

## LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

**State Agency:** Department of Labor

**Effective Date of Plan:** August 1, 2021

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This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:

	The Limited English Proficient (“LEP”) population in our service area.
	How we notify the public about language access services.
	Our resources and methods for providing language access services.
	How we train our staff to provide language access services to the public.
	How we monitor language access services and respond to complaints.

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## PART 1 – Our Agency’s Services

We prepared this Language Access Plan (“Plan”) to comply with Executive Order No. 26, as amended by Executive Order No. 26.1, which established New York’s [Statewide Language Access Policy](#).<sup>1</sup> This Plan explains how we make sure that Limited English Proficient (“LEP”) individuals have meaningful access to agency services, programs, and activities.

In this Plan, LEP individuals are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

### Our agency’s services to the public include:

The mission of the New York State Department of Labor is to protect workers, assist the unemployed, and connect job seekers to jobs. NYSDOL does this through several divisions and offices:

The **Division of Labor Standards** enforces State labor laws including minimum wage, wage payment, and child labor laws through office and field investigations.

The **Bureau of Public Work** administers and enforces Article 8 (Construction) and Article 9 (Building Services) of the New York State Labor Law.

The **Unemployment Insurance Division** administers the State’s Unemployment Insurance Law, including the Unemployment Insurance Benefit Payment Program and the Unemployment Contribution Program.

The **Unemployment Insurance Appeal Board** is an independent board, which decides issues of Unemployment Insurance benefit eligibility and Unemployment Insurance contribution liability. The Board and its administrative law judges who conduct hearings are independent of the DOL in making these decisions.

The **Office of Special Investigations** investigates Unemployment Insurance fraud and makes referrals to criminal law enforcement agencies to protect the integrity of the Unemployment Insurance Fund.

**Counsel’s Office** provides legal advice and counsel to the Commissioner of Labor and to

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<sup>1</sup> For additional information about our agency’s obligations to provide language access services, please visit: <https://www.ny.gov/language-access-policy>

programs within the Department. Attorneys in Counsel's Office represent the Commissioner in administrative hearings relating to underpayments of wages and overtime, safety and health violations, license suspension or revocation, and other matters. The Counsel's Office is also responsible for promulgating regulations on behalf of the Department. It coordinates the Department's legislative program, developing Departmental legislation and working with the Governor's Office and the Legislature on bills that will impact the Department and working New Yorkers throughout the State.

The **Division of Safety and Health** provides services aimed at protecting the public, employees, and employers. DOSH conducts training, inspection, permitting and licensing to uphold many state laws relating to safety and health.

The **Division of Employment and Workforce Solutions** provides employment assistance and career counseling to job seekers and other interested customers through the Career Centers.

The **Office of Administrative Adjudications** holds hearings concerning Prevailing Wage Law, Asbestos Law, and other similar laws.

The **Office of Communications** informs the public about the mission and achievements of the Department of Labor.

The **Division of Research and Statistics** obtains various data from businesses and is the premier source of labor market information in the State.

The **Contact Center** is a single point of contact for individuals, businesses and governmental or research organizations who need assistance navigating the Department of Labor's services, other than Unemployment Insurance inquiries.

The **Division of Equal Opportunity Development** ensures that all DOL programs, activities and facilities operate in a non-discriminatory manner in accordance with State and Federal Equal Employment Opportunity and Anti-Discrimination Laws through the conduct of discrimination complaint investigations, reasonable accommodation assessments, and Equal Employment Opportunity Monitoring and Compliance Reviews.

The **Division of Immigrant Policies and Affairs** works inside and outside the Department of Labor to serve the needs of immigrant workers (including migrant and seasonal farmworkers) and employers. The Division also helps victims of human trafficking by providing a variety of services including referrals to community organizations.

The **Industrial Board of Appeals** is an independent board, which holds formal administrative hearings to review orders of the Commissioner of Labor.

The remaining divisions and offices (Administrative Finance Bureau, Office of Personnel, The Training and Development Unit, and Office of Intergovernmental Affairs) provide services only internally.



## **PART 2 – The Limited English Proficient Population in Our Service Area**

**Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top ten languages most commonly spoken by LEP individuals in New York State.**

**The estimated total number of LEP individuals in our service area is:** Approximately 2.5 million LEP individuals in New York State.

