

NORTH CAROLINA DEPARTMENT of COMMERCE

North Carolina Department of Commerce Language Access Plan (LAP)

Introduction and Purpose

This Language Access Plan has been developed to ensure that all North Carolina residents have access and can meaningfully participate in the programs, activities, and services of the NC Department of Commerce. This Language Access Plan outlines the language assistance services provided by the NC Department of Commerce to ensure communication and participation for individuals with limited English proficiency (LEP). Specific information about LEP/LAP programs for the Division of Employment Security (DES) and the Division of Workforce Solutions (DWS) can be found in the DES and DWS specific plans. The State of North Carolina is committed to increasing digital equity and overall access to services and opportunities for the state's growing population of immigrants, refugees, and all individuals who use languages other than English (LOTE).

The State of North Carolina is committed to advancing the goals of Title VI of the Civil Rights Act of 1964, as amended, and Federal Executive Order 13166 and ensuring compliance.

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d) (Title VI), as amended, prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. As a recipient of federal financial assistance, the NC Department of Commerce is bound by Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulation, 45 C.F.R. Part 80, which prohibits discrimination based on race, color, or national origin (which includes limited English proficiency).

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (Aug. 16, 2000), requires federal agencies to take reasonable steps to provide meaningful access to their programs and activities for individuals with limited English proficiency. This includes providing individuals with LEP language services, such as interpretation and translation, to meaningfully access and engage in federally conducted programs and activities.

EO 13166 requires all federal agencies to develop and implement a Language Access Plan to “improve access to its federally conducted programs and activities by eligible LEP persons” (p. 50121).¹ In accordance with federal and state requirements, this Language Access Plan provides a framework for timely and reasonable language assistance to limited English proficient constituents/users of the NC

¹See Executive Order No. 13166, 3 C.F.R. 50121 (2000). <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>

Department of Commerce services.

To ensure all constituents can access critical services and participate fully in programs, the NC Department of Commerce is committed to:

- Implementing comprehensive Language Access Plans and taking concrete steps towards meeting the administrative and language service standards outlined in this LAP
- Serving all individuals who speak a language other than English and providing free, timely, culturally competent, and high-quality language access services
- Proactively training staff throughout the NC Department of Commerce to ensure that they understand the importance of language access and the rules and regulations governing language access services, and that they are equipped to communicate with and serve individuals who speak a language other than English
- Closely monitoring progress across departments and divisions and supporting their efforts to meet compliance standards

In committing to providing linguistically accessible services for limited English proficient constituents/users of the NC Department of Commerce services, the agency also aims to increase public trust and confidence and increase the general public's awareness of its services.

This Language Access Plan includes goals and action items to be completed by the NC Department of Commerce over an implementation phase of two years.

Definitions:

- **Limited English Proficiency (LEP):** the inability to understand or to effectively express oneself in spoken or written English as a result of one's national origin and the individual has not developed fluency in the English language
- **Individuals Who Use Language Other Than English (LOTE):** individuals who read, speak, write, or understand a language other than English. This term is used as an equivalent term to individuals with LEP
- **Language Access:** the process of ensuring that individuals who use LOTE have access to vital documents and services in a language they can understand, either through interpretation or translation services
- **Meaningful Language Access:** the ability to receive information and to participate in and benefit from public services offered by the agency
- **Language Access Plan:** a management document and roadmap that outlines the tasks and priorities to be implemented to ensure the agency will meet compliance standards set forth in the policy
- **Language Access Coordinator or Liaison:** staff of the agency tasked with coordinating and overseeing the department's language access implementation activities
- **Oral Language Services:** includes various methods to provide verbal information and interpretation, such as staff interpreters, bilingual staff, telephone interpreter programs, tele-video interpretation services, and private interpreter programs
- **Interpretation:** the act of listening to a communication in one language (source language) and

orally converting it to another language (target language) while retaining the same meaning

- **Translation:** the replacement of written text from one language (source language) into an equivalent written text in another language (target language)
- **Vital documents:** public-facing written materials in any format created, issued, or made available on any platform by the agency to inform and communicate with the public, allow the public to apply for benefits, services, program participation, notify or correspond with an individual about their eligibility, participation, benefits, or outcomes of an application, advertise and inform the public about programs, services, resources, rules, requirements, and events, provide instructions and guidance, and provide the public a complaint submission process

Assessing LEP Population Language Needs

The Department of Commerce must ensure meaningful access to their programs and activities for limited English proficient individuals by taking reasonable measures. Although the standard is intended to be flexible and dependent on the facts of each case, the four-factor analysis begins with an individualized assessment that considers the following four factors to determine how to proceed. The four-factor analysis is a tool that recipients of federal financial assistance can use to help them *prioritize* language access services.

