

Appendix 16: Greyhound's Title VI Limited English Proficiency Plan – Language Access Plan



LIMITED ENGLISH PROFICIENCY PLAN
LANGUAGE ACCESS PLAN

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LIMITED ENGLISH PROFICIENCY PLAN

The Greyhound Lines, Inc. (“Greyhound”) Limited English Proficiency Plan has been prepared to address Greyhound’s responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. Individuals who have a limited ability to read, write, speak, or understand English are Limited English Proficient or “LEP”. Greyhound is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities to individuals who are LEP. Greyhound utilized the U.S. Department of Transportation’s (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LEP Plan.

Four Factor Analysis

1) The number or proportion of LEP persons in the service area. Greyhound’s service area is essentially the 48 contiguous United States. Not all areas of the country are directly serviced by Greyhound. Greyhound interlines with a number of interlining partners to provide service to geographic areas it does not directly service. LEP data was gathered from the following sources to identify information on persons who do speak languages other than English at home and who speak English less than well or not at all and would be classified as an LEP person: (1) 2000 Census Data; (2) Census Bureau’s American Community Survey and Fact Finder Surveys; and Department of Labor LEP Special Tabulation website.

A review of the aforementioned data concerning the numbers of LEP persons, revealed that the highest percentage of the total population five years of age and over that speaks a language other than English at home are Spanish speakers. The second highest percentage of the total population five years of age and over that speak a language other than English at home are Chinese speakers. The remaining languages identified which represent the top 20 languages most frequently spoken at home for the population five years and over are: French; German; Tagalog; Vietnamese; Italian; Korean; Russian; Polish; Arabic; Portuguese; Japanese; French Creole; Greek; Hindi; Persian; Urdu; Gujarati; and Armenian.

2) The frequency with which LEP individuals come into contact with the service. Greyhound serves LEP persons daily via our fixed route intercity bus service. Greyhound is currently evaluating the frequency which Greyhound personnel identify and serve LEP persons, and in the geographic regions of the service area. Of those LEP persons who ride Greyhound buses, Greyhound will seek to determine the needs of the top six LEP languages identified.

3) The nature and importance of service provided by Greyhound. Greyhound provides important intercity transportation services to the public through its fixed route system. Greyhound is the largest intercity bus company in the United States and provides 75% of the intercity bus service in the country.

4) The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons. Greyhound ensures that information is available in Spanish where required regarding services, programs and activities including customer service, fare and schedule information and information provided via its websites. Greyhound's Customer Information Center (CIC) is a telephone-based information service that manages customer inquiries primarily concerning bus transit trip generation. The CIC is a procured service.

Documents that are determined to be vital are translated into Spanish where required. Vital documents are defined as those documents without which a person would be unable to access services and include documents such as travel brochures that contain services, policies, and procedures for traveling on an intercity bus and using terminal facilities. These vital documents also include information related to complaints or comments as well as accessibility options for passengers. These documents may be translated into other languages upon request.

Implementation Plan

Based on the four-factor analysis, Greyhound has identified the language needs and services required to provide meaningful access to information for the LEP customers of Greyhound. Greyhound will review its LEP Plan on an annual basis and incorporate an LEP data gathering venture, such as surveys, to further identify additional language area-specific needs for the top languages identified. Since July 2012, Greyhound has included as part of its Limited English Proficiency Plan programs, activities and services that are being offered or will be offered by Greyhound including Spanish speaking telephone agents to provide customer service, fare and schedule information, and Spanish websites.

Safe Harbor

FTA Circular 4702.1B, Chapter III.9(c) creates a Safe Harbor Provision where "DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those

written materials, free of cost.”

“These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.”

Because the geographic area served by Greyhound is generally the continental U.S. and specifically 3,800 locations, rather than rely solely on the standard Limited English Proficiency (LEP) Four Factor Analysis, Greyhound has chosen to identify separately the languages identified in the census data to determine which LEP groups the company may not be adequately marketing to, and what documents need to be translated into what languages. (See Greyhound Language Access Plan). As a result of this effort, Greyhound Lines, Inc., is and will comply with the Safe Harbor Provision which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The “safe harbor” means that if a recipient provides written translation under these circumstances, such action will be considered strong evidence of compliance with the recipient’s written translation obligations under Title VI of the Civil Rights Act of 1964 (Title VI). More specifically, Greyhound utilizes competent bilingual staff and informal interpreters in addition to the written translation services for “frequently encountered Limited English Proficiency group who is currently using our services. Greyhound terminal and operations staff also utilize competent and accurate translators for individuals identified in need of written documents in their language.

While Greyhound indicated under its four-factor analysis that it would determine the needs of the top six LEP language groups identified, the Safe Harbor Provision provides, and current data indicates, there is only one LEP language group for specialized translation needs. Therefore, until another LEP language group is identified, by future data, that meets the threshold identified in the Safe Harbor Provision, only Spanish Language group translation of vital documents will be provided.