**The top ten languages spoken by LEP individuals in New York State are:**

<b>#</b>	<b>Language</b>	<b>Estimated Number of LEP Speakers</b>
<b>1</b>	Spanish	1,201,322
<b>2</b>	Chinese	379,745
<b>3</b>	Russian	119,380
<b>4</b>	Yiddish	64,070
<b>5</b>	Bengali	64,020
<b>6</b>	Korean	55,506
<b>7</b>	Haitian Creole	54,746
<b>8</b>	Italian	46,431
<b>9</b>	Arabic	40,781
<b>10</b>	Polish	34,840

Our agency will reassess the public’s language needs at least every two years after the effective date of this Plan.

**Our agency tracks encounters with LEP individuals in the following ways:**

Employees who interact with the public are instructed to keep track of encounters with LEP individuals and report those encounters quarterly.



## **PART 3 – Public Outreach About the Availability of Language Access Services**

**Our agency informs LEP individuals about their right to free language assistance services in the following ways, using at least the top ten languages shown in Part 2 of this Plan:**

LEP individuals are directly informed by our staff

**In which ways?** Employees inform customers about their right to free language assistance services with the help of “I Speak” posters and/or contracted vendors.

Signs posted about language assistance services

In areas operated by the agency and open to the public

Other (describe)

Information is published on our agency’s website in at least the top ten languages spoken by LEP individuals in New York State

Outreach and presentations at schools, faith-based groups, and other community organizations

**What are the LEP populations targeted?** Department of Labor personnel routinely attend events and make presentations throughout the state. Our agency informs the public of the availability of free language assistance services and tries to find out in advance the languages that are spoken by known attendees at such events. We schedule interpreters in any language that is in demand.

Local, non-English language media directed at LEP individuals in their languages

**What are the LEP populations targeted?**

Social media posts directed at LEP individuals in their languages

**What are the LEP populations targeted?** Spanish.

Telephonic voice menu providing information in non-English languages

**In which languages?** The two most frequent initial points of contact are the Contact Center and the Unemployment Insurance Telephone Claims Center. The Contact Center has English, Spanish, Mandarin, Cantonese, Russian, Polish, Korean, Haitian Creole, French, Italian, Arabic, Urdu, Bengali, Tagalog, Hindi, Vietnamese, and Nepalese voice prompts recordings available from the main menu. The Unemployment Insurance Telephone Claims Center has greetings and other voice prompts in Spanish, Haitian Creole, Russian, Cantonese, Mandarin, Korean, Polish, Bengali, Arabic, French, Italian, Hindi, Vietnamese, Urdu, Nepali, and Tagalog.

Other (describe)



## PART 4 – Provision of Language Access Services

### A. Determining the Need for Services

**During *in person* encounters, our agency uses the following tools to determine whether an individual is LEP, and what their primary language is:**

- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying LEP individual’s language
- Other (describe)

**On telephone calls, our agency uses the following tools to find out if an individual is LEP, and what their primary language is:**

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying an LEP individual’s language
- Telephonic interpreting service
- Other (describe)

**Our agency’s protocols for assessing whether an individual needs oral interpreting services in different service situations is as follows:**

**During office in-person encounters:** If the person does not ask for an interpreter but seems to be struggling to communicate, the employee should ask the person if they would like to use a different language.

**At initial contact in the field:** If the person does not ask for an interpreter but seems to be struggling to communicate, the employee should ask the person if they would like to use a different language.

**When speaking on the telephone:** If the person does not ask for an interpreter but seems to be struggling to communicate, the employee should ask the person if they would like to use a different language.

**For pre-planned appointments with LEP individuals:** With pre-planned appointments, language preference should be already recorded in the individual’s file. We can arrange in advance to have an in-person interpreter be present or we can call the telephonic interpretation service at the time of the appointment.

**Other (describe):**

**Our agency records and maintains documentation of each LEP individual’s language assistance needs as follows:**

- If the preferred language is known, the customer’s record is noted so that future communication can be made in the preferred language.
- Waivers of free language services are retained in the customer’s file.
- The various divisions and offices within the Department of Labor report language usage including oral interpretation and translation to the LAC quarterly.
- The agency LAC reports on usage annually.

