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PUBLIC NOTICE

The purpose of this public notice is to solicit public review and comment on the Nevada Department of Employment, Training and Rehabilitation's (DETR's) **Language Access Plan** pursuant to the requirements prescribed in Nevada's Senate Bill 318 (S.B. 318; 2021) and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. Pursuant to S.B. 318, *"Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language."*

Public comment will be taken from July 1, 2024 through July 31, 2024, 5 p.m. (PDST), and should be submitted to the state as follows:

By USPS mail:

ATTN: Valentina Bonaparte, Public Information Officer II
Department of Employment, Training and Rehabilitation
500 E. Third Street
Carson City, NV 89703

By e-mail:

v-bonaparte@detr.nv.gov



I. Purpose and Authority

Nevada's Senate Bill 318 (S.B. 318; 2021) and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. Pursuant to S.B. 318, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, it makes it clear that it is the responsibility of government to provide that access in that:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

The Nevada Department of Employment, Training and Rehabilitation (DETR) is committed to ensure and maintain compliance with S.B. 318 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this document is to establish an effective Language Access Plan (LAP) and protocol for DETR personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to the success of our mission to assist Nevada counties in developing quality, equitable, and sustainable indigent defense systems that strengthen local communities and meet or exceed the state and federal constitutional guarantees that protect each of us.

In compliance with [Nevada Revised Statute \(NRS\) 232.0081](#), DETR provides this LAP that includes the following:

- a) Outlines the compliance of DETR and any of its contractors, grantees, assignees, transferees, or successors of the agency concerning the availability of language services and accessibility of services provided by DETR to persons with limited English proficiency (LEP).
- b) Lists the relevant demographics of persons served by or eligible to receive services from DETR.
- c) Provides an inventory of language services currently provided.

- d) Provides an inventory of the training and resources provided to employees of the agency who serve persons with LEP.
- e) Identify areas in which the services described in bullet point c) and the training and resources described in bullet point d) do not meet the needs of persons with LEP served by DETR.

II. Policy

DETR recognizes that individuals that seek and/or are eligible to receive its services includes individuals with limited English proficiency (LEP). It is the intention of DETR to ensure meaningful access for LEP individuals. Therefore, it is DETR's policy to ensure that LEP individuals can gain equal access to DETR services and communicate effectively.

The key to providing equal access to DETR services for LEP individuals is to ensure that there is effective communication between the DETR staff and the LEP individuals. To ensure that all LEP individuals can participate in services provided, service providers shall take reasonable steps to provide information to individuals who have limited English proficiency and shall take appropriate steps to ensure that communications with individuals with disabilities and individuals with limited English proficiency are as effective as communications with others. The term service provider includes but is not limited to DETR, the State Workforce Development Board (aka, the Governor's Workforce Development Board), its two local workforce development boards (LWDBs), workforce area grant recipients, One-Stop operators and their service providers.

Further, DETR recognizes its responsibility to the citizens of Nevada to provide essential and purposeful information in all communication mechanisms, e.g., websites, printed materials, social media, and all other forms of communication. In that respect, DETR adopts the following policies and procedures to ensure LEP individuals gain equal access to DETR's services, and that DETR communicates information regarding said services in an effective and meaningful manner. DETR recognizes and takes ownership of its ability to grant access to services and programs to every person, regardless of their ability to speak, understand, read, and/or write English.

According to U.S. Census Bureau data, the Hispanic population is the predominant minority group in Nevada and therefore DETR information is readily provided in Spanish. DETR also utilizes the internet website babelfish.com, which translates written material to various languages as needed.

Individuals can file unemployment claims by telephone in English or Spanish. When a claimant files an unemployment claim by telephone, they can receive instructions for completing the process in Spanish. In addition, Spanish-speaking claims representatives are available to assist claimants in the filing process. The Telephone Claim Center also has a TTY number available for individuals with auditory disabilities or speech impairments.

DETR offices and One-Stop offices have Spanish-speaking employees available. These offices will use existing staff that have the bilingual ability to interpret for LEP customers. If sufficiently bilingual staff to deliver equal services to LEP customers are unavailable, then qualified interpreters will be contracted according to Nevada State Purchasing's guidelines.

