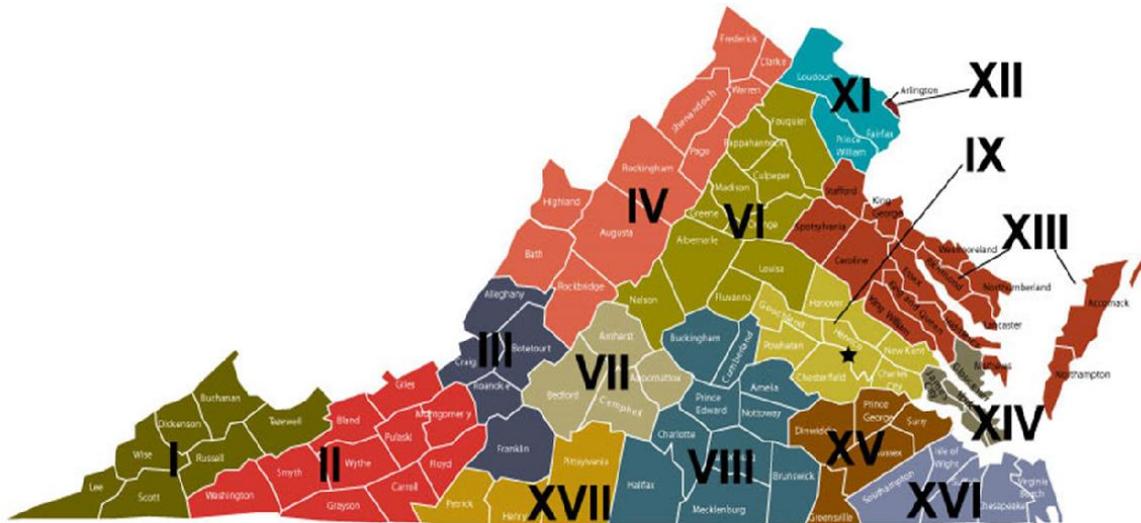


LOCAL WORKFORCE DEVELOPMENT AREA (LWDA) LIMITED ENGLISH PROFICIENCY (LEP) PLAN



LWDA 6- Piedmont Region

Albemarle, City of Charlottesville, Culpeper, Fauquier,
Fluvanna, Greene, Louisa, Madison, Nelson, Orange,
Rappahannock

Introduction

The Local Workforce Development Area (LWDA) 6- Piedmont Region, Limited English Proficiency (LEP) Plan has been prepared to address their responsibilities as a recipient of federal financial assistance as it 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 Piedmont Region has developed and published its LEP Policy 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 Piedmont Region has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons that are limited English proficient who wish to access services, program and activities. 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.

In order to prepare this plan, the Piedmont Region used the four-factor LEP analysis to determine the languages in the area that would require vital documents to be readily available upon request. The following factors were considered:

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

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

I. FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to require the Piedmont Region services.

The Piedmont Region uses the Weldon Cooper demographic data for assessing the most current

LEP population in their area. The data reflects that as of 2023, the Piedmont Region had a total population of 456,418 people, of which 2269 persons are limited English Proficient, which represents .49% of the population. The data reflects that 43% of the LEP population speak Spanish.

2. The frequency with which LEP persons come in contact with the Piedmont Region services.

The EO Officer reviewed the frequency with which the Piedmont office staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the Piedmont Region has had requests for interpreters and requests for translated program documents and have come into contact with several LEP persons.

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

There is no large geographic concentration of any type of LEP individuals in the service area for the Piedmont Region of the majority of the population 94% speak only English. As a result, there are some social, service, professional and leadership organizations within the Piedmont Region service area that focus on outreach to LEP individuals. The Piedmont Region and staff are most likely to encounter LEP individuals through office visits, phone conversations, or visits to the Piedmont Region's website.

4. The resources available to the Piedmont Region and overall costs to provide LEP assistance.

The Piedmont Region has taken the following steps:

- Reviewing its available resources that could be used for providing LEP assistance;
- Identifying which of its documents (vital) would be most valuable to be translated (*EO is Law, EO Complaint Policy and forms, various program applications and customer survey*);
- Arranging a vendor (Propio) for the delivery of interpreting telephone/in person and translating document services; and
- Establishing a memorandum of understanding (MOU) with the local colleges and university for Spanish translation services, if the need should arise.

