

Annual Report on Implementation of Language Access

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION

4/28/2020



This annual report provides an update on the agency's implementation of its Language Access Implementation Plan, as required by Local Law 30 (2017). The report covers activity during Calendar Year 2019.

This report also addresses updates for agencies covered by Local Law 73 (2003).

Section 1: Agency Information

Agency name	NYC Department of Environmental Protection
Name of the agency's Language Access Coordinator (LAC) and all office titles held by this individual.	Sara Pecker – Director, Special Projects and Events Eileen Alter – Deputy Director, Special Projects and Events
Link to the agency's Language Access Implementation Plan (LAIP) posted on the agency's website.	https://www1.nyc.gov/html/dep/html/about_dep/lap.shtml
Year the LAIP was last updated	2018

Section 2: Agency language access policy

Describe your agency's language access policy and how it is communicated to staff.

The goal of the Department of Environmental Protection's (DEP) Language Access policy is to provide meaningful language access to customers who interact with the agency for essential services and information, based on at least the ten designated citywide languages; and to provide translations of its most widely distributed documents so that the Limited English Population (LEP) population can have access to the same information as the English speaking population. To enable the LEP population to speak to and interact with all DEP inspectors and public facing employees, regardless of the language they speak, the agency has provided public facing staff with the ability to access a telephone interpretation service that covers nearly 300 languages (and in the case of inspectors and emergency responders with mobile phones in order to do so). The agency has and will continue to translate essential information and its most widely distributed documents into the ten citywide designated languages, and will be creating a landing page on the DEP website for each of the ten languages. Widely distributed documents will carry a sentence that directs speakers of the top ten LEP languages to the appropriate landing page. Each document that is accessible from the landing page will have a short blurb describing its content to correspond to the document in English. DEP has informed its bureaus and offices of Local Law 30, ordering each City agency to create and distribute a Language Access Policy and Implementation Plan that will ensure meaningful access to the services the agency provides. At agency new hire orientations, employees are informed of the language access policy and bi- and multi-lingual hires are encouraged to take part in DEP's volunteer language bank. The policy is reinforced at the quarterly meetings of all bureau language access coordinators, as well as at the strategic communication quarterly meeting with all the agency bureau chiefs of staff.

Section 3: Language Access Accomplishments

Identify your agency’s language access accomplishments during calendar year 2019 (CY19).

As part of its rebranding effort, and in conjunction with language access and plain language mandates, DEP has:

- conducted an audit of all public-facing documents and is reviewing its website to determine which documents need to be eliminated, redesigned, translated, and/or rewritten in plain language;
- systematically reviewed all licenses, permits, and registrations
- secured 120 Language Bank volunteers to cover the 10 designated languages; and engaged the services of a second agency to review any additional languages;
- translated multiple public-facing documents—including its annual Drinking Water Quality Report for CY2018 — into the 10 designated languages, comprising 61 translations, 62 secondary reviews, and 61 final products;
- and received a positive rating on the NYC Comptroller’s audit of its language access policies and procedures.

DEP’s plain language review and editing process for public-facing materials is ongoing.

Distribution Science and Planning, within Water Quality/Bureau of Water Supply had two responsibilities for which documents are required to be translated, the annual *Drinking Water Supply and Quality Report* (DWSQR) for CY2018, and at-the-tap testing for lead and copper where free testing kits are provided to the customer (these include sampling instructions, chain of custody forms, and result letters). All documents have been translated into the required languages.

The DWSQR language requests (request for a hard copy in another language) have been tracked since 2004. In that time, we have not gotten any requests of a hard copy of the report in another language. In February of 2019, the 2018 Report was posted on the DEP website, along with translations in the ten required languages. The number of hits for the 2018 report in different languages, to date (as of 1/4/2020), are summarized below.

Date (since 2/26/18)	Language Hits	Chinese	Spanish	Polish	Russian	French	Bengali	Korean	Arabic	Haitian Creole	Urdu
1/4/2020	796	265	122	43	84	55	58	78	42	25	24

For the lead program, the 311 form for requesting a test kit includes an option to request a different language. If a different language is requested, sampling instructions, chain of custody forms, and result letters are all supplied in the language of choice. The question on language became available in November 2016, and the number of requests by language are summarized in the table below. If a person forgets to request a different language, the kit also includes a sheet in the ten languages instructing people to call if they would like translations sent to them.