In accordance with this four-factor analysis, the NC Department of Commerce's assessment balanced the following factors:

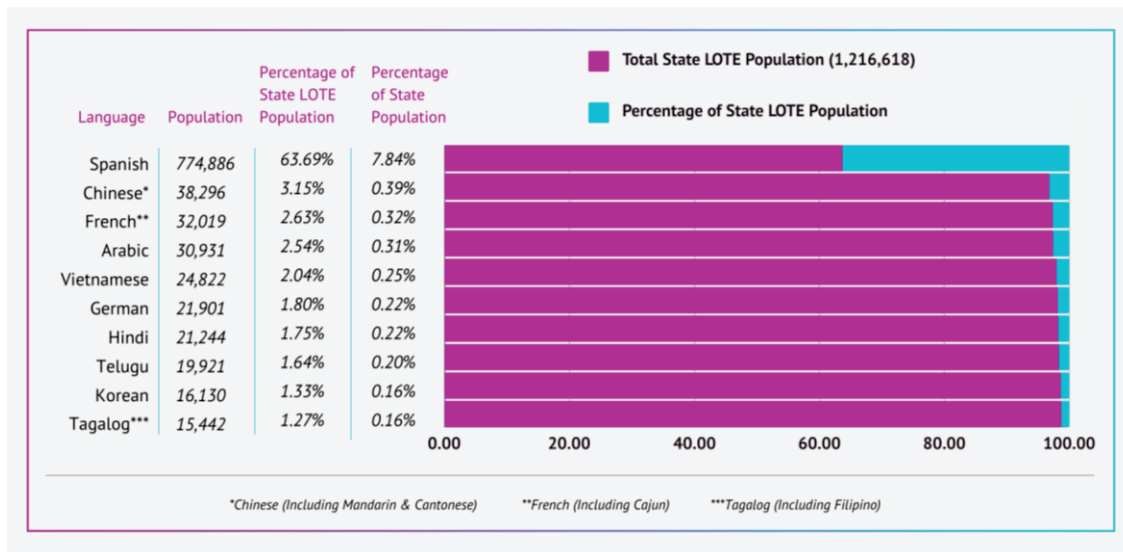
1. The number or proportion of LEP persons eligible to be served or encountered by the programs, activities, or services of the NC Department of Commerce
2. The frequency with which LEP persons encounter the NC Department of Commerce's programs, activities, or services
3. The nature and importance of the program, activity or service provided by the NC Department of Commerce programs
4. The resources available and costs to the NC Department of Commerce

Factor #1: Number of LEP individuals that could encounter the NC Department of Commerce's services

As of 2022, an estimated 12.3%, or 1,216,618 individuals five years and older, speak a language other than English at home in North Carolina.² Of those who speak a language other than English, an estimated 37.14%, or 451,823 individuals, are Limited English Proficient. The limited English proficient population represents 4.47% of the total population of the state of North Carolina.

