

New York State Thruway Authority

LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

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PART 1 – INTRODUCTION

The New York State Thruway Authority (Authority) operates a 570-mile toll highway system that crosses New York State. Pursuant to Executive Order No. 26 (Statewide Language Access Policy and Executive Order 13166), this Language Access Plan (Plan) sets forth the actions to be taken to ensure that persons with limited English proficiency (LEP) have meaningful access to Authority services and programs.

PART 2 – ASSESSING LEP POPULATION LANGUAGE NEEDS

The estimated total number of individuals in the Authority service area is potentially anyone who would use the Thruway.

The top six languages spoken by LEP individuals that the Authority serves or could potentially serve are as follows:

Language	Estimated number of LEP individuals who speak this language in New York State
Spanish	1,252,634
Chinese	420,803
Russian	121,693
Bengali	69,960
Haitian/Creole	54,347
Korean	53,799

U.S. Census data, including American Community Survey data, was used to determine the top six languages spoken by LEP individuals.

The frequency of Authority contacts with LEP individuals is determined as follows:

- All E-ZPass call contacts that request information in Spanish are logged.
- Multilingual staff identified on the Language Skills Volunteer list log all LEP contacts. The list of volunteers and the languages spoken can be found on the Human Resource Management page of the Intranet.
- All calls to the Authority-contracted language service provider are logged.
- Toll collectors record all contact with LEP customers on their Tour of Duty report.

In 2018, Toll collectors came in contact with 42,050 LEP customers and the E-ZPass Call Center received an average of 38,000 calls per month from Spanish speaking individuals.

PART 3 – PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

LEP individuals are informed of their right to free language assistance services by the following measures:

- Directly by Authority staff when calls from LEP customers are connected via conference call with either an Authority multilingual staff member or the Authority-contracted language service provider.
- Distribution of the New York State Language Identification Tool to targeted areas of the Authority.
- A telephonic voice menu providing information in Spanish for E-ZPass Call Center calls.

PART 4 – PROVISION OF LANGUAGE ASSISTANCE SERVICES

The following resources are used to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *in person*:

- The New York State Language Identification Tool.
- Authority multilingual staff can be contacted during business hours.
- Authority staff can contact the Authority-contracted language service provider by telephone 24 hours a day.

The Authority will use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *by telephone*:

- Authority multilingual staff can be contacted during business hours.
- Authority staff can contact the Authority-contracted language service provider by telephone 24 hours a day.

The Authority will record and maintain documentation of each LEP individual's language assistance needs as follows:

- All contact with Authority multilingual staff by LEP individuals will be documented on the Language Skills Volunteers Contact Form (TA-N3157-9). The Form, which can be found on the Bureau of Equal Employment Opportunity and Diversity Development's Intranet page, will then be submitted to the LAC for review.

A. Oral Interpreting Services

The Authority's protocol(s) for assessing whether an LEP individual needs oral interpreting services is as follows:

- For in-person encounters: Authority employees will be instructed to contact Authority multilingual staff or to utilize the New York State Language Identification Tool, which has been distributed to staff most likely to have contact with LEP individuals.
- By telephone: Calls will be transferred to Authority multilingual staff or the Authority-contracted language service provider will be utilized.

The Authority's protocol(s) for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided is as follows:

- For in-person encounters: The New York State Language Identification Tool will be utilized and clearly states in multiple languages that: "An interpreter will be called. The interpreter is provided at no cost to you."
- By telephone: Authority multilingual staff are instructed to inform LEP individuals that interpreting services are available and are provided at no cost.

If an LEP individual insists on using a family member, friend, or other person as an interpreter, the Authority's protocol(s) for determining whether to accept or decline such an arrangement is as follows:

The Authority will allow family members and/or friends that are with the LEP individual to act as an interpreter. The vast majority of the information requested from LEP individuals is general in nature.

The Authority's protocol(s) for obtaining interpreter services in a timely manner is as follows:

- Authority multilingual staff are available during business hours.
- The toll free number of the 24-hour Authority-contracted language service provider has been widely distributed with instructions.

The Authority records and maintains documentation of oral interpreting services provided to LEP individuals at each encounter as follows:

All contact between LEP individuals and Authority multilingual staff will be documented on the Language Skills Volunteers Contact Form (TA-N3157-9) and submitted to the LAC for review.

Competency and Confidentiality

The linguistic and cultural competence of interpreters is addressed as follows:

The Authority multilingual interpreters are self-assessed for their linguistic competency. With regard to linguistic and cultural competence, approved vendor interpreters ensure that the Authority has sufficient standards. Additionally, Authority staff will receive cultural competency training.

The issue of confidentiality pertaining to the use of interpreters is addressed as follows:

All Authority employees are trained regarding confidentiality. The Authority-contracted language service provider trains their employees regarding confidentiality and the provider ensures that all notes regarding contact are destroyed when contact ends.

