



# Limited English Proficiency (LEP) Plan

## Iowa Department of Agriculture and Land Stewardship

### Meat and Poultry Inspection Bureau



April 2018

## **Policy Statement**

The Iowa Meat and Poultry Inspection Bureau is responsible for ensuring that the state's commercial meat supply which is not regulated by the United States Department of Agriculture Food Safety and Inspection Service is safe, wholesome, and correctly labeled and packaged. It is the policy of the Iowa Meat and Poultry Inspection Bureau to ensure meaningful access to services for persons with Limited English Proficiency. This policy is necessary for commerce.

## **Legal Authority**

Title VI of the Civil Rights Act of 1964, Section 601; 42 U.S.C. 2000d et seq. and 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 receives Federal financial assistance. Executive Order 13166, "Improving Access to Services for Persons with LEP", signed on August 11, 2000, requires the Bureau as a recipient of federal funds to provide LEP individuals with meaningful access to the Bureau's programs and activities.

Iowa Code section 216.7(1)(a) also provides that it shall be an unfair or discriminatory practice for any owner, lessee, sub lessee, proprietor, manager, or superintendent of any public accommodation or any agent or employee thereof to refuse or deny to any person because of race, creed, color or national origin the accommodations, advantages, facilities, services, or privileges thereof, or otherwise to discriminate against any person because of race, creed, color, or national origin in the furnishing of such accommodations, advantages, facilities, services, or privileges. Iowa Code section 216.6 provides similar employment protections.

## **Definitions**

“Bureau” means the Meat and Poultry Inspection Bureau in the Iowa Department of Agriculture and Land Stewardship.

“Bureau chief” means the administrative head the Bureau.

“Department” means the Iowa Department of Agriculture and Land Stewardship.

“English” means the language primarily used in the United States.

“Interpretation” refers to the oral conversion to or from English while retaining the same meaning.

“Language access” refers to efforts to make programs and services accessible to individuals with limited English proficiency.

“Limited English Proficiency” (“LEP”) is defined as the limited ability to read, write, speak, or understand English by a person who does not speak English as their primary language.

“Translation” means the process of transferring ideas expressed in writing to or from English.

## **Four Factor Analysis**

### 1. Number or proportion of LEP persons eligible to be services or likely to be encountered by the Bureau

In reviewing the number or proportion of LEP persons eligible to be served or likely to be encountered by the Bureau, the Department notes that 97% of Iowans speak English well. According to the Census Bureau, the top three languages (other than English) spoken in Iowa are Spanish, German and Chinese. 58% of the Iowans who do not speak English well are Spanish speakers. Indeed, 3.9% of Iowans (113,175) speak Spanish in the home; 1.7% (50,000) speak English less than “very well”. The vast majority of German speakers are fluent in English and the Bureau has no past experience with anyone speaking German. .003% (9,858) of Iowans speak Chinese in the home; a little more than half of the Iowans

speaking Chinese at home (5,119) speak English less than “very well”. Census data will be periodically reviewed for changes in trends.

2. Frequency LEP persons using a particular language come in contact with the Bureau

Bureau supervisors conducted a review of each facility they worked in to determine immediate needs for interpretation and translation in state. The combined review found that each plant had management fluent in English and assistance was not currently needed. This review was conducted in April 2018 and will be updated annually and as needed. The USDA poster, “And Justice for All,” with text in English and Spanish is displayed at the Bureau and in all plants inspected by the Bureau.

3. Nature and importance of the Bureau provided to the individual’s life

Improperly handled meat or poultry can cause serious illness making it important for the Department to procure and provide reasonable and necessary translation services if needed. If a future analysis shows that translation services are needed, the plan will be reevaluated and vital documents, including the LEP Plan, will be identified and translated into the appropriate languages.