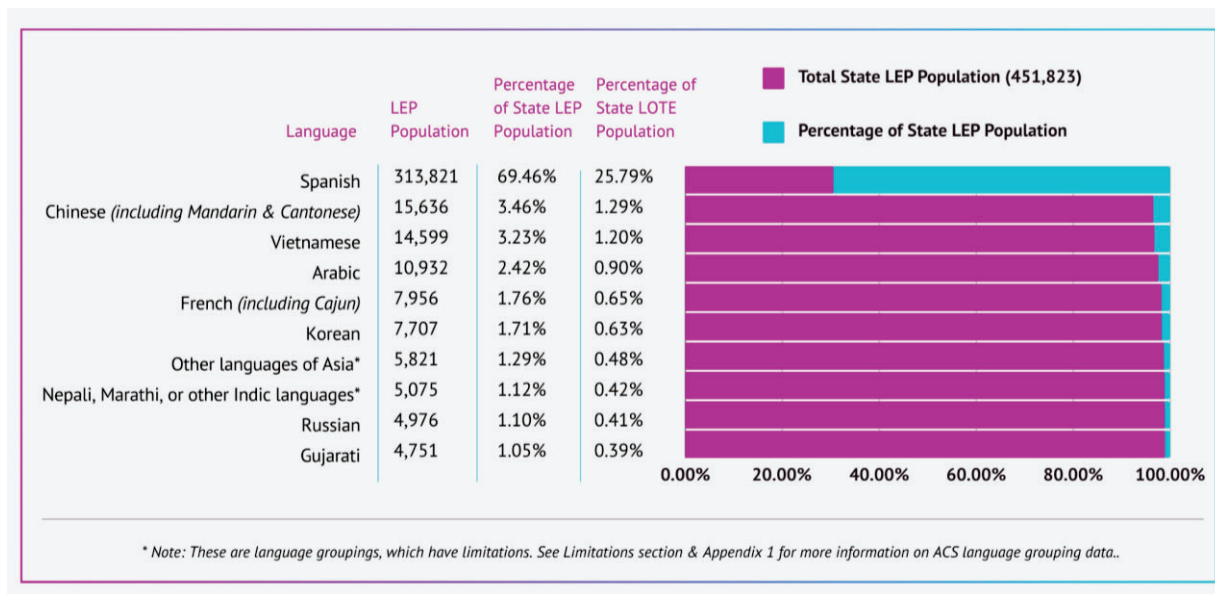
Of the 1,216,618 state residents who speak a language other than English at home, the top ten most common languages spoken by residents who speak languages other than English are displayed below :

² U.S. Census Bureau, ACS, 2022 5-Year Estimates (Table B16001)



Source: U.S. Census Bureau, ACS, 2022 5-Year Estimates (Table B16001)

Of the 451,823 state residents who are limited English proficient, the top ten most common languages spoken by residents with limited English proficiency are displayed below :



Source: U.S. Census Bureau, ACS, 2022 5-Year Estimates (Table B16001)

To ensure that language assistance services continue to meet the needs of LEP constituents, the NC Department of Commerce will annually track, analyze, and report on the demand for services by limited English proficient individuals. The ongoing process of tracking and analyzing demand will include the identification of services in which linguistically accessible services are in high demand, as well as the identification of the types of language assistance services that will meet such demands (i.e., interpretation, translation, etc.)

The NC Department of Commerce will also monitor statewide and local/regional data to assist with identifying the potential need for language assistance services in new or emerging languages and/or to assist with identifying the need for additional language services to be delivered in high-demand languages.

Factor #2: Frequency at which the Department of Commerce contacts LEP individuals

The frequency with which the NC Department of Commerce encounters LEP individuals varies widely by agency division and depends heavily on each division's own tracking method.

The Division of Employment Security (DES) has implemented a feature to track LEP persons via online systems. This information is entered by the customer or employee at the beginning of the online benefits filing process. The information collected is then able to be reported on for LEP purposes. The Division of Workforce Solutions (DWS) also uses data from their telephonic interpreting service providers to determine the frequency of our contacts with LEP individuals. Data is collected from individuals at reception/registration in the Career Centers. DWS utilizes monthly LEP reports to track the methods used within the Career Centers, and the NCWorks application determines the primary languages spoken by the clients served.

The Labor and Economic Analysis Division (LEAD) uses website analytics tools to track visits from LEP users including language preferences and the pages accessed on NCCareers.Org. Of the 495,772 NC Careers users in the past 12 months, only 3,351 viewed the site in Spanish, 741 viewed in Chinese, 509 in Russian. Other languages were under 250 users each. Those who viewed the site in Spanish were just as engaged as those in English (nearly 13 minutes per session). Other languages didn't spend much time viewing the site, with under 5 minutes on average for other language groups. Currently, no other agency entities are tracking the frequency of contact with LEP Individuals.

