobseekers are Native American. This flexibility includes delivering services in the language

of the community as an overall approach and incorporating Native language instruction into services. On the rare occasion that a public member contacts DINAP for information or assistance, DINAP will have a protocol to provide ad hoc language assistance services.

Office of Foreign Labor Certification

The Office of Foreign Labor Certification (OFLC) protects U.S. and foreign workers wages and working conditions while granting labor certifications to eligible U.S. employers to employ foreign workers when no U.S. workers are available legally.

OFLC oversees an online portal, SeasonalJobs.dol.gov, which disseminates available temporary and seasonal job opportunities for which U.S. workers may be interested in applying. SeasonalJobs.dol.gov makes information about H-2A and H-2B job opportunities more accessible to U.S. workers with limited English proficiency by offering a Spanish translation of both the website content (seasonaljobs.dol.gov/es) and the specific terms and conditions of each job opportunity. In FY 2024, ETA will engage in a review process to ensure the sites' translation reliability. Additionally, it will consider whether translation should occur in languages other than English or Spanish and/or if other efforts to supplement the availability of information would be feasible and effective. If deemed appropriate, ETA will then initiate the planning process for further development in this regard.

Office of Trade Adjustment Assistance

The Office of Trade Adjustment Assistance (OTAA) provides workers affected by foreign trade opportunities to obtain the skills, credentials, resources, and support necessary to (re)build skills for future jobs. Workers supported by the TAA Program, including LEP

individuals, primarily access services through state workforce agencies and their local offices as required workforce partners.

While state workforce agencies are the primary avenue for workers to engage in the TAA Program, OTAA provides a website babel notice, critical forms such as the TAA petition and application for reconsideration form in Spanish and maintains a list of languages spoken by staff to better respond to inquiries in other languages. TAA provides case management funding to state agencies to provide for real-time translation and similar services to provide greater access to the workforce system. States are required to provide babel notices as part of worker outreach and ensure access to other language support services.

Bureau of International Labor Affairs

The Bureau of International Labor Affairs' (ILAB) mission is to strengthen global labor standards, enforce labor commitments among trading partners, promote racial and gender equity, and combat international child labor, forced labor, and human trafficking. ILAB's technical assistance programs are implemented overseas only. ILAB's Office of Child Labor, Forced Labor, and Human Trafficking (OCFT), Office of International Relations and Economic Research (OIRER) and Office of Trade and Labor Affairs (OTLA) interact daily with LEP individuals thorough the following mediums: listening sessions, roundtable discussions, focus groups, partnerships, mail correspondence, email, investigations, reviews, audits, telephone calls, webinars, website/contact us features, social media, conferences, trainings, and/or through the United States-Mexico-Canada Agreement (USMCA)

Hotline.¹⁰⁵ Due to the nature of its work, ILAB encounters multiple languages regularly in the facilitation of its mission.¹⁰⁶

The duties of employees with specific language abilities working in ILAB are typically international relations specialists/officers, who provide research and analyses of child labor, forced labor, and human trafficking issues for assigned countries for the purpose of contributing to Congressionally-mandated and Executive Order reports; engage with foreign governments or other U.S. government officials; negotiate, monitor and enforce labor provisions of free trade agreements; monitor and analyze countries' policies and practices for enforcing their labor laws with respect to international labor standards; design, oversee, and support monitoring, evaluation, research, learning and data activities related to technical assistance programs. Additionally, ILAB employees who are labor attachés are recruited and / or possess language capabilities. Labor attachés serve as the principal experts on labor employment issues and developments in foreign countries of assignment and provide onsite representation, and expert and authoritative advice on all aspects of policies and programs that relate to the complete range of DOL's international mission and represent the Secretary of Labor's priorities to the embassy.

Currently, ILAB's website displays information in English. While ILAB provides the opportunity for individuals to file complaints under free trade agreement in Spanish, Arabic, and French, LEP individuals must navigate English web content to find the

¹⁰⁵ The other offices in ILAB do not regularly engage with the public, except when seeking public comment through federal register notices or when seeking submissions of information regarding trading partners' compliance with their labor obligations.

¹⁰⁶ Spanish, French, and on occasion Arabic. ILAB also less frequently and on an ad-hoc basis encounters Portuguese, German, Mandarin, Chinese (Simplified and Traditional), Vietnamese, Thai, Khmer, Burmese, Hindi/Urdu, Bengali, Russian, Swahili, Amharic/Somali, Albanian, Azeri, Bosnian, Bahasa, Romanian, Malay, Montenegrin, Dari, Pashto, Creole, Farsi, Korean, Tagalog, Fijian, Dutch, Armenian, Bengali, Tigrinya, Serbian, Nepali, Georgian, and Ukrainian.

multilingual complaint forms. In FY 2023, ILAB will include Babel notices¹⁰⁷ on webpages that link to vital information to ensure that LEP customers can access language services. In FY 2023, ILAB will work to ensure that all translated content available¹⁰⁸ on its website can be navigated by LEP customers. In FY 2023, ILAB identified its vital documents and started translating them into frequently encountered languages. Work on this effort is expected to be completed by the end of FY 2024.

ILAB relies on bilingual or multilingual staff or the interagency agreement with the Department of State's Office of Language Services for translation and interpretation services. There are also interpretation and translation services made available for temporary assignments, which are funded through "fund cite memos" and arranged by U.S. Embassies abroad. ILAB offers the USMCA hotline, which serves as an online resource where English, Spanish, or French speakers can relay information regarding compliance with labor provisions of the U.S.-Mexico-Canada agreement. This system is offered entirely in French, Spanish, and English versions. ILAB has employees with language capabilities that respond to any comments made in English, Spanish, and French. Additionally, ILAB understands that indigenous language speakers could submit public comments or requests for information under the 20 free trade agreements the U.S. has with other countries. In that event, ILAB will work to translate these submissions and respond in a timely manner.

Since 2019, approximately 25 employees were hired with language capabilities and an additional 15 who possessed language abilities but were not specifically recruited for them. ILAB specifically recruits individuals who are proficient in Spanish for the Latin America and Caribbean region; Arabic for the Middle East and North Africa region; French for the Sub-

¹⁰⁷ Spanish, French, and Arabic.

¹⁰⁸ Including its complaint forms.

Saharan Africa region; Portuguese for Brazil; and Mandarin for China. ILAB employees also have language capabilities in Vietnamese, Bengali, and Haitian Creole. Language qualifications of applicants are assessed through a writing sample and reviewed for accuracy; a portion of the interview is conducted in another language for which they are being hired. Currently, ILAB does not maintain a list of employees with language capabilities; however, in FY 2024, to facilitate better language assistance, the Bureau will develop (and distribute to staff) a list of employees with language capabilities. Additionally, ILAB will develop a training on how to identify LEP customers, engage with LEP individuals, and how to obtain language services, when necessary. Additionally, in FY 2024, ILAB will develop voicemail prompts in multiple languages¹⁰⁹ to ensure that LEP callers are provided language services.

ILAB works with community-based organizations, advocacy groups, non-governmental organizations, multilateral organizations, small businesses, large companies, non-profit organizations, international public organizations, and universities to reach or engage with LEP individuals through the medium listed above. ILAB does not implement any programs in the United States, but ILAB grantees and sub-grantees in other countries engage regularly with LEP individuals. In FY 2024, ILAB will develop an Outreach and Engagement strategy that outlines how to communicate language services responsibilities and assess the effectiveness of outreach and communication with LEP individuals.

Mine Safety and Health Administration

The Mine Safety and Health Administration (MSHA) helps to reduce deaths, injuries, and illnesses in the nation's mines through a variety of activities and programs. MSHA carries

¹⁰⁹ Spanish, French, and Arabic (or any other languages ILAB deems necessary).

out the provisions of the Federal Mine Safety and Health Act of 1977 (Mine Act) as amended by the Mine Improvement and New Emergency Response (MINER) Act of 2006. The agency develops and enforces safety and health rules for all U.S. mines, and provides technical, educational, and other types of assistance to mine operators. MSHA also works cooperatively with industry, labor, and other federal and state agencies to improve safety and health conditions for all miners in the United States. Effective communication is vital for the Agency to meet its mission.

MSHA has regular contact with LEP individuals and reports interactions as frequently as a few times per week. During meetings, inspections, and through telephonic/e-mail correspondence, MSHA most frequently encounters individuals who speak Spanish. The agency, however, does not have a system in place for tracking the number of LEP individuals it serves, or the type of language assistance services it provides to individuals.

In FY 2024, the agency will consider expanding language outreach to LEP speakers of various common languages. According to data from the 2021 American Community Survey (ACS) regarding mining workers, while English and Spanish are by far the most spoken languages, speakers of German, Vietnamese, Hindi, Marathi, Arabic, Farsi, Chinese (Traditional and Simplified), Polish, Yoruba, Thai, Lao, French, and Tagalog are also represented.

