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MEMORANDUM
HR#35-24

July 24, 2024

TO: DHRM Listserv Recipients

FROM: Bachera Washington, Administrator Bachera Washington *Bachera Washington*
Division of Human Resource Management

SUBJECT: NOTICE OF PUBLIC COMMENT – DHRM LANGUAGE ACCESS PLAN

The Division of Human Resource Management is soliciting public feedback on their Language Access Plan from July 26, 2024, to August 26, 2024. Comments and suggestions can be email directly to our Language Access Coordinator, Millie Thomas at milliethomas@admin.nv.gov.

When providing comments, we offer the following tips:

- When possible, provide data and facts to support your opinion or provide examples of real-life experiences in your comments.
- Clearly identify the specific section of the Language Access Plan you are commenting on by including the section number in your comments.
- If you disagree with an aspect of the Language Access Plan, suggest an alternative and include an explanation and/or analysis of how the alternative might be more effective.
- Include pros and cons in your comment. Consider other points of view and examples of how the proposed Language Access Plan could impact your life and work positively or negatively.

Attachment: Draft DHRM Language Access Plan



Nevada Division of Human Resource Management

LANGUAGE ACCESS PLAN

Draft: July 24, 2024

I. Purpose and Authority

The Division of Human Resource Management (DHRM) is committed to compliance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) to ensure meaningful access to the Division's services and programs for individuals with limited English proficiency (LEP).

Nevada Revised Statute 232.0081 and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As stated in NRS 232.0081, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language," and the legislation states that it is the responsibility of government to provide that access:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

The purpose of this document is to establish an effective plan and protocol for DHRM staff to follow when providing services to, or interacting with, LEP individuals.

II. General Policy

The Division of Human Resource Management DHRM delivers comprehensive talent management from recruitment to retirement, including records management, compensation, classification, and employee development to a workforce of 20,000 state employees. Our focus is fostering effective workplace environments through training, labor relations, equal employment opportunities, and veteran recruitment. DHRM recognizes that the Nevada workforce that it serves could include LEP individuals, and it is DHRM's policy to ensure meaningful access for LEP individuals.

The Division adopts the following policies and procedures to ensure that LEP individuals are afforded equal access to services and effective communication. This plan applies to all DHRM programs and services. DHRM is well versed in accommodating individuals with language barriers and limited language proficiency.

It is DHRM's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English, without discrimination based on race, color, gender, gender identity, or expression, sexual orientation, religion, national origin, age, pregnancy, genetic information, domestic partnership, or disability in accordance with state and federal law. DHRM intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. The Division seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

To this end, DHRM endorses the following policies:

- A commitment to equity and taking reasonable steps to provide LEP individuals with meaningful access to all its services, programs, and activities.
- DHRM, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- DHRM will not suggest or require that an LEP individual provide an interpreter in order to receive agency services.

DHRM Language Access Coordinators:

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III. Profile of DHRM's LEP Clients

To better serve its client base, DHRM is committed to employing diverse individuals to mirror the demographics of the State of Nevada. Our clients consist of current state employees, applicants, beneficiaries, family members of state employees and vendors. Based on our interactions with our client base, a large percentage of our current state employees, applicants and vendors are typically English proficient. We may occasionally run into individuals with limited English proficiency when providing services to beneficiaries or family members of state employees. DHRM does not collect information on its client base regarding English proficiency. DHRM is committed to tracking the languages preferred for communication among our LEP clients so division staff can provide meaningful, timely access to services and programs.

DHRM used national demographic data from the U.S. Census to identify limited English proficiency in the State of Nevada. According to U.S. Census data, 70.1% of the Nevada population speaks English only with 29.9% speaking a language other than English. The American Community Survey (ACS) administered by the U.S. Census Bureau is the nation's most current, reliable, and accessible data source for local statistics on critical planning topics. The survey samples approximately 3.5 million addresses each year. Data is collected continuously throughout the year to produce annual social, economic, housing, and demographic estimates. The data collected through ACS is used to distribute more than \$675 billion of federal government spending each year. The ACS data indicates Limited English Proficiency for the State of Nevada as follows:

Limited English – Households Speaking --

Spanish	19.5%
Other Indo-European Languages	3.30%
Asian and Pacific Island Languages	7.20%
Other Languages	1.30%

IV. DHRM’s Language Access Services and Procedures

The Division provides the following language access services (LAS) to facilitate LEP individuals’ access to DHRM services and programs and ensures that all language service providers are fully competent to provide these services. DHRM will handle language access on a case-by-case basis, as the need arises.

A. Oral and Sign Language Services

As requested, DHRM will provide spoken and sign language translation services utilizing two resources. The State’s bi-lingual list or contracted vendors through the statewide contract #99SWC-S1847 held by the Purchasing Division for the State of Nevada.