Year	Language									
	ARABIC	BENGALI	CHINESE	FRENCH	HAITIAN CR	KOREAN	POLISH	RUSSIAN	SPANISH	URDU
2016*			3	1				2	4	
2017	1	6	37	4	1	2	1	16	46	
2018	8	14	44	8		5	3	19	128	11
2019	30	88	52	19	12	5	1	34	345	23

*2016 is from 11/13/16 onward

Section 4: Language Access Goals

Identify the agency's language access goals from its most recent Language Access Annual Report. Describe the progress you have made in reaching those goals.

Language Access Goal	Milestones	Responsible Staff	Deadline
Continue quarterly LAIP review meetings with bureau liaisons	Every three months	Agency Language Access Coordinators (LAC)	Ongoing
Continue reviewing new documents for plain language	Roll out pilot of SharePoint Plain Language Portal	Agency LACs OIT SharePoint Team	September 2019 and ongoing
Continue reviewing new and revised documents to see if they require translation	Within two weeks of document completion	Agency LACs Bureau Liaisons	Ongoing
Start design work for all translated documents	All design work within three months	Agency and Bureau LACs	Ongoing
Develop descriptive blurbs for each translated document	All descriptions finalized within three months	Agency and Bureau LACs	Ongoing
Translate Document Descriptions	All descriptions translated within three months	Agency LACs	Ongoing
Develop landing pages for top ten LEP translated documents on DEP website	Develop landing page Develop English version for every language being translated Get approvals on content before translation Post translated pages	Agency LACs and DEP Web group	Ongoing with initial documents posted by 12/31/19, new documents translated added to the page as they are developed
Identify documents related to issuing permits, licenses, and registrations	Begin gathering documents and reviewing for plain language by July 1, 2019	Agency and Bureau LACs	identified, undergoing plain language and translation

Section 5: Provision of language services

(Refer to Administrative Code §23-1102 a.; §23-1102 b. (2, 5, 6, 7, 11); §23-1102 c.)

1.- Subcategory: Translation

(§23-1102 a.(1))

Identify the progress that the agency has made in translating its most commonly distributed documents into the 10 designated languages.

The agency's most commonly distributed documents have been translated into the 10 designated languages, and additional languages as deemed necessary. New documents undergo plain language review and translation. This includes the Bureau of Environmental Compliance's Noise Control for Nightclubs, Restaurants, Bars and Cafes. The Product and Services Guidance Sheet is translated into 12 languages.

2 - Subcategory: Telephonic Interpretation

(§23-1102 a.(2) and §23-1102 c.)

Identify the progress the agency has made providing telephonic interpretation during CY19.

DEP's bureau of customer services (BCS) continues to utilize the Voiance Language contract for telephonic interpretation. Its call center also recruits employees with multiple language skills to assist with Spanish and Chinese speaking customers. During 2019, BCS was able to utilize Language Line to certify the bilingual employees in Spanish proficiency.

Distribution Science and Planning has made use of telephonic interpretation when necessary. In 2019, we used the service approximately 28 times. We used 8 languages including; Spanish (17 times), Arabic (1), Bengali (3), French (1), Haitian Creole (3), Punjabi (1), Urdu (1), and Wolof (1).

The Bureau of Water and Sewer Operations (BWSO) developed guidance for BWSO's borough analyst staff to track phone calls from the public requiring language interpretation.

3 - Subcategory: In-Person Interpretation

(§23-1102 a.(2))

Identify the progress the agency has made providing in-person interpretation during CY19.

BCS continues to use the Voiance Language contract for in-person interpretation in our borough offices. The inspectors and plumbers that work in the field are equipped with a city-issued cell phone that they can use to contact the interpretation service to communicate with customers at their residences.

4 - Subcategory: Posting of multilingual signage about the availability of free interpretation services
(§23-1102 a.(3))

Identify the progress the agency has made posting multilingual signage about free language services.