In FY 2023, MSHA developed a list of vital documents¹¹⁰ that require translation and is currently translating these documents into Spanish. MSHA is also assessing if the identified documents should be translated into other languages that are likely to be encountered

¹¹⁰ Including those on MSHA's webpages.

during the facilitation of its mission¹¹¹ or identified through the ACS.¹¹² MSHA provides its “Hazardous Condition Complaint” online form in Spanish. Individuals, however, must navigate through English instructions to find the Spanish form. In FY 2023, MSHA will include a Spanish Babel notice on its website to ensure that LEP customers know how they may obtain language services.¹¹³ MSHA will also develop its plan to translate identified vital documents and will establish a periodic review of translated documents to ensure accuracy. Additionally, in FY 2023, MSHA will display the Spanish complaint form on its homepage to ensure access for LEP customers.

In 2022, MSHA assessed the need of Spanish-speaking inspectors by conducting a population analysis¹¹⁴ in the mining industry and compared that analysis to the inspectors assigned to different geographical areas. The results of the assessment demonstrated the need for MSHA to hire staff with language capabilities.¹¹⁵ MSHA currently has four inspectors on staff who were hired with Spanish language capabilities¹¹⁶ and three additional employees, who utilize their Spanish language capabilities, although they were not specifically hired (or assessed) for them. During the recruitment process, candidates’ Spanish fluency is assessed through a Spanish interview process. MSHA currently, however, has no specialized training for staff who are expected to use language capabilities, and there are no special tools for agency employees to use to provide language assistance services. In FY 2023, the agency will work to develop procedures for staff when engaging with LEP individuals to ensure that services are provided in a timely manner, including how

¹¹¹ e.g., Navajo.

¹¹² In regard to mining workers.

¹¹³ In FY 2024, MSHA will assess if any other languages should be included in the Babel notice on its website.

¹¹⁴ Using several databases.

¹¹⁵ primarily Spanish-speaking inspectors in support of the Southwest, South, and Northeast regions of the U.S.

¹¹⁶ Located in Southwest region of the U.S.

staff can find interpreters through a telephonic language line or the Department's Enterprise-Wide contract vehicle for translation and interpreting services. Additionally, MSHA will develop an internal list of employees who have language capabilities and will provide the list to staff to better serve LEP individuals. When staff are not able to assist, MSHA utilizes the services of external contractors to provide language services.

Contractors¹¹⁷ provide translation services for vital documents, training documents, and IT applications.¹¹⁸ Additionally, contractors provide interpretation services during scheduled meetings or "on the spot" when emergency interpreters are needed.

In FY 2024, MSHA will draft an agency-specific Language Access Plan that will establish policies/procedures for: providing language services to LEP customers; training employees on how to provide language services, which will include utilizing the services of external contractors; tracking the number of LEP customers who received language services and the type of language services provided; and translation procedures.

In FY 2023, MSHA will develop an outreach and engagement strategy to ensure it is taking meaningful steps to provide language access for its eligible service population. Included in this strategy will be the identification of outreach materials and an assessment of whether they should be translated into Spanish or other languages. MSHA will also include its plan to improve LEP signage in mines to ensure miners' safety and will develop phone prompts in Spanish¹¹⁹ that will assist LEP callers who require telephonic services. For any outreach materials deemed vital, the agency will work to translate them before the end of FY 2024.

¹¹⁷ Under the Department's Enterprise-Wide BPA.

¹¹⁸ e.g., Miner App.

¹¹⁹ And one additional frequently encountered language.

Office of Administrative Law Judges

The Office of Administrative Law Judges (OALJ) is the administrative trial court for the U.S. Department of Labor and is headquartered in Washington, D.C., with judges and staff located in eight district offices across the United States. OALJ's mission is to provide a neutral forum to resolve labor-related administrative disputes before the Department of Labor in a fair, transparent, and accessible manner, and to promptly issue sound decisions correct in law and fact. ALJs are appointed by the Secretary of Labor under the U.S. Const. art. II, § 2, cl. 2 and the Administrative Procedure Act, 5 U.S.C. § 3105.

ALJs adjudicate complaints and claims in a wide variety of subjects. In FY 2022, OALJ issued over 7,500 written dispositions. Cases where individuals seek benefits under the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act, and the Defense Base Act constitute the largest part of the office's workload. ALJs also hear and decide cases arising from over 80 other labor-related statutes, Executive Orders, and regulations, including such diverse subjects as whistleblower complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes; alien labor certifications; actions involving the working conditions of migrant farm laborers; grants administration relating to the preparation of workers and job seekers to attain needed skills and training; prohibition of workplace discrimination by government contractors; minimum wage disputes; child labor violations; mine safety variances; OSHA formal rulemaking proceedings; federal contract disputes; civil fraud in federal programs; certain recordkeeping required by Employee Retirement Income Security Act (ERISA); and, standards of conduct in union elections.

The matters adjudicated by OALJ originate with other DOL agencies, such as the Wage and Hour Division, the Occupational Safety and Health Administration, the Office of Federal

Contract Compliance Programs, the Employment and Training Administration, the Office of Workers' Compensation Programs, the Employee Benefits Security Administration, the Office of Labor-Management Standards, and the Mine Safety and Health Administration. The public interacts directly with these originating agencies, where claims, investigations, or complaints are initiated. In other words, OALJ is not a court of general jurisdiction and individuals must file their initial claim or complaint with another DOL agency. While many of these claims or complaints are eventually resolved without the need for formal hearings, a portion are referred to OALJ for formal adjudication. Ideally, LEP individuals should be identified at the beginning of the administrative process when these matters are opened by one of DOL's originating agencies.

OALJ engages with the public during administrative hearings presided over by an administrative law judge. OALJ docketed around 10,000 cases per year. Many of these cases settle, obviating the need for a formal hearing. OALJ conducts about 1,500 hearings each year. OALJ engages with approximately 100 LEP individuals annually who are parties or witnesses at these hearings and have reported speaking the following languages: Spanish, Mandarin, Arabic, Albanian, Bosnian, Macedonian, Dari, and Navajo. When a party requests the presiding judge provide translation or interpretation services, OALJ contracts with a language services provider, tailoring the translation and interpretation provided to the individual's needs, ranging from the translation of court documents to the provision of an interpreter during the hearing. ALJs and their clerks are trained on the internal process for requesting language services and are in the best position to identify participants with language access needs. After identification of the need for language access services, the ALJ and their staff work with OALJ's Office of Program Operations to procure an appropriate translator or interpreter. The agency tracks the number of LEP individuals it serves through its GSA language services contracts. Additionally, OALJ utilizes a telephonic language line

when staff need interpretation services while working. Staff may utilize this language line in situations where the communication is taking place outside of a formal hearing, conference call, or case filing. Given the formal nature of OALJ's adjudications, these types of communications are infrequent.

OALJ occasionally engages with external stakeholders during conferences. These conferences are typically attended by members of specialized bar association groups that practice before OALJ and language access services have not been necessary. OALJ will continue to monitor whether there is a need for these services.

OALJ's website is only accessible in English. OALJ provides Court Information and Answers to Frequently Asked Questions content in Spanish, but an LEP individual would need to navigate the English webpages to find the Spanish content. In FY 2023, OALJ will provide Babel notices for frequently encountered languages¹²⁰ on its homepage and, in FY 2024, will determine whether additional Babel notices should be developed. In FY 2023, OALJ will also provide access to the Spanish Court Information and Answers to Frequently Asked Questions on OALJ's homepage.

The agency does not have a formal process for identifying vital documents and, due to the nature of OALJ's mission, has only identified one webpage that contains vital information. In FY 2023, OALJ will assess if additional documents contain vital information and, if so, translate them into, Spanish, at a minimum.

OALJ does not recruit staff with language capabilities due to the small number of LEP customers it serves. Due to the complex nature of the litigation before OALJ, the majority

¹²⁰ OALJ is in the process of reviewing translation and interpretation request data over several fiscal years in order to accurately identify frequently encountered languages.

of the parties appearing before OALJ are represented by legal counsel, and translations are usually only required if a party proceeds *pro se*. Additionally, OALJ is not aware of staff with non-English language capabilities; in the event language services are required,¹²¹ OALJ staff must use external resources. In FY 2024, OALJ will draft an agency-specific Language Access Plan that establishes policies and procedures for providing language services to LEP customers; outlines training for employees on how to provide language services; and outlines procedures to aid in the future identification and translation of vital documents.

OALJ does not currently conduct broad community outreach, opting to focus its LEP engagement efforts directly on hearing participants. In FY 2023, OALJ will review its engagement strategy to ensure it is taking meaningful steps to provide notice of the availability of free language assistance services for its eligible service population.

Consideration will be given to the possibility that limited language access services and/or awareness of the ability to request language access services in the past may have curtailed individuals from engaging with OALJ. Included in this strategy will be the identification of outreach materials and an assessment of whether they should be translated into other languages. For any outreach materials deemed vital, the agency will work to translate them before the end of FY 2024, creating an internal repository of translated materials.