**B. Oral Interpreting Services**

**Our agency has made the following resources available for oral interpreting requests:**

Bilingual staff members who work directly with LEP individuals

**Number of staff and languages spoken:** Language Parenthetic Report as of February 2021 (SL = Spanish, CL = Chinese, CrL = Creole, KL = Korean, PL = Polish, RL = Russian):

**Administrative Finance Bureau (AFB)**

Title	Number of Staff PERM	Number of Staff HOURLY
Security Officer SL	1	0

**Contact Center**

Title	Number of Staff PERM	Number of Staff HOURLY
Senior Employment Security Clerk SL	2	4
Senior Employment Security Clerk CL	2	0
Principal Employment Security Clerk SL	1	0

**Division of Employment and Workforce Solutions (DEWS)**

Title	Number of Staff PERM	Number of Staff HOURLY
Employment Counselor SL	2	0
Labor Services Rep CL	7	4



Labor Services Rep KL	2	0
Labor Services Rep SL	39	18
Office Assistant 1 SL	1	0
Senior Employment Security Clerk SL	1	3
Supervising Labor Services Rep SL	2	0
Supervising Labor Services Rep CL	1	0
Workforce Programs Specialist 3 SL	0	0

**Division of Safety and Health (DOSHS)**

Title	Number of Staff PERM	Number of Staff HOURLY
Office Asst 1 SL	1	0

**Office of Special Investigations (OSI)**

Title	Number of Staff PERM	Number of Staff HOURLY
Investigative Officer 1 SL	2	0
Senior Employment Security Clerk SL	1	0

**Division of Labor Standards (LS)**

Title	Number of Staff PERM	Number of Staff HOURLY
Investigator Officer 1 CL	5	0
Investigator Officer 1 KL	1	0
Investigator Officer 1SL	23	0
Investigator Officer 2 LS CL	3	0

Investigator Officer 2 LS SL	5	0
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**Unemployment Insurance Division (UID)**

Title	Number of Staff PERM	Number of Staff Hourly
Labor Services Rep CL	1	3
Labor Services Rep CRL	0	0
Labor Services Rep KL	0	0
Labor Services Rep PL	0	0
Labor Services Rep RL	0	0
Labor Services Rep SL	20	2
OA 2 Cust Svc SL	0	0
Principal Employment Security Clerk SL	1	0
Senior Employment Security Clerk CL	2	0
Senior Employment Security Clerk CRL	0	1
Senior Employment Security Clerk KL	0	0
Senior Employment Security Clerk PL	0	0
Senior Employment Security Clerk RL	1	1
Senior Employment Security Clerk SL	12	14
Supervising Labor Services Rep CL	3	0
Supervising Labor Services Rep SL	4	0
Tax Compliance Rep SL	0	0
Unemployment Insurance Program Manager 1 CL	0	0
Unemployment Insurance Program Manager 1 SL	1	0

Bilingual staff members who provide oral interpreting services on a volunteer basis

**Number of staff and languages spoken:** At the Department of Labor, we have a volunteer “Language Bank”, which consists of approximately 100 people speaking one or more of the following languages: Arabic, Belarus, Bengali, Cantonese, Dutch, Ewe, French, German, Gujarati, Hebrew, Hindi, Ibo, Japanese, Korean, Malay, Malayalam, Mandarin, Marathi, Polish, Portuguese, Punjabi, Russian, Sanskrit, Shanghainese, Spanish, Tagalog, Taiwanese, Toishanese, Ukrainian, Urdu, Wolof, Yiddish, Yoruba.

Telephonic interpreting service

**Name of vendors:** Our primary telephonic interpretation service is LanguageLine Solutions, and we may potentially utilize any vendor under the OGS Statewide Administrative Services Contract.

Contracts or other arrangements with school and community organizations

**Number of staff and languages spoken:**

Other (Describe)

**Our agency protocols for informing LEP individuals that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:**

**During office in-person encounters:** Staff show LEP individuals the Language Identification Tool. The tool contains language that informs the individual that the interpreter will be provided at no cost to the customer.

**At initial contact in the field:** We have reduced the Language Identification Tool to a wallet card size specifically for field staff. The tool contains language that informs the individual that the interpreter will be provided at no cost to the customer. Also, the customer may say the name of his or her preferred language in English.

**When speaking on the telephone:** More often than not, the customer says the name of their preferred language in English. If they do not, the employee should attempt to ascertain the customer’s preferred language. Then, we can have the interpreter explain that the service is provided at no cost to the customer.

**For pre-planned appointments with LEP individuals:** The preferred language is determined at the time the appointment is made.

**Other (describe):**

**Our agency’s protocols for obtaining interpreting services in a timely manner is as follows:**

For over the phone interpretation, we have a pre-qualified vendor on stand-by for on-demand services. For in person (consecutive and simultaneous) interpretation service we have a pre-qualified vendor under contract. Requests for services are submitted by e-mail. For translation services, we have an OGS vendor identified. Forms and publications are submitted for translation as they are developed. Incoming correspondence is sent out for translation promptly upon receipt.