DETR has developed an interpreter directory of multilingual staff and external interpreter resources. The directory is updated annually and includes spoken foreign language and

American Sign Language fluent staff. Additionally, contracted spoken or sign language agency resources may be utilized if DETR staff is not available.

The Communication Access Services (CAS) program under Department of Health and Human Services' Aging and Disability Services Division (ADSD) maintains a list of certified sign language interpreters on its website in accordance with NRS 656A. DETR's intradepartmental interpreter directory is available on DETR's intranet and is distributed annually to all employees. If any LEP individual requires information in a language other than English, a DETR or partner agency staff member will be provided first, followed by external resources from the interpreter directory if needed.

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. DETR intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. DETR seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

Toward this end, DETR endorses the following:

- DETR is committed to equity and will take all reasonable steps to provide LEP individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and respond to language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is discouraged but allowed if the LEP individual so desires it. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.

III. DETR's Language Access Coordinator (LAC)

Valentina Bonaparte, Public Information Officer II
Department of Employment, Training and Rehabilitation
500 E. Third Street
Carson City, NV 89703
(775)684-3904
v-bonaparte@detr.nv.gov

- Fluent in English, Spanish and Portuguese
- Collaborates with DETR ADA coordinator as needed
- Collects and responds to LEP LAP input
- Presents, reports and make recommendations to DETR administration for program compliance to S.B. 318

DETR's LAC will work with staff and external departments, agencies, stakeholders, and the public to ensure that language access is made available according to this LAP.

IV. **Profile of DETR's LEP Clients**

DETR has a variety of client and case management systems used in the provision of services. DETR is committed to developing a method to track language preferences as these client/case management systems are updated and modernized for communication with eligible LEP clients so that we can better provide meaningful, timely access to our services and programs without regard to any language impediments.

Given the nature and diversity of program offerings within DETR, all Nevadans are considered to be potential individuals seeking DETR services. Based on census data, multiple spoken language supports may be needed to ensure LEP Nevadans equitable access to DETR programs. A number of DETR staff already self-report language fluency in 50% of safe harbor level languages identified. DETR staff speak: Spanish (46), Japanese (2), Serbo-Croatian (1), French (2), Persian (1), German (3), Italian (1), American Sign Language (3). They are available to assist individuals seeking to access DETR programs and services statewide. Statewide interpretation contracts cover the remaining safe harbor level languages not spoken by DETR staff: Tagalog, Chinese (Cantonese & Mandarin), Korean, Vietnamese, Amharic, Thai, Arabic, Russian, Samoan, and Laotian. Basic demographic information is currently requested of individuals applying for services and reporting is optional. Additional resources will be needed to update data collection means across all programs to accurately and consistently track the new level of detailed demographics expected with the passing of S.B. 318.

In addition, DETR has secured and implemented many systematic improvements in its case management systems (CMS), which include:

- Spanish translation of all of UINV, DETR's current unemployment insurance (UI) CMS, screens and information (November 2023).
- Spanish translation of DETR's UI Claimant Handbook and its UI Monetary Determination notification.

In DETR's current UI Modernization (i.e., from UINV to NUI CMS), which will *go-live* in July 2025, the following language access improvements will be included:

- Plain Language translation for all of DETR's unemployment insurance documents and website pages.
- Complete UI CMS site and documents translations from English to Spanish.
- Babble Notices, which are short notices included in a document or electronic medium (e.g., website, email, etc.) in multiple languages that inform the reader that the communication contains information about services provided by DETR and directs the reader towards additional information and/or a request for translation or interpretation services if needed. This Notice is an acceptable, standard format used by other states under their UI Modernization projects.
- Tracking and reporting capabilities within DETR's EmployNV system of LEP clients.

S.B. 318 requires data to be collected on clients who are refugees and indigenous. DETR currently does not have any data on clients who are refugees or indigenous. DETR is committed to making its services more accessible to the refugee and indigenous communities, and therefore will be developing procedures to gather the relevant data. Each agency within DETR will be required to collect data on; 1) the number of refugee clients served, their country of origin, their preferred language, and the services/programs they access; and 2) the number of indigenous clients served, the tribes they belong to, their preferred language, and the services/programs they access.

During the development of procedures to gather the aforementioned data, agencies will need to determine who within each program will collect the data, how the data will be collected, at what time during the enrollment process will the data be collected, where the data will be stored, and how the data will be shared with the DETR Language Access Coordinator.