Office of the Assistant Secretary for Administration and Management

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the U.S. Department of Labor to perform its mission. OASAM provides leadership for information technology, human resources management, procurement, business operations, safety and health, space

¹²¹ These services include translating documents and providing interpretation services.

management, civil rights, emergency management, security, budget, and performance. OASAM is an internal-facing organization with limited engagement with the public. However, OASAM operates in DOL regional offices as well in the DOL headquarters. Regional offices, in particular, may on limited occasions field and/or facilitate inquiries from the public to aid engagement with other DOL agencies. Most OASAM offices only periodically engage with LEP individuals¹²² in-person, telephonically, or via electronic methods. The Civil Rights Center (CRC) is the only OASAM entity that serves LEP individuals consistently. This section includes a more generalized analysis of the agency and, due to the external nature of its mission, a more detailed analysis of CRC.

OASAM (General)

As previously mentioned, most OASAM offices have limited engagement with LEP individuals. When interactions occur, they may be to inform members of the public, applicants, customers, beneficiaries, and partner stakeholders about the availability of language assistance at community-based organizations or other entities that work with LEP individuals such as schools, consulates, refugee service organizations, unions, worker centers, and churches.

Despite the minimal level of interaction with LEP individuals, OASAM recognizes that language services could be improved and will take important steps in FY 2024, including to:

1. Evaluate signage for the DOL headquarters building and identify additional resources to help orient LEP individuals to where they need to go and communicate

¹²² e.g., OASAM Regional Offices - a few times per month / year; Security Center- 1-3 times per month.

important building policies. For shared facilities, provide building-related resources to DOL employees who may encounter LEP individuals.

2. Distribute guidance, best practices, or resources to increase intra-agency awareness or access to language services.
3. Begin performing a review of public-facing information for use of plain and inclusive language and develop a plan to prioritize and update the content. Although OASAM generally does not have vital documents that require translation, OASAM will consider translating documents and pages of broader interest into most commonly requested languages.
4. OASAM, through the Office of the Chief Information Officer, manages the official benefits website of the U.S. government (Benefits.gov). The site is available in Spanish, and users can conduct searches by benefit, category, agency in these two languages, Spanish and English. Through a Partnership of 16 Federal agencies, Benefits.gov helps users locate benefit program information and government resources through searching by benefit name, category, and agency; and is accessible in both Spanish and English languages. OASAM, through the Office of the Chief Information Officer (OCIO), leads Partner agencies through the Content Management process that includes obtaining, updating, translating, and reviewing agency program details, in accordance with standards and plain language guidelines from plainlanguage.gov. In FY 2024, Benefits.gov will complete an analysis of language expansion to determine what content should be accessible in additional languages.

5. As appropriate, begin including Babel notices on public OASAM center-level website (DOL.gov) landing pages, with appropriately translated vital information into frequently encountered languages.
6. Begin tracking the number of LEP individuals who participate or engage in OASAM's programs or activities and the type of language assistance services it provides to LEP individuals. OASAM and its centers do not currently have a language access plan to provide guidance or formal instructions to staff on how to engage with LEP individuals and has not formally tracked the number of LEP individuals who participate or engage in the agency's program or activities. As a result of this activity, OASAM may consider developing processes for providing translations to service populations; policies / procedures for staff to track services provided; plans to disseminate and train on the policies / procedures to be created; and assessments on the efficacy of current translations.
7. Create guidance or processes to help OASAM track employees' language abilities and train staff on how to utilize the tracking system and other resources to document if language services have been provided. OASAM estimates that there are about 12 individuals who have used language skills they were not specifically hired to use. OASAM currently has no formal mechanism for tracking these employees' language abilities and acknowledges that it cannot rely on LEP individuals to provide their own interpreters. OASAM and its offices sometimes recruit employees with non-English language abilities. The Office of Human Resources (OHR) helps DOL agencies post vacancies for bilingual positions so they can more effectively perform enforcement activities, compliance assistance, and education for other DOL agencies. For example, OHR has recruited staff to meet

language requirements in close to 19 different languages for the Wage and Hour Division (WHD).

Civil Rights Center

The Civil Rights Center (CRC) promotes justice and equal opportunity by acting with impartiality and integrity in administering and enforcing various civil rights laws. These laws protect Department of Labor (DOL) employees and applicants for DOL employment, and individuals who apply to, participate in, work for, or come into contact with programs and activities that are conducted by or receive financial assistance from DOL, or, under certain circumstances, from other Federal agencies. CRC investigates and adjudicates discrimination complaints, conducts compliance reviews, provides technical assistance and training, and develops and publishes civil rights regulations, policies, and guidance.

CRC interacts with LEP individuals on a daily basis. CRC is committed to improving language services for both frequently encountered and “likely” to be encountered language groups. Currently, even though the website is in English only at this time, CRC provides translated complaint information forms into multiple languages¹²³ and makes them available on its website. Additionally, “Equal Opportunity is the Law” posters are available on CRC’s website in the following languages: Spanish, Arabic, Traditional Chinese, French, French Creole, Korean, Portuguese, Russian, Tagalog, and Vietnamese.

CRC utilizes the strategies in the DOJ-approved guide *Improving Access to Public Websites and Digital Services for Limited English Proficient (LEP) Persons* but recognizes that there are limited incorporations demonstrated throughout its website and links. The CRC website

¹²³ Arabic, Bengali, Bosnian, French, Korean, Portuguese, Russian, Spanish, Tagalog, Traditional Chinese, Thai, and Vietnamese.

includes Babel notices in 15 languages (Arabic, Bengali, Bosnian, French, Haitian Creole, Hindi, Korean, Portuguese, Russian, Tagalog, Simplified / Traditional Chinese, Thai, Navajo, and Vietnamese). These languages were selected based on the current national demographic data and the likelihood of LEP customers needing assistance in those languages.

Throughout FY 2024, CRC will take important steps to advance this work:

1. Translation and vital documents: CRC is committed to communicating with individuals using their preferred language. In FY 2024, CRC will:
 - a. Work to translate relevant sections (those conveying information for the general public)¹²⁴ of its website into Spanish, which is the most frequently encountered language for OASAM.
 - b. Translate identified vital documents into Spanish and will assess if vital documents should be translated into other frequently / likely to be encountered languages. In FY 2023, CRC created a comprehensive list of its vital documents, which includes informed consent forms, notices, and complaint processing procedures.
 - c. Conduct periodic reviews of previously translated vital information to ensure its accuracy and will draft standard operating procedures (SOPs) for identifying vital documents as such when created. CRC will also create policies that outline its translation / interpretation processes.

¹²⁴ CRC will not translate information relevant only to DOL employees and/or applicants for DOL employment about the Equal Employment Opportunity (EEO) complaints program and other related programs as the eligible service populations for these programs must speak English as a condition of federal employment.

2. Bilingual and multilingual employees: CRC currently uses tools¹²⁵ created by DOL agencies and those made available on LEP.gov to conduct its work. CRC's Equal Opportunity Specialists (EOS) are responsible for assessing complaints at the intake stage, conducting investigations and compliance reviews, and communicating with complainants. If a complainant is LEP, the EOS is responsible for coordinating language assistance services needed to effectively communicate with the complainant. If a CRC employee / EOS speaks the language of the complainant, that employee is assigned as the lead investigator of the case. If no employee is available, CRC works to procure services from the translation/interpretation vendor, as appropriate for the case. Occasionally, Google Translate is used to immediately identify a language or determine what an individual may be seeking, but verification occurs once an LEP speaker has been identified. When staff cannot identify the preferred language of a caller, for example, and / or does not have staff who can provide language services, CRC staff utilize the language line to provide telephonic interpretation for LEP customers. In FY 2024, CRC will:
 - a. Recruit for bilingual positions and ensure the effective assessment of fluency and other qualifications of employees with language abilities as part of the hiring process. CRC will also assess whether additional staff with Spanish language or other language skills would benefit its ability to perform its mission effectively and efficiently.
 - b. Work to develop a system to track language capabilities across CRC and will train staff on how to utilize the tracking system and other resources to provide language services for LEP customers. There is no formal system currently to

¹²⁵ e.g., DOL English-Spanish glossary and the DOJ-approved guide mentioned above.

track language capabilities across CRC for those who were not specifically hired for their language capability.

3. Language Access Plan: Additionally, CRC participates in meetings convened by the Department of Justice, for example, with advocacy organizations to highlight programs and language assistance services and have existing relationships with community-based organizations and other entities that work with LEP individuals. In FY 2023, the Center will develop an outreach and engagement strategy that outlines the various means by which the agency may interact with and serve LEP workers. In FY 2024, CRC will:
 - a. Lead the Department's efforts to develop agency-specific Language Access Plans to address gaps in language services and to ensure meaningful language access is provide to LEP customers.

Office of Federal Contract Compliance Programs

The Office of Federal Contract Compliance Programs (OFCCP) protects workers, promotes diversity, and enforces various civil rights law. OFCCP holds those who do business with the federal government (contractors and subcontractors, hereinafter referred to as "contractors") responsible for complying with the legal requirement to take affirmative action and not discriminate on the bases of race, color, sex, sexual orientation, gender identity, religion, national origin, disability, or status as a protected veteran. In addition, contractors are prohibited from discharging or otherwise discriminating against applicants or employees who inquire about, discuss, or disclose their compensation or that of others, subject to certain limitations.