**If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocols for deciding whether to accept or decline such an arrangement is as follows:**

LEP individuals that come into contact with our agency will be informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member, friend, or a minor as an interpreter. However, during emergencies an LEP individual will be permitted to use a minor, a family member or friend as an interpreter. Upon request, an LEP individual may also be permitted to use a minor, a family member or friend as an interpreter for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the LEP individual occurs at the agency's office, and an individual is permitted to use an interpreter of his or her choosing, he or she must fill out a written consent/waiver form.

Where an LEP individual is engaged in official business with the agency, the agency will provide an independent interpreter at all times. An LEP individual will not be permitted to use an independent interpreter of his or her choosing when filling out applications or when involved in other legal matters.

**Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:**

Staff is informed by mandatory annual training from the Governor's Office of Employee Relations. Language Assistance resources are available on the agency Intranet.

**The agency's Language Access Coordinator ("LAC") maintains a list of oral interpreting resources that are available to staff. This resource list includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in an LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

**Our agency records and maintains documentation of oral interpreting services provided to LEP individuals at each encounter. Our protocol in this regard is as follows:**

The various divisions and offices within the Department of Labor report language usage, including oral interpretation and translation, to the LAC quarterly. The LAC sends reminders by e-mail.

### **Cultural Competence and Confidentiality**

**Our agency makes sure interpreters are culturally competent<sup>2</sup> in the following ways:**

Where DOL utilizes independent interpreting services, that vendor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent. Occasionally and for routine matters, DOL uses multilingual staff volunteers who are self-assessed in their own language competency.

**Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:**

Training provided to staff addresses the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

### **C. Translations of Documents**

**At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents (including website content) that must be translated. This process is accomplished in the following ways:**

The agency's Language Access Coordinator has meetings with each division or office in the Department of Labor to discuss and assess their forms and publications.

**Our agency's process for making sure documents are written in plain language<sup>3</sup> before they are translated into other languages is as follows:**

Before a document is translated into other languages, it must first be written in plain language. Program staff will work with the Office of Communications to review forms, publications and web content and make sure they are written in plain language.

The Communications office has also placed on the Intranet various plain language resources including checklists, tip sheets, videos, and a Plain Language handbook available to all staff.

**Our agency has the following resources available for translation of documents:**

Contracts with vendors for translation services

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<sup>2</sup> Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from: [https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring\\_Cultural\\_Competence\\_in\\_Health\\_Care-1999.pdf](https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf)

<sup>3</sup> The [Plain Writing Act of 2010](#) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>

**Names of vendors/languages:** LinguaLinx and potentially any other vendor under the OGS Statewide Administrative Services Contract.

Contracts or other arrangements with schools and community organizations

**Names of schools/organizations and languages:**

Translation of documents by bilingual staff members

Other (describe)

**The agency's Language Access Coordinator ("LAC") maintains a list of translation resources that are available to staff. This resource list includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to provide translations of documents
- Languages in which each translation service is qualified
- Procedures for accessing each translation service

**Our agency translates documents that LEP individuals submit in their primary languages in a timely manner. Our protocol in this regard is as follows:**

If correspondence or a complaint form is received in a language other than English, it is promptly sent to a translation service.

**The following non-exhaustive list of documents are currently translated by our agency in the languages indicated:**

In compliance with Executive Order 26.1, our agency will complete translations of the vital documents in the newly added top languages (Arabic, Italian, Polish, and Yiddish) by August 1, 2022.

The below list contains both vital and non-vital documents that are currently translated into the languages indicated in the table. Non-vital documents may not be translated into the E.O. 26.1 languages.

- *AR: Arabic*
- *BE: Bengali*
- *CH: Chinese*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *YI: Yiddish*

Form #	Name	Top Ten Languages										Additional Languages
		AR	BE	CH	HA	IT	KO	PO	RU	SP	YI	
DEOD												
DEOD 310	Equal Opportunity is the Law	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Albanian, Bosnian, French, Vietnamese
DEOD8 32	Notice Under the Americans with Disabilities Act	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
DEOD 834	Complaint Form, Including Discrimination Complaints				✓					✓		Albanian
DEOD 835	Americans with Disabilities Act Complaint Form	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
GA 816	Grievance Procedure under the Americans with Disabilities Act	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
	Equal Opportunity and Nondiscrimination Complaint Processing Procedures Technical	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	

	<p>Advisory and Attachments (A-E):</p> <p>A: WIOA Equal Opportunity and Nondiscrimination Processing Procedures</p> <p>B: Complaint Procedure Overview</p> <p>C: Procedures for Handling Complaints Referred for Mediation</p> <p>D: Local Government Signature Sheet</p> <p>E: Local Workforce Development Board Signature Sheet</p>											
<b>DEWS</b>												
ES100	Customer Registration Form		✓	✓	✓	✓	✓	✓	✓	✓		
ES834	Customer Complaint Form		✓	✓	✓	✓	✓	✓	✓	✓		



