



Limited English Proficiency Policy Statement and Program

Introduction

The Ohio Department of Agriculture, Division of Meat Inspection (ODA DMI) is determined to provide equal access to services, programs, and activities for all individuals. This statement and program aims to provide meaningful access to individuals with Limited English Proficiency (LEP). Individuals with LEP are those who do not speak English as their primary language or those who have a limited ability to read, write, speak, or understand the English language.

Legal Authority

Federal law requires federally assisted agencies like ODA DMI to take reasonable steps to provide meaningful access to LEP individuals. (See Title VI of the Civil Rights Act of 1964, Section 601; 42 U.S.C. 2000d et seq.) Specifically, the implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that received Federal financial assistance. Executive Order 13166 titled “Improving Access to Services for Persons with Limited English Proficiency,” directs each Federal agency to examine the services it provides and to develop and implement a system by which LEP individuals can meaningfully access those services. The Executive Order further states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP individuals.

Definitions

Agency—The departmental unit with delegated authority to deliver programs, activities, benefits, and services

American English—A set of dialect/language primarily used in the United States.

Certified Interpreter—An individual who has taken and passed an examination administered by a knowledgeable authority.

Discrimination—The unfavorable treatment or consideration of, or making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs rather than on individual merit.

Federally Assisted Program—All programs and operations of entities that receive assistance from the Federal government.

Interpretation—Listening to communication in one language and orally converting it to another language while retaining the same meaning.



Language Access—Efforts to make programs and services accessible to individuals who are not proficient in English.

Language Assistance Services—Interpretation or translation services that assist LEP individuals in understanding or communicating in another language.

Limited English Proficiency Individual—An individual who does not speak English as their primary language or those who have a limited ability to read, write, speak, or understand the English language.

Translation—The process of transferring ideas expressed in writing from one language to another.

Translator—A person who converts language into an alternative form of communication so it is understandable to individuals who communicate differently.

Vital Document—Paper or electronic written material that contains information that is critical for accessing a program or activity, or is required by law, such as consent forms, applications, and notices of rights.

Four Factor Analysis

1. The number or proportion of LEP individuals eligible to be serviced or likely to be encountered by our state program: **According to the 2010 National Census, about 6.7% of Ohio's population age 5 years and over reported speaking a language other than English, with 2.2 % of the population speaking Spanish, 2.6 % speaking other Indo-European languages, 1.1% speaking Asian and Austronesian languages, and 0.8 % speaking other languages. Census data will be periodically reviewed for any changes in trends.**
2. The frequency with which LEP individuals come in contact with the state program, activities, and services: **All contacts with LEP individuals will be documented and maintained on a form kept at central office; see Attachment A. To date, ODA DMI has not received a request for translation assistance from the current regulated community or prospective applicants regarding LEP. On the division's webpage, the Non-Discriminatory statement, this current LEP plan, and the USDA poster "And Justice for All" are available to review.**
3. The nature and importance of the Ohio Meat and Poultry Inspection Program: **Food safety is important to everyone and our agency's policy as outlined in this document is to provide meaningful access to all LEP individuals. If documents are deemed vital to a service requested, these would then be translated to the language required by the individual. Translation services are also currently available to LEP individuals in need of assistance.**
4. Determine the resources available to LEP individuals and the cost to the state program: **Should a request for language assistance be received, ODA DMI will take all reasonable steps to ensure that LEP individuals have meaningful access and an equal opportunity to**



participate in the meat and poultry inspection program. The Ohio Department of Administrative Services has contracted with Vocalink, Inc. to provide translation and interpretation services to all state agencies for the purpose of serving its customers. These services include on-site interpretation, telephonic interpretation, video conference interpretation, document translation, and desktop publishing. The table found in Attachment C lists the available languages for these services. The cost would vary depending on the types of services requested.

Implementation

Our current implementation strategy and goals for the LEP Plan for the Ohio Meat and Poultry Inspection Program are provided below.

