

**Protocols and Best Practices**  
**Language Justice and Language Access**  
**Arriba Las Vegas Worker Center**

December 15, 2024

**Background**

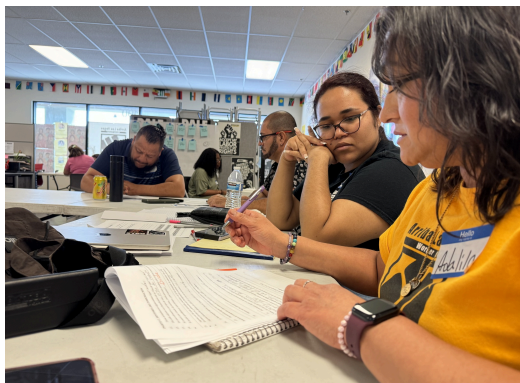
Arriba Las Vegas Worker Center developed this Language Justice plan as a subgrantee of United Way of Southern Nevada, which received federal funding for Language Access in Nevada in the 2024 calendar year.

United Way of Southern Nevada's objectives were to: Allocate funds to the selected 12 nonprofits to develop a language access plan; To create reliable, realistic, and applicable Language Access Plans; To promote diversity, equity, and inclusion; To give fair access to services to our limited English proficiency (LEP) community members; To train, educate, and teach individuals and organizations about other cultures, ethnicities, and traditions.<sup>1</sup>

**Arriba Las Vegas Worker Center**

Arriba Las Vegas Worker Center runs Southern Nevada's largest Spanish-language Occupational Safety and Health Training program at no cost to program participants. Arriba Las Vegas also provides a combination of navigation (support for pro se filings, non-representation, and case management) and limited direct representation for immigrant workers and families impacted by labor agencies, social service agencies, and immigration legal matters. Arriba Las Vegas also supports immigrant workers and families to effectively advocate for themselves on local, state, and federal policy and legislative matters.

**The mission of the Arriba Las Vegas Worker Center is to inform, empower, and organize immigrant workers and families.**



*Left: Spanish-speaking staff learning to complete legal intake with Spanish Speakers. Right: Legal program client volunteers lead information sessions for other impacted workers.*

<sup>1</sup> <https://uwsn.org/our-work/community-supports/language-access/>

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*Training Spanish-speaking volunteers to complete legal intake in Spanish.*

## ***Arriba Las Vegas Worker Center’s Approach to Language Justice*** ***Vision and Values: Language Justice and Language Access***

Arriba Las Vegas Worker Center embraces the concept of **language justice** to the fullest extent possible, as well as language access, where structural barriers and resource limitations currently limit our organizational capacity to practice full language justice.

**Language justice** is an evolving framework based on the notion of respecting every individual’s fundamental language rights—to be able to communicate, understand, and be understood in the language in which they prefer and feel most articulate and powerful. Rejecting the notion of the supremacy of one language, it recognizes that language can be a tool of oppression, as well as an important part of exercising autonomy and advancing racial and social justice.<sup>2</sup>

During the 81st legislative session, the state of Nevada mandated that state agencies develop and implement **language access plans**. Per SB318, section 7; A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include recommendations to expand language services if needed to improve access to the services provided by the agency.<sup>3</sup>

Arriba Las Vegas Worker Center organizes and provides services and educational opportunities in Spanish for primary language speakers of Spanish. Towards language justice, Arriba Las Vegas Worker Center’s theory of change related to language access is that providing training, services, and advocacy efforts facilitated in the preferred language of our population served and organized fulfills the theory of language access indicated by the state, and UWSN, while embracing the values of language justice embraced by Arriba Las Vegas Worker Center. Arriba Las Vegas Worker Center, alongside a limited number of institutions that provide services in Spanish, is part of a network of providers and agencies that enable language access and language justice.

Arriba Las Vegas Worker Center offers the following principles and practices to practice language justice: educational programming, services, community-led conversation and advocacy in Spanish, interpretation services and access services to support English speakers, speakers of Indigenous languages, clients and members of diverse literacy levels, and Mexican sign language speakers.

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<sup>2</sup> Casey Payton, Joann Lee, Ana Paula Noguez Mercado, and Alena Uliasz. “Language Justice During COVID-19” American Bar Association. May 13, 2020. [Link](#).

<sup>3</sup> SB 318 as enrolled in the 81st legislative session (2021). [Link](#).

## **Language Access Needs Assessment**

Arriba Las Vegas Worker Center regularly engages with members, clients, and the community through surveying embedded into current programming and service provision to analyze and uplift language justice needs.