In accordance with the Americans with Disabilities Act (ADA), DHRM will not discriminate against any individual based on disability and will make reasonable accommodations to ensure equal opportunity to access programs and services. LEP individuals who are deaf, hard of hearing, speech impaired, visually impaired, blind, deaf/blind, or persons with language disorders may request assistive technology or alternative language access services.

Assistive technology or alternative language access services may include but not limited to:

- Augmentative and Assistive Communication Systems
- Braille Translations
- CapTel
- Screen Braille Communicator
- Text Telephone (TTY) or Telecommunication Devices (TDD)

Bi-Lingual Contact List: Lists 142 employees who can provide translation for various languages including Spanish, Arabic, French, Chinese, Mandarin, Filipino, Korean, and Serbian/Croatian. Additionally, there is one employee on the list who can provide American Sign Language services.

Link: [Bilingual Contact List.xlsx](#)

Statewide Contract #99SWC-S1847 makes 21 vendors accessible to state agencies for on-site spoken, sign language interpretation and document translation services at a cost.

Link:

https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/

B. Written Language Services

As requested, DHRM will provide translated “vital documents” and related written translation services by vendors contracted through statewide contracts by the Purchasing Division for the State of Nevada.

C. Community Outreach and Engagement

During participation in job fairs in the community, DHRM will share their commitment to providing services to those with limited English proficiency.

D. Providing Notice of Language Assistance Services

DHRM will provide notification of the relevant points of contact within its division and online on its website.

V. Implementing DHRM’s Language Access Services

In order to implement LAS for clients who have limited English proficiency, DHRM requires staff to follow the policies and procedures referenced below to ensure meaningful access to available language services. The Division is committed to full compliance with these procedures and provides staff with the training described below so that all staff are familiar with these policies and procedures and recognize their importance to DHRM’s mission.

Language Access Procedures

To promote diversity and inclusion of all individuals who receive services from DHRM, it will facilitate all types of language access for LEP individuals who are served by DHRM. DHRM will provide notice of its available language services to LEP individuals at the relevant points of contact, at no cost to the LEP individuals.

A. Identifying Client Language Needs and Preferred Language

In order to understand DHRM’s client language access needs, DHRM will gather and assess data, and update the LAP as needed. This will include DHRM staff: (1)

interacting appropriately with LEP clients, (2) informing clients of the availability of language services, (3) determining clients' preferred languages, and (4) documenting and tracking LEP client language preferences. These policies and procedures will guide DHRM staff through all their interactions with LEP clients.

B. Accessing Appropriate Oral and Sign Language Services

DHRM recognizes that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available, and in those instances, staff should seek assistance from the Language Access Coordinators along with staff on the bi-lingual contact list or contracted vendors for professional in-person or telephone interpreters.

C. Accessing Appropriate Written Language Services

A determination of "vital" documents will be based on front-line interactions with LEP clients and an evaluation of DHRM documents. These actions will identify the necessary steps to ensure meaningful access to qualified written language services. This will apply to both written information intended for broad distribution, as well as written communications between DHRM and individuals accessing services.

If qualified staff are unable to meet these needs, DHRM will utilize State of Nevada contracted language translation services to provide accessible vital documents.

D. Language Services Quality Assurance

The Division is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. The following procedures are in place to establish provider qualifications and track provider performance.

- DHRM staff who are identified as possible interpreters or translators will be screened to determine qualifications and officially designated as interpreters or translators if qualifications are deemed sufficient.
- DHRM will use vendors contracted through statewide contracts by the Purchasing Division for the State of Nevada.

E. Staff Training Policies and Procedures

The Division acknowledges that appropriate interactions with diverse clients and the provision of language services for clients with limited English proficiency is vital to the fulfillment of its mission. To that end, DHRM will ensure that its staff completes cultural competency training and are familiar with its LAP for providing services.

VI. Evaluation of and Recommendations for DHRM's Language Access Plan

DHRM is committed to monitoring the performance of the applicable policies, procedures, and resources to ensure that its LAP is responsive to the needs of DHRM clients. At a minimum, DHRM will review, evaluate, and, as appropriate, update the LAP biennially.

A. Processes for Monitoring and Evaluation

The Language Access Coordinators will solicit qualitative and quantitative data biennially from DHRM employees and review statistical data to determine LAP needs and program compliance.

B. Evaluation Outcomes and Proposed Changes

DHRM will evaluate LAP data and propose changes to LAP policy and procedures as necessary.

C. Proposed Budgetary Implications

Additional funding needs are currently being identified.

D. Suggested Legislative Amendments

No suggestions at this time.