

U.S. Railroad Retirement Board's

Plan to Improve Service

to Individuals with

Limited English Proficiency

(Adopted in compliance with)

(Executive Order 13166)

**U.S. RAILROAD RETIREMENT BOARD'S
PLAN TO IMPROVE SERVICE TO INDIVIDUALS WITH
LIMITED ENGLISH PROFICIENCY**

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INTRODUCTION

On August 11, 2000, President Clinton signed Executive Order 13166 entitled “Improving Access to Service for Persons with Limited English Proficiency.” The purpose of the Executive Order is to eliminate, to the maximum extent possible, limited English proficiency (LEP) as an artificial barrier to full and meaningful participation by beneficiaries in all federally assisted and federally conducted programs and activities. Pursuant to the order, all agencies must prepare a plan identifying the steps the agency will take to ensure meaningful access by LEP individuals to their federally conducted programs or activities.

In accordance with Executive Order 13166, the Railroad Retirement Board (RRB), an independent agency in the executive branch of the United States government, presents the following plan. In developing this plan, the RRB utilized information provided at the LEP Community Representatives Stakeholder’s Conference held November 14, 2000 in Washington D.C., as well as information obtained from point-of-contact RRB employees.

PROFILE OF THE RAILROAD RETIREMENT BOARD

The Railroad Retirement Board (RRB) is an independent agency in the executive branch of the Federal Government charged with administering retirement, survivor, disability, unemployment and sickness insurance benefit programs for the nation's railroad workers and their families under the Railroad Retirement Act (45 U.S.C. § 231 et seq.) and the Railroad Unemployment Insurance Act (45 U.S.C. § 351 et seq.). The agency was created by legislation enacted in the mid-1930's. Rail unemployment insurance legislation followed at the end of the decade because of administrative problems that interstate rail employment caused the new State unemployment insurance plans.

The RRB is headed by a three-member Board appointed by the President with the advice and consent of the Senate. One member of the Board is appointed upon the recommendation of railroad labor organizations and another is appointed upon the recommendation of railroad employers. The third Board member serves as Chair of the Board, without recommendation by either labor or management. The agency employs approximately 1,100 full-time equivalent employees who work in its Chicago headquarters and in over 50 field offices throughout the country.

RAILROAD RETIREMENT BOARD MISSION STATEMENT

The RRB's mission is to administer retirement/survivor and unemployment/sickness insurance benefit programs for railroad workers and their families under the Railroad Retirement Act and the Railroad Unemployment Insurance Act. These programs provide income protection during old age and in the event of disability, death or temporary unemployment and sickness. The RRB also administers aspects of the Medicare program and has administrative responsibilities under the Social Security Act and the Internal Revenue Code.

In carrying out its mission, the RRB will pay benefits to the right people, in the right amounts, in a timely manner, and safeguard our customers' trust fund. The RRB will treat every person who comes into contact with the agency with courtesy and concern, and respond to all inquiries promptly, accurately and clearly.

LEP CONTACTS

The RRB currently has over 50 field offices which serve as the initial point of contact for the RRB's customers in requesting benefits or information. Field offices provide customer service in a variety of ways, including personal office visits, telephone calls, and personal visits at itinerant (remote) service locations. A questionnaire regarding LEP contacts was released to each field office to obtain a general overview of the "LEP experience" as it relates to the RRB's programs.

A. PROFILE OF RRB CUSTOMERS

- ! Description of General Population. The RRB is unique among Federal agencies in that it provides benefits and services to a single industry. The RRB's primary customers are the employees and employers of the rail industry. The customers include currently active employees, employees who have retired on the basis of age or disability, and employees who are temporarily not working due to layoffs, injuries or illness. In addition, the RRB's customers include the family members of retired and deceased railroad employees.