Data collected by Greyhound from its 2019 Calendar Year Customer Care Center Language Survey indicate the number of calls per preferred language group as follows: English (5,624,866); Spanish (439,035); French (22,692); Mandarin (7); Portuguese (3); Cantonese (2); Haitian Creole (2); Japanese (2); Polish (1); Russian (1); and Vietnamese (1). Greyhound continues to monitor calls for language preference of its customers and will update the information as it is available and adjust its LEP and LAP Plans and Programs as needed.

LANGUAGE ACCESS PLAN

Introduction and Purpose

Greyhound is committed to complying with all civil rights laws, including Title VI which requires Greyhound to make sure individuals with limited English proficiency have meaningful access to our services. The term LEP doesn't refer to people who are bilingual, but rather individuals who have a limited ability to read, write, or understand English well or at all.

The purpose of this plan is to ensure that we provide individuals with LEP meaningful access to our services. In preparation for writing this plan and in order to identify the specific needs for LEP individuals, we conducted a needs assessment using the four-factor analysis. In accordance with this four-factor analysis, Greyhound's assessment balanced the following:

- 1) The number or proportion of LEP persons served or encountered in the eligible service population. (As instructed in the guidance for the purpose of determining those LEP persons "served or encountered", we included those persons who would be served or encountered if the persons received adequate outreach and we provided sufficient language services);
- 2) The frequency with which LEP persons come into contact with Greyhound;
- 3) The nature and importance of the service provided by Greyhound; and
- 4) The resources available and costs. Please note that to the extent possible, we have tried to reduce costs by identifying the resources available throughout our company and making them available to each location.

LEP Populations to be Served or Encountered and the Frequency of Encounters

The geographic area served by Greyhound is generally the continental U.S and specifically, 3,800 locations, which is quite extensive. However, upon review of the guidance, we do not construe our obligation to provide language assistance quite so broadly. Rather we determined the LEP populations to be served are based on the following: 1) census data; 2) a review of current customers' language needs; and 3) conversations with agencies in the geographic areas where our company-operated terminals are located. We have chosen to identify separately the languages identified in the census data to determine which LEP groups we may not be adequately marketing to, and what documents we need to translate into which languages.

Greyhound recognizes its staff has and will continue to have significant contact with LEP persons who speak various languages, largely Spanish (other than English),

throughout the provision of service beginning with ticket purchasing. This includes the following:

- 1) The ticketing process, including telephone communication and assistance in purchasing a ticket;
- 2) Standard interactions with a customer, including but not limited to, customer-service related questions;
- 3) The travel process; and, if applicable;
- 4) Follow-up customer-service issues.

We also recognize that based on the four-factor analysis we conducted our marketing efforts need to reach LEP persons who speak Spanish.

Language Assistance Measures

The type of language assistance necessary to provide meaningful access will vary depending on the type of communication staff is having with the LEP person (e.g., phone, in person or written communication) and in some circumstances more than one method will work. Regardless of how the language assistance is provided, we recognize the importance of providing such services in a timely manner and in an appropriate place. Failure to do so may effectively delay or deny LEP customers access to our services. We understand that the extent of our obligation to provide both oral and written translation is dependent on the four-factor analysis.

As such, we have made every effort to translate all vital written documents into Spanish. Our four-factor analysis has determined that while there are other languages using our service, none rise to the level of the Safe Harbor Requirements and as such there is no need for translation services beyond Spanish. However, we do provide a translated written notice of the person's right to an oral interpretation when they request one.

Our marketing efforts need to be fully accessible to LEP persons. This includes, but isn't limited to, brochures, advertisements, choice of newspapers and radio stations.

The degree to which we will provide oral language assistance will depend on the nature and importance of the activity. We will provide free language assistance to LEP individuals for important, critical junctures, such as assistance with ticket purchasing and navigating our services. When we hold public meetings, we will automatically provide an interpreter for any required LEP population. We will also announce in major languages in any public notice of the meeting that anyone in need of an interpreter may call a certain number before the meeting to request an interpreter. We will provide these individuals free language assistance at the meeting.

Competent Bilingual Staff

Greyhound makes every effort to hire staff that can communicate with customers. A significant consideration when hiring staff for a location (managerial as well as drivers) is whether the applicant can competently provide language assistance to LEP customers at the location. A large percentage of our staff is bilingual, and every effort has been made to match their language skills with the needs of LEP customers. Our preference is to meet the needs of our LEP customers through direct language assistance. When this isn't possible, we are committed to meeting our LEP customers' needs through other methods.

