

## INTERPRETING SERVICES

**Purpose:** Interpreting services for employees and applicants who are deaf (some preferred to be called “hard of hearing” or “hearing impaired”) and employees who can hear who wish to communicate with them are provided as reasonable accommodations (RA). This procedure provides information needed to understand, request, and use these services. Note: Because the majority of requests will be for employees, the guidelines below reference employees, but are to be used for applicants and visitors when necessary.

### **General Information:**

Interpreting is provided for individuals who use spoken English and others who use American Sign Language (ASL), its variations, lipreading, and other communication methods of people who are hearing impaired. Interpreting is a highly developed skill that includes fluency in both the source language (i.e., from the speaker) to the target language (i.e., to the listener). It also requires skill, extensive training, and knowledge in the interpreting process; cross-cultural mediation; interpersonal relationship skills, confidentiality, impartiality, knowledge of the customers’ language skills and preferences, oral interpreting, and other skills.

Disability laws require that interpreters be qualified, which is defined in the Americans with Disabilities Act (ADA) as “an interpreter who is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary.” Qualified interpreters also abide by a code of professional ethics. OCFO has an Interpreter on staff that is responsible for interpreting and coordinating interpreting services. Due to the required education and skill levels, ethical consideration, the definition by law, possible conflict of interest, and privacy issues, employees with some knowledge of ASL or other communication systems should not be used in place of a qualified Interpreter for situations such as training, discipline actions, meetings, performance discussions, mandatory meetings and training, and other situations that can affect employees’ jobs and/or performance.

Supervisors, managers, and other pertinent staff must provide legally-mandated access to information to employees who need this service in crucial events such as training; safety information; discussions on work procedures, policies, or assignments; and disciplinary actions – whether or not the employees request these services. This is a minimum requirement for service; every effort should be made to provide interpreting for other employment activities so that employees who use these services have the same communication access as other employees or applicants. Availability of services should be verified prior to scheduling events and activities. If someone is unsure if an Interpreter is necessary, please contact the Disability Program Manager (DPM) in the Civil Rights and Conflict Management Office (CRCMO.)

When in-house Interpreter is not available, DPM will arrange for contracted services from community resources. Activities of more than 1-hour in length generally require more than one interpreter. DPM will coordinate appropriate services based on the activity.

Following is some general information on interpreting services to understand the “what” and “why” of requesting these services.

- Continuous interpreting and/or multiple short interpreting sessions during a day causes cumulative trauma disorders in Interpreters (also known as repetitive stress or strain injury, repetitive motion injuries, and repetitive motion disorder.) Therefore, situations may require multiple Interpreters and/or frequent breaks.
- The industry standard for interpreting services is a 2-hour minimum fee regardless if that amount of time is used.
- Current rates are approximately \$40 to \$200 an hour per Interpreter. These fees can include mileage as well and/or travel time; i.e., time from home or other place to Agency and back to home or other appointment, and are in addition to the 2-hour minimum.
- In addition to the normal rate, additional fees apply when assignments exceed the scheduled time and the interpreter agrees to continue, (charges can be in 15-minute, 30-minute, or hourly increments.) Fees for causing unscheduled time can be charged and “emergency” rates in excess of normal rates can be charged for requests and changes with less than 48-hour notice. Travel and lodging can also be charged if interpreters from other areas are needed due to the unavailability of local interpreters.
- When events are postponed or cancelled without 48 hours notice, payment for services is required from the organization.

## **Procedures**

1. Employees, supervisors, managers, HRMS, training coordinators, and other entities can request services from the staff Interpreter in CRCMO. The Interpreter can be contacted by phone, e-mail, or in person. If the Interpreter is out and subsequently there is no response within 24 hours, the request should be made again by e-mail or phone with copies to CRCMO’s secretary to ensure receipt and processing.
  - Employees who are deaf will request services for their use when they need to initiate contact in such situations as needing to have discussions with the supervisor or going to a service office such as HRMS, CRCMO, EAP, voluntary programs, etc., or other situations where they want to make sure they have services.

- Supervisors and managers of employees needing the services will request them when planning their own events or after receiving notice of events planned by others such as meetings, evaluations, training, and discussions with the employee. Availability of interpreting services should be checked prior to scheduling events.
  - Supervisors and employees can and should work together to schedule services as appropriate; i.e., supervisors can ask employees to contact the Interpreter to check for availability and make an appointment. However, supervisors or other responsible individuals should not plan events without first verifying the availability of interpreting services.
  - HRMS will request services for new-employee orientation, training, disciplinary meetings, retirement counseling, Family Medical Leave Act (FMLA) inquiries, Office of Workers' Compensation Program (OWCP) inquiries/discussions, and other activities within their responsibility.
  - Anyone not sure if services are needed should contact DPM. Examples of who may need to request services and types of events are: Secretaries when booking meetings or making interview appointments; customer service units when planning training; those with visitors who need services; Security Officers when doing background investigations; Administrative Management Staff when providing travel card training, brown-bag sessions, and health programs.
  - When coordinating activities such as training, audio-conferences, and teleconferences/video-conferences with contractors, vendors, other USDA or Federal agencies, and senior-level management, ensure these parties are aware of the requirement and need to make sessions accessible including the provision of Interpreters.
2. When requesting services, the following information should be provided:
    - a. Date/s
    - b. Starting and ending times
    - c. Location
    - d. Type of activity and topic
    - e. Participants (employees needing the service, or if it is open to all employees)
    - f. An agenda and copy of any handouts or training materials.
  3. Advanced Notice - Requests should be made as far in advance as possible so the services can be planned and/or acquired. As with any accommodation, supervisors, managers,

