



U.S. Department of Justice
Civil Rights Division
Federal Coordination and
Compliance Section
U.S. Attorney for the Western
District of Washington



U.S. Department of Labor
Office of the Assistant Secretary for
Administration and Management
Civil Rights Center

Information for Limited English Proficient (LEP) Customers Served by Washington State Department of Labor and Industries (L&I) Programs and Activities

The U.S. Departments of Justice and Labor have reached an agreement with the Washington State Department of Labor and Industries (L&I) to resolve civil rights complaints filed by limited English proficient (LEP) workers who alleged that they were subject to national origin discrimination in the state's workers' compensation program.

This fact sheet provides an overview of the key terms in that agreement and answers common questions about the rights of L&I customers who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Overview of Agreement

The agreement calls for improvements in the language assistance services that L&I provides to LEP customers, including the following:

- L&I will develop a Language Access Plan that sets out the management actions needed to implement a Language Access Policy and ensure compliance with federal civil rights laws.
- L&I will add advisory members to the Language Access Steering Committee to represent the interests of LEP workers and the Washington employer community.
- L&I will submit detailed reports that document its implementation of the agreement.

Must L&I staff provide information to me in my preferred language?

Yes. L&I staff must communicate information to its LEP customers in their preferred language so they can understand and participate in each L&I program, service, or activity. LEP customers have the right to timely and meaningful access to all L&I programs, services, and activities.

What types of language assistance services does L&I staff provide to its LEP customers?

L&I staff must provide free language assistance services to LEP customers whom they encounter or to any LEP individual that requests these services. Depending on the LEP customer's communication needs and circumstance, L&I staff will provide language assistance services in the customer's preferred language including:

- oral communication with a designated competent bilingual or multilingual L&I employee;
- oral communication with a certified interpreter (in person or remotely); and
- the translation of vital written L&I documents by a certified or authorized translator.

What types of written or electronic material does L&I translate for its LEP customers?

L&I will translate documents and electronic materials that are vital for LEP customers to access L&I services and activities. Whether a particular document or electronic material is considered vital or not may depend on the importance of the information in the document or electronic material. Vital documents and electronic materials include:

- documents that must be provided by law
- complaint, consent, release or waiver forms
- claims or application forms
- any time-sensitive notices
- letters or notices about the reduction or termination of services or benefits
- notices of rights or responsibilities
- notices of language assistance services

Can L&I staff require or suggest that an LEP customer use or bring a family member or friend to serve as an interpreter?

No. L&I staff cannot use children, family members, or friends of the LEP customer or a bystander to serve as an interpreter. L&I staff can provide a qualified interpreter in a timely manner that speaks the LEP customer's preferred language at no cost to that customer.

What processes does L&I use to identify and track the needs of its LEP customers?

- L&I staff will identify LEP customers as early as possible during the initial contact.
- L&I will inform LEP customers of their right to receive free language assistance services.
- L&I will record and track the preferred language of its LEP customers.
- L&I will review the language data each year and make any changes needed to address the needs of its LEP customers.

In general, what steps will L&I take to ensure meaningful access for its LEP customers?

- L&I will provide effective language assistance services to LEP customers at no cost.
- L&I will ensure that interpreters and translators have knowledge in both languages of any specialized terms or concepts and that they are properly trained.
- L&I will address complaints by customers who believe they have been denied meaningful access to L&I services because they are LEP.

What can I do if I have questions, want additional information, or believe that L&I is not providing adequate language assistance services to its LEP customers?

You may visit the website of the U.S. Department of Labor's Civil Rights Center (CRC) at www.dol.gov/oasam/programs/crc/, or contact CRC by phone at 202-693-6502 (voice) or 800-877-8339 (Federal Relay Service – TTY/TDD), or by email at CRCEXternalComplaints@dol.gov. For more information about filing a complaint, visit www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm.

You may also visit the website of the Federal Coordination and Compliance Section in the Civil Rights Division of the U.S. Department of Justice (FCS) at <http://www.justice.gov/crt/federal-coordination-and-compliance-section> or contact FCS at 1-888-848-5306 (Voice / TTY). For more information about filing a complaint, visit <http://www.justice.gov/crt/filing-complaint>.