

# EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## LANGUAGE ACCESS PLAN

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**OFFICE OF THE SECRETARY**  
**LANGUAGE ACCESS PLAN**

## OFFICE OF THE SECRETARY MISSION STATEMENTS

The [Executive Office of Energy and Environmental Affairs](#) (EEA) seeks to protect, preserve, and enhance the Commonwealth's environmental resources while ensuring a clean energy future for the state's residents. Through the stewardship of open space, protection of environmental resources, and enhancement of clean energy, EEA works tirelessly to make Massachusetts a wonderful place to live, work, and raise a family.

The [Massachusetts Office of Coastal Zone Management](#) (CZM) is to balance the impact of human activities with the protection of coastal and marine resources through planning, public involvement, education, research, and sound resource management.

The [Massachusetts Environmental Policy Act](#) (MEPA) conducts reviews of environmental impacts of projects that require "Agency Action," such as permits, land transfers, or financial assistance, by state agencies and certain municipal authorities. The intent of the MEPA review process is to provide meaningful opportunities for public review of potential environmental impacts before Agency Action is taken on the project.

The [Massachusetts Office of Technical Assistance](#) (OTA) is a non-regulatory agency that provides free and confidential technical assistance to Massachusetts manufacturers and businesses on toxics use reduction, pollution prevention, and resource conservation.

## DEFINITIONS

**Individuals with Limited English Proficiency (LEP):** Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. Individuals with LEP include individuals who are deaf and hard of hearing.

**Language Access:** Providing individuals with LEP with meaningful access to the same services as English-speaking individuals.

**Meaningful Access:** Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP needing assistance to eliminate communication barriers, such as sign language interpretation, real-time captioning, or other accessible form of communication as required by Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (collectively as the “federal non-discrimination statutes”). Meaningful access denotes access that is not significantly delayed, restricted, or inferior as compared to programs or activities provided to individuals with English proficiency.

**Vital Document:** Vital documents are documents containing critical information on agency programs, activities, services, including residents’ eligibility rights, available in English which may deny non-English speakers and individuals with limited English proficiency equitable and meaningful access. Vital documents may include information that is critical for accessing programs or activities, and include, but are not limited to: consent and complaint forms, online and paper applications for services, intake forms, notifications pertaining to eligibility of services, notifications pertaining to reduced or elimination of services, appeal notices, notices advising individuals with LEP of free language services, documents required by law, and notifications regarding the availability of language interpretation and assistance.

**Environmental Justice Population:** A neighborhood that meet one or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the populations; (iii) 25 percent or more of the households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.

**Translation:** The process of converting written text from a source language into an equivalent written text in a target language as fully and as accurately as possible while maintaining the style, tone, and intent of the text, and while considering differences of culture and dialect.

**Interpretation:** The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully<sup>1</sup> orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals with certain disabilities that affect communication, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully conveying that information into a spoken, captioned, or signed target language while retaining that same meaning.

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<sup>1</sup> Interpreting accurately and completely without adding or taking away from the meaning.

## I. INTRODUCTION

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) is committed to improving the accessibility of its programs, activities and services for individuals with limited English proficiency (LEP). EEA has prepared this Language Access Plan (LAP or “plan”) to reduce barriers and ensure LEP populations have meaningful access to services, programs, and activities. EEA will review and update this LAP at least every two years to ensure it continues to be responsive to community needs and in compliance with Executive Order 615.

## II. PURPOSE

The purpose of this plan is to ensure equitable and meaningful access to all EEA services, programs, activities, and materials for individuals with LEP at no direct cost to them. EEA is committed to making services available to individuals with LEP as part of its mission. EEA will work with each of its agencies, each of which is developing its own LAP, to ensure Secretariat-wide compliance with Executive Order 615, which require LAPs for each agency.

The objectives of EEA’s LAP are to (i) improve quality and access when it comes to state services, programs, and activities for individuals with LEP; (ii) reduce disparities and delays, if any, in the provision of state services/programs to eligible individuals with LEP; and (iii) increase agency effectiveness and public satisfaction. Adherence to this LAP will promote compliance with federal non-discrimination statutes (e.g. Title VI of the Civil Rights Act of 1964) and guidance against national origin discrimination, federal Executive Order 13166, the state’s anti-discrimination statute, Executive Order 526, and Executive Order 615.

This LAP will eliminate barriers for individuals with LEP and allow greater access to existing services. The LAP will also ensure that all staff are educated on how to best assist individuals with LEP in accessing those resources. EEA will ensure that any of the agency’s services, programs, or activities that are available to English-speaking individuals will also be made language accessible, in a fair and timely manner, to individuals with LEP.