II. LANGUAGE ASSISTANCE METHODS

The Piedmont Region 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 provide 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. 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. In order for staff to be used, they must complete a certification process¹ 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. Piedmont 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 Members or Friends of the LEP Person** –The Piedmont Region 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, Piedmont Region’s free language services. A decision to use a family member, friend or other interpreter will be documented in the case file. 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, we have an obligation to ensure that meaningful access is being provided.

Timeliness of Services – The Piedmont Region 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, Piedmont Region has identify “vital” documents in the Piedmont Region’s programs. 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. These documents should be translated into appropriate languages when there is sufficient need.
2. **Determining the Languages Documents should be translated into** – The Piedmont Region’s goal to translate vital documents into Spanish was determined based on frequently of contacts and the demographics of the area. Piedmont 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 a competent interpreter may or may not be a competent translator.

¹ Certification Process to be determined by the Piedmont Region.

- **Using Bilingual Employees-** the Piedmont 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. In order for staff to be used, they must complete a certification process² of the languages to be translated.
- **Using Volunteers-** The Piedmont Region will ensure that any volunteers used from other local state agencies and 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. The Piedmont Region will establish a memorandum of understanding (MOU) with the following colleges and universities for the delivery of Spanish translation of documents:
 - Laurel Ridge Community College,
 - Germanna Community College,
 - Piedmont Virginia Community College, and
 - University of Virginia.
- **Using a Certified Translation Services –** The Piedmont Region will utilize Propio to translate “Vital” documents for languages other than Spanish.

III. STAFF TRAINING

The Piedmont Region will ensure that staff who serve customers or members of the public are to be trained at a minimum annually. The staff person should be knowledgeable of the contents of this plan and the LEP Policy. Staff will provide service to customers or come into contact with potential customers should know the following:

- A. General information about working with non-English speaking or LEP customers;
- B. LEP customer rights;
- C. Know the location and use of “I Speak” cards or other language identification measures in their department for LEP persons;
- D. Know their responsibilities to provide services; and
- E. Know the Piedmont LEP Policy.

IV. NOTICE TO LEP PERSONS

The Piedmont Region will promote the awareness of language services to include:

- A. Distributing posters, brochures, and pamphlets regarding programs and services within appropriate local LEP communities;
- B. The Piedmont Region’s Equal Opportunity tagline in communications to the public such as brochures, booklets, and electronic communications. (Babel statement);
- C. Collaborating with community-based organizations and other stakeholders to inform LEP persons of programs and activities. (Outreach);
- D. Airing notices in language-specific radio and television stations;
- E. Utilizing Facebook, Instagram, and LinkedIn to notify of the available language translation services;
- F. Conducting presentations at schools and faith-based organizations; and

² Certification Process to be determined by the Piedmont Region

G. Website information can be translated into other languages.

Within local facilities, notices include:

- a. Using “I Speak” cards or other language identification measures;
- b. Posting signs in selected languages in intake areas and other entry points;
- c. Using telephone voice menus in appropriate languages;
- d. Recruiting to fill open vacancies using specific language skills.

V. MONITORING/EVALUATING

The Piedmont Region will review this plan annually to determine if changes are needed and whether staff training or developed is needed. This will be accomplished by:

- A. Reviewing the current LEP population in the service area;
- B. Documenting LEP person contacts experienced annually;
- C. Looking at the needs of LEP persons and whether they have been addressed;
- D. Determining whether the need for translation services has changed;
- E. Determining whether local language assistance programs have been effective and sufficient to meet the need;
- F. Determining whether the Piedmont Region’s financial resources are sufficient to fund language assistance resources needed; and
- G. Determining whether the Piedmont 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.

VI. DISSEMINATION OF PLAN

Piedmont staff will be provided with a copy of the plan and training. The plan will be a part of the new employee orientation training. Post signs at Piedmont Region notifying LEP persons of the LEP Plan and how to access language services. The LEP plan will also be available on the Piedmont 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

Virginia Department of Education provides <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)
<https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/lepDOLplan>

LWDA Piedmont Region LEP Policy [16-Limited-English-Proficiency.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”

IMPORTANT! This document contains important information about your rights, responsibilities and/or benefits. It is critical that you understand the information in this document, and we will provide the information in your preferred language at no cost to you.

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