### **Best practices for continued Needs Assessment Implementation:**

- Initial intake for legal program clients asks them to identify their preferred language. This practice is essential to determining appropriate communication mechanisms with legal program clients or potential clients.
- Longitudinal studies with occupational safety and health program participants, including pre-training, post-training, and repeat surveying 3-6 months following program participation, enable Arriba Las Vegas to engage in ongoing and consistent program evaluation, including language access needs.
- Provide staff support in the first language of program participants for reading, writing, and virtual form responses to account for government forms only provided in English, as well as accounting for workers who have not had the privilege of formal education and may struggle with reading and writing in any language, or struggle with digital platforms due to lack of experience with technology.

### **Language access profiles from 2024 needs/assets assessment outcomes:**

- During the 2024 calendar year, Arriba Las Vegas Worker Center completed intakes with more than 1,200 potential legal program clients, 985 of whom retained Arriba Las Vegas for limited legal representation. Of these clients, one individual speaks **Mexican Sign Language**, and **99% of clients preferred Spanish as their first language**, while a small number of clients indicated equal comfort in English and Spanish.
- During the calendar year, Arriba Las Vegas received less than ten requests for Occupational Safety and Health training in **English** and was able to refer these individuals to the state for no-cost training in English through the SCAT program at Nevada OSHA.
- Arriba Las Vegas Worker Center has also received requests for interpretation and translation in **Tzotzil** approximately once per year over the last three consecutive years. This continues to be an unmet need in Southern Nevada and across the country. The need for qualified indigenous language interpreters calls for structural interventions and investment.
- During the federal grant year, October 1, 2023-September 30, 2024, Arriba Las Vegas implemented OSHA 171A surveying with Occupational Safety and Health targeted topic training attendees, a federal requirement for Susan Harwood Department of Labor grantees. Training sessions were conducted entirely in Spanish, but federal grant forms mandated the distribution of a form in English that did not survey workers on their preferred language. Staff adapted through best practices (listed above) to verbally survey workers on the responses. For example, one subset of workers produced the following

results through the verbal translation of the survey: 10.5% declined to participate in the survey; 89.5% identified as Hispanic or Latino. Throughout the year, **100% of program participants spoke Spanish as a primary language or preferred language or indicated fluency in Spanish.**

### **Identified areas for improvement:**

- **Internal needs assessment:** The Arriba Las Vegas Worker Center survey protocols show a clear increase in survey responses when needs assessment and service provision includes verbal support for form filling, and survey completion, regardless of the language in which forms are provided. Internal assessments do not differentiate between workers who would be considered as having “limited literacy” in their primary language, who have “technological literacy barriers,” or who experience challenges reading and writing due to insufficient health care and access to eye tests and appropriate glasses or treatment for treatable visual impairment. Current assessment tools do not support the effective differentiation of which barriers to diagnose the need for increased adult literacy programming, increased access to health services, or need for increased access to technological literacy programs (these variables are separate but concurrent with any language barrier individuals may have in reading or speaking English).
- A clearly identified unmet need in Southern Nevada and across the country is in relation to indigenous language interpreters for legal, medical, and community settings. Mexico alone has more than 364 linguistic variations of 68 languages. Arriba Las Vegas Worker Center members reflect the demographics of southern Nevada, including but not limited to mixed-status families with origins in Mexico, El Salvador, Cuba, Honduras, Guatemala, Colombia, and Venezuela. A national or international network of interpreters would benefit the Las Vegas community. Simultaneous efforts to uplift **indigenous language preservation** are necessary for language justice.



*Arriba Las Vegas Worker Center Occupational Safety and Health training program participants engage in interactive pedagogical activities designed to support adult learners. Puzzle activity [right] designed to engage workers of limited literacy in hazard identification through visual representation.*

## Definitions

**Translation** - Written translation

**Interpretation** - Verbal translation

**Consecutive Interpretation** - Speaker and interpreter take turns speaking. Speaker talks (in source language) and then pauses to allow the interpreter to repeat (in target language).

**Simultaneous Interpretation** - Speaker talks at a normal pace (in source language), interpreter listens and interprets simultaneously (in target language).

**Qualified Interpreter** - A professional, trained interpreter (vs. untrained interpreters like family members, friends, or children, and bilingual staff at a service provider), but not necessarily certified academically/or by a professional association.

**Limited English Proficiency (LEP)** - A term used in much of the Language Access communications for people whose fluency in English is limited

**Limited literacy** - Literally, this means limited ability to read, unrelated to a person's native language. This may be used to describe limited English literacy for someone who can read another language.

**Technological ability** - Familiarity/ability to use technology, sometimes called technological literacy in English but unrelated to a person's actual literacy skills.

**Primary language** - A person's first language, often but not necessarily their native language, but the one most used or best known.

**Preferred Language** - The language a person prefers to use in a given setting, or time. This can change in different situations, or over time. A person can be fully bilingual but prefer one language when talking about a job and a different one when talking about emotions.