## III. POLICY AND APPLICABILITY

It is EEA’s policy to provide equitable and meaningful access to state services, programs, and activities to constituents with LEP. This policy applies to all offices and departments within EEA, including but not limited to the Office of Coastal Zone Management, Office of Law Enforcement and Environmental Police, Massachusetts Environmental Policy Act Office, and Office of Technical Assistance.

EEA’s LEP services will be guided by four factors of analysis: (1) the number of LEP persons who could be affected by a program, activity, and service (2) the frequency that LEP individuals come

in contact with the program, activity and service (3) the nature and importance of the program, activity and service to people's lives and (4) resources available to EEA.

## IV. LANGUAGE ACCESS RESOURCES

### State Contracted Vendors

EEA contracts with multiple [state vendors](#) to provide translation and interpretation services for the office of the Secretary and any of its departments. The list of vendors on the [PRF75](#) (Foreign Language Interpretation and Translation Services) that EEA has awarded includes but is not limited to (i) Fox Translation Services; (ii) Language Bridge, LLC; (iii) Catholic Charitable Bureau of the Archdiocese of Boston; (iv) The ESL & TOEFL Associates, LLC; (v) International Translation Company; and (f) Baystate Interpreters, Inc. Staff can procure any vendors from the state contract list but may need to complete the process for Request for Quotes (RFQ) in COMMBUYS if EEA has not previously awarded the vendor.

### Reduce Costs

EEA will standardize documents, where applicable, to reduce cost and translation needs. EEA will also engage in information sharing by Secretariat Language Access Coordinators as well as centralize interpreter or translator services to achieve cost advantages (procuring the service of a vendor for an extended period as opposed to project by project). Further, EEA will use language identification cards (or "I Speak Cards") to determine the language(s) spoken by individuals with LEP who access its programs, activities, and services. For example, there are "I Speak Cards" in which "Mark this box if you read or speak English" is written in multiple languages (38) available for download [here](#).

### Correspondence

EEA will use this generic label for documents providing awareness on programs, services, or activities. EEA will make language services available in at least the top 5 languages spoken in the Commonwealth, and other languages as requested. This generic label could also be included in correspondence or printed and electronic materials to assess additional languages needed.



|  |  |   |
|--|--|---|
| <p>This document contains important information. Please have it translated immediately.</p>              | <p>Questo documento contiene informazioni importanti. La preghiamo di tradurlo immediatamente.</p> | <p>ខេត្តសាវណ្ណសង្ខេបនេះ បំបែកខ្លួនឡើងវិញសំខាន់ៗ។<br/>រាងគ្រប់គ្រងខេត្តសាវណ្ណសង្ខេបនេះ បំបែកខ្លួនឡើងវិញ។</p> |
| <p>В данном документе содержится важная информация. Вам необходимо срочно сделать перевод документа.</p> | <p>Este documento contém informações importantes. Por favor, traduza-lo imediatamente.</p>         | <p>ឯកសារនេះមានន័យសំខាន់ ។</p>   |
| <p>Este documento contiene información importante. Por favor, consiga una traducción inmediatamente.</p> | <p>此文件含有重要信息。請立即找人翻譯。</p>  | <p>សូមបកប្រែជាបន្ទាន់ ។</p>   |
| <p>تحتوي هذه الوثيقة على معلومات هامة. يرجى ترجمتها فوراً.</p>   | <p>본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하십시오.</p>  | <p>Ce document contient des informations importantes. Veuillez le faire traduire au plus tôt.</p>           |
| <p>Docikman sa gen enfòmasyon enpòtan. Tanpri fè yon moun tradwi l touswit.</p>                          | <p>Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay.</p>                 |   |

Written Translation Guidelines

When translating a document, staff must follow these steps:

- Identify which language(s) are needed for translation for the impacted community. Projects with statewide implications should have the above-referenced label inserted and translated.
- Translate vital documents of interest for individuals with LEP into the top 5 languages. Vital documents are documents that contain critical information on agency programs, activities, and services, including residents’ eligibility rights.
- Email a Word document version of the materials to be translated to the vendors listed on the State Contracted Vendors to request a quote. It is recommended that staff seek at least three (3) quotes from vendors on the statewide contract to assess which vendor provides the best rates and is able to meet the applicable deadline.
- The vendor contact information can be found on the [PRF75 Statewide Contract](#).

Interpretation for Live Event Services

EEA shall provide for simultaneous oral interpretation of live meetings, events, and proceedings (including community engagement meetings and public hearings) by qualified interpreters. EEA will also provide such interpretation for other programs and activities if appropriate and other requested languages if doing so allows individuals with LEP to meaningfully participate in those meetings, events, proceedings, programs, and activities. EEA staff will ensure that for lengthy live meetings, events, and proceedings, at least two interpreters will be booked to allow breaks; this is intended to prevent errors caused by mental fatigue. EEA will provide adequate opportunity for the interpreters to review the materials prior to the live meetings, events, and proceedings.