4. Resources available to LEP Persons and costs to the Department

Neither the Bureau nor the Department has a bilingual employee who is a certified translator. The Iowa Department of Human Rights has a limited ability to assist with emergency Spanish translation assistance. The Iowa International Center provides interpretation and translation services. Their website is <http://iowainternationalcenter.org>. The Bureau will pay the charges preapproved by the Department for necessary and reasonable services.

**Implementation and Services to LEP Persons**

The Bureau’s LEP plan will be reviewed and updated on an annual basis. Bureau staff have previously received the FSIS LEP training, and as needed new employees will receive the FSIS LEP training. The Bureau Chief will provide at least biennial training updates for the employees of the Meat and Poultry Bureau.

The LEP training developed by FSIS will be used to assist in developing the IDALS training; that training information is found at <https://www.youtube.com/watch?v=YVm220yfW9I&feature=youtu.be>. The Iowa International Center provides interpretation and translation services. Their website is <http://iowainternationalcenter.org>. The Bureau will pay the charges for necessary and reasonable services preapproved by the Department. The training update will include this information and will be given at the next quarterly staff meeting.

<u>Responsible person</u>	<u>Action To Be Taken</u>	<u>Timeline</u>
Bureau Chief	1. Ensure employees who interact with LEP individuals receive LEP training	June 1, 2017, and as needed with new employees
	2. Develop LEP plan	May 15, 2016 Completed
	3. Gather data for languages spoken in geographic areas being services	June 15, 2016 Completed Review every 10 years
	4. Identify vital documents for translation	June 15, 2016 Completed Review every 5 years
	5. Compile & analyze data gathered to determine what LEP services are needed	June 30, 2016 Completed Review every 10 years
	6. Secure contractor for translation & interpretation services	July 31, 2016 Completed
	7. Ensure that there is adequate funding, & that other resources are available to provide effective & efficient LEP services	Ongoing
	8. Notify beneficiaries of LEP services	August 30, 2016 Initial Notification, and as new facilities are added
	9. Track LEP interactions	Ongoing
	10. Report LEP interactions to the Agency's Civil Rights staff	Annual basis

Every employee of Bureau will carry the language identification flashcards found at <http://www.lep.gov/ISpeakCards2004.pdf>. The flashcards will be distributed to

all staff members at quarterly area meetings when needed. Bureau staff will notify customers of LEP services; staff will track interactions and regularly report interactions to the Bureau Chief on the following two documents.

Record of Contact with LEP Persons					
Date of Contact	Employee Name	Language spoken	Location/ town	Method (in person, phone)	Type of service provided

Employees will also have this form.

LEP Release Acknowledgment Form	
<p>I hereby affirm that language assistance or interpreter services were offered at no cost to _____ and the services were declined. I explained that the use of a family member or friend for these services could result in a breach of confidentiality, privacy violations or disclosure of sensitive and confidential information.</p>	
<p>Employee name printed: _____</p>	
<p>Employee signature: _____ Date: _____</p>	

The Bureau will utilize USDA FSIS written documents that have been translated in Spanish and Mandarin when they become available from FSIS. Additional services will be undertaken to provide meaningful access as needed.

## **Communication Plan**

The Bureau will disseminate information about the availability of LEP services through inspector contacts with customers, and outreach with all plant owners at the annual “Around the State” meetings. The USDA non-discriminatory statement in both English and Spanish has been placed on the Department’s website. The LEP plan will be placed on the website upon approval by USDA. The USDA poster, “And Justice for All,” with text in English and Spanish is displayed at the Bureau and in all plants inspected by the Bureau.

## **Complaints**

The Bureau Chief will be notified of any complaint arising from LEP issues. The Bureau Chief will provide the requested service as soon as possible if the service is determined to be reasonable and necessary, will attempt to resolve the specific complaint to the customer’s satisfaction, and may take steps to permanently address concerns. The Division Director shall be apprised of all complaints. Complainants will be notified of the option of filing a program complaint with USDA at:

U.S. Department of Agriculture  
Director, Office of Adjudication  
1400 Independence Avenue, SW  
Washington, DC 20250-9410