



Mississippi Valley Workforce Development Board

Limited English Proficiency (LEP) Plan

Approved: August 15, 2022

Effective Date: August 15, 2022

Amended Date: N/A

A. Purpose

The purpose of this plan is to establish and affirm the full commitment of the Mississippi Valley Workforce Development Board (MVWDB) to ensure customers, regardless of their national origin or language barriers, shall receive, free of charge, the language assistance necessary to afford them meaningful access to the programs, services and information of the Iowa*WORKS* Centers 29 CFR 37.35. This plan provides the framework to ensure Limited English Proficiency (LEP) individuals will be provided meaningful and equitable access to all programs and services offered through Mississippi Valley Workforce Area (MVWA) One Stop, Iowa*WORKS* Centers.

B. Background

1. The MVWDB oversees WIOA programs and activities provided at the American Job Centers (AJC) or Iowa*WORKS* Centers in the MVWA. AJCs and Iowa*WORKS* Centers will be referred to as MVWA Iowa*WORKS* Center or Center(s) in this plan.
2. In order to comply with the Code of Federal Regulations (CFR), specifically as it relates to Part 38.9 “Discrimination prohibited based on national origin, including limited English proficiency”, the MVWDB has established this LEP Plan to ensure no individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination due to any of the following:
 - a. they (or their families or ancestors) are from a particular country or part of the world,
 - b. their ethnicity or accent (including physical, linguistic, and cultural characteristics), or
 - c. a perception that the individual is of a certain national origin.

C. Requirements

1. LEP individuals are those individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
2. Center staff must take reasonable steps to ensure meaningful access to each LEP individual served or encountered so that LEP individuals are effectively informed about and/or able to participate in the program or activity.
 - a. Reasonable steps to provide meaningful access to training programs may include, but are not limited to, providing:
 - i. Written training materials in appropriate non-English languages by written translation or by oral interpretation or summarization; and
 - ii. Oral training content in appropriate non-English languages through in-person interpretation or

- iii. telephone interpretation.
- 3. For languages spoken by a significant number or portion of the population eligible to be served, or likely to be encountered, the Iowa *WORKS* Center must have available translation of vital information in written materials into these languages and make the translations readily available in hard copy, upon request, or electronically such as on a website.
 - a. Vital information is defined as information whether written, oral or electronic, that is necessary for an individual to understand how to obtain any aid, benefit, service, and/or training; necessary for an individual to obtain any aid, benefit, service, and/or training; or required by law. 29 CFR 38.9 (g).
- 4. In order to full fill the requirements in this section, the MVWDB has established the following local LEP Plan.

LEP Plan

D. Administration of Plan

1. **Disability Access Committee (DAC).** The MVWDB has a Disability Access Committee (DAC) to support efforts that ensure quality access for all individuals. The Disability Access Committee (DAC) will ensure that all staff are trained on all aspects of LEP individual Center access and support.
2. **One Stop Operator (OSO).** The MVWDB has a One Stop Operator (OSO) whose responsibility is to coordinate service delivery in a way that supports compliance with this LEP individual plan.
3. **Equal Opportunity (EO) Officer.** The MVWDB Equal Opportunity (EO) Officer monitors and evaluates compliance with equal opportunity laws, guidelines, and policies. As such, any complaints or areas of non-compliance found related to equal opportunity requirements and this policy/plan will be submitted to, reviewed and addressed by either the local EO Officer, or, in their absence, the designated state EO Officer.

E. Interpreter Limitations

1. LEP individuals are not required to provide their own interpreter and there should be no expectation on the part of the service provider(s) at the Center that the LEP individual will provide their own interpreter, this includes the LEP individual's minor child or adult family or friend(s).
 - a. An LEP individual's minor child or adult family or friend(s) may interpret or facilitate communication in emergency situations while awaiting a qualified interpreter; or
 - b. An accompanying adult (but not minor child) may interpret or facilitate communication when:
 - i. the information conveyed is of minimal importance to the services,
 - ii. the LEP individual specifically requests that the accompanying adult provide language assistance,
 - iii. the accompanying adult agrees to provide assistance, and
 - iv. reliance on that adult for such assistance is appropriate under the circumstances.
2. When the accompanying adult is permitted to provide such assistance, Center staff must make and retain a record of the LEP individual's decision to use their own interpreter.

3. Local Procedure:
 - a. Center staff will provide adequate notice to LEP individuals of the existence of interpretation and translation services and that these language assistance services are available free of charge.
 - b. A language identification flashcard is located at each Center reception area for LEP customers to identify their language. For LEP individuals, the Center will offer assistance through the State contracted services of Language Link. Local staff have access to the service is via a toll-free number.

F. Access to Vital Information

1. Center staff must include a “Babel notice,” indicating in appropriate languages that language assistance is available, in all communications of vital information.
2. Examples of documents containing vital information include, but are not limited to
 - a. applications;
 - b. consent and complaint forms;
 - c. notices of rights and responsibilities;
 - d. notices advising LEP individuals of their rights under this part, including the availability of free language assistance;
 - e. rulebooks;
 - f. written tests that do not assess English language competency, but rather assess competency for a particular license, job, or skill for which English proficiency is not required;
 - g. and letters or notices that require a response from the beneficiary or applicant, participant, or employee.

G. Referrals

Center staff are encouraged to make referrals to Adult Education and Literacy programs for customers wishing to advance their English proficiency.

H. Inclusion Efforts

1. In an effort to broaden the composition pool of individuals considered for participation in programs and activities and to ensure the MVWA provides outreach to all populations and identified target populations, the MVWDB utilizes its local demographic information.
2. The demographic information (race, ethnicity, gender, age, and English-proficiency) is compared to data that represents demographic information for the individuals we are serving.
3. This locally specific information is used for planning efforts and to develop services in accordance with specific local population growth.
4. The data is analyzed periodically to ensure the local area is serving the populations it represents by the core partner leadership team.

I. Outreach

1. The local Equal Opportunity Officer or designee will develop outreach plans based on multiple resources including, but not limited to, feedback from Center staff, comments and concerns from customers/participants, and results of the Equal Opportunity Officer’s data analysis.

2. The Center's core partner leadership team is responsible for implementing the outreach plan within their centers. The local Equal Opportunity Officer will assist and follow up with each Center to ensure the outreach plan is being followed.

J. Annual Evaluation

The local Equal Opportunity Officer or designee, in partnership with the One Stop Operator and appropriate Core and Required Partners will conduct an on-site evaluation of each Center to review procedures to ensure compliance with this plan and identify any areas where policies, processes and procedures can be improved as it relates to providing LEP individuals meaningful and equitable access to Center programs and services.

*Equal Opportunity Programs/Employer
Auxiliary aids and services available upon request for individuals with disabilities*