In carrying out its responsibilities, OFCCP uses the following procedures:

- Offers compliance assistance to contractors to help them understand the regulatory requirements and review process.
- Conducts compliance evaluations and complaint investigations of contractors' personnel policies and procedures.
- Obtains Conciliation Agreements from contractors who are in violation of regulatory requirements.
- Monitors contractors' progress in fulfilling the terms of their agreements through periodic compliance reports.
- Forms linkage agreements between contractors and job training programs and recruitment sources to help employers identify and recruit qualified workers.
- Recommends enforcement actions to the Solicitor of Labor.

The ultimate sanction for violations is debarment – the loss of a company's federal contracts. Other forms of relief to victims of discrimination may also be available, including back pay for lost wages.

OFCCP engages with the public and external stakeholders through several mediums, including listening sessions, roundtable discussions, e-mail, investigations/reviews/audits, walk-in visits, telephone calls, webinars, website (via the 'contact us' or chat features) and conferences. OFCCP conducts investigations of the complaints it receives and compliance evaluations that it schedules through a neutral selection system. The agency reviews affirmative action programs and equal employment practices of those contractors being evaluated. During a compliance evaluation, OFCCP may interview employees at federal contractor sites. OFCCP also conducts complaint investigations based on employee or applicant allegations of discrimination. The individuals OFCCP encounters while it carries

out its mission may be of limited English proficiency. While OFCCP currently does not track the number of LEP individuals it encounters through its compliance work, the agency estimates that it interacts with and/or serves LEP individuals a few times a month per office. OFCCP also encounters LEP individuals through the website, outreach materials, and investigations and compliance evaluations. LEP individuals typically contact OFCCP through its Customer Service Help Desk after seeing information on posters required for display in workplaces.

In FY 2023, OFCCP conducted an extensive survey of its regional and field offices to identify existing and newly emerging language groups encountered during its compliance work. OFCCP identified 54 languages¹²⁶ and prioritized the top 13 languages¹²⁷ as its translation focus for FY 2023. OFCCP's outreach materials are currently available in seven languages¹²⁸ and these materials are being translated into nine additional languages.¹²⁹ OFCCP identified vital documents that contain information most pertinent to workers engaging the agency. A number of vital documents have been translated into multiple languages¹³⁰ and are available on the website. An LEP individual would need to navigate from English webpages in order to discover them. Therefore, in FY 2023, OFCCP will include Babel notices on its website homepage into the top 13 prioritized languages. In FY 2023, OFCCP will also work to develop language to route LEP individuals to the appropriate translations via its

¹²⁶ Spanish, Mandarin, Korean, Urdu, Arabic, Bengali, Japanese, Haitian Creole, Farsi, Hindi, Tagalog, Ukrainian, and German, Niger-Congo/Yoruba/Igbo, Polish, Somali, Portuguese, Armenian, Vietnamese, Italian, Telugu, Hebrew, Greek, Pakistani, Albanian, Irish, Romanian, French, Khmer, Cape Verdean Creole, Punjabi, Marathi, Gujrati, Turkish, Kurdish, Azerbaijani, Serbian, Swahili, Amharic, Hmong, Rohingya, Dari, Pashto, Uzbek, Karen, Oromo, Tigrinya, Twi, Telugu East Slavic, Malayalam, Twi, and Burmese.

¹²⁷ Spanish, Mandarin, Korean, Urdu, Arabic, Bengali, Japanese, Haitian Creole, Farsi, Hindi, Tagalog, Ukrainian, and German.

¹²⁸ Spanish, Chinese-Simplified, Chinese-Traditional, Haitian Creole, Hmong, Somali, and Vietnamese.

¹²⁹ Korean, Urdu, Arabic, Bengali, Japanese, Farsi, Hindi, Tagalong, Ukrainian, and German.

¹³⁰ OFCCP keeps a repository of translated document or information for regular use.

homepage¹³¹ and will assess if Babel notices for additional languages, based on OFCCP's eligible service populations, should be added to its homepage.

When OFCCP employees need an interpreter, they either ask a bilingual employee to interpret or use a telephone language line.¹³² When conducting compliance evaluations, OFCCP relies on translation and interpretative services provided through the Department's Blanket Purchase Agreement (BPA) for Translation and Interpreting Services. Where possible, OFCCP tries to ensure that employees with non-English language capabilities are assigned to cases when engaging with LEP customers. OFCCP's Equal Opportunity Specialists (Compliance Officers) communicate with contractors and stakeholders to conduct onsite reviews and interviews, which mainly require fluency in Spanish. In locations where the majority of the eligible service population are Hispanic, the OFCCP regional manager is responsible for ensuring there are Spanish-speaking Compliance Officers assigned to provide assistance. There have been instances where eligible service populations spoke other languages, and a need for additional bilingual assistance occurred. In these instances, OFCCP staff logged the individual's contact information and contacted them using a third party through the language services BPA. OFCCP currently recruits Compliance Officers with language capabilities, including Spanish (regional offices nationwide) and Haitian Creole (Southeast region). Additionally, there are other employees within OFCCP who were not hired for their language capabilities but have been asked to provide Spanish language services. In FY 2024, OFCCP will develop specialized training for staff who are expected to use language capabilities, create/distribute a list of employees with language capabilities to facilitate language assistance with agency/customer needs,

¹³¹ To ensure that LEP individuals do not need to navigate English webpages to access translated materials.

¹³² Contracted.

and will develop a plan to assess fluency and qualifications of employees with language capabilities.¹³³ Additionally, in FY 2024, OFCCP will develop voicemail prompts in the 13 prioritized languages to ensure that LEP callers are provided language assistance.

The agency does not have formal working relationships with community-based organizations to reach LEP individuals. However, the agency engages with community-based organizations to ensure their community is aware of their worker protection rights. In FY 2023, OFCCP will develop an outreach and engagement strategy to ensure the agency is informing customers of its programs and the availability of available, free language access services. OFCCP will work to translate the vital documents before the end of FY 2024, creating an internal repository of translated materials. OFCCP will also develop a plan to assess the accuracy of translations.

In FY 2024, OFCCP will draft an agency-specific Language Access Plan that will establish policies/procedures for: providing language services to LEP customers; training employees on how to identify LEP customers and provide language services; developing a means by which to track the number of LEP customers who received language services and the type of language services provided; and translation procedures.

Office of Labor-Management Standards

The Office of Labor-Management Standards (OLMS) is authorized - primarily under the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA) - to administer and enforce standards that ensure basic standards of democracy and financial integrity in labor organizations representing employees in private industry. Additionally,

¹³³ With the assistance of COLA and OHR.

OLMS, as authorized by the LMRDA, promotes labor union and labor-management transparency through reporting and disclosure requirements for labor unions and their officials, employers, labor relations consultants, and surety companies. With the passage of the Postal Reorganization Act of 1970, OLMS' coverage was extended to unions representing U.S. Postal Service employees. OLMS also administers provisions of the Civil Service Reform Act of 1978 and the Foreign Service Act of 1980 relating to standards of conduct for Federal employee organizations, which are comparable to LMRDA requirements. OLMS does not have jurisdiction over unions representing solely state, county, or municipal employees.

OLMS is comprised of the National Office, 12 district offices and 27 on-site field offices.¹³⁴ OLMS engages with external stakeholders through telephone calls, walk-in visits, mail correspondence, email, interviews, compliance assistance training and webinars, voluntary partnerships, and during audits/investigations. OLMS has identified Spanish as the language most frequently encountered, after English, in the facilitation of its mission. LEP individuals who speak Spanish are commonly engaged through walk-in visits and telephone calls. A review of the non-English public inquiries received by OLMS for FY 2020 - FY 2022 indicated that 100% required Spanish interpretation. OLMS also engages with LEP individuals who speak Spanish when conducting audits, investigations, and providing compliance assistance. Of the OLMS program casework in FY 2020 - FY 2022 which required interpretation/translation, 86% was for Spanish-speaking individuals. The remaining casework required Haitian Creole and Arabic¹³⁵ language services. OLMS acknowledges that staff face challenges communicating with LEP individuals when working in the field. As a

¹³⁴ The field offices deal directly with the public, offering assistance and conducting program work within the geographical territory of their office.

¹³⁵ One case per language.

best practice, OLMS has a Spanish Speaking Translation Team that translates documents and assists in the investigation of civil and criminal cases in regions where the ability to speak Spanish is required. The Spanish Speaking Translation Team is comprised of 12 investigators, including a supervisory coordinator. Team members may also assist in handling inquiries from the Spanish-speaking public. The Spanish Speaking Translation Team members are full-time investigators located in district offices across the country who are utilized for all Spanish translation needs throughout the Agency. They may be assigned cases in their district office which require a fair number of non-English interviews or be asked to assist another office with translating documents or conducting interviews. Team members are not formally assessed for proficiency. In its Operations Manual, OLMS outlines how staff should engage the Spanish Speaking Translation Team for services. In FY 2024, OLMS should work to further develop these policies and procedures, outline a more formal assessment process for staff expected to use their language capabilities, and create a more robust tracking system of interactions with LEP individuals. A 24-hour telephone contract or “language line” is also used to facilitate conversations between OLMS and LEP individuals, if a bilingual or multilingual employee is not available. This contract line provides interpretation services for 150 languages. OLMS’ staff occasionally use Microsoft Document Translator software internally but validate the translations through the Spanish Speaking Translation Team and modify translations, as appropriate, to ensure accuracy.