Factor #3: The nature of programs and services provided by the NC Department of Commerce to LEP persons

The NC Department of Commerce provides a wide variety of programs and services to the general public and constituents. Potential interaction with limited English proficient individuals can include direct services, as well as online information and announcements. The services provided by the NC Department of Commerce to LEP individuals vary by division:

- **The Division of Workforce Solutions (DWS)** provides reemployment services to the unemployed and administers a statewide system of workforce programs that prepare North Carolinians for employment. DWS recognizes the importance of these programs to LEP persons, and that providing meaningful language access is a critical function of ensuring equal access to programs and activities for all persons seeking services from the NCWorks Career Centers. LEP persons are able to be served as NCWorks Career Centers regardless of language ability with the centers utilizing multiple tools to best support access to services.
- **The Division of Employment Security (DES)** administers the state's unemployment insurance program by processing claims, determining eligibility, and issuing benefits to individuals who have lost their jobs through no fault of their own. Additionally, NC DES provides job-seeking assistance and supports employers with unemployment insurance matters. Providing meaningful language access ensures that all individuals can effectively navigate the unemployment insurance system and access necessary services. Providing multilingual support helps to prevent barriers that could impede claim filing, job searching, or understanding of benefits, thereby promoting equitable service for all eligible residents.
- **The Labor and Economic Analysis Division (LEAD)** provides data, research and analysis regarding the state's labor market and economic welfare. LEAD administers four major programs funded by the U.S. Bureau of Labor Statistics (BLS), the Occupational Employment & Wage Statistics

Program (OEWS), the Quarterly Census on Employment & Wages (QCEW), the Local Area Unemployment Statistics (LAUS), and Current Employment Statistics (CES) using data from DES, BLS and employer surveys for the OEWS Program. Their website, LEAD Analytics, which publishes the D4 demand-driven data information mentioned above, is currently only available in English.

- **The Rural and Economic Development Division (REDD)** provides planning services and identification of resource needs in applying grant opportunities that strengthen rural economic and community development projects. REDD does not provide direct services to individuals, but provides grants to units of local governments and nonprofits. LEP residents may have contact with REDD grantees, particularly those receiving the Community Development Block Grant (CDBG) funding, and REDD includes assurance of nondiscrimination provisions in its grant agreements. This division currently uses free websites for written document translations of program information shared online.
- **The Office of Science, Technology, and Innovation (OSTI)** is responsible for developing industries related to science and technology throughout North Carolina. By identifying and communicating about emerging areas related to science and technology, OSTI conducts tactical programs, strategic programs, and policy research & reports to advance economic growth in the state. One such major report is the Tracking Innovation Report, which is currently only available in English. Additionally, they administer grant programs worth nearly \$4 million in awards to small businesses who have received federal SBIR/STTR awards; however, these online grant applications are available solely in English, though other program information is translated to a variety of languages on the Department's website. The quarterly board meetings are open to the public, so oral translations would be beneficial here and for any conferences OSTI plans to hold.
- **The Office of the Secretary** oversees the operations of the NC Department of Commerce and houses several divisions including the Communications Office, the Division of Culture and Community Economic Engagement, the Economic Development Group, and a handful of internal divisions
 - **The Communications Office** provides crucial information and updates about the Department of Commerce to North Carolina communities through the main website and social media posts. While this website currently uses Google Translate to provide LEP persons with access to the information, the communications team is aware of the limitations of Google Translate. Additionally, all engagement via social media is currently only provided in English, isolating LEP individuals from receiving promotional announcements.
 - **The Division of Culture & Community Economic Engagement** help the Department's internal teams implement sound businesses practices around culture and community engagement issues, and also offers resources and consulting services to businesses in the state as they engage with this important topic in their companies. Currently the office is actively working with the Governor's Office to do community outreach to New Americans and has one bilingual employee to assist with Spanish-speaking communities.

Factor #4: The resources available to LEP persons and costs to the agencies

To determine the resources available to LEP persons and the costs associated with those resources, The Dept. of Commerce will explore the most cost-effective means of delivering competent and accurate language services.