P239	Federal Bonding Program Fact sheet		✓	✓	✓	✓	✓	✓	✓	✓		
WS1	Unemployment insurance eligibility questionnaire		✓	✓	✓	✓	✓	✓	✓	✓	✓	
WS2	Work Search Plan for Unemployment Insurance		✓	✓	✓	✓	✓	✓	✓	✓	✓	
WS3	Re-employment Plan		✓	✓	✓	✓	✓	✓	✓	✓	✓	
<b>DIPA</b>												
AL 500	Field Registration Form				✓					✓		
AL 516	Terms and Conditions of Employment									✓		
AL 790.11	Agricultural Employers and the Wage Theft Prevention Act			✓						✓		
FL 157	New Well Water Testing Requirements for H-2A Worker Housing			✓						✓		
HT 1	Questionnaire for	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	

	Detection of Human Trafficking											
LA 1	Access to Services in Your Language: Complaint Form		✓	✓	✓	✓	✓	✓	✓	✓		Burmese Swahili
P 132	Agriculture Labor Program				✓					✓		
P-704	Minimum Wage Card									✓		
P 711	Know Your Rights as a Worker	✓	✓	✓	✓	✓	✓	✓	✓	✓		French Hindi Ukrainian Urdu
P 730	Your Rights as an H-2A Worker									✓		
P 735	Protection for Farm Workers		✓	✓	✓		✓		✓	✓		
P 737	Services and Protections for Farmworkers				✓					✓		
P 740	DIPA Fact Sheet	✓	✓	✓	✓	✓	✓	✓	✓	✓		Burmese French Hindi Karen Nepali Somali Swahili Ukrainian Urdu
P 741	Know Your Rights: Language Services at the NYSDOL		✓	✓	✓	✓	✓	✓	✓	✓		Burmese Swahili

P 742	New Rights and Protections for All Farmworkers									✓		
P 744	Human Trafficking Tri-fold Fact Sheet	✓	✓	✓	✓	✓	✓	✓	✓	✓		French Hindi Sinhala Tagalog Tamil Ukrainian Urdu Vietnamese
P 746										✓		
P 746.1										✓		
P 746.2	Human Trafficking Resource Card	✓	✓	✓	✓	✓	✓	✓	✓	✓		French Hindi Sinhala Tagalog Tamil Ukrainian Urdu Vietnamese
P 746.3	Human Trafficking tri-fold wallet card	✓	✓	✓	✓	✓	✓	✓	✓	✓		French Hindi Sinhala Tagalog Tamil Ukrainian Urdu Vietnamese
P 748			✓	✓	✓		✓	✓	✓	✓		Burmese
<b>DOSH</b>												
P217	Guide for Amusement Device Operators in New York State	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
SH 86	Daily Inspection & Test of		✓	✓	✓		✓	✓	✓	✓		

	Amusement Equipment											
SH 78	Aerial Act Location Notice	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
P 217	Guide for Amusement Device Operators in New York State (Fact Sheet)	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
SH 81	Amusement Devices, Viewing Stands and Tents – Permit Information	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
SH 80	Application for Amusement Device, Viewing Stand and/or Tent Permit	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
SH 87	Location Notice	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
SH 87.1	Equipment Inventory	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
SH 88	Statement of Load Test for Passenger Carrying Amusement Device	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	In progress	
LS												
LS11	Letter of Representation		✓	✓	✓	✓	✓	✓	✓	✓	In progress	

LS 13	The Division of Labor Standards and Your Business			✓	✓	✓	✓	✓	✓	In progress	
LS 51	Notice and Acknowledgment of Wage Rate(s) for Temporary Help Firms			✓	✓	✓	✓	✓	✓	In progress	
LS 53	Instructions for Notices of Pay Rates and Pay Days under Section 195.1			✓	✓	✓	✓	✓	✓	In progress	
LS 54	Pay Notice for Hourly Rate Employees			✓	✓	✓	✓	✓	✓	In progress	
LS 55	Pay Notice for Multiple Hourly Rates			✓	✓	✓	✓	✓	✓	In progress	
LS 56	Pay Notice for Employees Paid a Weekly Rate or Salary for a Fixed Number of Hours			✓	✓	✓	✓	✓	✓	In progress	
LS 57	Pay Notice for Employees Paid a Salary for Varying Hours, Day Rate, Piece			✓	✓	✓	✓	✓	✓	In progress	