ASL Services

Any requests for American Sign Language interpreters should be made at least two weeks prior to the date of service through the Massachusetts Commission for the Deaf and Hard of Hearing

and no less than two days prior to the date of service unless the request is an emergency. EEA does not require staff to seek prior approval before submitting a request to procure an ASL interpreter. Please note that after a request is filled, cancellation can be made no more than two business days before the date of service to avoid being billed for the service. The process for requesting an ASL interpreter or CART provider can be found [here](#).

### CART Services

Any person who identifies as “Oral Deaf” will use verbal communication or Communication Access Real-Time Translation (CART). CART is a verbatim translation of the spoken word into written text. Requests for CART services should be made at least two weeks prior to the date of service through the Massachusetts Commission for the Deaf and Hard of Hearing and no less than two days prior to the date of service unless the request is an emergency. EEA does not require staff to seek prior approval before submitting a request to procure a CART or captioning interpreter. After a request has been filled, cancellation can be made no more than two business days before the date of service to avoid service fees. The process for requesting an ASL interpreter or CART provider can be found [here](#).

### Meaningful Access for People with Disabilities

The purpose of meaningful access for effective communication for people with disabilities is to promote compliance to federal non-discrimination statutes and ensure that a person with vision, speech, language, hearing, or other disability can convey information to, communicate with, and receive information from the EEA. Auxiliary aids and services may be required in order to meaningfully communicate with people with disabilities. People with disabilities may require different auxiliary devices or assistive technology for language and communication access depending on their functional needs.

EEA will provide screen readers for people who are blind or low-vision as well as alternative text to describe images that screen readers cannot interpret. EEA will also provide ASL or CART services for people who are Deaf or hard-of-hearing. Requests for reasonable accommodations for people with disabilities should be directed to Secretariat Diversity, Equity and Inclusion Director, Secretariat ADA Coordinator, and Non-Discrimination Coordinator, Melixza Esenyie, Executive Office of Energy and Environmental Affairs, 100 Cambridge Street, Boston, MA 02114, at (617) 872-3270, [Melixza.Esenyie2@mass.gov](mailto:Melixza.Esenyie2@mass.gov) or [here](#).

### Protocol for Requesting Language Services

EEA staff must identify the top 5-10 languages spoken in the Commonwealth for interpretation of public meetings and translation of vital documents. If interpretation and translation are needed for a public meeting on a statewide initiative or project, vital documents should be translated, and meetings interpreted into the top 5 languages spoken in the Commonwealth. For site-specific project, all vital documents should be translated, and meetings should be interpreted into the top 10 languages spoken by the population with LEP within a one-mile

radius. For projects that are not site-specific and lack an address, all documents should be translated, and meetings should be interpreted into the top 10 languages spoken within a quarter of a mile radius of the project. Additional languages should be provided as requested. Staff must consult the following resources to determine the breadth and scope of language services needed:

- The 2015 American Community Survey (as updated) available via the [United States Census Bureau](#);
- Any demographic data, available via public sources, on language ability indicating that individuals speak English "less than very well";
- EEA's [EJ Map Viewer](#) (state level); and,
- Community organizations, school systems, faith-based organizations, and other community-based organizations can often assist with identifying populations where additional outreach is needed.

### Competence of Interpreters

EEA staff must obtain at least three quotes from the vendors as noted above to assess the best rates and deadline requirements. To ensure reliable service, it is best practice to inquire about the vendor's area of specialization (i.e., field or industry) and the qualifications of interpreters to provide simultaneous oral interpretation for live meetings, events, and proceedings. An interpreter must demonstrate proficiency in and ability to communicate information in both English and the other language, and to be proficient in the appropriate mode of interpreting (i.e., consecutive, simultaneous, or ASL). It is also crucial that the interpreter has knowledge in both languages of any specialized terms or concepts distinct to the program, service, or activity and of any distinguishing vocabulary or phraseology used by the affected individuals with LEP. Furthermore, interpreters must (i) understand and follow confidentiality and impartiality rules to the same extent as EEA staff and, to the extent their position requires, and (ii) understand and adhere to their roles as interpreters without deviating into a role as legal advisor, engineer, community expert, or another role.

### Requesting Translation of Documents

EEA staff should take the steps outlined above to ensure meaningful access to programs, activities, or services by individuals with LEP. EEA staff must ensure that translation of vital documents for public meetings are accessible at least 14 days prior to the public event, if feasible, to ensure that the information reaches the targeted audience in a timely manner to allow for meaningful community participation.