In all of the Bureau of Customer Services borough offices, a greeter is stationed at the entrance and will inform the customers about the interpretation services, once requested. There is also signage posted in the 10 designated languages that informs customers of the interpretation service. BCS continues to ensure that all new employees are trained in the use of the Voiance system.

Overall CORE scores for DEP bureaus and offices are as follows:

FACILITY	OVERALL CORE SCORE
Bronx Borough Office	100
Brooklyn Borough Office	100
Manhattan Borough Office	93
Queens Borough Office	100
Queens Central Office	97
Staten Island Borough Office	100

The Bureau of Environmental Compliance has multilingual signage up at the public facing windows for the Asbestos Unit as well as the Records Control Window on the 8th and 9th floors of the Lefrak headquarters, and has posted the phone number for telephone interpretation at the public facing windows.

5 - Subcategory: Emergency Preparedness and Language Access
(§23-1102 b.(5))

Identify the agency's progress to ensure that language access services are provided during an emergency response.

Bureaus are to account for the continuity of language access needs in their respective COOP plans. DEP's current translation service for the Bureau of Water Supply is able to provide translations related to Boil Water Alerts within the federal mandated guidelines for notifications, and templates for Boil Water Notices have been translated into the 10 designated languages. Any other emergencies that would constitute activating the COOP plan would be handled through NYCEM, such as the steam explosion, which dealt with the release of asbestos.

6 - Subcategory: Multilingual Agency Communications
(§23-1102 b.(6))

Identify your agency's progress toward making other types of agency communications accessible to individuals and/or communities with Limited English Proficiency (LEP). Other types may include emergency notifications, public hearings and events, press releases, website content, social media, and other communications to the public.

DEP is currently transitioning its website to a more user-friendly, intuitive platform, and it is simultaneously updating its web content to align with LL30 requirements. Once completed, we will dedicate one web page per language to instruct users how to access translated documents.

Our social media accounts are typically not used to issue emergency alerts and posts are written in a friendly, approachable style and at a 6th grade reading level. Most emergency alerts that involve DEP are issued by NYCEM and/or the Mayor's social accounts.

Press releases are issued directly to the media, including hyper-local community outlets, and then posted publicly on our website. We also utilize an ethnic media distribution list for all press releases issued that was compiled by City Hall.

7 – Subcategory: Plain Language
(§23-1102 b.(7))

Identify the agency's progress in ensuring that communications with the public are in plain language.

The Bureau of Public Affairs and Communications has and continues to work with Organizational Development and Human Resources to bring DCAS Plain Language Training to its Lefrak headquarters for the staff who write any public facing documents. Several classes were conducted in 2017 and 2018. During CY2019 we were unable to schedule classes as DCAS had a contract that ran out at the end of April. We tried to contract directly with the instructor but were unsuccessful.

Additionally, the bureau developed a SharePoint site to enable bureaus to submit any new public facing documents for a plain language review before printing. This program was launched in CY2019.

Water Quality has made every effort to make sure all materials listed in Section 3: translation have been written in plain language. The Drinking Water Supply and Quality Report is also reviewed by the Bureau of Public Affairs. The Annual Drinking Water Supply and Quality Report is written in plain language, as well as all materials for the at-the-tap lead monitoring program.

Bureau of Water and Sewer Operations notices to property owners regarding repairs to their private infrastructure were revised to comply with plain language requirements.

The Bureau of Environmental Compliance has reviewed and edited the following documents for plain language: Noise Control for Nightclubs, Restaurants, Bars, and Cafes; Product and Service Guidance /sheet; and the Noise Brochure.

8 – Subcategory: Licenses, Permits, and Registrations
(§23-1102 b.(12))

*Note: The deadline for this section of Local Law 30 is June 30, 2020. Provide updates as applicable.

If your agency issues licenses, permits, and registrations, identify its progress toward providing language access when issuing licenses, permits, and registrations.

Working in cooperation with the Mayor’s Offices of Immigrant Affairs and Operations, DEP identified the most widely requested licenses, permits, and registrations (LPRs) and began developing supporting documents in plain language, to assist the LEP population in completing the LPRs, which must be filled out in English. This includes Small Capacity Boiler registrations, and registrations for charbroilers. For those LPRs that have not been translated, every bureau has been instructed to provide interpretation services for the LEP population. Instructions for using interpretive services have been posted on DEP’s SharePoint site and available to every DEP employee.