and others should always include RA in the planning process. Provision of services will depend on resources availability, and amount of advanced notice. Requests for more than two to three hours need two weeks notice. Requests for full days on multiple dates, large audiences, or other special circumstances may require three weeks or more depending on the function.

4. Late, last minute, or emergency requests are to be discussed with DPM. Efforts to provide services will be made. Interpreters may not be available due to scheduling conflicts, short notice, and “emergency” requests that conflict with timely scheduled requests or other work.
5. Change or cancellation requests should be sent as soon as the need is known. Services may not be available on a changed appointment if too close to the event. Additionally, contracted interpreting resources normally still charge for changes and cancellations given with less than 24 to 48 hours prior to an activity.
6. Unavailability of Services – The staff Interpreter, DPM, or other CRCMO personnel will inform the requester if services are unavailable and work with the requester on alternatives (i.e., rescheduling, attendance at another session, etc.)
7. Efficiency of Service – Whenever possible, employees will be scheduled to attend the same event session/s when the services are available, make the most efficient use of the staff Interpreter’s time, and to be the most cost effective.
8. Customer or Employee Needs Offsite for Agency-Sponsored Training – Personnel planning training, meetings, or other activities not located at the National Finance Center will contact DPM for assistance in scheduling services at other locations.

## **Refusal of Services**

Supervisors, managers, and other agency personnel have the responsibility to provide interpreting services when requested, when they are aware that employees normally use the services, and when attendees are unknown and services may be needed. As stated previously, the Agency must provide interpreting services for crucial events such as training; safety information; discussions on work procedures, policies, or assignments; and disciplinary actions – whether or not the employee requests these services.

There may be times that the Agency should provide the service even if the employees state they do not want or need it; the situation will dictate the need. Supervisors and managers should consult with DPM and other appropriate personnel such as Employee Relations Specialist or others. The Agency strives to ensure that employees have every opportunity to understand the

information being presented or discussed, whether hearing or hearing impaired. Following are some situations that may arise and suggested solutions.

1. If employees refuse services for a crucial event or activity or changes their minds after the event begins, the Agency should still provide the services. If not, the Agency wants clear evidence that it provided the opportunity.
2. If employees adamantly refuse the services and the event cannot proceed until the Interpreter is dismissed, this information should be documented stating that the employees refused the service. The employees should sign the refusal of service. If they refuse to sign, it should be noted on the refusal and signed by others present.
3. If employees refuse the services of the qualified staff Interpreter or contracted Interpreters for personal reasons, the supervisor or other personnel involved should explain to the employees that the Agency is providing the RA as appropriate and has met its responsibility. If the employees choose to decline the services provided by the Agency, they are welcome to provide their own Interpreters if they wish, but the employees are responsible for making the arrangements and for any payments required.
4. If employees state that there is a conflict of interest to use the staff Interpreter or contractors, they must explain why they feel it is a conflict. Supervisors, managers, DPM, EEO Manager, and/or other personnel will evaluate the explanation. If it is agreed that there is or may be a conflict of interest, other Interpreters will be provided. If no conflict is found, the staff Interpreter or contractors procured will be used.
5. If employees provide their own Interpreters, the supervisor or other personnel should request the credentials of the Interpreter to see if they are qualified; DPM can assist with this determination. If the persons brought to interpret are family members, friends, or unqualified individuals, the Agency has the right to have their own Interpreters in the sessions to ensure accurate communication occurs.
6. If employees refuse services, but the supervisors or other personnel have difficulty understanding the employees, Interpreters should be present to facilitate communication for the personnel who are not hearing impaired.

### **Tips on Working with Qualified Interpreters Present**

- Speak normally and look at the employees. Do not talk to the Interpreters; i.e., “Tell him,” “Ask her,” or similar ways of speaking.
- Interpreters are there to provide communication of everything that happens. Do not tell them not to say something; everything will be interpreted – from both parties.

- Interpreters provide faithful rendering of the message and must not edit or interject opinion or information. They also reflect the correct emotions, tone, vocabulary, and other aspects of the communication.
- ASL is not English; it is a language of its own. Individuals who are deaf have a wide variety of language skills in both English and ASL (and perhaps other languages.) Therefore, there may be some pauses in the interpreting actions while the Interpreter waits for the full meaning of the message. Continue speaking and do not stop or slow down thinking to help the Interpreter and patiently wait till the Interpreter speaks the messages from the employees.