## V. IMPLEMENTATION

This LAP shall be fully implemented. It demonstrates EEA's commitment to ensuring that all residents of Massachusetts can readily access information and resources and meaningfully participate in programs and activities.

For staff, this plan centralizes resources and training and outlines the standard of meaningful access for individuals with LEP. EEA's LAP strives to ensure meaningful and equitable involvement of all people through the implementation of the following guidelines:

### Secretariat Language Access Coordinator

The Secretariat Language Access Coordinator, Caroline Lemoine, Deputy Director of Environmental Justice, at (857) 378-1703 or caroline.lemoine2@mass.gov, is responsible for implementing this plan and ensuring it is compliant. The responsibilities of the EEA Language Access Coordinator include:

- Conducting staff training;
- Assisting with the procurement of language assistance services;
- Periodically or at least every two years reassessing and updating its LAP to reflect updated information on relevant LEP populations;
- Consulting with stakeholders; and
- Facilitating EEA's Language Access Working Group.

### Action Steps

The Secretariat Language Access Coordinator will develop language access training for personnel whose responsibility is to arrange language access services for their respective program, division, or office. The Secretariat Language Access Working Group will assist with the development of training components and provide appropriate recommendations.

Reasonable steps will be taken to ensure that appropriate staff receive proper training relative to the LAP, A&F Bulletin #16 policies, and internal processes for requesting language access services. Trainings may include, but are not limited to:

- Working effectively with individuals with LEP and over-the-phone interpreters; and
- Implementation of LAP.

The LAP will be:

- Posted internally for all employees;
- Incorporated into the orientation for new employees;
- Presented to management so they are fully aware of and understand the LAP, to reinforce the plan's importance and ensure its implementation by staff; and

- Presented to EEA staff who have contact with the public so that such staff is trained to work effectively with individuals with LEP and over-the-phone interpreters.

### Language Service Needs Assessment

EEA's Language Access Coordinator will collaborate with the Office of Environmental Justice and Equity to conduct a needs assessment. The needs assessment will:

- Identify and characterize the nature and importance of the various services, activities and programs provided by the agency to help determine the priorities for providing services to ensure access for individuals with LEP;
- Gather data on the language makeup of the population served by EEA and consider whether the data indicates that any particular language groups are not being served or are being under-represented; and
- Identify all points of contact between the agency and the public and all potential language or language-related barriers to services and programs.

EEA's Language Access Coordinator will facilitate bi-monthly meetings with the Language Access Working Group to disseminate information and share lessons learned and best practices to implement EEA's LAP.

EEA uses the [United States Census Bureau](#) to access data on a granular level (American Community Survey) to determine the top languages spoken in Massachusetts, which include Spanish, Portuguese (Brazilian and European), Chinese (Mandarin and Cantonese), Haitian Creole, Khmer, Vietnamese, Russian, Cape Verdean Creole, French and Arabic.

## VI. WEBSITE CONTENTS

### Website Content

EEA website content will be periodically reviewed and modified so that vital information is translated into the top 5 languages as identified above in Language Service Needs Assessment.

### Artificial Intelligence and Language Translate

Websites and their content, in relation to certain vital documents available in text format, will include appropriate disclaimers as shown [here](#). EEA agencies, consistent with policies promulgated by the Information Technology Division or EEA's Chief Information Officer will use existing web-based services or programs that translate website content as shown [here](#).

### Social Media Platforms

EEA will utilize its social media platforms to provide translated vital information and increase messaging to populations with LEP. EEA will disseminate information using its Office of Environmental Justice and Equity monthly newsletter and EEA's twitter page to share important information.

### Vital Documents Translation

Vital documents are documents containing critical information on agency programs, activities, and services, including residents' eligibility rights, that are available in English but may deny non-English speakers and individuals with limited English proficiency equitable and meaningful access. Vital documents may contain information that is critical for accessing programs or activities, including but not limited to consent and complaint forms, online and paper applications for services, intake forms, notifications pertaining to eligibility of services, notifications pertaining to reduced or elimination of services, appeal notices, notices advising individuals with LEP of free language services, documents required by law, and notifications regarding the availability of language interpretation and assistance. When necessary, EEA will provide financial support for agencies to provide professional and culturally competent translations of vital documents.

## VII. MONITORING AND REVIEW OF LANGUAGE ACCESS PLAN

EEA will review, revise, publicize, and implement its plan at least every two years, and, where appropriate, on an ongoing basis, will assess whether a change in services, programs, or activities is necessary to ensure that non-English speakers and individuals with LEP have continuous and equitable access. To ensure stakeholder participation in the revision and further development of its plan, EEA will consult with community-based organizations that provide services to the populations it serves. EEA will also provide a survey after the provision of language assistance services to collect feedback on the accuracy and quality of the language assistance services provided. Further, in conducting its review, EEA will consider assessing changes in:

- Any significant changes in the demographics or language needs of LEP populations within the service area or population affected or encountered by the agency;
- Availability of resources;
- Processes for staff requesting assistance for interpretation and translation needs;
- Processes for training staff on the implementation of this plan;
- Whether the existing plan is meeting the needs of LEP populations; and
- Types of activities or services provided to LEP populations.