Language Assistance Services

The NC Department of Commerce is committed to taking reasonable steps to ensure meaningful communication and access to information for users with limited English proficiency. To accomplish this, the agency will provide language assistance services, including in-language assistance with bilingual staff, oral interpretation services, remote oral interpretation services, and translation services. This section outlines the types of language assistance the agency currently provides, as well as the services that Commerce plans to provide that support meaningful communication and participation for limited English proficient individuals.

Language Access Coordinators

The Department of Commerce will provide language assistance services in various ways to support meaningful communication and access to public information and announcements for limited English proficient constituents. Commerce will conduct annual reviews of the language access needs of our LEP population, as well as update and monitor the implementation of this policy and these procedures, as necessary. The NC Department of Commerce has designated two Language Access Coordinators (LACs) under the DES/DWS LAP to ensure that language services are delivered in accordance with this Language Access Plan. Additionally, the Department will designate one Language Access Coordinator to oversee language access for divisions within the Department of Commerce outside of DES/DWS.

The Language Access Coordinators for Department of Commerce are:

DWS Language Access Coordinator: Mose Dorsey

DES Language Access Coordinator: Larry Parker

Commerce Language Access Coordinator: Catherine Rivera

The contact information for the Language Access Coordinator is:

DWS LAC:

Mose Dorsey

mdorsey@commerce.nc.gov

984-236-4252

DES LAC:

Larry Parker

Larry.parker@commerce.nc.gov

984-236-5990

Commerce LAC:

Catherine Rivera

Catherine.rivera@commerce.nc.gov

919-410-4255

The responsibilities of the Language Access Coordinators include:

- Reporting directly to the leadership team of the Department of Commerce on language access fulfillment and needs

- Leading the development of Commerce’s departmental Language Access Plan (LAP) and ensuring an updated LAP is submitted every [3] years
- Coordinating and overseeing the LAP implementation to ensure that Commerce fulfills the responsibilities outlined in this proposed policy
- Participating in language access training, professional development, and skill-building opportunities provided by Commerce
- Utilizing support and technical assistance provided by Commerce
- Serving as a liaison to Commerce and fulfilling reporting responsibilities
- Monitoring and addressing the quality of language assistance services provided by Commerce
- Monitoring and developing agency-specific language access training with Language Access Coordinators and Language Access Liaisons for all staff to use as needed within the different programs, divisions, and roles within Commerce
- Monitoring and addressing language assistance complaints
- Creating an evaluation process for hiring multilingual staff

The Department of Commerce will also designate and employ Language Access Liaison(s) (LAL) who are assigned language access implementation responsibilities at the division and program levels and coordinate with the agency LAC. Designating and employing LAL(s) are recommended to be phased in during the first year of implementation.

In addition to an LAC for DES, two time-limited ombudsmen have been hired by DES through its Equity Grant from the USDOL to enhance messaging effectiveness, resolve issues, and foster equitable access to unemployment insurance benefits for underserved populations, especially LEP individuals. Part of their focus has been to improve UI educational materials, focusing on plain language and Spanish translations. It is DES’s intention to make one of these positions permanent.

Types of Language Assistance Services

The type of language assistance necessary to provide meaningful access will vary depending on the type of communication with LEP individuals (e.g., phone, in person, written, or online communication). Regardless of how language assistance is provided, the agency recognizes the importance of offering resources that provide effective translation and interpretation in a timely manner.

Language Need Identification

It is the responsibility of all frontline staff, regardless of multilingual status, to identify the languages spoken by individuals with LEP and offer interpretation services, even when not requested. If interacting with an LEP individual in need of direct language assistance services, Commerce staff will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card ([“I speak cards”](#)) or posters to allow the LEP person to select the preferred language spoken and determine if an interpreter is needed during in-person interactions.

Hiring/Contracting Qualified Interpreters for In-Person and Virtual Communications

The agency will hire or contract virtual (by telephone or video) interpreters for short interactions with LEP individuals and customer interactions seeking information or services. For public meetings and other public engagements for which the Department has notice LEP individuals are likely to attend the Department will provide virtual or in-person interpreters as practicable in accordance with the four-factor analysis

described above.