**Source language** - Language being spoken to be interpreted (or written language on original document to translate).

**Target language** - Language to interpret or translate into

## **General Protocols and Best Practices**

### **Language Justice Principles**

Language is cultural and social. Language dynamics are part of the power dynamics in any setting, and the goal is to build an inclusive and horizontal power dynamic. Language Justice is more than interpretation and translation. It is a practice and an ongoing effort to facilitate, develop, and sustain.

Language justice is about everyone's right and ability to communicate in the language in which they feel most comfortable. The [American Bar Association defines language justice](#) as the right to speak, understand, and be understood in the language of one's choice.

In such a setting, it must be understood that anyone not bilingual (in the two languages being spoken in a space) needs to have or can benefit from interpretation. We refer to working in two languages/bilingual spaces for the sake of simplicity, but we should always recognize that there may be more than two languages present in any setting, and the same applies to multilingual spaces. With that in mind, creating a bilingual/multilingual space means providing all participants with interpretation (and translated written materials if applicable).

Interpreters are always considered neutral participants in any exchange. We are not there to add to the conversation, but to help provide a vehicle for the conversation. However, in a Language Justice setting, we may need to help establish and build the space and offer guidance on how we will work, involving all participants.

### **Announcement/Introduction:**

At the start of any session with interpretation, always try to include a briefing with the people involved (e.g. interviewer and interviewee, lawyer and client, facilitator and participants in a workshop, or panelists and moderator speaking on a panel). Introduce yourself/selves as interpreter(s) and explain how interpretation will work and what it will need from participants.

### **3 key asks to facilitate interpretation (which also helps in any monolingual meeting).**

1. **Speak loud enough.** Project your voice so that everyone in a conversation can hear you. The interpreter may use hand signals to ask the speaker to raise the volume (hold your hands in front of you, open palms facing up, moving them up and down).
2. **Speak at a moderate pace.** It can be hard to keep up and capture all that is said. The interpreter may use hand signals to ask the speaker to slow down (stretching motion: start

with holding both hands in front of you with all fingertips together, separating hands slowly).

3. **Repeat** when the interpreter could not capture something. Repeat the last sentence/phrase. Interpreter may use hand signals to ask the speaker to repeat (Hold hands in front of you, make a rolling motion for “again”)

Translation and interpreting are not the same thing, interpretation (from speech) and translation (written). There are two main modes of interpretation, simultaneous and consecutive (see fact sheets).



*Training participants at a training led by Arriba Las Vegas in September 2024, where training was provided in Spanish with simultaneous interpretation in English and Nepali.*

### **Protocol: Consecutive Interpreting**

The speaker and interpreter take turns speaking. The speaker talks (in the source language) and then pauses to allow the interpreter to repeat (in the target language).

#### **Introduction/announcement:**

At the start of any session with interpretation, always try to include a briefing with the people involved (e.g. interviewer and interviewee, lawyer and client, facilitator and participants in a workshop, or panelists and moderator speaking on a panel). Introduce yourself/selves as interpreter(s) and explain how interpretation will work and what it will need from participants. Make participants comfortable.

#### **1. In person**

Ideally, the person will speak in segments of up to 30 seconds, to let the interpreter remember and repeat in the target language. Interpreter may want to take notes while the person speaks (explain at the beginning that it is confidential and only to facilitate interpreting). Interpreter may need to remind speakers to pause (warn speakers that this may happen during the intro, and that it's normal to forget to pause).

- Pro: No equipment is needed.
- Pro: May seem more natural/comfortable for inexperienced people, less intimidating than using tech. More familiar to many people.
- Pro: It is easier for interpreter to ask for clarification if needed.
- Con: Having to interrupt speech/flow can be difficult for speaker. It can break up an individual's narrative, speaker may lose their thread, forget to pause or may need a reminder.
- It can work well in a smaller setting or with a limited number of speakers. An interview/client intake or a brief testimony. However, it can make certain types of speech or interaction more difficult, like conversations, a longer event, larger group setting, more emotional speech, etc.
- Time becomes a factor: Everything takes twice as long, because it must be spoken twice, once in each language, plus speaking with pauses (organizers should budget time accordingly for e.g. an interview. In a setting like a hearing where people give testimony, time may be limited (e.g. 2 minutes per person). Interpreter should feel ready to explain/and ask for additional time for interpretation (e.g 2+2 minutes).

**2. Remote interpreting**, video conference or telephone. The same modes apply (consecutive or simultaneous). Among the major virtual meeting platforms, Zoom has become the preferred because it includes a simultaneous interpretation function that is easy to use (only available with paid subscriptions). Please note that the simultaneous interpretation function only works in the main room, not in breakout rooms.

### **Protocol: Simultaneous Interpreting**

Speaker talks at a normal pace (in source language), interpreter listens and interprets simultaneously (in target language).