OLMS currently employs 15 individuals who are bilingual or multilingual, including the 12 members of the Spanish Speaking Translation Team. Historically, OLMS has recruited employees with Spanish language capabilities in Puerto Rico, New York, San Francisco, Los Angeles, and Houston, as those are the geographic regions which have been identified with the highest frequency of interaction and inquiry between OLMS employees and Spanish-speaking individuals. While there are employees who speak other languages, they are not

specifically recruited for their language capabilities.¹³⁶ In FY 2024, OLMS will create a list / database¹³⁷ of all bilingual or multilingual staff, their geographic location, and the language/s they speak, read, and write. In FY 2024, OLMS will also develop procedures for employees to identify LEP customers and provide meaningful and timely language services. OLMS will also assess if employees from the Spanish Speaking Translation Team should be formally assessed for fluency due to the nature of the team's work.

Additionally, OLMS has a Spanish landing page, which contains key information on the agency and hyperlinks to download commonly used forms. To further improve its access to LEP individuals, in FY 2023, OLMS will provide Babel notices in Spanish on its webpages so LEP individuals visiting the page are aware that language assistance services are available free of charge. In FY 2023, OLMS will develop an engagement and outreach strategy to ensure that it provides notice of free and available language access services so that LEP groups are aware that OLMS will provide timely and meaningful language services to LEP customers within its eligible service population.

In FY 2023, OLMS identified seven documents that contain vital information for customers, which the office will work to translate into Spanish. OLMS will continue to review compliance assistance documents for accessibility to LEP labor organizations, union members, and those seeking to organize. In FY 2024, OLMS will translate other identified vital documents and will develop a repository for translated documents. In its FY 2024 agency-specific Language Access Plan, OLMS will also outline its plan for the future identification of newly created or updated vital documents and information; regularly assess the demographics of eligible service populations as populations shift and programs

¹³⁶ And this information is not formally tracked.

¹³⁷ To be made available to OLMS employees.

change; and track the number of individuals who seek language services and the type of services provided.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) safeguards the rights of workers to safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education and assistance. As the enforcement agency of the Occupational Safety and Health Act of 1970 (OSH Act), OSHA staff has daily contact with LEP individuals, with Spanish being the most frequently encountered language. The daily interactions occur through a variety of means, including worksite and inspection visits, listening sessions; roundtable discussions; partnerships; coalitions; e-mail and standard mail correspondence; investigations, reviews and audits; walk-in visits, telephone calls; webinars; newsletters/pamphlets; social media; conferences; and trainings.

OSHA identified multiple languages (list below) the agency encounters in the facilitation of its mission. Languages are prioritized on a case-by-case basis. Each of OSHA's regions have varying language needs based on topics and workers in specific industries.

OSHA Regions	Encountered Languages
Region 1: Boston	Spanish, Portuguese, Vietnamese
Region 2: New York	Spanish, Chinese (Cantonese), Chinese (Mandarin), Korean, Vietnamese, Polish, Portuguese, Russian, Arabic, Ukrainian, Uzbek, Serbian, Hindi, Punjabi
Region 3: Philadelphia	Spanish, Chinese (Mandarin), Portuguese

OSHA Regions	Encountered Languages
Region 4: Atlanta	Spanish, Vietnamese
Region 5: Chicago	Spanish, Chinese (Cantonese), Chinese (Mandarin), Korean, Vietnamese, Polish, Portuguese, Tagalog, Russian, Arabic, Amharic (Somali), French, Sudanese, Ukrainian, Urdu, Mung, Central American Mayan, Dari, Pashto, Hmong, Karen, Nepali, Oromo, Swahili
Region 6: Dallas	Spanish, Chinese (Cantonese), Chinese (Mandarin), Vietnamese, Tagalog, Amharic (Somali), Tigrigna, Marshallese
Region 7: Kansas City	Spanish, Arabic, French, Sudanese, Somali
Region 8: Denver	Spanish, Portuguese, Navajo, Lakota, Sioux, Crow, Cheyenne, Ute, Arapaho, Pawnee
Region 9: San Francisco	Spanish, Chinese (Cantonese), Chinese (Mandarin), Korean, Tagalog, Tigrigna, Samoan, Thai, Japanese, Chamorro, Carolinian, Navajo, Hawaiian Palauan, Chuukese, amongst other Micronesian
Region 10: Seattle	Spanish

OSHA recruits for employees¹³⁸ with bilingual language capabilities at the national level and across all ten regional offices.¹³⁹ These positions are determined based on worker needs in a specific geographical area and the qualifications of the applicants. OSHA also provides

¹³⁸ For approximately 10% of positions.

¹³⁹ OSHA currently has bilingual staff that were hired for their language capabilities in Spanish, Portuguese, Vietnamese, Korean, and Traditional and Simplified Chinese.

language services through DOL's contractor on an as needed basis. Employees with bilingual language capabilities are used to provide language assistance services (e.g., translate materials, interpretation services); conduct media interviews; engage in inspections; and provide education and outreach, including compliance assistance. Fluency and qualifications for these employees are assessed by hiring officials and selected subject matter experts who conduct thorough analysis of written and verbal translations/interpretation and through interviews conducted in the desired language prior to them being employed. OSHA also has a process for assigning bilingual staff to conduct workplace investigations/compliance reviews. When bilingual staff are not available, regional offices use a contractor to provide a telephone line that the field officers are able to call 24/7 to request interpretations. Additionally, OSHA utilizes other DOL agency employees with language capabilities. OSHA, however, does report that sometimes it is unable to find an interpreter; identify the appropriate language for communication; or communicate with LEP individuals in the field, which OSHA will address in their agency-specific Language Access Plan. The agency maintains a list of employees with language capabilities to facilitate language assistance. While OSHA hires for bilingual staff, it notes that it does not have sufficient staff to meet the diversity of its language needs. In FY 2024, OSHA will develop instructions and/or a script¹⁴⁰ for employees who answer the phone, to ensure that staff are appropriately engaging with LEP customers. Additionally, OSHA will create voice prompts and voicemail in Spanish in case staff are unavailable to assist customers who are potentially LEP.

¹⁴⁰ For Spanish callers.

OSHA has Google Translate embedded on its website to offer translations of its web content into multiple languages.¹⁴¹ LEP individuals can click on the universal language symbol at the top of the webpages to navigate and use the Google Translate options.¹⁴² Web content is generally provided in English and Spanish. In FY 2024, OSHA will create separate language-specific webpages¹⁴³ that offer information and links/forms for, at a minimum, two non-English languages most frequently encountered by OSHA,¹⁴⁴ and will remove Google Translate from its website.

The agency has identified a large number of vital documents and has begun translation on these documents. Additionally, in FY 2023, OSHA will provide a Babel notice¹⁴⁵ on its website and vital documents to ensure that LEP individuals know about the availability of and how to access free language assistance services. By the end of FY 2024, all identified vital documents (and selected outreach material, including social media posts) will be translated into Spanish. In FY 2024, OSHA will assess if social media posts should be translated into any additional frequently encountered languages.

Translated vital documents are kept in a repository maintained at the national level and are reviewed quarterly by the agency staff for accuracy, quality, and sensitivity. Feedback on the material from the general public is also taken into consideration when determining whether the information is accurate or needs to be revised. OSHA also maintains a

¹⁴¹ French, French Creole, Korean, Arabic, Cebuano, Ukrainian, Vietnamese, Nepali, Polish, Brazilian, Russian, Somali, Spanish, Traditional Chinese and Simplified Chinese.

¹⁴² As a best practice, if agencies utilize Google Translate or other free online translation services, the translated content must be reviewed by a human linguist.

¹⁴³ That mirror the content provided in English.

¹⁴⁴ Spanish web content is required because it is the most frequently encountered language.

¹⁴⁵ Babel notice will be provided into the following languages (at a minimum): French, Haitian Creole, Korean, Arabic, Cebuano, Ukrainian, Vietnamese, Nepali, Polish, Brazilian Portuguese, Russian, Somali, Spanish, Traditional Chinese and Simplified Chinese. In FY 2024, OSHA will assess if additional languages should be included in the Babel notice.

dictionary of common OSHA terms and preferred phrases in Spanish and provides the glossary to employees who are providing language assistance.

OSHA works with community-based organizations / advocacy groups to reach and/or engage with LEP individuals through events, conferences, and regularly scheduled meetings. When engaging in this fashion, the agency typically utilizes the services of grant recipients, alliance partners, and organizations for language assistance services. In FY 2023, OSHA will outline plans for formally tracking engagements with community-based organizations / advocacy groups in their Outreach and Engagement Plan. In this plan, OSHA will describe how it will conduct outreach to and engage with LEP individuals and vulnerable communities to ensure that they are aware of OSHA's program to provide free and timely language access services. Additionally, OSHA will outline its' plans to continue improving and expanding translated content for social media platforms.

