



**State of Nevada**  
**Department of Business and Industry**

# LANGUAGE ACCESS PLAN

## Table of Contents

I.	Purpose and Authority .....	1
II.	General Policy.....	1
III.	Profile of the Department of Business and Industry’ LEP Constituents.....	3
IV.	Department of Business and Industry Language Access Services and Procedures .....	4
	Oral/Sign Language Services.....	4
	Written Language Services .....	5
	Community Outreach and Engagement .....	5
V.	Implementing Business & Industry’s Language Access Services .....	7
VI.	Evaluation Of and Recommendations for Business & Industry’s Language Access Plan .....	8
	Proposed Budgetary Implications:.....	9
	Suggested Legislative Amendments: .....	10
	Appendix A: Definitions .....	11

**I. Purpose and Authority**

*This section provides the legal basis for the agency's plan and protocol and connects it to the agency's mission.*

The purpose of this plan is to establish an effective protocol for the Department's personnel to follow when assisting individuals with Limited English Proficiency (LEP) to access the Department's administered programs, essential services, and activities in accordance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006).

**II. General Policy**

*This section explains the policy of the agency. It is the commitment of the agency and its employees to ensuring meaningful language access.*

The Department of Business and Industry seeks to reduce barriers to language access by increasing its capacity to deliver services and benefits to constituents regardless of their ability to speak, understand, read, or write English.

The Department adopts the following policies and procedures to ensure that limited English proficiency individuals can gain equal access to services and communicate effectively. This plan applies to all programs, services, and sections within the 12 Divisions of the Department of Business and Industry including, but not limited to:

- Director's Office
- Attorney for Injured Workers
- Financial Institutions Division
- Government Employee-Management Relations Board
- Housing Division
- Industrial Relations Division
- Insurance Division
- Mortgage Lending Division
- Office of the Labor Commissioner
- Office of Boards, Commissions and Councils Standards
- Real Estate Division
- Taxicab Authority
- Transportation Authority

Toward this end, the Department of Business and Industry endorses the following:

- Business and Industry is committed to equity and will take reasonable steps to provide limited English proficient individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.

- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.
- Free services will be available to help LEP individuals to communicate with Business and Industry Divisions' essential services and programs, such as letters and vital documents in the individual's preferred language as requested by the individual.

**Business and Industry Language Access Coordinators**

Coordinators will be responsible for developing and revising the Language Access Plan biennially.

Name	Title	Contact Information
Marcel Schaerer	Deputy Director	<a href="mailto:marcelfschaerer@business.nv.gov">marcelfschaerer@business.nv.gov</a>
Angie Rojas	Management Analyst	<a href="mailto:amrojas@business.nv.gov">amrojas@business.nv.gov</a>

### III. Profile of the Department of Business and Industry' LEP Constituents

*This section details the demographic information required per NRS 232.0081*

The Department of Business and Industry is committed to tracking the languages preferred for communication among LEP individuals to better provide meaningful, timely access to services and programs without regard to any language impediments. Below is a data table summarizing relevant client data for all Divisions within the Department of Business and Industry for the period of February 14, 2024, to March 29, 2024.

CONSTITUENTS SERVED	NUMBER
Refugees	4
Indigenous	21
Limited English Proficiency	1,429
Ability to access information electronically	12,545

PREFERRED LANGUAGE	NUMBER
English	12,425
Spanish	1,138
Ethiopian <sup>1</sup>	177
Chinese	38
Tagalog	19
Indo-Iranian	8
Korean	8
Vietnamese	6
Farsi	5
French	5
Thai	4
Arabic	4
Hindi	3
Creole	2
Armenian	2
Tai-Kadai	2
Germanic	2
Japanese	2
Lithuanian	1
Hungarian	1
Greek	1
Dutch	1
<b>Total constituents</b>	<b>13,854</b>

<sup>1</sup>This category encompasses several different languages spoken in Ethiopia (e.g., Oromo, Amharic, Somali, Tigrinya, Sidamo, Wolaytta, Afar, Kafa, and Harari).

**IV. Department of Business and Industry Language Access Services and Procedures**

*This section details the types of language services the agency provides as required by NRS 232.00812.c.*

<b>EMPLOYEES WHO ARE IN CONTACT WITH THE PUBLIC</b>	<b>EMPLOYEES WHO CAN SPEAK MORE THAN ONE LANGUAGE</b>
523	91

Below are the languages that employees reported to be fluent in other than English:

- American Sign Language
- Azerbaijani
- Bosnian
- Bulgarian
- Chinese
- Croatian
- Ewe
- French
- Ganyan
- German
- Hindi
- Jamaican – Patwa (Patois)
- Khmer
- Korean
- Mina
- Pashto
- Persian
- Polish
- Russian
- Serbian
- Spanish
- Swahili
- Tagalog
- Turkish
- Vietnamese

Currently, the Department of Business and Industry provides the following language access services.

**Oral/Sign Language Services:**

Most of the Divisions reported having multilingual staff who can help with in-person and telephonic services. Although a few positions require employees to be fluent in Spanish, none of the staff at the Department of Business and Industry can be classified as dual role interpreters due to the lack of testing for language skills and interpreter training.