Maintaining a list of oral interpreting resources

The Authority has the following resources for oral interpreting:

18 volunteer multilingual staff members provide oral interpreting when necessary during business hours. There are no paid professional interpreters on staff.

Languages spoken - Amharic, Arabic, Bengali, Burmese, Chinese, French, Haitian Creole, Hindi, Italian, Malayalam, Mandarin, Portuguese, Pushto, Spanish, Taiwanese, Tamil, Tigre, Tigrigna and Urdu.

The name of the vendor providing telephonic interpreting service is Language Link Solutions.

The LAC maintains the list of oral interpreting resources that are available to staff, which includes:

- Names and contact information for all resources.
- Names and location of Authority multilingual staff who are available to act as interpreters or provide services directly in the LEP individual's primary language.
- Languages in which each staff volunteer interpreter is best qualified.
- Procedure for accessing the language service provider.
- A list of all staff who have received Language Access training.

We inform all staff members who have contact with the public how to obtain oral interpreting service as follows:

- Staff members most likely to have contact with LEP individuals have been informed through training.
- An Administrative Services Bulletin has been sent to all employees and posted on the Intranet.
- Supervisors have been directed to brief their staff regarding the program.

B. Translations of Written Documents

The process to determine and reassess, at least every two years starting from the effective date of this Plan, those vital documents (including website content) which must be translated is as follows:

The LAC will instruct supervisors to provide information of any documents that must be translated. The LAC will review any request for translation services. This effort is ongoing.

The process to timely translate documents that LEP individuals submit in their primary languages is as follows:

The LAC will ensure the timely translation of documents for LEP individuals. Documents that are deemed vital will be sent to the Authority-contracted language service provider for translation or translated by Authority multilingual staff.

The process for ensuring that documents are written in plain language before they are translated into other languages is as follows:

The Authority will develop a team to review documents and ensure that plain language is utilized.

The following documents are currently translated by the Authority in the languages indicated:

Name of Document	Translated Language(s)
Customer Report	Spanish
E-ZPass Application	Bengali, Chinese, Haitian Creole, Korean, Russian and Spanish
E-ZPass On-the-Go with handouts	French and Spanish
Save Time & Money With E-ZPass	French and Spanish

The process for ensuring that translations are accurate and incorporate commonly used words is as follows*:

The Authority, through its contracted language service provider where applicable, will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services. The Authority will also ensure that plain language is used in materials produced before translation so that information is accessible to a range of literacy levels.

The Authority uses, or has available for translating, the following resources:

- The Authority has contracted a language service provider which is available 24 hours a day, 7 days a week, 365 days a year. This is a toll free telephone service provided to Authority customers at no cost.
- Translation of written documents will be completed by Authority multilingual staff or the contracted language service provider.

The Authority's LAC maintains the list of written translation resources that are available to staff, which includes:

- Names and contact information for all resources.
- Names and locations of Authority multilingual staff who are available to provide the written translation of documents.
- Languages in which the Authority-contracted language service provider is qualified.
- Procedure for accessing the translation service.

PART 5 – STAFF TRAINING

The person in the Authority who is responsible for the provision of training to staff in language access issues is:

Ms. Frances Rosales-Turner, Director, Equal Opportunity Programs

*Note: The Office of the Deputy Secretary for Civil Rights will maintain a list of commonly used words.

The staff training includes the following components:

- The legal obligations to provide meaningful access to benefits and services to LEP individuals.
- How to access language services.
- How to work with interpreters.
- Cultural competence and cultural sensitivity.
- Documenting the language needs of LEP individuals and the language services provided to them by the Authority.
- How to obtain written translation services.

The methods and frequency of training are as follows:

Training will be provided on an annual basis. It will be incorporated into annual supervisor training and illegal workplace discrimination prevention training.

PART 6 – ADMINISTRATION

Monitoring

To ensure compliance with the Plan, the LAC will monitor its implementation as follows:

The program will be monitored on a consistent basis by checking logs and meeting with appropriate staff. The LAC will receive updated statistical data and training materials will be updated annually.

Complaints

The Authority provides information to the public, including to LEP individuals in languages regularly encountered in this service area, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. A Spanish version of the Customer Report form to file complaints has been made available. The information provided describes how and/or where to file a complaint. The Authority does not retaliate or take other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs.

The Authority displays information on the right to file a complaint, and the procedures to file a complaint, in the following manner:

The procedure to file a complaint is available on the Authority's website (www.thruway.ny.gov), and at travel plazas, toll stations and toll booths.

The Authority handles complaints regarding the provision of language assistance services in the following manner:

Complaints are sent to the Bureau of Equal Employment Opportunity and Diversity Development for evaluation and investigation.