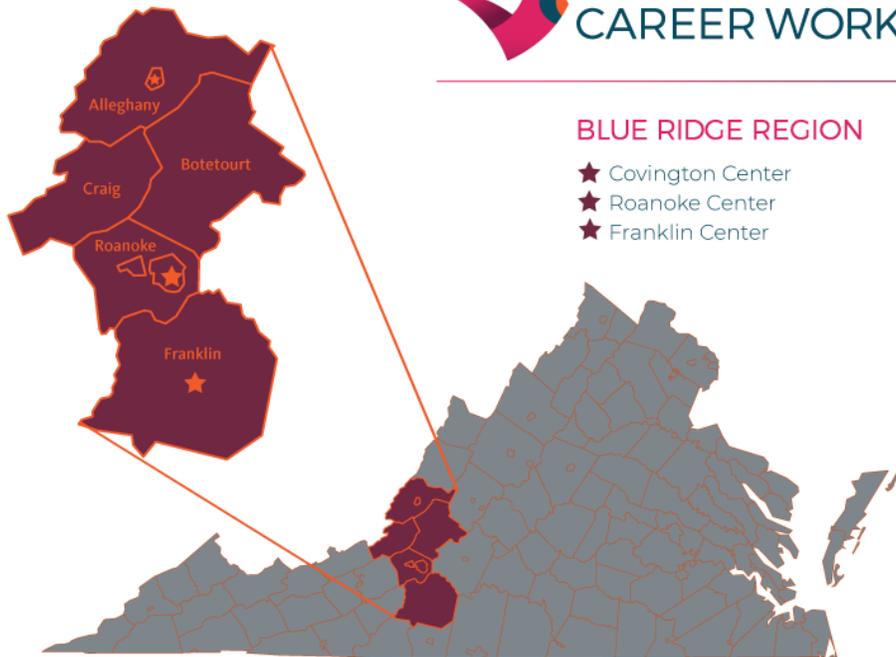


**LOCAL WORKFORCE DEVELOPMENT AREA (LWDA)  
LIMITED ENGLISH PROFICIENCY (LEP) PLAN**  
March 2021



***LWDA III – Blue Ridge Region***

Alleghany County  
Botetourt County  
Craig County  
Franklin County

Roanoke County  
City of Covington  
City of Roanoke  
City of Salem

## **Introduction**

The Virginia Career Works – Blue Ridge Limited English Proficiency Plan has been prepared to address the responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills.

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42. U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency), which indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. The Blue Ridge region will publish policy for its respective staff clarifying their obligation to ensure that such discrimination does not take place.

The Western Virginia Workforce Development Board has developed and published its LEP Policy for the region for its respective staff clarifying their obligation to ensure that such discrimination does not take place and that LEP individuals receive equal access to our services, programs, and activities.

## **Purpose**

The Virginia Career Works – Blue Ridge region has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with Limited English Proficiency (LEP) who wish to access services, program and activities provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

To prepare this plan, the four-factor LEP analysis was used to determinate the languages in the area that would require vital documents to be readily available upon request. The following factors to be considered are:

1. The number of proportion of LEP persons in the service area who may be served by the local area.
2. The frequency with which LEP persons come in contact with the area's services.
3. The nature and importance of services provided to the LEP population.
4. The interpretation services available and overall cost to provide LEP assistance.

A summary of the results of the four-factor analysis is in the following section.

## **Four-factor Analysis**

1. The number or proportion of LEP persons in the service area who may be served by the local area.

The U.S. Census Report was reviewed, and it was determined that of the 192,434 persons in the region, 3.1% of the population speak a language other than English. Of those, 9,169 persons, or 31.1% have limited English proficiency; that is, they speak English “not well” or “not at all”, this is only a 1.6% of the overall population in the region. It has been found that of those with limited English proficiency, 0.7% speak Spanish, with the largest cluster in Roanoke County. The frequency with which LEP persons come in contact with Virginia Career Works – Blue Ridge services is minimal.

2. The frequency with which LEP persons come in contact with the area’s services.

The frequency with which office staff have, or could have, contact with LEP persons was also reviewed. This includes documenting phone inquiries or office visits. To date, the Blue Ridge region has had requests for interpreters but not requests for translated program documents. The office staff have had very little contact with LEP persons. Therefore, it will continue to monitor the influx of LEP clients to ensure that the LEP policy and plan continue to correlate with the amount of LEP clients and constituents served.

