

understand their rights and responsibilities under the state UI law.

Example: A state agency takes its UI claims in-person. It prints a Benefits Rights Information (BRI) pamphlet in English and in three other languages to serve the three significant LEP population groups in the state. After the initial claim is taken, the state agency provides the BRI in a group setting for all claimants. LEP individuals who speak the three significant languages attend separate groups in which the information is conveyed in the appropriate languages. Claimants who speak languages that are less prevalent receive the information through a telephone translation service. The state agency has also produced a video of the BRI in the three primary LEP groups' languages. The BRI video is available for viewing at the local library or at the local office. Claimants are advised that the BRI is important and that it is necessary that they hear and understand the BRI before filing claims for benefits. This example may be one appropriate way of providing meaningful access for LEP individuals.

(3). UI Determinations/Adjudications/ Appeals

The purpose of the UI program is to provide temporary financial assistance to individuals who have lost their employment, who are able and available for work, and who meet other eligibility requirements of state law. As appropriate, claims adjudicators apply the legal test of the various requirements of the state law to the factual circumstances involved in each specific claim to issue a determination of eligibility. All state laws contain provisions permitting claimants to appeal determinations within a specified period of time. Because of the importance of accurate and timely information from UI claimants for eligibility determinations, formulating a successful policy for effectively communicating with LEP individuals is necessary.

Example: A workforce agency institutes a LEP plan that provides qualified interpreters, as necessary, for fact-finding at the initial determination stage and/or at an appeals hearing. Some of the interpretation is done using bilingual state agency staff, and some interpretation is handled by a number of individuals that are placed on a "list of interpreters" developed to assist when state staff is unavailable or when staff do not speak the particular language needed. The agency also has a contract with a telephone translation service, which is used as needed. The written determinations and decisions are printed in English and Spanish and "tag-lines" (an annotation) are included in four additional languages advising claimants of their appeal rights. Claimants are advised at the time of the initial claim that it is very important to read and understand correspondence they receive about UI, and they are encouraged to seek assistance by contacting the agency as necessary. The agency is able to handle telephonic inquiries languages other than English. These actions would constitute evidence of reasonable steps to ensure meaningful access to the UI benefits. This example may be one appropriate way of providing meaningful access for LEP individuals.

(4). UI Linkages to Reemployment Services

Facilitating reemployment of the UI claimant is a key objective of the UI system. Claimants therefore need to be aware of the types of services available and need to know how and where to access such services.

Example: A state agency profiles UI claimants to identify those most in need of reemployment services. Written notices to report for reemployment services are sent to those claimants who have been identified as needing these services and whom the agency has the capacity to serve. Claimants are given specific instructions to report to the agency or contact the agency through other means such as by telephone. Claimants must understand both the requirement that they contact the agency and their rights under state law because a failure to follow these instructions could result in the denial of UI benefits. A tag-line is included on all notices in the three primary languages advising the claimant of the importance of these services and of the fact that language assistance will be available free of charge. Translation and interpretation for LEP claimants is provided through telephone interpretation services, some bilingual staff, and community-based organizations as needed. One-Stop Career Centers that may subsequently refer claimants to other service providers ensure that the service providers are aware of the language needs of the LEP claimants. This example may be one appropriate way of providing meaningful access for LEP individuals.

d. Community Outreach

Community outreach activities are increasingly recognized as important to the ultimate success of a program that aims to serve the larger community. Thus, application of the four-factor analysis to community outreach activities can play an important role in ensuring that the purpose of these activities—to improve awareness of and participation in a program—is not thwarted due to lack of planned, reasonable steps to address the language needs of LEP persons.

Example: A state Employment Security Department (ESD) UI Division has implemented a many-faceted outreach program to inform Spanish-speaking LEP customers how to access UI benefits. Eight radio stations that reach the highest numbers of Hispanics are used to make public service announcements about ESD services. Inserts are placed in major Hispanic newspapers and magazines, and flyers on ESD services are distributed through community centers, faith-based organizations, and Hispanic businesses. Articles are printed in newspapers and magazines in Spanish and English on how to file UI claims by phone through the UI Telecenters. This example may be one appropriate way of providing meaningful access for LEP individuals.

Example: The Local Workforce Investment Board mobilizes faith and community-based organizations to spread the word about the upcoming public comment session on its five-year workforce investment plan in the six major languages spoken by LEP individuals in the area. Information about the upcoming meeting is delivered throughout

the community in written notices (in each target language) as well as through public service announcements on radio and tv in these six target languages. This example may be one appropriate way of providing meaningful access for LEP individuals.

e. ESL Classes

English-as-a-second-language (ESL) classes are often useful and appropriate for LEP populations. ESL courses can serve as an important part of a proper LEP plan. However, the fact that ESL classes are provided does not necessarily obviate the need to provide meaningful access for LEP persons in other programs and services that the One-Stop Career Center provides.

f. Intake, Orientation and Assessment

Intake, orientation and assessment play a critical role not merely in the system's identification of LEP persons, but also in providing those persons with fundamental information about how to utilize the system and participate in education and training opportunities available. All individuals should be given the opportunity to be informed of the program's rules, obligations, and opportunities in a manner designed effectively to communicate these matters. An appropriate analogy is the obligation to communicate effectively with deaf persons, which is most frequently accomplished through sign language interpreters or written materials. Not every One-Stop Career Center will use the same method for providing language assistance. One-Stop Career Centers with large numbers of Spanish-speaking LEP persons may choose to translate written materials, notices, and other important orientation material into Spanish with oral instructions, whereas One-Stop Career Centers with very few such persons may choose to rely upon a telephonic interpretation service or qualified community volunteers to assist. Each person's LEP status and the language spoken should be recorded in the person's file. Although the LEP Guidance and Title VI are not meant to address literacy levels, recipients should be aware of literacy problems so that the appropriate language services are provided.

Example: A One-Stop Career Center is located in an area that has a five percent Haitian Creole-speaking LEP population and an eight percent Spanish-speaking LEP population. The One-Stop Career Center has developed intake videos in Haitian Creole and Spanish for staff to use when conducting orientation for new LEP persons who speak these languages. In addition, the One-Stop Career Center provides LEP persons with the opportunity to ask questions and discuss orientation information with bilingual staff who are competent in interpreting and who are either present at the orientation or patched in by phone to act as interpreters. The One-Stop Career Center has also made arrangements for LEP persons who do not speak Haitian Creole or Spanish. For such situations, the One-Stop Career Center has created a list of sources for interpretation, including staff, contract interpreters, university resources, volunteers, and a telephone interpretation service. Each person receives at least an oral explanation of the