During the data gathering process, clients will need to be informed about the reasons for the information being collected, iterating that the data will be used to help DETR make its services more accessible to these communities and improve service delivery. Furthermore, LEP individuals will need to be assured that confidentiality will be maintained following applicable laws and agency policies.

DETR's current EmployNV workforce system has turned on a language configuration to gather data on individuals' native languages and their proficiency levels in speaking, reading, writing, and understanding English. This configuration aligns with S.B. 318 request to track and report the following information:

- Preferred languages of LEP individuals
- Literacy levels of LEP individuals in their preferred language and in English
- Ability of LEP individuals to access agency services electronically
- Type of services received by LEP individuals

Since all UI claimants must register in Nevada's workforce case management system, aka EmployNV, DETR has integrated specific questions into the EmployNV individual registration screens. These questions will capture essential data points without complicating the user experience. Additionally, we have prepared a pre-built report dedicated to gathering preferred language registration information and another report for tracking services provided to LEP individuals.

Regarding language accessibility, EmployNV supports translation into all languages through Google Translate and is optimized for ease of use in both English and Spanish. Furthermore, we have initiated a work order to produce printed application forms in Spanish alongside our current English defaults, ensuring accessibility across different language preferences.

DETR is confident that these system efforts will significantly enhance DETR's ability to meet S.B. 318 requirements and contribute to a more inclusive experience for all users of EmployNV and UINV/NUI collectively.

V. DETR Language Access Services and Procedures

DETR has secured the language access services described below to enable LEP individuals are able to access services and programs more fully. In every case, DETR ensures that all language service providers are fully competent to provide these services.

Internal staff resources are sufficient in many instances; however statewide translation interpretation contracts (99SWC-S1847) have been awarded to ensure communication access needs are fully met. Should there be a lapse in statewide interpretation contract services, DETR has the ability to utilize agency level interpretation service agreements to bridge what would otherwise constitute a gap in access for LEP individuals seeking or engaged in program services.

Oral/Sign Language Services

DETR provides the following oral/sign language services:

Currently, there are no staff within DETR officially considered as dual-role interpreters by definition in S.B. 318. Language fluency differential pay incentives were eliminated by DHRM more than ten years ago as a budget savings effort during the 2008-related economic crisis. Presently, DETR staff that have shared other language fluency are volunteering their assistance in addition to their regularly assigned role and duties. DETR staff speak: Spanish (46), Japanese (2), Serbian (1), Croatian (1), French (2), Persian (1), German (3), Italian (1), American Sign Language (3).

Statewide contracts for translation interpretation services also cover the remaining safe harbor level languages present in Nevada: Tagalog, Chinese (Cantonese & Mandarin), Korean, Vietnamese, Amharic, Thai, Arabic, Russian, Samoan, and Laotian.

Written Language Services

DETR uses the following procedures to identify vital written information used in the provision of its services and programs, including both paper and electronic communications. The procedures for identifying vital written communication between DETR and individuals as well as the procedure for identifying vital communication targeting the broader public are both presented.

The following questions will be used as guidance when determining which agency documents are considered vital.

1. Could LEP individuals access or participate in a program, activity, or service if they are unable to understand and/or complete the information in a document? If no, the document is considered vital. If yes,
2. Could LEP individuals be terminated from a program, service, or activity if they are unable to understand and/or complete the information in a document? If yes, the document is considered vital. If no,
3. Could LEP individuals suffer significant financial, physical, or other harm if they are unable to understand and/or complete the information in a document? If yes, the document is considered vital.

Documents have been translated through state contract service providers when unfeasible to be completed internally and into languages as needed on an individualized basis. The public facing DETR website is currently available in English and Spanish. Furthermore, DETR's website and social media posting are compatible with WCAG 2.0 standards for screen readers

Based on the above vital documents' identification procedure, DETR has identified at least 20 vital documents per individual case from its programs that have been or will be translated into the safe harbor languages indicated. The exact page count for these vital documents varies on a case-by-case basis but may range from 30 – 90 pages per LEP individual.

Current statewide contracts outline payment of document translation per word. An average 8.5x11 inch page with standard margins can contain 250-500 words. Translation vendors vary in cost per word and by language needed. The estimated cost of translating a 2-page single-spaced document into Spanish, depending on contract vendor selection could total \$120. During FY 22, DETR paid \$182,635.64 for translation and interpretation services.

