

ILLINOIS LABOR RELATIONS BOARD



LANGUAGE ACCESS PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY

ILLINOIS LABOR RELATIONS BOARD LANGUAGE ACCESS PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY WHO CONTACT THE AGENCY

Language Access Coordinator: Kimberly Stevens, Executive Director
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Background and Mission of the Agency

The Illinois Public Labor Relations Act (Act), 5 ILCS 315, governs labor relations between most public employers in Illinois and their employees, along with the labor organizations that represent these employees. Throughout the State, the Illinois Labor Relations Board (ILRB) regulates the designation of employee representatives; the negotiation of wages, hours, and other conditions of employment; and resolves or, if necessary, adjudicates labor disputes.

The State Panel has jurisdiction over public, non-educational employers and employees throughout the State of Illinois. Its jurisdiction includes state government, county governments, municipal governments covering populations not in excess of two million persons, and the Regional Transportation Authority.

The Local Panel has jurisdiction over units of local government with a population in excess of two million persons. This includes not only the County of Cook and the City of Chicago, but also other county- and city-wide governmental entities such as the Forest Preserve District of Cook County, the Metropolitan Water Reclamation District of Greater Chicago, the Chicago Housing Authority, the Chicago Transit Authority, and the Chicago Park District.

Together with the Illinois Educational Labor Relations Act, 115 ILCS 5 (2014), the Act provides comprehensive statutory regulation of public sector collective bargaining in Illinois. It has many similarities to the National Labor Relations Act, which regulates collective bargaining matters in the private sector, and to the laws of other states that regulate collective bargaining in the public sector.

The Board's duties under the Act include the following:

1. Rendering determinations on all charges alleging unfair labor practices under the Act, after investigation and, where necessary, hearing;
2. Processing petitions seeking the certification or decertification of collective bargaining representatives of public employees, often conducting hearings and elections upon such petitions;
3. Processing petitions to modify or clarify bargaining units and certifications of bargaining units;

4. Providing rosters of mediators, fact-finders, and arbitrators to parties covered by the Act in order to assist in resolving collective bargaining impasses and grievance disputes; and
5. Conducting emergency investigations of public employee strikes and strike threats, upon demand, to determine whether judicial proceedings are warranted to restrain or prevent strike activity imperiling the health and safety of the public.

The ILRB is committed to providing individuals with access to our processes, regardless of their ability to communicate in English. The ILRB will seek interpretation services for any individual requesting or otherwise requiring language assistance. The policy of the ILRB is to provide a prompt and courteous response to all who contact the agency. The ILRB will obtain interpreter and translator services for other languages as needed through the State of Illinois.

To this end, the Executive Director, in consultation with the ILRB's EEO officer, will be responsible for creating and overseeing relevant policy directives and the language access plan for the agency.

Eligible Service Population

There are several discrete populations within which the ILRB is most likely to contact individuals requiring language assistance. These include:

- Employees covered by the Act and under the jurisdiction of the Board
- Individuals affiliated with exclusive representatives
- Individuals affiliated with employers

Of these three groups, only a small proportion of individuals face barriers because of Limited English Proficiency (LEP); individuals affiliated with exclusive representatives and employers generally do not face barriers to communicating in English, and individual employees are often assisted by their exclusive representative (union).

Number or Proportion of Individuals Requiring Language Assistance

In the ILRB's experience, less than 1 percent of all contacts (whether by telephone, email, or correspondence) involve individuals who require language assistance. Virtually all such contacts come from individual employees covered by the Act.

Frequency of Contact with the Program

The ILRB's eligible service population does not have constant contact with the ILRB. Rather, the contact occurs because of specific events such as an individual's desire to file a charge with the ILRB.

Nature and Importance of the Program

The rights afforded by the Act to the ILRB's eligible service populations are statutory in nature and an integral part of public employment in Illinois. Thus, access to the ILRB's programs is very important to its constituents, and inaccessibility could cause severe hardship both immediately and in the long term.

Language Access Coordinator (LAC)

The ILRB's Executive Director is the LAC for the ILRB. If a new Executive Director is named, that position will remain responsible for the duties of the LAC. The LAC will:

- Monitor the ILRB's approach to provide services to LEP individuals.
- Monitor the LAP's performance.
- Oversee the process for reviewing and, where appropriate, modifying the current LAP, policies, and procedures.
- Update LAP data and content each fiscal year.

The ILRB's current LAC is Executive Director Kimberly Stevens, Kimberly.stevens@illinois.gov.