In its FY 2024 agency-specific Language Access Plan, OSHA will outline its plans to: track the frequency and type of LEP engagements; establish SOPs for translation procedures if additional translations are required for their service population; and, its processes for assigning bilingual investigators to do workplace investigations / handle cases involving LEP workers. OSHA will also develop formal training for those employees expected to provide translation and interpretation services as part of their job and outline guidelines for staff when engaging with LEP individuals.

Office of Workers' Compensation Programs

The mission of the Office of Workers' Compensation Programs (OWCP) is to protect the interests of workers who are injured or become ill on the job, their families, and their employers by making timely, appropriate, and accurate decisions on claims, providing

prompt payment of benefits, and helping injured workers return to gainful work as early as is feasible.

OWCP administers four major disability compensation programs (described below) that provide wage replacement benefits, medical treatment, vocational rehabilitation and other benefits to certain workers or their dependents who experience work-related injury or occupational disease.

Division of Energy Employees Occupational Illness Compensation

The mission of the Division of Energy Employees Occupational Illness Compensation (DEEOIC), under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), is to protect the interests of workers who were injured or became ill on the job, or their families, by making timely, appropriate, and accurate decisions on claims and providing prompt payment of benefits to eligible claimants. The EEOICPA was enacted in October 2000 and compensates: current or former employees (or their survivors) of the Department of Energy (DOE), its predecessor agencies, and certain of its vendors, contractors, and subcontractors, who were diagnosed with a radiogenic cancer, chronic beryllium disease, beryllium sensitivity, or chronic silicosis, as a result of exposure to radiation, beryllium, or silica while employed at covered facilities; individuals (or their eligible survivors) awarded benefits by the Department of Justice under Section 5 of the Radiation Exposure Compensation Act (RECA); and DOE contractor and subcontractor employees, eligible survivors of such employees, and uranium miners, millers, and ore transporters as defined by RECA Section 5, for any occupational illnesses that are causally linked to toxic exposures in the DOE or mining work environment.

Division of Coal Mine Workers' Compensation

The mission of the Division of Coal Mine Workers' Compensation (DCMWC), or Federal Black Lung Program, is to administer claims filed under the Black Lung Benefits Act. The Act provides compensation to coal miners who are totally disabled by pneumoconiosis arising out of coal mine employment, and to survivors of coal miners whose deaths are attributable to the disease. DCMWC ensures the accurate and timely payment of benefits from the Black Lung Disability Trust Fund and by responsible coal mine operators under Part C of the Act, as well as benefits paid under Part B of the Act. In addition to monthly compensation, DCMWC provides eligible miners with medical coverage for the treatment of lung diseases related to pneumoconiosis. DCMWC identifies and works with coal mine operators and insurers so that liability for payment of benefits is properly assigned.

Division of Federal Employees', Longshore and Harbor Workers' Compensation

The Division of Federal Employees', Longshore and Harbor Workers' Compensation (DFELHWC) splits the administration of claims between the Longshore Program and Federal Employees Program:

- **Federal Employees' Compensation Administration Program:** The Federal Employees' Compensation Act program adjudicates new claims for benefits and manages ongoing cases; pays medical expenses and compensation benefits to injured workers and survivors; and helps injured employees return to work when they are medically able to do so.
- **Longshore Program:** The mission of the Longshore Program is to minimize the impact of land based, maritime employment injuries and deaths on the injured employees and their families by ensuring that workers' compensation benefits are

provided promptly and properly under the Longshore and Harbor Workers' Compensation Act (LHWCA), Defense Base Act (DBA), Non-Appropriated Fund Instrumentalities Act (NAFI) and the Outer Continental Shelf Lands Act (OCSLA).

OWCP has two additional divisions that are critical to the success and fulfillment of the agency's overall mission: The Division of Administrative Operations and The Division of Financial Administration.

Division of Administrative Operations

The Division of Administrative Operations provides the following administrative services: human resources, facility management, travel, contract oversight, medical and pharmacy bill processing, program integrity, and IT. The division also provides OWCP leadership with information and guidance to make informed decisions concerning the agency's administrative and medical benefit operations.

Division of Financial Administration

The Division of Financial Administration provides leadership and direction to ensure sound planning, budgeting, and financial management throughout OWCP. Specifically, the Division leads OWCP's strategic and operational, performance reporting, and budgeting functions. This division serves a coordinating function for financial statements and audit activities and is also involved with statistical and actuarial analyses and the development of legislative proposals.

OWCP engages with LEP individuals multiple times a week using in-person, virtual, or written methods. OWCP works in every state and territory, and they have identified nine

languages that are encountered when facilitating its mission, with Spanish being the language most frequently encountered. Based on business need, OWCP recognizes that vital information needs to be translated into Navajo and will make this a priority in FY 2023. OWCP currently employs multiple contract vendors to provide language services. Additionally, DEEOIC provides translation services for Energy claimants through DEEOIC's Resource Center contractor. DEEOIC has the ability to provide all claimant correspondence in Spanish, when necessary or requested.

Much of OWCP's website is presently only available in English and does not include Babel notices in additional languages. In FY 2022, DEEOIC created a Spanish language hub on OWCP's website. The DEEOIC Spanish language resources are also available to users utilizing search engines; the phrase "DEEOIC Español" returns several translated pages that allows users to quickly navigate back to the Spanish language landing page. However, LEP customers must navigate English webpages to access the DEEOIC Spanish language hub. In FY 2023, OWCP will develop a plan to translate and include online Babel notices for the nine languages the agency encounters in the facilitation of its mission and will work to ensure that webpages that are provided in Spanish can be fully accessed by LEP customers.

OWCP identified a list of documents, website landing pages, brochures, and applications that contain vital information and already has translated a number of vital documents. DEEOIC translated ten brochures and information pertaining to workers' rights, how to file claims, and FAQs for claimants into Spanish. The translation was performed by contractors, and the quality of the translated material was verified by internal employees and / or contractors that are fluent in the target language. Translated documents are maintained in

¹⁴⁶ Spanish, Mandarin, Korean, Vietnamese, Tagalog, Japanese, Arabic, Farsi, and Navajo.

a repository that is updated annually, or as changes are made to English versions. In FY 2023, OWCP will develop a plan to translate vital documents and information into additional languages that are encountered in the facilitation of its mission. OWCP will also outline its processes for identifying vital documents in the future, when created, and translating them. In FY 2024, OWCP's DEEOIC is also planning to create audio clips in Navajo that would be included on its website.

When engaging with LEP individuals, OWCP employees may receive interpretation services through the assistance of bilingual employees or contract staff within the agency, contracted interpretation services, or by asking the LEP individual to provide a friend or family member to interpret for them. In OWCP's agency-specific Language Access Plan, to be developed in FY 2024, OWCP will develop policies to ensure that it does not rely on LEP customers to use family/friends as interpreters.

Generally, OWCP does not recruit employees for their non-English language capabilities. However, the DEEOIC Resource Center recruits for employees with language capabilities. The Resource Center has five contracted employees who speak Spanish and one who speaks Navajo. The Resource Center contractor is responsible for assessing the language capabilities during the hiring process. In FY 2022, the DEEOIC Resource Center contractor reported that 120 claimants requested language services. Additionally, six FECA claimants required translators for hearings.¹⁴⁷ When a claimant requests interpretive assistance, a hearing representative engages a competent interpreter. Internally, OWCP noted that the Longshore Voluntary Demographic survey showed that 5.8% of survey respondents indicated that their primary language was Spanish and 1.3% indicated Tagalog. Additionally,

¹⁴⁷ Services were required for Arabic, Korean, Mandarin, and Spanish languages.

OWCP noted that the FECA Voluntary Demographic survey showed that 3.7% of survey respondents indicated that their primary language was Spanish and 0.4% indicated Tagalog. However, the survey is voluntary, so the data may not accurately reflect the need for language services.

In FY 2023, OWCP will develop an engagement and outreach strategy to ensure that it provides timely and meaningful language services to LEP customers within its eligible service population. This strategy will include formulizing DEEOIC's Resource Center's current practice of coordinating interpreters when conducting outreach events with local community members and organizations.

In its FY 2024 agency-specific Language Access Plan, OWCP will develop policies to ensure that: a list of staff members within each program who are able to provide language services is maintained; LEP customers are communicated with in their preferred non-English language once identified; staff are trained to provide language services when engaging with LEP customers; staff are aware of the process for identifying language needs and accessing qualified interpreters; and, that materials are translated for LEP individuals in their preferred language. OWCP will also include in its agency-specific Language Access Plan its intent to confirm and then regularly assess the demographics of eligible service populations as populations shift and programs change; track the number of individuals who seek language services and the type of services provided; and its plan for divisions other than DEEOIC to provide language services for LEP customers.

Office of the Solicitor

The Office of the Solicitor's (SOL) mission is to meet the legal service demands of the entire Department of Labor. As the Secretary of Labor and other Department officials seek to

accomplish the Department's overall mission and to further specific priorities, the Office of the Solicitor (SOL) provides legal advice regarding how to achieve those goals. In doing so, SOL ensures that the nation's labor laws are forcefully and fairly applied to protect the Nation's workers.

SOL fulfills its mission by representing the Secretary and the client agencies in all necessary litigation, including both enforcement actions and defensive litigation, and in alternative dispute resolution activities; assisting in the development of regulations, standards, and legislative proposals; and providing legal opinions and advice concerning all of the Department's activities.