Community Outreach and Engagement

DETR is committed to ensuring that the larger LEP community is aware of and able to access all available language services. In doing so, DETR will take steps to publicize the availability of its language services in the community. Additionally, DETR provides notification of its services at all relevant points of contact. Further, DETR will provide enhanced resources for its staff to improve their cultural competency and ability to work with diverse groups.

Procedures and Resources for LEP Community Outreach: DETR has engaged in or will be developing the following outreach activities.

- Identification of established partner organizations and agencies that refer to DETR programs and offering presentations on DETR services.
- Identification of local organizations that serve LEP communities and offering presentations on DETR services and language assistance.
- Create and distribute program informational flyers in safe harbor languages for posting.
- Utilize social media platforms to generate awareness of DETR language services.

Providing Notice of Language Assistance Services: DETR is developing and collaborating to ensure the following notifications are made available for relevant points of contact within its offices and online.

- Informational wall posters in safe harbor languages
- “I Speak” printed guides for staff to efficiently identify LEP individuals' language needs
- Posting of Language Access Plan online for public input
- Social media platform informational notification posts
- Information on language assistance on all voicemail recordings at DETR offices

Cultural Competency Resources: DETR is dedicated to ensuring ongoing staff improvement to better support the success and ability in working with diverse groups. Internal staff training will be developed and conducted for new employees and offered

annually thereafter for continuing education credits (live and recorded). It is the intention to cover topics such as implicit bias, indirect discrimination, assumptions and myths, gender, race and ethnicity, religion, and sexual orientation and gender identity.

Access During a Declared Emergency/Natural Disaster

DETR recognizes the importance of ensuring LEP individuals have equal access to vital information that may come about in response to, recovery from, or in preparation for a declared emergency or natural disaster. DETR will ensure timely and meaningful access to such essential information by developing the following procedures:

- Staff/contractors will follow Disaster Preparedness Emergency Response training.
- Emergency notifications and information will be translated.
- Sign language interpreter services will be included for verbal emergency announcements.
- “I Speak” cards will be included in emergency preparedness kits to assist responders in identifying language access needs.

VI. Implementing DETR’s Language Access Services –

As part of DETR’s commitment to ensure full access to LEP individuals, DETR requires its staff to follow the procedures described below to ensure meaningful access to available language services. Moreover, DETR is committed to 100% compliance with these procedures and provides the staff with the training described below to help ensure that all staff are familiar with these procedures and recognize their importance to DETR’s mission.

Language Access Procedures

Identifying Client Language Needs and Preferred Language: The following procedures should be followed to (1) interact appropriately with LEP individuals, (2) inform individuals of the availability of language services, (3) determine individuals’ preferred languages, and (4) record and track LEP individuals’ language preferences so that the data will follow them throughout their interactions with DETR staff.

Accessing Appropriate Oral/Sign Language Services: Staff should seek appropriate oral/sign language services in this order:

- The preferred method of serving LEP individuals is by using competent bilingual staff that can provide services in the client’s preferred language without the need for an interpreter.
- Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
- Staff should seek assistance from contracted professional in-person or telephone interpreters when staff cannot meet language needs. Agency should recognize that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available.
- Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the customer.

Staff Training Policies and Procedures

DETR believes that the appropriate provision of language services is vital to the fulfillment of its mission. Towards that end, DETR ensures that its staff will be familiar with its language access policies and the above procedures for providing said services.

The Intradepartmental Interpreter Directory is posted in SharePoint for staff reference. Additionally, the list is emailed to all staff annually. Supervisors ensure staff make use of internal resources prior to seeking outside fee-for-service providers following applicable purchasing policy procedures.

DETR Human Resources will ensure employee training will be conducted and maintained for all DETR staff. Employee training will include:

- A mandatory training will be required at initial roll-out and renewed biennially (every two years) thereafter. This training will include:
 - Identifying a need for language assistance.
 - How to obtain and provide language assistance services to LEP Nevadans via:
 - over the phone
 - in writing, and
 - in person
 - How to obtain and work with interpreters.
 - Who, and how to access bilingual staff, and contractors as appropriate.
 - How to request the translation of written documents in other languages.
 - Recording preferred language, literacy level, indigenous and refugees served.
- Desk Reference Aids to be shared with all staff via e-mail biennially and stored in shared online storage for all to access. Desk Aids will include:
 - Who, and how to contact bilingual staff.
 - When to, and how to contact outside contractors for interpreter services.
 - Guidance on who should “not” act as interpreter.
 - How to request the translation of written documents in other languages.