Monitoring Progress – Self-Assessment and Data Collection

- The ILRB does not have current data on the number and percentage of individuals who use the services of our agency who need access to our resources in languages other than English.
- Since 2021, the ILRB has not had any known contact from any individuals who requested or required translation assistance.
- In the event that the ILRB is contacted by an individual who requests or requires services covered by the LAP, Board agents will be aware through training on this LAP of available resources and will document such needs if and when they arise.
- The ILRB will maintain records and data showing the number and nature of translation services requested/required.
- The ILRB has never had a complaint related to language access, but, if such a complaint arises in the future, the Board will use the complaint procedure provided by this LAP.
- The ILRB does not currently employ any bilingual employees and does not currently have bilingual positions due to the extremely low incidence of contact by LEP individuals.

Resources Available

The ILRB will seek the resources necessary to give individuals needing language assistance meaningful access to its programs. The ILRB will seek interpretation and/or translation services when necessary to fully communicate with and serve individuals with limited

English proficiency who contact the ILRB and/or avail themselves of the ILRB's processes. The ILRB will direct all staff members to contact the Board's Executive Director should the need to obtain language assistance arise. The Executive Director will oversee implementation of the plan as well as the process of obtaining language assistance for constituents. While ILRB has a very infrequent need for language assistance services, ILRB is aware that CMS maintains master contracts for these purposes (including, but not limited to, Propio and Multilingual, LLC). If ILRB encounters a need for such services, ILRB will seek the assistance and support of CMS in procuring services relevant to the need. The ILRB will seek to make its forms available in Spanish language format and will have its forms translated into other languages as may become necessary to provide access to the ILRB's services and procedures. The ILRB website, accessible at <https://ilrb.illinois.gov>, includes a translation widget that allows the user to translate the Board's website into a number of different languages.

Outreach

The ILRB will make its LAP available on the Board's website, which can be accessed at <https://ilrb.illinois.gov>. The Board will also provide its LAP directly to parties and constituents who practice regularly before the Board in order to make them aware of language assistance that the Board can provide if needed.

Initial notifications about language assistance on the Board's website will appear in English, Spanish, and Polish. The ILRB may, in the future, increase the number of languages in which these notifications are provided based on the needs of its constituents. Notifications about language assistance will also appear on the Board's translated forms, which will be available at <https://ilrb.illinois.gov/forms.html>. The ILRB will continue to partner with the Office of New Americans (ONA) to ensure consistent identification of LEP status, primary language, and services available to individuals served by the Board. The Board will also engage with the Illinois Educational Labor Relations Board (IELRB) on language access issues because the ILRB and IELRB perform similar functions in different jurisdictions and may be able to assist one another in this regard.

Because the ILRB's functions are primarily regulatory and enforcement-related, it does not engage in marketing of services or employ a marketing strategy. However, the Board will make every effort through its website and published materials to make its language access assistance known to and accessible by its constituents by providing notifications, translated documents, and options for language access assistance on the ILRB website and in the ILRB offices.

How to Obtain Assistance from the ILRB

People who will need language assistance in communicating with the ILRB may obtain it by:

- Calling the ILRB at 217-785-3155
- Sending an email to ilrb.filing@illinois.gov

These points of contact are available on the ILRB's website to anyone needing to contact the Board to request language assistance resources.

Complaint Process

All persons requesting or receiving language assistance services may file a complaint with the Board's language access coordinator if they believe they have been denied the benefits outlined in this LAP. The Board will develop a form for the purpose of filing such complaints. This form should be filed with the Board at via email at ilrb.filing@illinois.gov within 30 days of the alleged denial of services. The LAC will review the complaint form and determine whether the ILRB should take additional steps to ensure that the benefits outlined in this LAP have been provided. The LAC will provide a response to the complaint within 30 days of receipt of the complaint. If a complainant is unsatisfied with the ILRB's response to the complaint, the complainant may escalate that complaint by contacting the Governor's Office of New Americans via email at GOV.NewAmericans@illinois.gov.