In the execution of its mission, SOL encounters the following LEP populations on a daily basis: Spanish, French, Portuguese, Chinese (Mandarin), Chinese (Cantonese), Chinese (Simplified or Traditional Written), Korean, Tagalog, Japanese, Burmese, Hebrew, Hindi/Urdu, Bengali, Gujarati, Russian, and Polish. Less common LEP populations encountered have spoken Haitian Creole, Canjobal/Q'anjob'al¹⁴⁸ and Quiché.¹⁴⁹ Contact with LEP persons occurs via outreach to stakeholders and advocacy organizations, meetings, correspondence, e-mail, walk-in visits, telephone calls, engagement via social media, at training events, depositions, during trials, witness meetings, settlement negotiations, status calls with judges, and motion hearings attended by witnesses. In FY 2024, SOL will outline its process to track the frequency and type of LEP services it provides.

In FY 2024, SOL will work with client agencies to assess their practices and use of interpreters and translators, as well as SOL's responsibility to translate vital collaborative

¹⁴⁸ Indigenous language from Guatemala.

¹⁴⁹ Indigenous language from Guatemala.

documents. Client agencies submit cases to SOL for litigation after an investigation or inspection has occurred and the responding employer contests the Agency's determination or refuses to settle. During the investigation and inspection processes, the client agencies typically gather witness statements and other evidence in support of the findings. SOL will strive to advise client agencies as well as the Department as a whole to promote compliance and the effective provision of language services.

SOL's website provides information in English. While some content may be available in Spanish, LEP customers must navigate English content to find Spanish resources. To ensure that LEP individuals have access to key information and receive / are made aware of services available to them, in FY 2023, SOL will include Babel notices on its website's landing page in, at a minimum, the languages most frequently encountered¹⁵⁰ in the delivery of its mission.¹⁵¹ Additionally, SOL will revise its website to ensure that LEP individuals can access content without navigating English webpages and will develop a workplan to provide information / resources online into Spanish.

Two SOL offices currently have contracts with a telephonic interpretation line. Attorneys and staff utilize these lines to speak with witnesses, complainants, and *pro se* employers. In FY 2024 SOL will work with the Department to ensure that all offices have access to telephonic interpreters. SOL currently secures translations via contractors secured by the Litigation Support Unit. SOL currently has approximately 50 -75 bilingual attorneys nationwide.¹⁵² As part of their job duties, bilingual attorneys speak with LEP individuals directly in their assigned cases. Bilingual attorneys may at times communicate with LEP

¹⁵⁰ Cited above.

¹⁵¹ In FY 2024, SOL will assess if Babel notices should be provided in less frequently encountered languages (languages that are utilized by SOL's eligible service population).

¹⁵² These attorneys utilize their language capabilities to provide services to LEP individuals in investigations / cases.

individuals on cases that they are not assigned to if there is an urgent need or if there are scheduling matters that need to be addressed. However, SOL attorneys do not serve as interpreters. In offices where bilingual attorneys are unavailable, SOL will often ask the investigator from the client agency in the relevant matter to serve as an interpreter when communicating with witnesses if they speak the language required.¹⁵³ SOL does not recruit for employees with language capabilities; rather, some offices may include a language requirement—most likely for Spanish, but possibly Mandarin—in its job posting as a factor that may be given weight or preference.¹⁵⁴ Additionally, SOL does not assess the language capabilities of its employees. In the past two years, Region IV’s office held trainings on the importance of language access, how to identify vital documents, and how to develop / implement a Language Access Plan. However, SOL has not conducted comprehensive language access trainings nationally. In FY 2024, SOL will determine if candidates and current employees should be formally assessed for language capabilities and, if so, how this will be evaluated,¹⁵⁵ especially for those employees that utilize their language capabilities in an official capacity.

Additionally, SOL does not have policies outlining how investigators and attorneys receive training and LEP support, when needed. SOL noted that it experiences significant gaps in providing effective communication with witnesses, complainants, and *pro se* employers who are LEP. In FY 2023, SOL will create policies and procedures for its staff on how to determine, access and provide effective service to different types of LEP individuals¹⁵⁶ and how staff identify and serve LEP individuals to ensure all regional offices provide

¹⁵³ If the investigator does not speak the language required, SOL utilizes the telephonic interpretation line.

¹⁵⁴ Dallas and San Francisco regions.

¹⁵⁵ e.g., translation/interpretation/writing/reading evaluations.

¹⁵⁶ Like witnesses, complainants, and *pro se* employers.

meaningful language access. SOL will also create voicemail prompts in multiple languages¹⁵⁷ to ensure that LEP callers have language assistance services. In FY 2024, SOL will conduct training on the newly developed policies and will develop specialized training for staff who are expected to use language capabilities to provide services to LEP individuals. Additionally, in FY 2024, SOL will develop and distribute¹⁵⁸ a list of employees with language capabilities, to promote timely language services.

In FY 2023, SOL will develop an Outreach and Engagement Strategy to ensure that it provides meaningful language access to vulnerable LEP service populations and notifies LEP customers of free and timely language services. In its Outreach and Engagement Strategy, SOL will also evaluate current engagement with LEP communities and will outline how the agency plans to improve its engagement with vulnerable communities moving forward.

While SOL has not created an agency-wide Language Access Plan, Region IV developed a Language Access Plan in April 2020.¹⁵⁹ In FY 2024, the Office will develop an agency-wide Language Access Plan, incorporating the plan developed by Region IV. The agency-wide plan will include processes that: identify vital documents, assess the accuracy of vital document translations, outline translation procedures; outline policies/procedures for staff to track services provided; and assess the efficacy of current translations.

¹⁵⁷ SOL will create voicemail prompts for at least 5 languages in FY 2023. In FY 2024, SOL will assess if additional languages should be added to the voicemail prompt.

¹⁵⁸ To staff.

¹⁵⁹ This plan was developed by members from Region IV's Language Access Initiative team after gathering input from client agencies and other regional SOL offices.

Wage and Hour Division

The Wage and Hour Division (WHD) enforces federal minimum wage, overtime pay, recordkeeping, and child labor requirements of the Fair Labor Standards Act. WHD also enforces the Migrant and Seasonal Agricultural Worker Protection Act, the Employee Polygraph Protection Act, the Family and Medical Leave Act, wage garnishment provisions of the Consumer Credit Protection Act, and a number of employment standards and worker protections, as provided in several immigration related statutes. Additionally, WHD administers and enforces the prevailing wage requirements of the Davis-Bacon and Related Acts and the Service Contract Act and other statutes applicable to federal contracts for construction and for the provision of goods and services.

WHD conducts national, regional, and local strategic initiatives focusing on industries that employ vulnerable workers, including LEP individuals. These initiatives include enforcement, education and outreach, and compliance assistance. WHD serves a broad population of LEP individuals and encounters LEP individuals on a daily basis and in a variety of ways, including in-person, over the phone, or in a virtual manner. WHD accepts complaints about violations of worker protection standards and engages in significant investigative efforts that require effective communication with LEP individuals. WHD's activities are among the most vital to the Department in its fulfillment of its mission to ensure workers' rights are steadfastly protected.

WHD identified approximately 34 languages including: [Spanish](#), [Arabic](#), [Chinese](#), [Haitian](#), [Hindi](#), [Hmong](#), [Korean](#), [Nepali](#), [Polish](#), [Portuguese](#), [Punjabi](#), [Russian](#), [Samoan](#), [Somali](#), [Tagalog](#), [Thai](#), [Urdu](#), [Vietnamese](#) and others that are frequently encountered at the local and district-level offices, with a unique emphasis on emerging Indigenous languages. To ensure that adequate services are available for indigenous service populations, WHD, in its

FY 2024 agency-specific Language Access Plan, will outline its plan to provide language resources for populations that speak Aleut languages, Apache languages, Cherokee, Dakota languages, Keres, Muskogean languages, Navajo, and Ojibwa. Additionally, WHD is exploring a Departmental, machine-readable solution to translating its website into other languages besides Spanish. WHD acknowledges that if it utilizes machine translation software to translate the website, the content will need to be reviewed by a qualified linguist to ensure accuracy.¹⁶⁰

WHD's website is available in Spanish although there are some sections of text that are not accessible to Spanish-speakers (e.g., the landing page header, sub links). WHD's website does not provide Babel notices in other frequently encountered languages. WHD, therefore, aims to include Babel notices on the website's landing page for customers who understand frequently encountered languages by the end of FY 2023 and will work to revise the Spanish website to ensure sufficiently complete translation in FY 2024. WHD also utilizes an over the phone interpretation service to communicate with the public in the event no one on staff has the existing language capability needed. Customers need to only indicate the need for translation before activated by WHD staff. When engaging with customers via virtual outreach through Teams, customers now have the ability to receive close captioning in multiple languages in the event live interpretation services is unavailable. WHD will review/ensure the reliability of this tool.

WHD has a process for identifying language needs when opening an investigation to provide services in the appropriate language(s). These processes will be outlined in WHD

¹⁶⁰ A linguist who has been assessed for their language capabilities.

procedures and their agency-specific Language Access Plan, to be developed in FY 2024, and will be assessed according to a schedule established by WHD.