The designated Secretariat's Language Access Coordinator shall monitor the effectiveness of this plan and that of each of the agencies under EEA's purview including any affiliated agency. The Secretariat's Language Access Coordinator shall facilitate a quarterly meeting with all EEA agencies' Language Access Coordinators to assess the implementation of each plan.

EEA will post this draft Language Access Plan for a 60-day public comment period and will consider all comments received, with improvements to its draft Language Access Plan incorporated as necessary.

## VIII. COMPLAINTS

EEA continuously strives to improve the development and implementation of EEA's LAP. EEA responds to public inquiries and complaints with thorough investigations, implementation of necessary corrective actions, and feedback and communication with the complainant. If you believe that you have been discriminated against with respect to an EEA program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at <https://www.mass.gov/info-details/executive-office-of-energy-environmental-affairs-civil-rights-and-non-discrimination-policy-and-grievance-procedure> to learn how and where to file a complaint of discrimination.

**By electronic mail:**

[Melixza.Esenyie2@mass.gov](mailto:Melixza.Esenyie2@mass.gov)

**By regular mail, hand delivery or overnight delivery service:**

Melixza G. Esenyie  
Non-Discrimination Coordinator  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Boston, MA 02114

For any questions relating to this LAP, you may contact EEA Language Access Coordinator:

Caroline Lemoine  
Deputy Director of Environmental Justice  
Secretariat Language Access Coordinator  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Email: [caroline.lemoine2@mass.gov](mailto:caroline.lemoine2@mass.gov)

To file a complaint with the Massachusetts Governor's Office of Access and Opportunity, the written complaint may be submitted to the attention of:

Office of Access and Opportunity  
Yarlennys Villaman  
Director of Community Affairs  
Language Access Coordinator  
24 Beacon Street  
Office of the Governor  
State House, Room 54  
Boston, MA 02133  
(617) 947-9759  
[Yarlenys.k.villaman@mass.gov](mailto:Yarlenys.k.villaman@mass.gov)



## DEPARTMENT OF PUBLIC UTILITIES



## LANGUAGE ACCESS PLAN

## DEFINITIONS

**Department or DPU:** Means the Massachusetts Department of Public Utilities.

**Division:** Means a branch of the Department that is responsible for the oversight of a specific Department function.

**Hearing Officer:** Means an attorney designated by the Commission<sup>2</sup>, pursuant to General Laws c. 25, § 4, to preside over a Department proceeding.

**Person with Limited English Proficiency or Person with LEP:** Means a person who does not speak English as a primary language and who has a limited ability to read, speak, write, or understand English.<sup>3</sup>

**Vital Document:** Means a document that contains information that is critical for obtaining services or providing awareness of rights or is required by law.

**Language Access:** Providing individuals with LEP with meaningful access to the same services as English-speaking individuals.

**Meaningful Access:** Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP needing assistance to eliminate communication barriers, such as sign language interpretation, real-time captioning, or other accessible form of communication as required by Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (collectively as the “federal non-discrimination statutes”). Meaningful access denotes access that is not significantly delayed, restricted, or inferior as compared to programs or activities provided to individuals with English proficiency.

**Environmental Justice Population:** A neighborhood that meet one or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the populations; (iii) 25 percent or more of the households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.

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<sup>2</sup> The Department is overseen by the three member- Commonwealth Utilities Commission appointed by the Secretary of the Executive Office of Energy and Environmental Affairs with approval by the Governor. The Secretary designates one of the Commissioners as chair. G.L. c. 25, § 2; see also <https://www.mass.gov/guides/the-dpu-commission> (last visited November 24, 2023).

<sup>3</sup> Executive Office of Administration and Finance, Office of Access and Opportunity, *Language Access Policy and Implementation Guidelines 2* (March 20, 2015) available at [www.mass.gov/doc/language-access-guidelines/download](http://www.mass.gov/doc/language-access-guidelines/download).

**Translation:** The process of converting written text from a source language into an equivalent written text in a target language as fully and as accurately as possible while maintaining the style, tone, and intent of the text, and while considering differences of culture and dialect.

**Interpretation:** The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully<sup>4</sup> orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals with certain disabilities that affect communication, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully conveying that information into a spoken, captioned, or signed target language while retaining that same meaning.

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<sup>4</sup> Interpreting accurately and completely without adding or taking away from the meaning.