RESPONSIBLE INDIVIDUAL/STAFF	ACTION TO BE TAKEN	TIMELINE
Chief of the Division	1. Ensure employees who interact with LEP individuals receive LEP training	December 31, 2015
	2. Develop an LEP plan	April 30, 2016
	3. Gather data for languages spoken in geographic areas being serviced.	April 30, 2016
	4. Identify vital documents to be translated.	April 30, 2016
	5. Compile and analyze data gathered to determine what LEP services are needed.	April 30, 2016
	6. Secure contractor for translation and interpretation services.	April 30, 2016
	7. Ensure that there is adequate funding, and that other resources are available to provide effective and efficient LEP services.	Ongoing
	8. Notify beneficiaries of LEP services.	August 30, 2016
	9. Track LEP interactions.	Ongoing
	10. Report LEP interactions to the Agency's Civil Rights Staff.	Annual Basis



Current Status

A survey of ODA DMI employees regarding field contact with LEP individuals will be completed on a biennial basis; see Attachment B. Based on the April 2016 survey, DMI employees reported LEP interaction within 9 out of 269 plants or 3.3 percent of ODA DMI regulated facilities. Based on those interactions, this plan will be translated into the primary languages of those LEP individuals and distributed to them by in-plant inspection staff. If additional services are required, they will be provided as needed. In addition, ODA DMI will make this information available to our current regulated communities by posting this document within all regulated establishments as well as providing this document with all future application requests. ODA DMI will review and update, if needed, this plan on an annual basis.

Training

Since all ODA DMI employees completed FSIS developed LEP training during calendar year 2015, a written memo, which will include this LEP policy, will be distributed to all ODA DMI employees informing them of the LEP requirements. In addition, ODA DMI employees will be instructed to reach out to the administration of the division to secure translation or interpretation services. Directing all requests for LEP services through the administration of the division will maintain continuity and consistency across the state. Any new hires to the division will be required to complete FSIS developed LEP training and will be instructed during orientation of the proper procedures to follow to secure translation or interpretation services if needed. All employees will be required to complete LEP training on a biennial basis.

Complaint Resolution

If an individual believes they have been discriminated against because of their LEP status while receiving services from ODA DMI, he or she is encouraged to attempt to resolve the problem with ODA DMI administration. If the complaint is unable to be resolved at this level, the individual has the right to file a complaint with the Ohio Civil Rights Commission.

The Ohio Civil Rights Commission has jurisdiction to investigate charges of discrimination in the areas of employment, housing, public accommodation (access to services and facilities open to the public), disability in higher education (beyond the high school/secondary level) and credit. The bases protected against discrimination in Ohio are: race, color, sex, disability, age, religion, national origin, ancestry, familial status in housing, military status and retaliation. The Ohio Civil Rights Commission has a statute of limitations of 180 days (or 360 days for housing) and cannot investigate acts of discrimination that occurred prior to that date. For this reason, all charges of discrimination must be filed within 180 days of the date that the discrimination occurred (with housing charges having 360 days to file).

According to the Ohio Civil Rights Commission's website (<http://crc.ohio.gov/>), an individual may file a charge of discrimination with the Ohio Civil Rights Commission by visiting an office in person, by mail or by completing the charge form on-line. The Ohio Civil Rights Commission's Central Office is located at 30 East Broad Street, 5th Floor, Columbus, OH 43215.



Individuals who believe they have been discriminated against because of their LEP status while receiving services from ODA DMI can also complete USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866)-632-9992. Additionally, USDA can be contacted by phone at (202)720-2600 or (800)877-8339. The completed form or letter for filing a complaint should be submitted to USDA by:

Mail:

U.S. Department of Agriculture
 Office of the Assistant Secretary for Civil Rights
 1400 Independence Avenue, SW
 Washington, D.C. 20205-9410

Fax: (202)-690-7442; or
Email: Program.intake@usda.gov

Contact

The Chief of the division is available for questions or consultation regarding the provisions and application of this policy.

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 Division of Meat Inspection
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Revision History	
Date	Description of Change
April 2016	Initial Policy Issued
May 2016	Updated Policy based on USDA Recommendations



Attachment A

Record of Contact with LEP Individuals

Date of Contact with LEP Individual	State Personnel Who Communicated with LEP Individual	Primary Language Spoken by LEP Individual	Geographic Location of LEP Individual	Method of Contact with LEP Individual (In Person, Telephonic, Written)	Type of Service Provided to LEP Individual



Attachment B

Survey to Record Contact with LEP Individuals

An individual with Limited English Proficiency (LEP) is defined as an individual who does not speak English as their primary language and who has limited ability to read, write, speak, or understand English.