Section 6: Training

(Refer to §23-1102 b.(8))

Identify the agency’s progress in developing training on laws, agency policies, and protocols on language access, and in delivering training to staff.

The Bureau of Customer Services has a staff of professional trainers that are responsible for the training needs of all employees. The professional trainers have trained all BCS staff members to utilize the Voiance interpretation services. The training program is integrated as part of new staff orientation and is available as a refresher class when needed. Since all employees have the resources available to them to handle LEP customers, we would be able to assist all LEP residents who seek our services. All Drinking Water Supply staff are trained on how to

check to see when a person has requested sampling instructions in a different language, and to include these materials when sending out lead test kits or result letters.

Section 7: Record keeping and evaluation

(Refer to §23-1102 b.(3) and §23-1102 b.(4))

Identify the progress your agency has made in record keeping of language services and monitoring the delivery and quality of language services. Include any considerations that may influence the agency's "four-factor analysis."

The borough offices have developed a cost effective strategic plan to address the LEP customer language needs. BCS currently employs several representatives fluent in two of the most requested LEP languages, Spanish and Chinese. BCS continues to recruit new employees with multiple language skills, and utilizes its Voiance language interpretation contract. Voiance is easily accessible when the requested language is not available at the time of the call. The Call Center encounters LEP customers on a daily basis. The Call Center tracks the number of LEP calls by requiring the bilingual Chinese representatives to provide daily call logs. Through the monthly billing reports from our Voiance interpretation vendor, we are able to track the number of calls made in our Call Center. The Borough Offices encounter LEP customers on a weekly basis. We monitor the monthly billing reports from our Voiance interpretation vendor on the number of calls made in our various borough offices.

Language requests for the Drinking Water Supply report are tracked in a spreadsheet by Drinking Water Quality, and different language hits on the website are tracked by the web group. The Bureau of Water and Sewer Operation database of record, IPS, has been updated to track usage of language interpretation services.

Section 8: Resource analysis and planning

(Refer to §23-1102 b.(11))

Identify the progress your agency has made in managing its language access resources (including staff and contracted services) to facilitate and/or improve language access. Include any considerations that influence the agency’s “four-factor analysis.”

BCS continues to utilize its NYC requirements contract with Voiance services to provide telephonic interpretations. The bureau has continued to utilize the Spanish certification list for Clerical Associates when hiring, so that we can utilize them for LEP customers. A consideration that was made that may influence the agency’s “four-factor analysis” was implemented in our call center. Over the past couple of years, the bureau has noticed an increase in callers requesting a Spanish speaking representative. Instead of keeping callers on hold for longer periods of time and having representatives call the customer back, another option has been added to the phone system to utilize a Spanish queue. This helps streamline customers who would like a Spanish speaking representative. This also improves their waiting time and helps us track those calls internally instead of through our vendor.

Section 9: Outreach and public awareness of language access services

(Refer to §23-1102 b.(9))

Identify the progress your agency has made in implementing strategies and outreach activities that will create public awareness of your agency's language assistance services.

NOTE: This item refers to strategies and outreach activities specifically about the availability of language assistance services provided by your agency, **not** multilingual outreach about your agency and its services or programs.

The Bureau of Customer Services conducts outreach events in partnership with various community boards and elected officials during its lien sale season. During that time, the agency has begun researching the area before the outreach on the languages spoken in the area. Once analyzed, the BCS personnel will ensure that an employee who speaks one of the desired languages is available, or ensures the availability of several phones where they can contact our telephonic interpretation vendor.

Section 10: Language Access complaints

(Refer to §23-301 and §23-1102 b.(10))

1 - Describe how members of the public can submit language access complaints, questions and requests to the agency (in addition to making a complaint via 311).

BCS has NYC feedback cards at all borough office locations as well as at their outreach events so that residents can give the bureau any type of feedback relating to their service or experience.

2 - How many *language access complaints* did the agency receive via 311 during CY19? Describe how each of these complaints were resolved.