! Profile of LEP Population. As with the general population, the LEP population served by the Board is comprised of employees and their family members. Overall, the number of LEP customers served by the RRB is extremely limited due to a critical need for proficiency in the English language in the performance of most work in the railroad industry. However, there exist a number of unskilled jobs that can be performed by employees with limited English proficiency. These employees may also be illiterate or only marginally literate in their native language. LEP family members served by the RRB include dependents and survivors of both LEP employees and employees proficient in the English language. More frequently than not, the LEP family members tend to be older individuals, or individuals who have been in the United States for only a short period of time.

! Frequency of LEP Contacts. To evaluate the relative experience with LEP individuals, the RRB's field office staff was asked to estimate the number of LEP contacts within the last twelve months. Fourteen of the RRB's field offices, report no contact with LEP individuals during the last twelve months. Twenty-two offices estimate contact with an LEP individual on an average of less than once a month. Of the remaining offices, nine offices estimate at

least 1 but less than 4 LEP contacts a month, four offices estimate between 4 and 20 LEP contacts per month and seven offices report daily LEP contact.

! Scope of Languages. The predominant language spoken by the RRB's LEP customers is reported as Spanish. However, a myriad of additional languages are encountered regionally. These languages include French, German, Swedish, Italian, Portuguese, Greek, Russian, Polish, Czechoslovakian, Ukranian, Lithuanian, Hungarian, Croatian, Armenian, Somalian, Vietnamese, Hmong, Chinese, Tagalog, and Navajo.

B. LEP RESOURCES AVAILABLE TO LEP CUSTOMERS

Since its inception, the RRB has always strived to provide superior service to all of its customers. This is reflected in the agency's mission statement. Presently, a variety of resources exist to assist LEP individuals.

! Bilingual Contact Representatives. Approximately one-third of the RRB's field offices have at least one bilingual individual on staff. Those offices which do not have a bilingual staff member enlist the assistance of a bilingual RRB employee from another office when

necessary. In addition, many offices report that the majority of the LEP population they serve appear to be more limited in their ability to speak and read English, than in their ability to understand English. In those instances, issues are frequently resolved by a combined effort on the part of the RRB representative and the LEP customer, taking time to work through the communication limitations.

! Written Materials. The RRB does not publish any written material in any languages other than English or Spanish. The literate Spanish speaking LEP population is accommodated by the RRB through the publication of five documents. These documents include application receipt forms for individuals who have filed applications for an employee or a spouse annuity under the Railroad Retirement Act, a pocket guide to railroad retirement and survivor benefits (Form RB-4A), and handbooks covering unemployment and sickness benefits payable under the Railroad Unemployment Insurance Act (Forms UB-10S and UB-11S, respectively). In addition to the agency publications available in Spanish, correspondence is occasionally customized for an LEP individual in his or her native language. Such letters are unique to the individual circumstances and are usually drafted by a bilingual

field representative, though on rare occasions translation services have been used to prepare a letter in a foreign language.

! Technological Resources. The RRB's website, found at www.rrb.gov, includes a page entitled *Publicaciones en Español*. This page lists three RRB forms available in Spanish. This page also displays a link to the Social Security Administration's "*Glosario de Terminología del Seguro Social*," an English-Spanish glossary of social security terminology. Due to the similarity of the responsibilities of the RRB and the Social Security Administration, much of the terminology applicable to social security benefits is also applicable to benefits paid by the RRB. In addition, the RRB's website has a link to the Health Care Financing Administration's (HCFA) Medicare website, which offers publications in Spanish as well as Chinese. This link is found on the RRB's Medicare Publications page.

! Resources Outside of the RRB. Where a bilingual RRB representative is not available to assist an LEP individual, the RRB has utilized a variety of resources. The most frequently used resource is that of a family member or friend who is fluent in the English language. Bilingual labor union representatives will sometimes accompany an LEP individual and on occasion,

assistance has been provided by bilingual individuals in neighboring offices who have no connection with either the RRB or the LEP customer. When conducting hearings with LEP individuals, the services of court-certified interpreters are employed by the RRB's hearings officers.