Guidelines for ILRB Staff

1. Identifying LEP Individuals

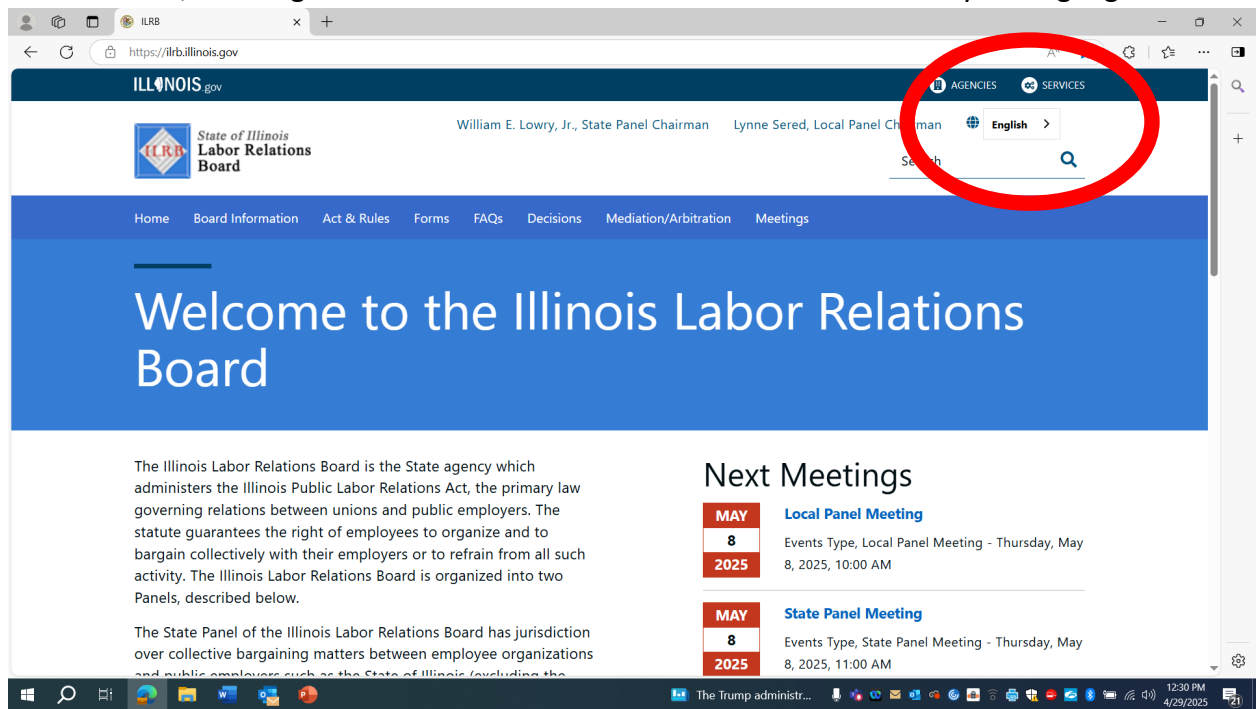
At first contact with a LEP-possible constituent, a staff member shall take all reasonable steps to assess whether the constituent needs language assistance services. These steps include the following:

1. Assessment
 - a. The staff member should ask professional, open-ended questions of the constituent to determine the individual's ability to speak or understand English. Open-ended questions are those that require a complex, non-static response; these are typically of the "who," "what", "when," "where," and "why" variety. Examples of open-ended questions include: "what kind of assistance do you need from the ILRB," "why do you need this assistance," and "what is your understanding of this program."
 - b. If the staff member determines that the constituent is proficient in understanding and speaking English, he or she should ask the constituent whether he or she needs assistance in reading or writing English.
 - c. If the LEP-possible constituent makes an oral or written request for translation or interpretation services in a specific language, the constituent should be considered as LEP.
 - d. Once a staff member determines that a constituent is LEP, the staff member shall assess the type and nature of language assistance services required. This includes a determination of the language or languages in which the constituent is proficient, and whether the constituent needs translation services, interpretation services, or both. The

staff member should utilize an “I speak ... [language]” identification card, document, or poster, if available. The staff member may also utilize the language access document, if available. A sample “I speak...” form can be found at: <http://justice.gov/crt/lep/resources/ISpeakCards2004.pdf>

- e. Although use of informal interpreters – such as family members or the internet – should be avoided, staff members may utilize such for purposes of assessing a constituent’s LEP status.
 - f. The staff member should document these steps and, if the constituent needs language assistance services, note the type and nature of services needed. The staff member shall send an e-mail notification to the language access coordinator if he or she determines that the constituent needs language assistance services. The notification shall include the LEP constituent’s name, ILRB service requested or utilized, the constituent’s language of choice, and the specific language assistance services needed/utilized.
2. Obtaining Language Assistance Services
- a. Once the staff member determines that a constituent has limited-English proficiency and has determined which types of translation or interpretation services are needed, the staff member shall obtain appropriate language assistance services for the constituent.
 - b. If interpretation services are needed, the staff member shall take the following steps:
 - i. Contact a telephonic or internet language interpretation service provider with whom ILRB has contracted for such services.
 - ii. If the ILRB has not yet entered into such a contract, then the staff member should contact his or her supervisor and relay the constituent’s need for interpretation services. The supervisor should ensure that temporary interpretation services can be obtained for the constituent.
 - iii. In the event of an emergency, the staff member may utilize a constituent’s family member or unauthorized internet interpretation software to provide temporary interpretation services. An emergency is defined as a situation where the constituent’s person or property are in imminent risk of harm. The staff member should only utilize the family member or unauthorized internet interpretation software until the emergency has been addressed.
 - iv. The staff member or supervisor should direct any questions in utilizing these steps to the ILRB’s language access coordinator.
 - c. If translation services are needed, the staff member shall take the following steps:
 - i. The staff member should contact his or her supervisor and relay the constituent’s need for translation services. The supervisor should ensure that temporary translation services can be obtained for the constituent whether through a contract procured for such purposes by the ILRB or through a master contract procured by the State of Illinois.