	Rate, Flat Rate or Other Non-Hourly Pay											
LS 58	Pay Notice for Prevailing Rate and Other Jobs		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 59	Pay Notice for Exempt Employees			✓	✓	✓	✓	✓	✓	✓	In progress	
LS 62	Pay Notice for Home Care Aides		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 70	Written Authorization for Wage Advances			✓	✓	✓	✓		✓	✓	In progress	
LS 177	Information about a Division of Labor Standards Compliance Conference			✓	✓	✓	✓		✓	✓	In progress	
LS 203	Apparel Industry Minimum Wage Poster		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
Part 141	Building Service Industry Minimum Wage Order Summary		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 223	Unpaid Wages Claim Form [This claim form is used to file for		✓	✓	✓	✓	✓	✓	✓	✓	In progress	

	unpaid wages].											
LS 110	Farm Minimum Wage Poster		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 113.1	Application For Farm Labor Contractor Certificate of Registration /Application for Farm Labor Camp Commissary Permit		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 114.1	Contractor Instruction Letter			✓	✓	✓	✓	✓	✓	✓	In progress	
LS 121	Fingerprint Screening Instructions for New Applicants for Farm Labor Contractor Registration Certificates			✓	✓	✓	✓	✓	✓	✓	In progress	
LS 122	Finger Print Cards for Farm Contractors [Guidelines]			✓	✓	✓	✓	✓	✓	✓	In progress	
LS 171	Working Hours for Minors		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 207	Minimum Wage Poster (Miscellaneous Industries and		✓	✓	✓	✓	✓	✓	✓	✓	In progress	

	Occupations )											
LS 207.2	Minimum Wage Poster (Building Services Industry)		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
Part 190	Farm Workers Minimum Wage Order Summary		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
Part 146	Hospitality Industry Minimum Wage Order Summary		✓		✓	✓	✓	✓	✓	✓	In progress	
LS 207.3	Minimum Wage Poster (Hospitality Industry)		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
Part 142	Miscellaneous Industries and Occupations Minimum Wage Order Summary		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 309	Farm Work Agreement		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 355	Application for an Employment Agency License			✓	✓	✓	✓		✓	✓	In progress	
LS 355.1	Application for an Employment Agency License Renewal			✓	✓	✓	✓		✓	✓	In progress	
LS 355.2	Application for an			✓	✓	✓	✓		✓	✓	In progress	



	Employment Agency Manager Permit											
LS 392	Supplementary Application by Registered Contractors Whose Services Are Utilized for 5 Days or Less			✓	✓	✓	✓	✓	✓	✓	In progress	
LS 400	Guidance for the New York State Hospitality Industry on Uniforms		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 428.1	Notice to Farm Labor Contractors		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 602	Small Claims Court Flyer			✓	✓	✓	✓	✓	✓	✓	In progress	
LS 608.1	Salary History Complaint Form		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 608.2	Pay Equity Complaint Form		✓	✓	✓	✓	✓	✓	✓	✓	In progress	
LS 621	Notification of Labor Standards Enforcement Process - English/Spanish (Trifold)									✓	In progress	
LS 650	Parent/Guardian			✓	✓	✓	✓	✓	✓	✓	In progress	

	Statement of Consent											
LS 680	Mandatory Overtime Complaint Form										In progress	
LS 710	Farm Workers' Complaint Form								✓	In progress		
<b>DOSH</b>												
P897	Bureau of Public Work: A Guide for Employees		✓	✓	✓	✓	✓	✓	✓	In process		
P898	Bureau of Public Work: A Guide for Employers		In process	In process	In process				In process	In process	In process	
P899	Bureau of Public Work: A Guide for Contracting Agencies		In process	In process	In process				In process	In process	In process	
PW4	Employee Complaint		✓	✓	✓	✓	✓	✓	✓	✓	✓	
PW5	Non-Employee Complaint		✓	✓	✓	✓	✓	✓	✓	✓	✓	
PW 101	Public Work Project Poster		In process	In process	In process				In process	In process	In process	
<b>UI</b>												
TC 10	Notice to Claimant of Important Document	✓	✓	✓	✓		✓	✓	✓	✓	Albanian Bosnian Italian Latin Croatian French Greek	

