



FACILITY BULLETIN NO. 155

NOTE: Facility Bulletin No. 155, dated January 2017, on the same subject is rescinded. Draft prepared by the Human Resources Director and Equal Employment Opportunity Coordinator. This policy is due for revision in the November cycle.

Authority: Dymally-Alatorre Bilingual Services Act
Government Code 7290-7299.8, et. Seq.
Title VI of Civil Rights Act of 1964
Executive Order 13166
DDS Policy Memorandum 112 "Provision of Bilingual Services"

I. GENERAL:

When a resident or family (including parents, surrogates, and/or advocates) have expressed the use of a primary language other than English to be meaningfully involved in the decision-making process or to support the team in implementing their family member's Individual Program Plan (IPP), or when the resident or a family member requests bilingual service, Porterville Developmental Center shall arrange for that service.

All 30 day post admission, semi-annual and annual reviews (or other periodic conferences) shall indicate whether and to what extent residents require services to be provided to them by bilingual personnel, and shall incorporate identified needs into the resident's habilitation plan.

A referral for services packet (DS 2518) for admission to a Developmental Center/Community Facility shall include a specific ("primary language requirement") evaluation for both the prospective resident and the resident's immediate family or surrogate including advocates. (Attached)

Any employee who receives bilingual pay SHALL have used these skills in interpreting or translating not less than 10% of the employee's working time over a calendar year to continue to receive the pay differential. As of January 15th of each calendar year, each employee who has received the pay differential for the preceding calendar year shall submit a summary of services provided for that calendar year with certification by the employee's immediate supervisor that such services were provided that would average not less than 10% of the employee's work time. This summary and certification shall be sent to the EEO office by January 31st. (See Attachment A)

II. BILINGUAL ROSTER:

All Program/Departments/Service Areas shall maintain a list of employees capable of providing bilingual services. This list shall contain the employee's name, the language(s) spoken and whether the employee is able to read and/or write in this language. This roster should be updated each February 1st and a copy forwarded to the EEO office. The EEO Coordinator will maintain a copy of all Program/Departments/Service Areas current bilingual rosters.

III. PROCEDURE:

A. The Equal Employment Opportunity (EEO) Department will coordinate a review periodically of the current client population to evaluate each resident's need to a provision of any bilingual services in order to effectively participate in their treatment program. At the time that a non-English speaking language group accounts for five (5) percent of the developmental center's population, the center shall establish and maintain a current foreign multi-language roster to provide formal, bilingual services (both oral and written) to the non-English speaking clients of the center and their families on a 7-day per week, 24-hour per day basis, preferably through specific work assignments to assure continuity of bilingual services. In the event that a non-English language group accounts for five (5) percent or more of the treatment population and the developmental center does not have sufficient bilingual staff to assure 7-day and multi-shift services, the facility shall develop a recruitment plan which would give hiring priority to bilingual applicants or identify contract services to meet the need.

III. PROCEDURE: (cont.)

- B. During regular work hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays, information concerning available bilingual employees and multi-lingual contracts shall be obtained either within the respective Program/Department, or the EEO office for all other areas. Should a Program/Department be unable to find an appropriate bilingual employee to meet their needs, they should contact the EEO office which will assist them in obtaining bilingual services.
- C. After regular working hours, holidays and weekends, the Assistant Coordinator of Nursing Services (ACNS) shall be called for assistance. The PBX switchboard shall maintain a current copy of the bilingual roster and be informed as to the location of bilingual staff. The EEO office will coordinate with the ACNS office and PBX switchboard to make this information available during such times. Where indicated, services shall be provided by bilingual staff. If no other internal resources are available the PBX Operator will make contact with the Human Resources Director to request contracted bilingual services.
- D. At any time translation services are needed for the General Acute Care Hospital and bilingual staff are not available, the 24 hour translation services should be accessed via instructions found in the Program One Acute Care Manual.

IV. DOCUMENTATION OF NON-PAID BILINGUAL SERVICES:

Employees who provide bilingual services in which they do not receive the bilingual salary differential are expected to maintain a log of services rendered which shall include the date, place, reason, language, type (oral, written or visual), and time required to provide bilingual services. This log must be maintained to provide management with statistics when periodically requested by Headquarters. (See Attachment A)

These logs shall be submitted to the EEO office by January 31st. The EEO office will maintain a master file of these logs, which will be available for review by management, in order to provide evidence that we are meeting bilingual needs. The log may also be used as documentation of an employee's eligibility for bilingual pay.

V. TRANSLATION OF FORMS, LETTERS AND NOTICES:

Some Porterville Developmental Center's facility policy/procedures (PVL) forms, form letters and notices are translated into the Spanish language. Some Department, State Standard (STD) Forms and notices are similarly translated. A list and supply of these forms are available in the facility storeroom. Forms, letters and other documents which may require translation shall be handled in accordance with the procedure set forth in Facility Bulletin 47 "Paperwork Management". Requests for translations are to be sent to the EEO Coordinator who will assign the task and assure timely completion.

A notice of the language assistance services available in the General Acute Care Hospital will be posted on the facility internet website and will be provided to patients upon admission.

VI. BIENNIAL SURVEY:

- A. PDC shall conduct a biennial survey to determine facility-wide and by unit the following:
1. Number of paid and volunteer bilingual employees and the language they speak other than English.
 2. Number and percentage of employees whose primary language is other than English.
 3. Number of LOC positions and bilingual persons presently filling these positions.
 4. Number of anticipated vacancies for the coming year in the LOC positions and specific plans to fill said positions with bilingual employees based on identified needs.

Theresa Billeci
Executive Director

ATTACHMENT A

BILINGUAL SERVICES LOG/SUMMARY		Employee: _____			
Year _____		Work Area: _____			
Spanish _____	Sign Language _____	Other _____			
Provided To:	Type: O/W/V	Date(s)	Length	Work Area	Sup. Initial

O-Oral W-Written V-Visual

This log/summary should be submitted to Program Management by January 15th of each year.

I, _____, certify that I provide bilingual services at least 10% of my working hours.

I, _____, immediate supervisor, duly attest that I have observed and can attest this employee does use bilingual skills at or above 10% as required.

Signature Date

Signature Date