## MISSION STATEMENT

The Department of Public Utilities is an adjudicatory agency overseen by a three-member commission. The Department is responsible for the oversight of investor-owned electric power, natural gas, and water utilities in the Commonwealth. In addition, the Department regulates the safety of bus companies, moving companies, and transportation network companies. We also oversee the safety of natural gas pipelines. The Department is charged with developing alternatives to traditional regulation, monitoring service quality, and the siting of certain energy facilities.

The mission of the DPU is to ensure that consumers' rights are protected and that utility companies are providing the most reliable service at the lowest possible cost. The Department seeks to promote safety, security, reliability of service, affordability, equity, and greenhouse gas emission reductions.

## I. INTRODUCTION

The Department has developed and prepared this Language Access Plan (LAP) outlining ongoing efforts taken to provide language services to individuals with Limited English Proficiency (LEP). The LAP complies with the requirements of Executive Order 615.<sup>5</sup>

This plan also defines the actions our agency is taking to ensure meaningful access to programs, services, activities, and materials for all individuals with LEP.

The Department serves a diverse population of various ages and linguistic origins, and its work impacts nearly everyone in the Commonwealth of Massachusetts. A constituent maintains the right to self-identify as LEP.

## II. PURPOSE

The purpose of this plan is to ensure that individuals with LEP have meaningful access to Department proceedings, programs, services, activities, and materials.

The Department is committed to making services available to individuals with LEP a part of its mission. Based on this commitment, the Department will make reasonable efforts to ensure meaningful access to our services to individuals with LEP.

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<sup>5</sup> Executive Order No. 615, "Promoting Access to Government Services and Information by Identifying and Minimizing Language Access Barriers," (September 13, 2023) available at <https://www.mass.gov/executive-orders/no-615-promoting-access-to-government-services-and-information-by-identifying-and-minimizing-language-access-barriers>.

This LAP does not create new services; rather, it confirms a commitment to eliminate barriers for individuals with LEP in accessing existing services and ensure that agency staff can assist individuals with LEP in accessing those resources. The Department will make reasonable efforts to provide quality language assistance to individuals with LEP in a fair and timely manner, ensuring meaningful access to DPU services. Adherence to this LAP will promote compliance with Federal non-discrimination statutes (e.g. Title VI of the Civil Rights Act of 1964) and guidance against national origin discrimination, the state's anti-discrimination statute, Executive Order 526, and Executive Order 615.

The objectives of the LAP are to:

- Improve access to and quality of Department services, programs, and activities for individuals with LEP; and
- Reduce any disparities and delays in the provision of services and programs to individuals with LEP.

### III. POLICY

The Department's policy is to provide meaningful access to programs, services, and activities to individuals with LEP through translated materials and interpretation, as appropriate. The Department will implement the practices described herein to ensure that individuals with LEP have a meaningful opportunity to participate in and influence the Department's proceedings. DPU's LEP services will be guided by four factors of analysis: (1) the number of LEP persons who could be affected by a program and activity, (2) the frequency that LEP individuals come in contact with the program and activity, (3) the nature and importance of the program and activity to people's lives, and (4) resources available to DPU.

### IV. APPLICABILITY

This policy applies to all divisions within the Department and to the agency as a whole.

### V. AGENCY PUBLIC INVOLVEMENT

The Department has one office located at One South Station, Boston, serving the entire Commonwealth. The Department interacts with the public in multiple ways. The main points of contact with the public are through the Consumer, Legal, Pipeline Safety, Rail Transit Safety, Transportation Network Company (TNC), Transportation Oversight, Siting, and Public Participation and Environmental Justice Divisions. In addition to the divisions, the agency is continuously working to improve its website and has social media accounts to provide information to the public about upcoming events and agency work.