The agency will ensure that public-facing staff have access to appropriate tools such as dual handset phones and language identification tools. Furthermore, public-facing staff should be trained on using over-the-phone interpretation services and effective use of interpreters, and a system will be established to track and report quality of interpreters/services.

If an individual with LEP requests to use a family member or friend after being offered a trained interpreter by the agency, the covered entity's staff shall obtain a signed waiver from the individual with LEP who requested to use their own interpreter and allow the request. For over-the-phone services, the waiver may be verbal. Individuals with LEP maintain the right to have family and friends present whether or not they utilize interpretation services provided by the agency. Using minors as interpreters is **prohibited**; however, they must remain with their parent or legal guardian, unless requested otherwise by their parent or legal guardian. Staff should have access to waivers in the top 10 LEP statewide or regional languages. The individual has the right at any time to request the removal of the interpreter and sign the waiver, or request a different interpreter.

Per the DES and DWS Language Access Plan, all staff members will be responsible for contacting a qualified interpreter using a telephonic interpretation line when an interpreter is needed. For staff members who are working directly with the customer, the interpretation will be conducted by phone. If necessary or requested by the customer, the interpretation can be arranged to be conducted in person. For more information on DES and DWS processes for interpretation, please see the DES and DWS Limited English Proficiency Plan.

All interpreters are selected from the approved vendor that was awarded the language services contract via the NC State Procurement Contract. The vendor MasterWord has been contracted by DES and DWS to provide interpretation services for LEP individuals who need such assistance for telephonic communication, DES appeals hearings, or other interactions. If no local interpreter is available, DES/DWS will use Telephonic Interpretation Line or a similar over-the-phone interpreter service.

Employing/Utilizing Bilingual Staff

The Department of Commerce offices may use qualified and previously evaluated multilingual staff to provide services in languages other than English. These responsibilities shall be included in their job description and multilingual staff should be properly compensated.

The Language Access Coordinator will be responsible for working with the Human Resources and leadership team to create the process to evaluate multilingual staff.

Translation of Vital Documents and Online Content

The NC Department of Commerce will ensure that individuals with LEP have equal access to all vital documents and services.

Vital documents are public-facing written materials in any format that are created, issued, or made available on any platform to:

- Inform and communicate with the public
- Allow the public to apply for benefits, services, program participation
- Notify or correspond with an individual about their eligibility, participation, benefits, or outcomes

- of an application
- Advertise and inform the public about programs, services, resources, rules, requirements, public meetings, and events
- Provide instructions and guidance
- Provide the public a feedback submission process

Commerce and its divisions will apply “Safe Harbor” standards when determining translation efforts. This includes providing written translations of vital documents for each eligible limited English proficient language group constituting 5% or 1,000 people, whichever is less, of the population of individuals eligible to be served or likely to be affected or encountered.

When translation of vital documents is needed, each division will submit documents for translation into frequently encountered languages to the Commerce Language Access Coordinator (or for DES and DWS, the State LEP Coordinator). Original documents being submitted for translation will be in final, approved form with updated and accurate legal information. For more information on DES and DWS processes for translation of written documents, please see the DES and DWS Limited English Proficiency Plan. DES is working to make the screens in its NCUIBenefits (formerly SCUBI) user interface fully legible and available for completion in Spanish by June 2025. Upon successful implementation, additional languages may be added in the future.

Translation of Signage, Public Outreach Communication, and Other Public Announcements

Commerce will translate outreach communication and other public announcements to ensure access to services for limited English proficient constituents. The translation process and prioritization of translated content will be completed in accordance with federal compliance standards. The NC Dept. of Commerce shall provide multilingual notification of services in various formats that are fully integrated into the information shared digitally through email, social media, or the Commerce websites, as well as printed documents mailed or distributed at the Commerce’s physical locations.

Public facing offices will prominently display signs in, at minimum, the top five statewide or regional languages spoken by individuals with LEP, notifying individuals with LEP of their right to request interpretation and translation services. Notifications will be placed in visible areas and indicate that language services are available free of charge. Notices will be clear, legible, and include clear steps individuals with LEP need to take to request and receive language services. Signage will be periodically reviewed and updated to ensure they are accurate and meet the needs of local populations with LEP.