												Hindi Japanese Portuguese Serbian– Cyrillic Vietnamese
E403R A	Request for Alternate Base Period		✓	✓	✓				✓	✓	✓	*
E403R R	Request for Reconsidera tion		✓	✓	✓				✓	✓		*
IA133	Notice to Employers		✓	✓	✓	✓	✓	✓	✓	✓		
LO346	Letter to claimant to actively search for work									✓		*
LO347	Letter to claimant to actively search for work									✓		*
LO348	Letter to claimant to actively search for work									✓		*
LO403. 5 & LO403. 5i	Request for Rate Based on Weeks of Employment	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French **
LO 412	Notice of Determinati on to Claimant											*
LO424. 4	List of Attorney and Authorized Agents									✓		*

LO 435	Claimant Request for Hearing	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
LO 436	Employer Request for Hearing		✓	✓	✓	✓	✓	✓	✓	✓		
IA 998	NYSDOL Required Notice under Article 25-C of the Labor Law – Commercial Good Transportation Industry Fair Play Act		✓	✓	✓	✓	✓	✓	✓	✓		Portuguese
IA 999	New York State Construction Industry Fair Play Act Poster		✓	✓	✓	✓	✓	✓	✓	✓		Portuguese
SI412.2R	Special Investigations									✓		*
SW2.1	Shared Work Program Application		✓	✓	✓	✓	✓		✓	✓		
SW2.2	Shared Work Plan Participant Listing		✓	✓	✓	✓	✓		✓	✓		
SW330	Application for Benefits, Shared Work Plan		✓	✓	✓	✓	✓		✓	✓		
SW330.2	Continuation of		✓	✓	✓	✓	✓		✓	✓		

	Employment Record											
SW4	Shared Work Continued Claim Form						✓			✓		
SW4.1	Shared Work Continued Claim Form						✓			✓		
SW4.2	Important Information Regarding your Income Tax Withholding Options						✓			✓		
T402B	Monetary Benefit Determination	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French **
T402N	Monetary Benefit Determination (non-entitled)	✓	✓	✓		✓	✓	✓	✓	✓		Albanian French **
TC 318.3	Claimant Handbook	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
TC334	Registration for work and claim for Benefits											*
TC403 HA	Request for Alternate Base Period	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French **
TC403 HR	Request for Reconsideration	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French **
TC418i a	Request for Verification of Work									✓		*

TC418I A2	Secondary Verification									✓		*
TC418i d	Request for Identificatio n or other information									✓		*
TC 424.1	Hearings before Unemploym ent Insurance Law Judges		✓	✓	✓	✓	✓	✓	✓	✓		
TC 424.2	Q & A About your UIB Hearing		✓	✓	✓	✓	✓	✓	✓	✓		
TCC40 6L	Certification coupon	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French **
TCC41 8.1	Check Replacemen t									✓		*
TCC41 8IA	Request for Alien Employmen t Verification									✓		*
TCC41 8IA2	Request for Identificatio n									✓		*
TCC41 8ID	SSA Request for Identificatio n									✓		*
TCC41 8R	Entitlement									✓		*
WS 5	Work Search Record Form	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
P 738	How to know if a		✓	✓	✓	✓	✓		✓	✓		

	construction worker is an employee or an independent contractor											
P 800	Applying for Unemployment Insurance Benefits	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French Hindi Japanese Punjabi Urdu Vietnamese
P-808	UI Agent Fact Sheet (Do you help others apply or file for Unemployment Insurance?)	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
P 812	Work Search is Required to Collect UI Benefits	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
P 821	Unemployment Insurance State Information Data Exchange System	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
P 822	Unemployment Insurance Reform for Employers	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
P 823	UI Reform for Claimants		✓	✓	✓	✓	✓		✓	✓		
P 825	Dismissal or Severance Pay and	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French

	Your UI Benefits												
P 826	Receiving a Pension and Your UI Benefits	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
P 831	What is the Claimant Advocate Office	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		Albanian French
<b>UIAB</b>													
AB-AppILtr	Appeal Letter (hard copy letter)		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe05	Copy Enclosed/No Reply Permitted		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe08	Closed Enclosed/Reply Permitted By Deadline		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe15	Decision is Final/Section 624 -Right of Appeal to Courts		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe10	Denial Letter/ 7 Options		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe11	Extension Request Denied		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe07	Extension Request Granted		✓	✓		✓	✓	✓	✓	✓	✓		
AB-AL_Ty pe04	Transcript In/ Copy of		✓	✓		✓	✓	✓	✓	✓	✓		