The Nevada Attorney for Injured Workers (NAIW) division has Video Remote Interpretation for American Sign Language through a State contracted vendor, Language Link.

The Department uses State contracted vendors for language access services and does not have a process to establish the competence of oral/sign language services.

#### Written Language Services:

The Department of Business and Industry has five Divisions that identified vital documents and provided instructions and/or documents for Spanish-speaking individuals. The Spanish-translated documents were prepared using in-house translation services.

- Nevada Consumer Affairs: A document is considered “vital” when the inability to understand its content could lead to significant, adverse consequences. In such cases, Nevada Consumer Affairs provides succinct verbal instructions in Spanish to facilitate understanding for Spanish-speaking individuals. The State Ombudsman of Consumer Affairs for Minorities also provides a Spanish version of complaint form.
- Division of Industrial Relations: Vital documents are determined by Federal law and by the frequency of requests. Federal law requires Occupational Safety & Health Administration (OSHA) documents to be in the language of workers, so those documents are available in Spanish. Key Workers’ Compensation brochures that are frequently requested are also provided in Spanish.
- Nevada Attorney for Injured Workers (NAIW): Vital documents include acknowledging representation by NAIW attorneys, medical authorization to obtain medical records, and informational brochures/pamphlets about NAIW. These documents are printed in Spanish only.
- Nevada Housing Division: For Manufactured Housing, most LEP constituents are Spanish-speaking, so the most used documents are available in both English and Spanish.
- Office of the Labor Commissioner: Vital documents that are available in English and Spanish include a tutorial on how to file a claim or complaint, Required Notices, Bulletins and Guides, and Frequently Asked Questions.

#### Community Outreach and Engagement:

The Department of Business and Industry is committed to ensuring that the larger LEP community is aware of and able to access all available language services. Units and Divisions of the Department have engaged in the following outreach activities:

- Nevada Consumer Affairs: During events, attendees may have questions about navigating services, including website information. To address this, Spanish-speaking employees are available to assist with any inquiries, and the Unit provides multilingual access on digital platforms, such as website translation services.
- Division of Industrial Relations (DIR):
  - The Safety Consultation and Training Section (SCATS) provides training classes in Spanish on a regular basis. Additionally, COVID-19 resources were specifically provided in Spanish by SCATS during the pandemic.
  - Outreach is conducted at the Mexican consulate by various sections at DIR, and outreach is conducted during Hispanic Heritage Month at various events.
- Nevada Attorney for Injured Workers: Outreach for LEP individuals include the website and printed materials.
- Nevada Housing Division: LEP individuals can change the language on the Division’s website and find documents that are in Spanish.

- Nevada Real Estate Division: The Division works with the Department's Ombudsman for Minority Affairs to disseminate information and assist in resolving cases.
- Office of the Labor Commissioner: In-person outreach is conducted at the Mexican Consulate. Interviews are also conducted for El Mundo upon request.

The following cultural competency resources are available to Department staff to improve their ability to work with diverse groups.

- The State of NV Purchasing Division provides approved vendors on-site oral and sign language services and other services when requested, such as Language Link. A few Divisions use these approved vendors as needed.
- Cultural competency trainings are also available on NV ELearn. However, the trainings available are for the Nevada Department of Health and Human Services and the Nevada Department of Corrections.



## **V. Implementing Business & Industry's Language Access Services**

*This section details the agency's procedures for training staff to use its language access services, as required by NRS 232.0081.*

The implementation plan specifically tailored for the Department of Business and Industry focuses on ensuring that all staff members understand the importance of providing language assistance and can connect individuals with the appropriate resources available. Therefore, raising awareness, developing hard and soft skills, and training staff members on how to use language access services are fundamental to ensure the goals within the Department are being met.

The Department's Communication and Language Access Services focuses on the following:

- Ensure staff members understand the importance of providing language access services in a diverse multicultural workplace.
- Interact and communicate respectfully with individuals with limited English proficiency.
- Utilize a variety of delivery methods to showcase language access services among staff members, regardless of their role or level within the Department.
- Know where translated information and documents are currently available and how to access them.
- Access translation and interpretation services.
- Collect data around language needs.

The Department of Business and Industry's Action Steps include the following:

- Raise awareness and train key staff on Language Access Services procedures for accessing translation and interpretation services, including how to request assistance and utilize available resources.
- Provide language assistance and response Services through a range of options:
  - Website information and resources
  - Written materials – applications, form, letters, emails, including complaints.
  - In-person service (bilingual and multi-lingual staff)
  - Remote interpreting, such as audio or video interpreting
- Implement assistive technologies, such as video remote interpreting (VRI) or text-to-speech software, to enhance communication for people who are deaf or hard of hearing.
- Educate the community about the availability of language access services through outreach efforts, such as announcements, e-newsletters, the work of the Nevada Commission on Minority Affairs, etc.
- Track the utilization of language access services to assess effectiveness and identify areas for improvement.
- Review and update policies and procedures to endure alignment with evolving needs and best practices.
- Allocate funds for hiring interpreters and translators, and acquiring assistive technologies, when applicable.