Agency divisions will develop and translate informational materials introducing the service/benefits they offer, eligibility requirements, the application process (if applicable), language assistance provided, and all similar services.

Development/Distribution of Multilingual Announcements in Other Formats (Public Service Announcements, Radio Messaging, Social Media Information)

The NC Department of Commerce will develop and distribute translated and multilingual content in other communication formats used to provide public information and to notify constituents of services, critical information, or updates. Such messaging, which may include public services announcements, radio messaging, and/or social media, will be translated and/or recorded in languages other than English to

support meaningful access for limited English proficient constituents.

Commerce will build and utilize a comprehensive distribution list that includes local, culturally and linguistically diverse community-based organizations (CBOs) and linguistically diverse media outlets to disseminate translated documents, alerts, and notices effectively. This list will be updated every three years.

The agency will implement direct outreach initiatives and create culturally and linguistically tailored communication strategies to effectively engage with limited English proficient individuals. This effort includes attending and tabling at conferences and cultural events to provide information about Commerce's services in relevant languages.

Additionally, the divisions within Commerce that serve local and regional areas will establish clear and measurable outreach and community engagement goals for smaller and rural communities. These goals will be shared annually with the Language Access Coordinator to ensure ongoing alignment and accountability.

Notification of Language Assistance Services

The NC Department of Commerce will notify the general public and LEP constituents of its commitment to language access and of available language assistance services through various methods. Depending on the nature of the service and the availability of funds, those methods may include:

- Multilingual communication online of the development of the language access plan
- Multilingual communication online of language assistance services available
- Multilingual communication online of the processes to request language assistance services, including through the use of online forms
- Multilingual signage in physical environments notifying limited English proficient individuals of language assistance services
- Multilingual brochures, flyers, and infographics to be shared with community partners to notify limited English proficient individuals of language assistance services
- Use of multilingual taglines on other information created by the NC Department of Commerce to inform limited English proficient individuals of available services
- Providing multilingual information about language assistance services at community events with information-sharing
- Including multilingual information about language assistance services in public service messaging (social media, radio, etc.)

Language Access Training

The NC Department of Commerce is committed to providing language access training opportunities to all staff who serve limited English proficient individuals. Commerce will develop and conduct ongoing training opportunities for staff related to the Language Access Plan, its policies and procedures, and how to effectively deliver language assistance services in accordance with this Language Access Plan. Training opportunities will include initial training, as well as ongoing refresher training sessions for all identified staff.

Commerce will make the LEP plan available to all staff and will have a current electronic copy available so all staff will be knowledgeable of LEP policies and procedures. Commerce Language Access Coordinators, Language Access Liaisons, and LEP Coordinators in DES and DWS will monitor implementation of the plan and conduct staff training as needed.

The agency will provide its managers, supervisors, and employees with accurate, up-to-date training on legal requirements related to providing services and information to LEP individuals at minimum once each calendar year. This policy will be circulated to all staff within **60 days** after its adoption. **Every three years**, Commerce will circulate the revised policy to all staff.

Commerce will provide competency training (in person and via Webinar), including training regarding this policy and the appropriate use of interpreters and translators, to all staff who have regular interaction with customers. After their initial training, all staff members will receive refresher training in competency and language access once a year.

To establish meaningful access to information and services for LEP customers, all management staff will be included in this training to ensure that they fully understand the plan, so they can reinforce its importance and ensure its implementation.

Training components to be covered may include:

- Review of federal, state, and local rules and policies related to language access
- Overview of Language Access Plan
- Overview of language identification processes
- Overview of language assistance services and how to locate, contract, and deliver services
- Overview of the role of the interpreter and best practices for working with interpreters
- Roles and responsibilities of bilingual staff
- Review of evaluation processes
- Review of complaints process
- How to obtain language services internally or from vendors
- Protocols for responding to callers with LEP
- Protocols for responding to written communications from individuals with limited English proficiency
- Protocols for responding to individuals with LEP who have in-person contact with staff
- Collecting preferred language data for all unique public encounters
- Indicating LEP status in data and information systems
- Communicating information to the LACs and LALs about perceived changes in language services needed by the population served and when that information will be communicated

For more information on specific training for DES/DWS staff, please review the DES/DWS Limited English Proficiency Plan.