3. The nature and importance of services provided to the LEP population.

There is not a large geographic concentration of any type of LEP individuals in the service area, as the majority of the population (95.82%) speak only English. As a result, there are social, service, professional and leadership organizations within the Blue Ridge region service area that focus on outreach to LEP individuals. These organizations include Commonwealth Catholic Charities and local Departments of Social Services. Virginia Career Works – Blue Ridge staff are most likely to encounter LEP individuals through office visits.

4. The interpretation services available and overall cost to provide LEP assistance.

Available resources that could be used for providing LEP assistance were reviewed and staff are utilizing Propio for translation services. Other language translation, if needed, would be provided through a telephone/internet interpreter for which Virginia Career Works – Blue Ridge would pay a fee.

The Language Access Coordinator (employed by the Virginia Employment Commission, state level) will meet with Virginia Career Works – Blue Ridge staff to evaluate and update the LEP policy and plan, as well as will work with them to allocate funds in order to comply with the demand, or work with resources available to provide alternate services so that the demand is adequately met.

### **Language Assistance Methods**

Virginia Career Works – Blue Ridge will use a combination of interpretation and translation language assistance to provide meaningful access for LEP persons.

A. **Oral Language Services: Interpretation:** Interpretation is listening to something in one language and orally converting it into another language. At no cost to the LEP individual (*or family member*), interpreter services will be provided to all LEP individuals applying for, participating in programs or receiving services and or benefits. The interpreter services will be provided in an efficient and timely manner as provided to non-LEP participants.

1. **Using Bilingual Employees** – Employees who are fluent in another language may provide interpretation language services, when possible. Care is taken that the person is not only bilingual but can interpret and/or translate the language and do so in the terms specific to the program. For staff to be used, they must complete a certification process<sup>1</sup> of the languages to be interpreted or translated.
2. **Using Telephone Line Interpreters** – Telephone line interpreters allow for quick responsive services for a wide number of languages. Virginia Career Works – Blue Ridge region will utilize Propio to provide telephone and in person interpreting services. Staff have been trained on the process for securing and providing telephone and in person interpreting services, as needed.
3. **Using Family Member or Friends of the LEP Person** – Virginia Career Works – Blue Ridge does not rely on the use of the LEP person’s family members, friends, or other informal interpreters to provide language assistance for important program information. However, where LEP persons so desire, they will be permitted to use, at their own expense, an interpreter of their choosing (including family members, friends, or other informal interpreters) in place of, or as a supplement to, Virginia Career Works – Blue Ridge’s free language services. A decision to use a family member, friend, or other interpreter will be documented in the case file when possible. Extra caution should be taken if the LEP person chooses to use a minor. Staff must be mindful of the content of the materials and documents being discussed with the LEP individuals as there is an obligation to ensure that meaningful access is being provided.
4. **Timeliness of Services** – Virginia Career Works – Blue Ridge will strive to provide services to LEP customers during the visit or contact. Language services should be provided at a time and place that does not cause a denial, delay, or imposition of an undue burden in the receipt of important rights, benefits, or services to the LEP person.

B. **Written Language Services: Translation** is the replacement of written text from one language into the equivalent written text in another language.

1. **Determining Which Documents Should Be Translated – Vital Document** - In an effort to provide meaningful access to LEP persons, Virginia Career Works – Blue Ridge has identified “vital” documents used for services with the assistance of state staff. The following is considered in identifying what documents are “vital”.
  - The importance of the program, information, encounter, or service provided.
  - The consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

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<sup>1</sup> Certification Process to be determined by the Blue Ridge Region.

- These documents should be translated into appropriate languages when there is sufficient need.
2. **Determining the Languages That Documents Should Be Translated Into** – Virginia Career Works – Blue Ridge’s goal to translate vital documents into Spanish was determined based on frequency of contacts and the demographics of the area. The Blue Ridge Region will provide other documents as requested on a case-by-case basis.
  3. **Translator Competency** – As with interpreters, translators should be competent in the skill of translating. Therefore, many of the same considerations apply. However, a person who is competent interpreter may or may not be a competent translator.
    - **Using Bilingual Employees** – The Blue Ridge Region will ensure that any employees identified to be used are fluent in another language may provide translation language services. Care is taken that the person is not only bilingual but can interpret and/or translate the language and do so in the terms specific to the program. For staff to be used, they must complete a certification process<sup>2</sup> of the languages to be translated.
    - **Using Volunteers** – The Blue Ridge Region will ensure that any volunteers used from other local state agencies, community colleges, and universities will be competent in the skill of translating, trained in the information or services of the program, and knowledgeable about applicable confidentiality and impartiality rules.
    - **Using a Certified Translation Services** – The Blue Ridge Region will utilize Propio to translate “vital” documents for languages other than Spanish.