**VI. Evaluation of and Recommendations for Business & Industry's Language Access Plan**

*This section details how the agency's language access policies and procedures have met the need, and what is required to improve those services of the need is not being fully met, as required by NRS 232.0081.*

The Department of Business and Industry currently has the following service provisions:

- Evaluate the Department's Language Access Plan on a quarterly basis.
- Use bilingual/multilingual staff.
- Ensure information about language access services is easily accessible and prominently displayed.
- Evaluate accessibility of interpretation and translation services for constituents and staff members.
- Assess the mechanisms in place to collect feedback from staff members and individuals.
- Continue to identify programs and services for language access.
- Collaborate with other agencies, use of staff development, and emerging technologies.

Proposed Budgetary Implications:

Recognizing that the LAP is an ongoing, continuous improvement process and relies on a shared responsibility by all Government agencies, below is the budget required to effectively assemble the range of translation and interpretation options for the Department of Business and Industry.

Language Access Services	FY26 – Estimated funds needed	FY27 – Estimated funds needed
<p><b>Written Translations – Vital Documents</b>            Professional rate depends on the language, subject matter, and other factors.</p> <ul style="list-style-type: none"> <li>• Costs between \$0.15 and \$0.25 per word.</li> </ul> <p><u>Vital Documents Classification</u></p> <ul style="list-style-type: none"> <li>• Applications (Initial &amp; Renewals)  <i>Including, but not limited to, additional documentation required for processing purposes:</i> <ul style="list-style-type: none"> <li>○ Licenses</li> <li>○ Registrations</li> <li>○ Permits</li> <li>○ Transfers (Ownership)</li> <li>○ Service requests</li> </ul> </li> <li>• Claims &amp; compliant forms</li> <li>• Records requests</li> <li>• Education material</li> <li>• Notices or Letters               <ul style="list-style-type: none"> <li>○ Compliance</li> <li>○ Hearings</li> </ul> </li> </ul>	\$50,000	\$50,000
<p><b>Audio-only interpretation - over-the-phone</b></p> <ul style="list-style-type: none"> <li>• Costs between \$2.00 and \$3.50 per minute</li> </ul>	\$15,000	\$15,000
<p><b>Video Remote Interpretation (VRI) - face-to-face</b></p> <ul style="list-style-type: none"> <li>• Costs between \$1.95 and \$3.49 per minute</li> </ul>	\$5,000	\$5,000
<p><b>Onsite Interpretation – in-person</b></p> <ul style="list-style-type: none"> <li>• Costs between \$75 and \$150 per hour (minimum of 2 hrs.)</li> </ul>	\$5,000	\$5,000
<b>Total</b>	<b>\$75,000</b>	<b>\$75,000</b>

### Suggested Legislative Amendments:

- We support the recommendations provided by the Nevada Department of Motor Vehicles:
  1. Further define section 2(d)(4), the parameters for literacy levels in English and LEP individuals' preferred language.
    - a. *During the data collection period for the development of the LAP, some constituents refused to answer questions related to literacy levels on their preferred language.*
  2. Align existing federal regulations and NRS 232.0081.
  3. Define dual-role interpreter to show how they are tested and trained.
    - a. *Provide approved testing and training through the Office of Employee Development (OED) or the Governor's Office for New Americans*
- Provide cultural and diversity competency training for language access services to ensure sensitive communication.
- Establish a system through the Governor's Office of New Americans (ONA) for regular monitoring and evaluation of language access services.
- Redefine section 2(e) to remove "*Declaration of Emergency for COVID-19 issued on March 12, 2020,*" to make the language more in general terms for state of emergencies or declarations of disaster proclaimed by the Governor.
- Remove section 2(b)(5) "*The number and percentage of such persons who are refugees*".
  - *During the data collection period for the development of the LAP, some constituents refused to answer questions related to being a refugee or not.*
- Consider reinstating NAC 284.206(2)(b)
  2. *An employee may receive a special adjustment to pay equivalent to 5 percent of the employee's base rate of pay during any period in which:*
    - (b) *The employee is required to use bilingual skills or sign language for persons who are deaf at least 10 percent of his or her work time.*
- Clarify if it is the responsibility of the Legislative Counsel Bureau or individual state agencies to translate Nevada Revised Statutes (NRS) and Nevada Administrative Codes (NAC).

## Appendix A: Definitions

- **Agency of the Executive Department**

An agency, board, commission, bureau, council, department, division, authority, or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

- **Dual-role interpreter**

A multilingual employee who:

- (1) Has been tested for language skills and trained as an interpreter; and
- (2) Engages in interpreting as part of his or her job duties.

- **Language services**

Oral language and translation services.

- **Oral language services**

Services to convey verbal information to persons with limited English proficiency. The term:

- (1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services, and non-governmental interpreters.
- (2) Does not include family members, friends, and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

- **Person with limited English proficiency**

A person who reads, writes, or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

- **Translation services**

Means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.