Staff will familiarize themselves with the LEP Plan and resources outlined below and will work directly with supervisors to address questions, concerns, or to report difficulties in accessing resources.

Complaint Process

The NC Department of Commerce will promptly address language access complaints and concerns shared by limited English proficient constituents, members of the general public, or other stakeholders. Commerce will develop and make publicly available a complaint form and instructions regarding a process for members of the public to use to report and pursue a remedy for instances of noncompliance. Complaints related to services provided by DES and DWS will be addressed pursuant to their existing complaint processes. All other language access complaints will be filed as follows.

The agency will visibly display information on the right to file a complaint and the procedures to file a complaint. The information will be provided to LEP individuals in languages regularly encountered in the service area, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. The information will describe how and/or where to file a complaint. Retaliation or other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs is strictly prohibited.

Information on the right to file a complaint will be posted in areas where it is easily visible to the public and will be displayed on the agency's website. The standard complaint form is made available to individuals upon request and on the agency's website in the top languages encountered.

Any employee, client, or stakeholder may issue a complaint via a designated form that is available in the top ten LEP languages spoken in the state. The form will provide the following information:

1. Complainant name (optional for anonymity)
2. Contact information
3. Date of complaint
4. Name of the division where the issue occurred
5. Description of the issue
6. Preferred language for response
7. Preferred method of contact

Individuals may also submit complaints directly to the Language Access Coordinator. All complaints will be acknowledged within 10 business days of receipt, indicating that the complaint is being reviewed. A resolution will be attempted within 30 business days. If a resolution is not made, then the complaint will be investigated within 60 business days. The Language Access Coordinator will be responsible for investigating the complaint, and the Language Access Liaisons will be responsible for attempting a resolution. Complex cases may require additional time, and the complainant will be informed of any delays.

Complainants will receive written communication detailing the outcome of the investigation and any actions taken.

All complaints will be handled confidentially, with information shared only with those directly involved in the resolution process.

Monitoring, Evaluation, and Reporting

The Department of Commerce will monitor and evaluate the effectiveness of this language access plan and its policies and procedures. As part of this effort, the agency will assess language use and language assistance needs on an annual basis. Commerce will also engage in community engagement/community

feedback sessions to gather input on improvements to the Language Access Plan and language assistance services. These will be conducted twice a year.

Commerce will continue to collect language access data and plans for updating the Language Access Plan and report this information to the State of North Carolina every **two years**.

The agency will develop and implement a process to evaluate language use and assistance needs on an ongoing basis. This monitoring and evaluation plan will include the ongoing review of statewide and local limited English proficient data, as well as population changes and information on new and emerging language needs. The plan will include progress on implementation of Language Access Plan goals, and the review of costs for language assistance services; any estimates for changes in costs that may necessitate budgetary changes or alternate methods of service delivery. Data will be collected and reviewed in the following manners:

- Online traffic monitoring using website analytics tools to track visits from LEP users including language preferences and the pages accessed
- For DES, creating an Equity Dashboard to monitor all languages that a claimant indicates at the time of filing a claim
- Submitting a monthly report to the LAC that details the number of calls received by individuals with LEP and the languages they speak. For DES and DWS LEP Coordinators, reports submitted will be sent to the LAC
- Creating online feedback forms specifically designed for LEP individuals to report their experiences and needs when accessing services
- Implementing a financial tracking tool to log expenses related to translation, interpretation, and related services, categorized by service type and frequency
- Generating regular reports that detail the volume of services provided, associated costs, and trends over time to inform budgetary planning and adjustments
- For DES and DWS specific requirements, visit the DES and DWS Limited English Proficiency Plan

To assist with the evaluation of the effectiveness of the Language Access Plan and language assistance services delivered, Commerce will also conduct the following evaluation processes twice a year:

- Surveys and focus groups to gather staff and customer feedback and satisfaction
- Surveys to monitor and evaluate staff understanding of Language Access Plan and its protocols
- Engagement with community partners servicing limited English proficient individuals to gather areas for further improvement
- Ongoing review of complaints received