	Transcript Enclosed											
AB-AL_Ty pe02	Transcript In/ Minutes in Appeal Board		✓	✓		✓	✓	✓	✓	✓		
AB-AL_Ty pe03	Transcript In/ Minutes in Local Office		✓	✓		✓	✓	✓	✓	✓		
AB-AL_Ty pe05	Transcript In/ No Reply Permitted		✓	✓		✓	✓	✓	✓	✓		
AB-AL_Ty pe19	Untimely Appeal Letter		✓	✓		✓	✓	✓	✓	✓		
AB-AL_Ty pe20	Untimely Appeal Statement		✓	✓		✓	✓	✓	✓	✓		
AB-2LR	Letter Remand		✓	✓		✓	✓	✓	✓	✓		
AB-2LR_Rev	Revised Letter Remand		✓	✓		✓	✓	✓	✓	✓		
AB-1	Notice of (Board) Hearing		✓	✓		✓	✓	✓	✓	✓		
AB 202	Notice of Hearing - Letter Remand		✓	✓		✓	✓	✓	✓	✓		
AB-4	Notice of Receipt of Appeal to Court		✓	✓		✓	✓	✓	✓	✓		
AB-100R	Notice of Receipt of Application to Reopen Decision		✓	✓		✓	✓	✓	✓	✓		

MLC-3C	Notice of Reopening		✓	✓		✓	✓	✓	✓	✓		
AB 666	Notice of Hearing		✓	✓		✓	✓	✓	✓	✓		
AB 100	Notice of Receipt of Appeal		✓	✓		✓	✓	✓	✓	✓		
<b>IBA</b>												
n/a	Notice of Hearing											
n/a	Letter to petitioner informing petition is insufficient because it does not include the Order to Comply subject to appeal, and requesting an amended petition with the OTC attached or the petition will be dismissed											
<b>Comm.</b>												
P 12	DOL Overview Fact Sheet	✓	✓	✓	✓	✓	✓	✓	✓	✓		French Hindi Portuguese Ukrainian Urdu

\* = This document is sent to a claimant in English. It is accompanied by a “Notice to Claimant of Important Document” (TC 10). The Notice to Claimant of Important Document contains the following statement in 18 languages other than English. This is an important document about your claim for unemployment insurance benefits. If you need help to understand it, please contact the Telephone Claim Center at: 1-888-209-8124. An interpreter will be provided free.

\*\* = This form is not available independently in the languages listed. Rather, a blank copy of the form in the respective language is contained within the Unemployment Insurance Claimant Handbook, which is translated into that language.

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

**The process for ensuring that translations are accurate and incorporate commonly used words is as follows:**

The Department of Labor strives to develop all forms and publications using “plain language”. Once a form or publication is approved for publication, it is ready to be sent for translation into non-English languages. We rely on the specifications in the OGS contract relating to competency.



## **PART 5 – Staff Training**

**The person in the agency who is responsible for training staff in language access services is:** Eric Denk, Agency’s Language Access Coordinator.

**The staff training includes the following components:**

- The agency’s legal obligations to provide language access services
- The agency’s resources for providing language access services
- How to access and work with interpreters
- Cultural competence and cultural sensitivity
- How to obtain translation services
- Maintaining records of language access services provided to LEP individuals

**The methods and frequency of training are as follows:**

Web-based training is provided by the Governor’s Office of Employee Relations. We also have staff who provide additional training in Career Centers, a common point of contact for LEP customers.



## **PART 6 – Monitoring the Plan and Responding to Complaints**

### **A. Monitoring**

**Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:**

The Language Access Coordinator has telephone calls or meetings with representatives from each division to reinforce the Department of Labor’s expectations and the requirements of EO 26.1.

### **B. Complaints**

**We provide information to the public in at least the top ten most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.**

**We display information on the right to file a complaint, and the procedures for filing a complaint, in the following manner:**

The standardized complaint forms, along with the procedures for filing a complaint, are available in all ten languages in our public offices upon request. The complaint forms are also available for download or online submission through our website. Additionally, information on the right to file a complaint is posted in the top ten languages on our website and in our offices in areas where it can be easily seen by the public.


**We handle complaints made to the agency regarding the provision of language assistance services in the following manner:**


Complaints are routed to and reviewed by the Language Access Coordinator. The LAC reviews the complaint with the division that is the subject of the complaint. Remedial training will be conducted if necessary.

All complaints are timely forwarded to the Statewide Language Access Coordinator.

PART 7 – Signatures



	Commissioner	7/30/2021
<b>Head of Agency</b>	<b>Title</b>	<b>Date</b>

	Language Access Coordinator	08/01/2021
<b>Agency LAC</b>	<b>Title</b>	<b>Date</b>

	Deputy Secretary for Civil Rights	8/1/2021
		<b>Date</b>