- The Department's Consumer Division receives and investigates complaints from consumers on issues involving their investor-owned electric, natural gas, and water utility bills or services on a tollfree line. The Consumer Division staff also answers questions from consumers who call the hotline or contact the Department through email and other means.
- The Department's Legal Division primarily interacts with the public during public hearings held pursuant to General Laws c. 30A, § 10. Many Department proceedings involve a public hearing to provide stakeholders with an opportunity to be heard on the rates and services provided by their investor-owned utilities. The Legal Division also responds to public inquiries.
- The Department's Pipeline Safety Division engages with homeowners and contractors during informal conferences and addresses public inquiries related to Dig Safe matters.
- The Department's Rail Transit Safety Division is responsible for overseeing the safety of equipment and operations of the Massachusetts Bay Transportation Authority (MBTA) and receives and responds to safety concerns from the public about the MBTA's Blue Line, Green Line, Orange Line, and Red Line.
- The Department's TNC Division interacts with driver applicants during denial appeal hearings. The TNC Division also has in-person and telephone conversations with rideshare drivers during various stages of the rideshare application process.
- The Department's Transportation Oversight Division interacts with drivers of Division-regulated vehicles who are required to hold motorbus certificates. The Transportation Oversight Division also interacts with consumers, primarily by correspondence, to resolve complaints about common carriers.
- The Department's Siting Division issues licenses to construct and operate transmission lines and provides necessary exemptions from municipal zoning for energy facilities. In addition to administering the Department's siting functions, the Siting Division also serves as staff to the Energy Facilities Siting Board, which oversees the siting of many large energy facilities.
- Beginning in 2024, the Department's Environmental Justice and Public Participation Division is led by a director and includes staff from other divisions working as the Environmental Justice Team. The Environmental Justice Team includes call center professionals, planners, economists, attorneys, a language access coordinator, and compliance officers and is focused on best practices for complying with the DPU's Environmental Justice Strategy. The work of the agency to be supported by the Environmental Justice and Public Participation Division is at the forefront of important energy, environmental, and technological trends that are transforming energy and transportation infrastructure in Massachusetts while ensuring meaningful public

participation.

In addition, each of the Department's other divisions (e.g., Electric Power Division, Gas Division, and Rates and Revenue Requirements Division) also interact with members of the public in response to inquiries.

## VI. LANGUAGE ACCESS SERVICES AND PRACTICES

This LAP shall be fully implemented, subject to the availability of requisite fiscal resources. It represents the Department's commitment to ensuring that all Massachusetts residents can readily access information and resources from the Department. The Department will implement the following practices to ensure that individuals with LEP have a meaningful opportunity to participate in the Department's proceedings:

For certain complex or high-profile proceedings (e.g., base distribution rate proceedings and statewide investigations), the following guidelines apply:

- Before scheduling public hearings, the Department will use current U.S. Census Bureau data and interactive mapping tools regarding environmental justice and languages spoken to determine the languages into which notices, and relevant documents will be translated and for which interpretation services will be provided at public hearings. Specifically, the Department will seek to provide language access services by translating and interpreting into languages regularly encountered within the applicable service area. For purposes of these guidelines, the term "languages regularly encountered" shall mean the top 5 languages spoken in the Commonwealth, and the top 10 spoken within a particular service area. Depending upon the nature of the proceeding and needs of potentially impacted populations, the Department will strive to provide translation and interpretation into more languages than those regularly encountered.
- Translated documents will be posted on the Department's website and any relevant petitioner's website as directed by the Department.
- For proceedings initiated by a petitioner, the Department will direct the petitioner to procure interpretation and translation services. The Department will direct that the services procured by the petitioner include trained interpreters and translators who can reliably translate the technical content.
- For proceedings initiated by the Department, the Department will procure interpretation and translation services itself. The Department will endeavor to select interpretation and translation vendors with appropriate experience and technical knowledge of the industry.

All notices of filings will include information about how to request interpretation and/or translation services for individuals with LEP. The Department will strive to ensure that notices in English announcing public participation opportunities contain plain language to facilitate reliable translation into additional languages.

The Department will endeavor to provide translation or interpretation services upon request, provided such request is made in a timely manner in the context of the proceeding, as determined by the Department on a case-by-case basis. These services will be at no direct cost to the individuals requesting the service.

The Department will maintain assisted listening and interpretation equipment for hearings. The Department will ensure that all Department Hearing Officers are trained on the proper uses and functions of the Department's assisted listening and interpretation equipment.

To the extent possible, the Department will develop and maintain a list of technical and legal terms commonly used in Department matters and provide such list to translators and interpreters.

The Department will post notices in the public-facing common areas of the Department's office about the language assistance services available at the Department, both in person and over-the-phone, in at least the top 10 languages spoken in the Commonwealth as determined by the U.S. Census Bureau.

The Department's website is formatted to allow for translation into multiple languages using the translate function on the page. Users can select the desired language using the dropdown menu and selecting "Select Language," which is accessible from the globe icon on the website tool bar.

The Department will post vital documents on its website in a format that allows for translation into multiple languages using the translate function on the page. The Department will also use its social media platforms to provide translated vital information and increase messaging to populations with LEP. Interested individuals may contact the Department's Language Access Coordinator, discussed in Section XI, below, to request translated materials.

The Consumer Division currently has Spanish, Cape Verdean Creole, Haitian Creole, and Portuguese speaking staff available to answer the toll-free line. The Consumer Division's automated telephone system allows consumers to opt for Spanish language recordings and/or Spanish-speaking staff.

The Department has a translation vendor who provides over-the-phone interpretation services to staff in over 200 languages to assist members of the public who call in to the Department.