- ii. In the event of an emergency as defined above, the staff member may utilize a constituent's family member or unauthorized internet translation software to provide temporary translation services. The staff member should only utilize the family member or unauthorized internet translation software until the emergency has been addressed.
 - iii. The staff member or supervisor should direct any questions in utilizing these steps to the ILRB's language access coordinator.
3. The LAC will gather data from agency staff and supervisors by way of a shared Excel spreadsheet about each instance of contact by an LEP individual whether requesting services or not. The LAC will document each instance and update data in this LAP each fiscal year.
4. Available website translation tools: The ILRB website provides a translation tool as shown below, allowing for translation of the Board's website into a variety of languages:



Training

The ILRB will train existing staff and new staff members on its LAP and implementation of the LAP. Training will be conducted annually for existing staff, with the first training period to commence on January 1, 2026, ending December 1, 2026. The ILRB will train new staff members on the LAP and its implementation within the first six months of their tenure with the ILRB.

To this end, the language access coordinator has developed a training document which, along with the LAP, will assist staff in compliance with the LAP and provision of services to individuals

who are LEP. The ILRB has not previously had a written LAP and as such will engage in an agency-wide awareness campaign on LEP services, policies, and procedures. It is the responsibility of the language access coordinator to train ILRB staff on the use of this plan, including identifying LEP individuals and the language assistance services being utilized by the Department. Training topics include techniques on identifying language needs of LEP individuals, working with interpreters, reminders of State resources for language assistance, and any other technique that the language access coordinator reasonably determines would be beneficial for staff utilization of this plan. The language access coordinator will document completion of the training for ILRB employees.

Training includes, but is not limited to,

- 1) Identifying the language needs of a constituent with LEP;
- 2) Accessing and providing language assistance services;
- 3) Professionalism in interacting with LEP individuals;
- 4) Suggestions for providing effective service to LEP individuals; and
- 5) How to track the use of language assistance services.

Future training may also consist of informal reiteration of this LAP by having staff review and confirm their review of the LAP. The language access coordinator will develop additional training materials as needed to implement the LAP.

Review of Language Access Plan

The ILRB's language access coordinator will review and revise this LAP as necessary, but at least annually, to ensure alignment with best practices and to accurately reflect services available.

Vital Documents

The ILRB is working to have its vital documents (consisting of ILRB forms) translated into Spanish and made available on the ILRB website, accessible at <https://ilrb.illinois.gov/forms.html>. The ILRB will have its forms translated into other languages and/or provide oral interpretation/translation as necessary to provide full access to the ILRB's services and procedures.

- **Process to request translation into languages other than Spanish:** If a constituent requires language translation of the Board's vital documents into another language, the constituent can request such translation by email to the Board at ilrb.filing@illinois.gov or by speaking to a member of the Board's staff, who will relay the request to the Board's Language Access Coordinator. The Board's Language Access Coordinator will assess the request and seek translation services as necessary to properly serve the constituent.

List of Vital Documents (Spanish):

UNFAIR LABOR PRACTICE FORMS

Amended Charge Against Employer

Amended Charge Against Labor Organization

Charge Against Employer

Charge Against Labor Organization

REPRESENTATION/CERTIFICATION FORMS

Decertification Petition

Declaration of Disinterest Petition

Employer Representation Petition

Unit Clarification Petition

Petition of Intervention in Representation Proceeding

Petition to Amend Certification

Petition to Intervene in and Block Voluntary Recognition Proceeding

Representation/Certification Petition

Request for Voluntary Recognition Certification

MEDIATION/ARBITRATION FORMS

Demand for Compulsory Interest Arbitration

Notice of No Agreement (protective services employees)

Notice of Status of Negotiations (protective services employees)

Request for Fact-Finder (general public employees)

Request for Grievance Mediation/Grievance Arbitration Panel (general public employees)

Request for Grievance Mediation/Grievance Arbitration Panel (protective services employees)

Request for Interest Arbitration Panel (general public employees)

Request for Mediation Panel (general public employees)

Request for Mediation Panel (protective services employees)

MEDIATOR/ARBITRATOR REPORT FORMS

Interest Arbitration Report

Mediation Report

OTHER FORMS

Employer's Petition for Expedited Election

Filing of Collective Bargaining Agreement

Notice of Appearance

Petition for a Declaratory Ruling (general services unit)

Petition for a Declaratory Ruling (protective services unit)

Petition for Strike Investigation

Request for Appointment of Counsel

Waiver of 120 Day Election Requirement (Board's Chicago Office)

Waiver of 120 Day Election Requirement (Board's Springfield Office)

Language Access Services Complaint Form