WHD maintains a repository of translated documents for executing the agency's mission. This repository is kept at the National Level, and documents are verified for accuracy by agency staff with language capabilities and updated on an "as-needed" basis when there are changes to the regulations or to the English versions. In FY 2023, WHD identified 25 documents that contain vital information for customers. To date, WHD has translated a variety of vital materials into multiple languages, including the agency website, correspondence, applications, general Information, brochures/pamphlets, consent forms, complaint forms, intake forms, Notices of Rights, reports, guidance materials, formal agreements (MOUs/AEUs), joint stakeholder trainings, fact sheets, traditional media, and live social media events. In FY 2023 and FY 2024, WHD will continue to translate vital documents into the 34 frequently encountered languages¹⁶¹ to ensure that customers can access vital information for WHD's programs and services, if not already translated. As a best practice, WHD utilizes a Spanish glossary created through an OPA initiative to ensure consistency of translated materials. In addition to ensuring that all vital documents are translated proactively to be available, WHD needs to ensure that specialized, tailored information is translated on an as-needed basis. Timely communications with LEP individuals should be in appropriate languages throughout the course of agency interactions.

¹⁶¹ Noted above.

WHD currently uses Google translation software. Acknowledging this is a discouraged practice, WHD validates the translations and modifies, as appropriate, to ensure the accuracy of translation. WHD, however, does not make this tool available to the public.

WHD commonly recruits for employees with non-English language capabilities. WHD currently has 518 personnel who can read, write, and speak languages other than English. According to the survey response, of the 244 enforcement positions hired in FY 2022, 82 are on bilingual Position Descriptions (PDs) and are assessed for language ability. Consideration is given regarding the demographic makeup of customers served in an area upon hiring as well. These employees are primarily wage and hour investigators; however, the agency also recruits for bilingual back wage specialists who will assist workers with completing documentation to obtain back wages that are due to them and in making efforts to locate workers, which may involve challenges due to communication barriers. Additionally, WHD employs approximately 200 additional employees with language capabilities who were not hired specifically for their non-English capabilities. These employees are generally asked to use their language capabilities on projects that would benefit from their linguistic capabilities as well as to provide assistance to customers and the general public, through enforcement or education and outreach, in person, virtually, or by phone. The agency maintains an internal database of these employees, which other WHD employees may consult, if needed, prior to using the contracted vendor to provide gap language services. The agency also maintains a contract for translation and over-the-phone interpretation services for use when staff are not able to or are unable to provide language services to LEP customers.

Currently, WHD does not offer or provide specialized training for staff who are expected to use language capabilities nor does the agency have formal policies / procedures on how to

identify if an individual is LEP, how to identify the needs of the LEP individual, and how to provide language services to customers. In FY 2024, WHD will work to develop these policies and procedures and outline general training requirements for staff expected to use their language capabilities. Furthermore, WHD will work to ensure that all staff are aware of linguistic resources and how to utilize them, when appropriate.

By the nature of programs in which WHD participates – such as the H-2B and H-2A visa programs and the Foreign Labor Certification program – investigators interact with a large population of LEP workers under various working conditions that require full access to the vital information being given. WHD ensures that language services are extended to workers and employers during investigations and their subsequent conferences. WHD's outreach to LEP individuals is organized by Community Outreach & Resource Planning Specialists, who establish and maintain stakeholder relationships with community-based organizations and advocacy groups that provide language services. WHD relies on stakeholders to disseminate translated materials, when needed. Additionally, WHD established Arrangements of Understandings (AEUs) with foreign consulates to organize efforts to help support the agency's mission. As a part of program activities, WHD produces public notifications that have significant impact to WHD stakeholders. To ensure that WHD's LEP communities have access to that information, WHD informs their LEP stakeholders of language assistance services through: publicly placed posters; WHD's website; social media accounts; direct emails to listservs and individuals; and, through existing relationships with community-based organizations serving LEP communities. WHD has an established process to assess the effectiveness of outreach and communications to LEP individuals by providing surveys after events that includes assessing its ability to communicate with all audience members and improvements are made based upon those results. WHD also receives suggestions for improvement when it comes to LEP communities from stakeholders.

In FY 2024, WHD will develop a system to track the number of LEP individuals it serves and the type of language assistance services it provides to LEP individuals¹⁶². WHD will also develop processes that: outline translation procedures if additional translations are required for their service population; outline policies / procedures for staff to track services provided; and, assess the efficacy of current translations.

Women's Bureau

The Women's Bureau (WB) was created by law in 1920 to represent the needs of wage-earning women. The Bureau has the authority to investigate and report to DOL upon all matters pertaining to the welfare of women in industry. WB champions policies and standards that safeguard women's interests; advocates for the equality and economic security of women and their families; and promotes quality work environments. WB uses data and policy analysis, grantmaking, and national and state-based stakeholder engagement to drive changes in policy and practice that increase wage and wealth equity for women through:

- Improving pay and working conditions in key, female-dominated sectors;
- Getting more women in pathways to high-wage jobs;
- Expanding access to paid leave and affordable child and elder care;
- Ensuring workers know and can exercise their rights in the workplace; and
- Eliminating pay inequity, and gender-based discrimination and harassment in the workplace.

¹⁶² Tracking system will be implemented in FY 2025.

The agency also manages the Women in Apprenticeship and Nontraditional Occupations (WANTO)¹⁶³ and Fostering Access, Rights and Equity (FARE)¹⁶⁴ grant programs.

WB staff encounter Spanish-speaking LEP individuals a few times a month in a variety of ways, including over the phone, in person, or in a virtual manner. When the Bureau receives Spanish language requests, they are then handled by WB staff who speak Spanish. In FY 2024, WB will establish policies for National Office and field staff when engaging with LEP individuals that speak languages other than English or Spanish¹⁶⁵. As a grant funding agency, WB requires grantees to provide language access, as necessary. In FY 2024, WB will add language to its Funding Opportunity Announcements to include a budget requirement to provide language assistance services, as needed, to reach and serve eligible participants.

WB's website includes select vital information in Spanish, including the agency's description, fact sheets, and worker protection fact sheets. Recently, when WB released a new resource, the National Database on Childcare Prices (NDCP), WB published a Spanish language fact sheet and press release that were posted online and shared with Spanish-speaking audiences and Spanish social media. WB's events calendar also shows events that are provided in Spanish. Although they have not been advertised in Spanish on the website, staff has shared the information with stakeholders and organizations that work with Spanish-speaking clients. WB, however, does not provide Babel notices on their website. In FY 2023, WB will work to understand whether and where it would be useful to post a Babel notice in Spanish and other languages on its website.

¹⁶³ WANTO grants help to expand pathways for women to enter and lead in all industries by recruiting, mentoring, training, and retaining more women in quality pre-apprenticeship, apprenticeship programs and nontraditional occupation programs.

¹⁶⁴ FARE grants help women workers who are paid low wages access benefits and know their rights in the workplace.

¹⁶⁵ The most commonly encountered language after English.

WB considers many of its fact sheets, reports, and blog posts as vital documents. In the past, translations had either been completed by Spanish-speaking staff, by DOL's Office of Public Affairs, or via a stakeholder partnership. WB maintains a repository of translated documents. Throughout FY 2023 and FY 2024, WB will use the translation service contracts under the Department's Blanket Purchase Agreement to translate its identified vital documents, website pages, and data pages using a phased approach. Additionally, in FY 2024, WB will develop a process to determine how documents are identified as vital when created and explore how to manage the review of contractor-translated documents by employees with Spanish language capabilities who already have full workloads.

WB currently uses approximately 5-8 employees with Spanish language capabilities to provide language services. WB, however, provides no specialized training for staff who are expected to use their language capabilities. In FY 2024, WB will develop a plan to familiarize staff on how to access language services for LEP individuals who contact the WB and how to identify if an individual requires language assistance. Additionally, WB will assess if upcoming hiring cycles should include positions that require employees to have Spanish language capabilities and/or if current bilingual employees will be surveyed for language ability as WB does not specifically recruit employees with non-English language capabilities.

WB collaborates with stakeholders, including government agencies, community-based organizations, and educational institutions to highlight the voices of workers and promote education and outreach on existing priorities. WB also engages with the public by hosting listening sessions, roundtables, webinars, conferences, and community outreach events, often with key stakeholders (e.g., Justice for Migrant Women and the International Labor Organization). In these events, WB serves as the host agency and provides simultaneous

Spanish/English interpretation and Spanish translations of material to support outreach events. For events not hosted by WB, the agency relies on recipient organizations to provide language services for their events. In FY 2023, WB will develop an outreach and engagement strategy to ensure timely, meaningful language access is provided to their eligible service population.

In FY 2024, WB will develop an agency-specific Language Access Plan. The Language Access Plan will outline plans for tracking the number of LEP individuals assisted, the type of language assistance services WB provides to LEP individuals, procedures outlining processes for staff in engaging LEP individuals, and translating documents / providing interpreting services. WB will also outline a regular assessment of demographics of eligible service populations and corresponding resources that exist to ensure continued meaningful access as populations shift and programs change.