The Department's Consumer Division will periodically review call center system analytics and information collected through its automated call center system to identify possible areas of improvement and, to the extent possible, improve the automated call center system functionality.

The Department's Environmental Justice and Public Participation Division will work with all



divisions to assess opportunities to improve language access.

### Interpreter Services for Telephone Constituents

The DPU currently has staff members that speak Spanish, Portuguese, French Creole, and other languages. When consumers call the Consumer Division, they have the option of having their call transferred directly to a Spanish-speaking DPU employee. If they miss that option, or if they speak a language other than Spanish, they will be transferred from an English-speaking employee to a DPU employee who speaks their language and can translate for them. Spanish-speaking callers to the DPU's Transportation Network Company Division, are called back in coordination with a Spanish-speaking DPU employee.

For other languages, staff have access to an over-the-phone language service that provides translation in over 200 languages. Staff are instructed to call the language service, identify themselves as DPU staff and provide a customer code, request the language for which translation is needed, and then wait to be connected to the translator. In some cases, DPU staff may need to arrange for a call back in coordination with the translator. There are several [state vendors](#) on the [PRF75](#) Statewide Contract

All staff should have access to and be trained on the over-the-phone language service provider.

### Translation and Interpretation Guidelines

When translating a document or requesting interpreters, follow these steps:

1. Choose which language(s) are needed for translation or interpretation.
2. For translation purposes, e-mail the document(s) to be translated to the translation company and request a quote.
3. There are several [state vendors](#) on the PRF75 Statewide Contract
4. Questions? Contact Mark Marini, Language Access Coordinator, discussed in Section XI, below.

## VII. STAFF TRAINING

The LAP will be:

- Posted internally for all employees, and staff will receive periodic reminders about the document;
- Incorporated into the orientation for new employees;
- Presented to management so they are fully aware of and understand the LAP in order to reinforce the plan's importance and ensure its implementation by staff; and
- Presented to Department staff having contact with the public during trainings about best practices for public participation.

The Director of Environmental Justice and Public Participation will lead trainings for

staff and notify Department employees of additional trainings available through the Executive Office of Energy and Environmental Affairs' Office of Environmental Justice and Equity.

## VIII. MONITORING

The Department will review and update its LAP at least every two years or more often if needed.

The review assesses:

- Whether there have been any significant changes in the composition or language needs of the populations served;
- Whether Department staff knows and understands the LAP document;
- Whether additional documents require translation;
- Identification of any issues or problems related to serving individuals with LEP which may have emerged during the past two years; and
- Identification of any recommended actions to provide more responsive and effective language services (e.g., adding documents to be translated, creating or expanding partnerships with community-based organizations, or changing Department priorities).

Monitoring the effectiveness of the LAP may include:

- Analyzing current and previous data on language assistance usage, including languages served;
- Surveying staff on how often they use language assistance services, if they believe there should be changes to the services provided or the providers used, and if they believe that the language assistance services in place are meeting the needs of individuals with LEP; and
- Monitoring feedback from community-based organizations, legal services, and other stakeholders about the accuracy and quality of the language assistance services provided by the Department and the Department's effectiveness and performance in ensuring meaningful access to Department proceedings, programs, services, activities, and materials to individuals with LEP.

The Department's Language Access Coordinator, discussed in Section XI below, or a designee, shall attend quarterly meetings hosted by the Executive Office of Energy and Environment Affairs' designated Secretariat Language Access Coordinator to assess the implementation of this plan.

## IX. LANGUAGE ACCESS COMPLAINT PROCEDURE

Complaints regarding the implementation of this LAP may be filed with the Department's Language Access Coordinator or the Massachusetts Governor's Office of Access and Opportunity. Complaints must be filed within six months of the alleged denial of the benefits of this LAP. To file a complaint with the Language Access Coordinator, the written complaint may be submitted to:

Mark Marini  
Language Access Coordinator  
Department of Public Utilities  
Legal Division  
One South Station  
Boston, MA 02110  
Direct Dial: (617) 3053618  
Email: [Mark.Marini@mass.gov](mailto:Mark.Marini@mass.gov)

To file a complaint with the Massachusetts Governor's Office of Access and Opportunity, the written complaint may be submitted to the attention of:

Office of Access and Opportunity  
Yarlennys Villaman  
Director of Community Affairs  
Language Access Coordinator  
24 Beacon Street  
Office of the Governor  
State House, Room 54  
Boston, MA 02133  
(617) 947-9759  
[Yarlenys.k.villaman@mass.gov](mailto:Yarlenys.k.villaman@mass.gov)

## X. QUESTIONS

The Department has designated the Language Access Coordinator named in Section IX to answer questions regarding this LAP or any other language access related matter. The DPU Director of Environmental Justice and Public Participation is also available to discuss ways to improve language access.