311 reported one language access complaint for DEP in CY2019. Upon review of the actual complaint, 311 determined that this complaint was actually for DOE, which is directly above DEP in the list of agencies. It was from a parent looking for a Spanish speaker to let them know her daughter would not be attending class on a particular day.

3 – How many *language access complaints* did the agency receive via channels other than 311 during CY19? Describe how each of these complaints were resolved.

None

4 - How many *requests for language access services did the agency receive through 311 during CY19? How were they handled?**

None

5 - How many *requests for language access services did the agency receive through channels other than 311 during CY19? How were they handled?**

The Bureau of Environmental Compliance received 10 telephonic requests, and an estimated 125 in-person requests at public facing windows.

The Bureau of Police and Security used the Voiance Interpretation Service twice during the year.

6 - Describe the agency's efforts to ensure public awareness of the 311 Language Access complaint system.

All DEP public facing documents reference 311. As well, calls received by our community outreach team that are related to the Bureau of Customer Services are referred to 311.

***NOTE: "Requests for additional language services"** refers to new ways in which the agency can make its services or information available to those who do not read or speak English well – e.g., translating a specific brochure into additional languages, or providing bilingual staff at a particular service facility. It does NOT refer to individual requests for interpretation.

Section 11: Language Access Goals

List your agency's language access goals for Calendar Year 2020.

Language Access Goal	Milestones	Responsible Staff	Deadline
Continue quarterly LAIP review meetings with bureau liaisons	Every three months	Agency Language Access Coordinators (LAC)	Ongoing
Continue reviewing new documents for plain language	Roll out pilot of SharePoint Plain Language Portal	Agency LACs OIT SharePoint Team	September 2019 and ongoing
Continue reviewing new and revised documents to see if they require translation	Within two weeks of document completion	Agency LACs Bureau Liaisons	Ongoing
Start design work for all translated documents	All design work within three months	Agency and Bureau LACs	Ongoing
Develop descriptive blurbs for each translated document	All descriptions finalized within three months	Agency and Bureau LACs	Ongoing
Translate Document Descriptions	All descriptions translated within three months	Agency LACs	Ongoing
Develop landing pages for top ten LEP translated documents on DEP website	Develop landing page Develop English version for every language being translated Get approvals on content before translation Post translated pages	Agency LACs and DEP Web group	Ongoing with initial documents posted by 12/31/19, new documents translated added to the page as they are developed
Identify documents related to issuing permits, licenses, and registrations, including writing instructions for filling out the forms, which will be translated into the 10 designated languages; the forms themselves will have to be filled in in English. Blurbs and any other supporting documents will also	Begin gathering documents and reviewing for plain language by July 1, 2019	Agency and Bureau LACs	identified, undergoing plain language and translation

be written in plain language and translated into the 10 designated languages..			
Develop a comprehensive list of local civic and grass roots organizations to target the LEP population to provide information and direct them to appropriate means of assistance	Beginning second quarter of 2020	Agency LACs and Community Outreach group	ongoing
Develop and/or revise and translate agency materials related to the Covid-19 pandemic so that the LEP population is aware of changes in agency policies and/or procedures	Beginning first quarter of 2020	Director of Customer Engagement, Agency LACs, and other staff as necessary	ongoing

Addendum: Reporting questions for Local Law 73

(Refer to §8-1007 and §8-1008 d. of the Administrative Code)

***Note:** This section applies only to those agencies covered under Local Law 73: ACS, DHS/HRA, DOHMH.

1 - Record the number of LEP individuals served during Calendar Year 2019, disaggregated by primary language; agency contractor, contractor, or agency office *[HRA only]*; and assistance type required. *[Add rows as needed]*

Language	Agency contractor, contractor or agency office <i>[HRA only]</i>	Type of assistance required (<i>translation; telephonic interpretation; onsite interpretation</i>)	2019 Language Services instances (<i>number</i>)

2 - Record the number of bilingual and interpreter personnel employed by the agency, broken down by language translated or interpreted. *[Add rows as needed]*

Language	Number of staff

3 – How does the agency assess whether primary language determinations are properly recorded?

Enter text here.

4 – How does the agency assess whether documents are translated accurately and disseminated properly?

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