We understand that it isn't enough for staff to be "bilingual" when communicating with our LEP customers. Some bilingual persons may be able to effectively communicate in two languages but aren't competent to interpret between English and that language. We also recognize that the skills of interpreting and the skills used for translating aren't the same. A person may be capable of one and not the other. We will make every effort to offer bilingual staff interpreter training and professional development opportunities to ensure that communication is effective and accurate.

Greyhound's goal is to provide meaningful access to our services for individuals with limited English proficiency in a timely manner. As stated above, we often use competent bilingual staff to act as interpreters for customers.

Interpreters, when necessary to be used, aren't required to provide a formal certification as an interpreter. However, they must still do the following:

- Be proficient in and able to communicate information accurately in both English and the other applicable language;
- Understand transportation-related terms;
- Maintain impartiality and act solely in the role as an interpreter; and
- Be aware of regionalisms and be able to provide the most appropriate interpretation in a consistent manner.

Where individual rights depend on precise, complete, and accurate interpretation, we will try to use certified interpreters or those otherwise deemed qualified by a state or federal court. Regardless of who is used as an interpreter, location staff will adhere to the following guidelines when using an interpreter:

- Explain to the interpreter the purpose of the communication and provide a description of the information to be conveyed;
- Provide brief explanations of technical terms of art that may come up during the communication;
- Avoid using acronyms;
- Speak in short sentences;
- Express one idea at a time and allow the information to be interpreted prior to continuing;

- Check in with the interpreter to make sure he/she is understanding what you're saying because if he/she doesn't then how he/she translates the information may be confusing to the LEP customer;
- Avoid using double negatives;
- Enunciate words;
- Don't use contractions;
- Talk to the customer and not to the interpreter. In other words, face the customer and look at him/her and not the interpreter;
- Be patient;
- Thank the interpreter.

Informal Interpreters

Customers who have limited English proficiency often choose to bring an informal interpreter with them to assist in communication, including but not limited to the LEP customer's family members, friends, or personal advocates. In such instances, location staff must remember the following:

- Informal interpreters may not be appropriate, depending on the circumstances and subject matter. Simply put, not all informal interpreters are competent to provide quality and accurate interpretations. As a result, such language assistance may not result in an LEP person obtaining meaningful access to our services.
- In emergency situations that are not reasonably foreseeable, Greyhound may need to temporarily rely on informal interpreters. Reliance on children is especially discouraged unless there is an extreme emergency, and no competent interpreters are available.

Written Translation Services

Greyhound will provide written translation of vital documents into the language of each frequently encountered LEP group who is currently using our services. In addition, we will conduct our marketing (including using translated materials) in a manner that reaches each LEP group "eligible" to be served based on the census data for the geographic area.

Accuracy of Translation

Greyhound will make every effort to use competent and accurate translators. We recognize that this is particularly important for documents with legal or other information where accuracy has important consequences. Many of the considerations discussed regarding interpreters apply to translators. As stated earlier, the skill of translating is very different from the skill of interpreting, and competency in one doesn't mean competency in the other. When possible, we will rely on our location staff to translate

documents, and either have two people work in tandem or have one person translate the document and a second, independent translator, translate it back into English to make sure it's accurate.

When translating documents, we make every effort to do so at the appropriate reading level of our target audience. We also recognize that there isn't always an appropriate direct translation of an English term. We will work with our translators to provide an appropriate alternative and try to develop and maintain a glossary of commonly used terms that can be used again, when appropriate. We may also provide our translators with examples of previous translations of similar material to assist in translation.

Greyhound has translated a number of documents that we will utilize. Staff has also been instructed that LEP persons may not be able to read their native language, and to be ready to provide oral interpretation of written documents. If information is needed in another language, contact 214-849-7420. Si se necesita información en otro idioma, llame al 214-849-7420.

Staff Training Regarding LEP Policies and Procedures

All current Greyhound staff will be trained on their obligation to provide meaningful access to information and services for LEP persons. Likewise, training on this topic will be part of our company's orientation for new employees. The training will seek to make all employees aware of the following:

- A) Background of the LEP program;
- B) Our company's obligation to provide meaningful access to individuals with LEP;
- C) LEP policies and procedures; and
- D) Protocol in responding to LEP callers, written communications from LEP persons and in-person contact with LEP persons.

Providing Notice of Free Language Services to Persons with LEP

We recognize that it is important to put customers on notice that we provide free language assistance. We will develop a notice in different languages that states this and how to obtain language assistance. We may notify persons through the following methods:

- A) Post signs in common areas and offices;
- B) Place this statement in marketing materials, if space is limited, we will put it in the most common language(s).
- C) Use a telephone voice mail menu in the most common languages encountered;
- D) Provide notices on non-English-language radio and television;
- E) Presentations and/or notices at community organizations.

Continuous Oversight of the LAP – Monitoring and Updates

Greyhound will monitor and update this LAP on an ongoing basis.