PLAN FOR IMPROVEMENT OF SERVICE TO LEP CUSTOMERS

The RRB's field office staff is its greatest strength in the service provided to all of its customers, including LEP individuals. It is not uncommon for a railroad employee to have contact with only one field office from the time he or she begins working in the railroad industry until long after his or her retirement. As a result, a sincere desire to provide their clientele with superior service is repeatedly demonstrated by field personnel.

A. CREATE AN LEP COMMITTEE

The agency will select RRB personnel to serve on a committee to evaluate and monitor LEP service performed by the RRB. The goal of the committee will be to insure that LEP individuals can meaningfully access services needed to receive benefits paid by the RRB. Members of the committee should include RRB personnel with first-hand experience in dealing with LEP customers. The responsibilities of the LEP Committee should include reporting to the agency regarding the activities noted below.

- ! Study LEP Service. Obtain concrete data regarding LEP service through a comprehensive analysis of the service provided by the RRB. (Factors to be reviewed are outlined below.)

Identify Critical Insufficiencies. Inform the agency of any deficiency in LEP service which precludes meaningful access by LEP individuals to the programs administered by the RRB. Such notification is required to assure appropriate consideration in preparation of annual budget submissions.

- ! Evaluate Suggested Improvements. Review suggestions for improvement to LEP service and determine whether implementation is practical, economical and consistent with the mission of the agency.
- ! Implement Economical Suggestions. Monitor the implementation of suggested improvements which can be accomplished at a nominal cost to the agency.
- ! Prioritize Suggested Improvements. Prioritize those suggestions which cannot be implemented at a nominal cost to the agency. Consideration should be given to the number or proportion of LEP individuals who will benefit from the suggested improvement, the cost to the agency, and whether the change can be implemented in a manner consistent with, and without unduly burdening, the fundamental mission of the agency.

B. PERFORM A DETAILED STUDY OF LEP SERVICE

The survey performed to obtain the information used to draft this report was designed to provide a window into the LEP service provided by the RRB. Due to the time constraints involved, field representatives were required to complete the survey based upon their recollections, rather than hard data. To determine how closely the reported LEP contacts reflect reality and in order to thoroughly assess the “LEP experience,” a more comprehensive study of LEP contacts will be conducted. This study will be performed by way of field offices maintaining a log of LEP contacts for a specified period of time. The data recorded in the log should more clearly define the RRB’s LEP customers and their experience with the RRB by including information such as that noted below.

- ! Define LEP Population. Record the LEP individual’s preferred language, age, education, level of literacy in the preferred language, and ability to understand versus the ability to speak, write and read the English language.
- ! Document LEP Service. Identify the reason for the LEP individual’s contact with the RRB, as well as the resources used to address the inquiry.

Identify Individual LEP Customers. Record identifying information of the LEP customer, including name, address and social security or railroad retirement claim number.

! Identify Representatives of LEP Customers. Maintain a list of the names and addresses of individuals who accompany LEP individuals but are not, themselves, LEP.

! Identify Documents for Translation. Maintain a list of forms in the Spanish language actually used to assist the LEP individual, as well as existing RRB forms which, though not presently available in a foreign language, would have been of assistance in addressing the issue at hand if available in the LEP customer's preferred language.

! Document Inquiries from English Proficient Individuals. Record sufficient information regarding inquiries from individuals who are not hampered by a limitation in English to allow for a comparison of the services needed by the two groups of individuals.

C. IMPLEMENT ECONOMICAL SOLUTIONS

Because of the limited number of LEP customers served by the RRB, the extent of improvements which may be performed while still allowing the

RRB to carry out its mission is limited. However, improvements have been identified which would require minimal use of resources, yet could provide significant improvement to services received by LEP individuals, especially where the service is provided by a district office with no representatives who are fluent in the LEP customer's native language. It would appear these changes could be implemented in the near, if not immediate, future.

! Develop an LEP Contact Listing. All RRB employees should be surveyed to identify bilingual personnel who are willing and able to serve as interpreters. A list of these individuals, categorized by language, should then be provided to the field offices for use as a resource tool when dealing with an LEP individual. The contact listing should be published in the agency phonebook as well as the RRB's in-house website to allow for easy access. Field representatives should only seek the services of an RRB headquarter's employee for interpreter services if no field representative is available. RRB employees performing interpreter services should interpret using a conversational style, at the same time remaining cognizant that they are interpreting, not conversing with the LEP individuals. Caution must be taken not

to overburden bilingual RRB employees whose job responsibilities do not require providing interpreting services.