The purpose of the survey is to gather information on the number and frequency of contacts that state employees have with LEP individuals where the nature of those interactions is of critical importance in the receipt of State Services. This survey pertains to the language needs of ODA DMI customers, and does not apply to state employees who, in order to perform their duties, must be fluent in the English language.

LEP Survey

Q. Do you encounter LEP individuals in the course of communicating critical information? Critical information is defined as information required for obtaining or retaining State services and/or benefits, or is required by law. Examples include:

- Application procedures and documentation required to apply for a license with the division
- Documentation and information needed to enforce and ensure compliance with food safety requirements
- Information on recalls

A. Yes/No (If the answer is yes, proceed to the next question. If the answer is no, the survey is over.)

Q. What critical information are you providing to these LEP individuals?

A. Fill in

Q. What are the primary languages of these LEP individuals? (Select all that apply)

A. Spanish; Indo-European; Arabic; Mandarin (Chinese); Japanese; Don't Know; Other (fill in)

For each language selected, please answer the following questions:

Q. Over the course of the year, approximately how many people do you encounter that speak this language?

A. Number

Q. How often do you interact with these LEP individuals?

A. Daily; Weekly; Monthly; Annually

Q. Are there State employees in the local area who are fluent in this language and can serve as interpreters as needed?

A. Yes/No/Don't Know



Attachment C

CORE LANGUAGES AND NON-CORE LANGUAGES AND DIALECTS

Core Language

American Sign Language (ASL)	Burmese	Farsi	Hindi	Kurmanji	Mirpuri	Serbian	Urdu
Acholi	Cambodian	Fijian Hindi	Hmong	Lakota	Mixteco	Shanghai-nese	Vietnamese
Afrikaans	Cantonese	Finnish	Hungarian	Laotian	Moldovian	Slovak	Welsh
Akan	Catalan	Flemish	Ibanag	Latvian	Mongolian	Tongan	Wolof
Albanian	Chaldean	French	Ibo	Lingala	Navajo	Somali	Yiddish
Amharic	Chaochow	French Canadian	Icelandic	Lithuanian	Neapolitan	Spanish (Latin)	Yoruba
Arabic	Chamorro	Fukiese	Igbo	Luganda	Nepali	Spanish (Spain)	Yupik
Armenian	Chavacano	Fula	Ilocano	Lusoga	Nigerian Pidgin English	Sudanese Arabic	
Assyrian	Cherokee	Fulani	Indonesian	Maay Maay	Slovenian	Swahili	
Austrian German	Chinese (Simplified)	Fuzhou	Italian	Macedonian	Nuer	Swedish	
Azerbaijani	Chinese (Traditional)	Gaddang	Jakartanese	Malagasy	Oromo	Szechuan	
Azeri	Chuukese	Gaelic	Japanese	Malay	Pahari	Tagalog	
Bajuni	Croatian	Georgian	Javanese	Malayalam	Pashto	Telugu	
Bambara	Czech	German	Karen	Norwegian	Persian	Thai	
Basque	Dakota	Gorani	Kashmiri	Maltese	Pidgin English	Tibetan	
Behdini	Danish	Greek	Khmer Cambodian	Mandarin	Polish	Tigre	
Belorussian	Dari	Gujarati	Kinyarwanda	Mandingo	Portuguese	Tigrinya	
Bengali	Dinka	Haitian Creole	Kirundi	Mandinka	Portuguese Creole	Toishanese	
Berber	Dutch	Hakka	Korean	Mankon	Punjabi	Tshiluba	
Bosnian	Estonian	Hakka-China	Kosovan	Marathi	Romanian	Turkish	
Bravanesse	Ethiopian	Hausa	Krio	Mien	Russian	Twi	
Bulgarian	Ewe	Hebrew	Kurdish	Mina	Samoan	Ukrainian	

Other languages and/or dialects may be available. Check with Contractor for availability.