VII. Evaluation of and Recommendations for DETR’s Language Access Plan –

DETR is committed to monitoring the performance of the above policies, procedures, and resources to ensure that its LAP is responsive to the needs of both DETR and the people it serves. At a minimum, DETR will review, evaluate, and update its LAP (*if needed*) biennially.

Processes for Monitoring and Evaluation: DETR will track its LAP’s performance by seeking 360-degree feedback including but not limited to participant survey responses, staff survey responses, and number of public complaints reported.

Criteria and Methods for LAP Evaluation: DETR will track its LAP’s performance using the criteria and methods indicated below.

- **Data-based needs assessment:** Information about the needs of current and prospective consumers whose preferred spoken and written language is a language other than English, including the number of individuals with limited English proficiency, places in which consumers with limited English proficiency interact with the organization, and ways in which individuals interact with the organization.
- **Language services:** Description of the types of services DETR will provide, such as in-person interpretation and remote interpretation.
- **Notices:** Description of how DETR will let its clients know about the availability of services. Examples may include taglines and signage.
- **Training:** Description of how DETR will train staff on its policies and procedures for providing language assistance services, including who and how often.
- **Evaluation:** Plan for when and how DETR will monitor and update its LAP, policies, and procedures to ensure that needs are met and that there is a framework for continuous quality improvement.

Party Responsible for LAP Maintenance:

Valentina Bonaparte, DETR Public Information Officer II
 (775)684-3904
v-bonaparte@detr.nv.gov

A centralized email for LEP LAP input will be developed and monitored by the Language Access Coordinator. Updates as needed will be made and distributed appropriately.

VI. Implications

DETR does not anticipate any additional funding and/or budgetary implications at this time in ensuring the language access requirements prescribed in S.B. 318 (2021).

VII. Notice, Posting and Solicitation of Public Comments

A copy of DETR's updated **2024 Language Access Plan (LAP)** was distributed for posting at the following locations/websites on/before **July 1, 2024**. Solicitation of public comments will occur for a period of **30 days**:

Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
 Legislative Building, 401 South Carson Street, Carson City, NV 89701
 Grant Sawyer State Building, 555 E. Washington Ave., Las Vegas, NV 89101
 Department of Employment, Training and Rehabilitation website: https://detr.nv.gov/Page/PUBLIC_NOTICES
 Employment Security Division, State Administrative Office, 500 East Third Street, Carson City, NV 89713
 Employment Security Division Southern Administrative Office, 2800 E. St. Louis Ave., Las Vegas, NV 89104
 Unemployment Insurance Contributions, 1320 South Curry Street, Carson City, NV 89703
 EmployNV/American Job Center of Nevada, 4001 South Virginia Street, Reno, NV 89502
 Nevada Career/Business Hub-Carson City, 1929 North Carson Street, Carson City, NV 89701
 Nevada Career/Business Hub-Elko, 172 Sixth Street, Elko, NV 89801
 Nevada Career/Business Hub-Ely, 1500 Avenue F, Suite 1, Ely, NV 89301
 Nevada Career/Business Hub-Fallon, 121 Industrial Way, Fallon, NV 89406
 Nevada Career/Business Hub-Henderson, 4500 E. Sunset Road, Suite 40, Henderson, NV 89014
 Nevada Career/Business Hub-Las Vegas, 3405 South Maryland Parkway, Las Vegas, NV 89169
 Nevada Career/Business Hub-North Las Vegas, 2827 Las Vegas Boulevard North, Las Vegas, NV 89030
 Nevada Career/Business Hub-Sparks, 2281 Pyramid Way, Sparks, NV 89431
 Nevada Career/Business Hub-Winnemucca, 475 Haskell St., Suite 1, Winnemucca, NV 89445

Written comments to DETR's LAP must be received by **DETR's Language Access Coordinator (LAC)** on/before **August 1, 2024** for consideration:

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