- ! Revise Current Spanish Publications. The Spanish documents published by the RRB should be revised to incorporate changes made to the corresponding English version of the form. Any future revisions to forms should be incorporated in both the English and non-English versions.
- ! Add a link to HCFA'S Spanish Medicare page. As the RRB offers a Spanish page, there should be a link to HCFA's Spanish Medicare page, as well as any other appropriate sites.

D. AREAS OF CONSIDERATION

The LEP Committee should continuously attempt to identify ways to improve the RRB's service to LEP individuals, without adversely impacting the agency's ability to accomplish its mission.

Areas of consideration for the Committee are noted below.

- ! Increase Bilingual Staff. Evaluate how the agency can increase its bilingual staff, especially in those offices which experience a high volume of LEP contacts. Incentives available to the agency should be identified and utilized to encourage current employees to study

a foreign language and to attract qualified bilingual new employees.

- ! Maximize Agency Experience. Identify ways to share the knowledge or experiences acquired by field personnel in dealing with LEP individuals. Consider the use of regional LEP liaisons, the creation of an LEP correspondence file and the development of an LEP resource guide for field representatives.
- ! Determine Customer Satisfaction Level of LEP Individuals. Survey LEP individuals to identify the strengths and weaknesses of RRB service, from the perspective of its LEP population. In determining the appropriate survey method (oral v. written) consideration should be given to the LEP individual's level of literacy.
- ! Enhance Oral Interpretation. Identify methods by which the oral interpretation needs of the LEP population may be met without reliance upon family members and friends.
- ! Translate RRB Publications. Evaluate the feasibility of securing translated versions of the forms most frequently used, in the languages most frequently encountered, with priority being given to the translation of application forms, appeal-type forms and information materials.

- ! Evaluate Alternatives to Written Material. Since many LEP customers may be illiterate in their preferred language, investigate alternatives to written material in conveying the information contained in the documents distributed by the agency.
- ! Earmark LEP Customers. Examine the possibility of storing data in the RRB's computer records regarding LEP customers such as the LEP individual's preferred language, and preferred method of communication (verbal vs. written). Such identification would allow for easy identification of LEP individuals and would be useful for customer service surveys in the RRB's present environment. In addition, the storage of such information would be a prerequisite for any computerized enhancements to LEP service.
- ! Utilize Outside Websites. Continue to utilize outside sources to accomplish the agency's mission. As a small agency with limited resources, prudent use of outside resources can be an avenue towards providing service to the RRB's LEP customers where it is not economically feasible to develop such material in-house.

CONCLUSION

In general, the RRB's contact with individuals who are LEP is limited in volume and in locale. Twenty-five percent of the RRB's field offices report no contact with LEP individuals and approximately forty percent estimate an average of less than one LEP contact per month. The offices reporting daily LEP contact (Albuquerque, NM, Chicago, IL, Covina, CA, Houston, TX, Newark, NJ, Oakland, CA and Tampa, FL) all have access to bilingual RRB employees to assist LEP individuals. Through the use of bilingual employees, the assistance of family members and friends of LEP individuals, and the willingness to struggle through the communication limitations, RRB field personnel believe they are usually able to fully satisfy the needs of the LEP population served by the RRB.

It does not appear that the LEP population is presently being denied meaningful access to the programs administered by the RRB. As there is no evidence that access to the programs administered by the RRB is being denied, the limited LEP contacts combined with the limited resources of such a small agency, suggest the likelihood that implementation of long-term suggestions for enhancing the RRB's service to LEP individuals will be implemented only as resources allow. However, consistent with the RRB's tradition of service to

its customers, improvements which can be implemented without unduly burdening the fundamental mission of the RRB will be made as expeditiously as possible.