### **Staff Training**

The following training will be provided to all staff who serve customers or members of the public are trained annually, at a minimum. Staff should be knowledgeable of the contents of this plan and the LEP policy. Staff who provide service to customers or come into contact with potential customers should know the following:

1. General information about working with non-English speaking or LEP customers;
2. LEP customer rights;
3. Know the location and use of “I Speak” cards or other language identification measures for LEP persons;
4. Know their responsibilities to provide services; and
5. Know the local area LEP policy.

### **Notice to LEP Persons**

The Blue Ridge Region will promote awareness of language services to include:

1. Distributing posters, brochures, and pamphlets regarding programs and services within appropriate local LEP communities;

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<sup>2</sup> Certification Process to be determined by the Blue Ridge Region

2. Including the Equal Opportunity tagline in communication to the public such as brochures, booklets, and electronic communications (including the Babel statements);
3. Collaborating with community-based organizations and other stakeholders to inform LEP persons of programs and activities (outreach);
4. Airing notices in language specific radio and television stations, when available;
5. Utilizing social media to notify of available translation services;
6. Conducting presentations at schools and faith-based organizations; and
7. Ensuring website information can be translated into Spanish, at a minimum.

Within local facilities, notices include:

1. Using “I Speak” cards or other language identification measures;
2. Posting signs in selected languages in intake areas and other entry points;
3. Using telephone voice menus in appropriate languages; and
4. Recruiting to fill open vacancies using specific language skills.

### **Monitoring and Evaluating**

Virginia Career Works – Blue Ridge staff will review this plan annually to determine if changes are needed and whether staff training or development is needed. This will be accomplished by:

1. Reviewing the current LEP population in the service area.
2. Documenting LEP person contacts experienced annually.
3. Reviewing the needs of LEP persons and whether they have been addressed.
4. Determining whether the need for translation services has changed.
5. Determining whether local language assistance programs have been effective and sufficient to meet the need.
6. Determining whether the region’s financial resources are sufficient to fund language assistance resources when needed.
7. Determining whether the region fully complies with the goals of this LEP plan.

Periodic monitoring will be conducted by the State-level EO Officer/Language Access Coordinator to ensure that the procedures in this plan are being adhered to and the services are readily available as required.

### **Dissemination of the Plan**

Virginia Career Works – Blue Ridge staff will be provided with a copy of the plan and training. The plan will be a part of the new employee orientation training. Signs will be posted at Virginia Career Works – Blue Ridge locations notifying LEP persons of the LEP plan and how to access language services. The LEP plan will also be available on the Virginia Career Works – Blue Ridge website.

### **Resources**

- U.S. Census American Community Survey, by using the American Fact Finder at <https://data.census.gov/cedsci/>
- Weldon Cooper Center: [demographics.coopercenter.org](http://demographics.coopercenter.org)
- Virginia Department of Education <https://www.doe.virginia.gov/instruction/esl/resources/el-students-in-va.pdf>

- Virginia LMI Community Profile: <https://virginiaworks.com/community-profiles>
- [Plan for Improving Access to Services for Persons with Limited English Proficiency | U.S. Department of Labor](#) <https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/lepDOLplan>
- LWDA Blue Ridge Region LEP Policy <https://www.vcwblueridge.com/wp-content/uploads/2021/02/LEP-Policy.pdf>

## **References**

- [Federal Register, Volume 68, No. 103, Thursday, May 29, 2003](#): “Civil Rights Center; Enforcement of Title VI of the Civil Rights Act of 1964; Policy Guidance to Federal Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons; Notice”
- [29 CFP Part 38](#) - Workforce Innovation and Opportunity Act (WIOA) 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- [29 CFR Part 31](#) – Nondiscrimination in Federally Assisted Programs of the Department of Labor- Effectuation of Title VI of the Civil Rights Act of 1964.
- <https://www.lep.gov/executive-order-13166-> Executive Order “Improving Access to Services for Persons with Limited English Proficiency”