#### **Introduction/announcement:**

At the start of any session with interpretation, always try to include a briefing with the people involved (e.g. interviewer and interviewee, lawyer and client, facilitator and participants in a workshop, or panelists and moderator speaking on a panel). Introduce yourself/selves as interpreter(s) and explain how interpretation will work and what it will need from participants. Make participants comfortable, if using equipment explain how to use it.

#### **1. In-person:**

- a.** With equipment: Microphone and transmitter, receivers and earphones for listeners. A person speaks while the interpreter simultaneously interprets into another language. Everyone experiences the entire conversation in real time, with no interruption to the flow of conversation, and people are able to communicate with one another directly even if they do not share a common language.
  - b.** Whisper: Without equipment, not ideal, not practical for larger interactive group settings. Effective for small meetings, interviews, one on ones, or to interpret to several people sitting together at a lecture/meeting. Interpreter sits with listeners in that language and quietly interprets simultaneously from source language (language being spoken) to target language. If source-target languages change, interpreter goes with other person/group.
- 2. Remote interpreting**, video conference or telephone. The same modes apply (consecutive or simultaneous). For consecutive, follow the same speak/pause guidelines as above.

Among the major virtual meeting platforms, Zoom has become the preferred because it includes a simultaneous interpretation function that is easy to use (only available with paid subscriptions). Please note that the simultaneous interpretation function only works in the main room, not in breakout rooms.

There are other virtual platform options for more elaborate virtual/hybrid conferences where simultaneous interpretation can be set up, but that falls beyond most routine uses or skill sets.

## **Legal Program Protocols and Practices**

The majority of Arriba Las Vegas' legal work is affirmative immigration representation (not court-based) and is related to civil labor law. Our legal program language access protocol is intended to inform legal clinics and interpreters for individual consultation and legal interpretation practices during legal information sessions and education sessions.

- While general best practices exclude the use of family-based interpreters in legal settings. The presence of family members in the intake may impact what the client is willing to disclose or discuss.
- Conversations between the attorney and client can be very sensitive. Be sure to provide time and space for delicate conversations.
- Be precise with legal terminology. When describing petitions or applications, it is essential to fully communicate to the client which petitions are being discussed. A common mistake that would undermine the attorney-client relationship is the failure to explain the specific purpose of the representation accurately.
- The terminology for the legal program is attached with the current preferred definitions.

Written translation, Signature Capture on Application Forms:

- During form review and signature capture. Review each form that will be submitted with the filing. Explain to the client what the form is. Review all of the client's information with them (see legal clinic talking points for guidelines on form filing for instructions specific to forms).
- Declaration drafting and written translation: Immigration does not require notarized translations but does require a sworn statement. Sample statement as follows:

### **SAMPLE Certificate of Translation**

I, \_\_\_\_\_, hereby certify that I am competent to translate from English to Spanish and Spanish to English and that the above Spanish translation is true and correct to the best of my abilities.

\_\_\_\_\_  
[your name below your signature]

Date: \_\_\_\_\_

## Legal Program Glossary - Arriba Las Vegas

This glossary of key terms used in Arriba Las Vegas’ work. It should be considered a living document to be added to as work evolves.

Esto es un glosario de la terminología clave que utiliza Arriba Las Vegas. Se debe considerar un documento vivo al que se agregarán más términos según evolucione el trabajo.

<b>English</b>	<b>Español</b>	<b>Notas</b>	<b>Notes</b>
DALE (Deferred Action for Labor Enforcement).	DALE (Acción Diferida para los Derechos Laborales).	<p>Versión de Arriba L.V.</p> <p>Usamos “Derechos Laborales” en lugar de “Cumplimiento de las Leyes Laborales” para evitar confusión. Este programa se refiere a la aplicación/cumplimiento de la ley cuando un empleador la incumple, no es un programa que penaliza al trabajador.</p>	<p>Arriba L.V. version</p> <p>For clarity, the Spanish translation of DALE that we use is “Deferred Action for Worker’s Rights”, to avoid confusion with enforcement on workers vs. employer.</p>
Legal English variation: Labor Based Deferred Action (USCIS).	Variante: Acción Diferida Basada en el Empleo (USCIS).		
Legal English variation: Labor Enforcement Deferred Action Request (ICE).	Variante: Solicitud de Acción Diferida para el Cumplimiento Laboral (ICE).		
Legal English variation: Desde Abajo Labor Enforcement (NDLON campaign variety).	Variante: Desde Abajo Labor Enforcement (Campaña NDLON).		

Labor enforcement	Cumplimiento de la ley de derechos laborales		
Labor Agencies	Agencias de aplicación de ley laboral	Se refiere a las agencias del gobierno local, estatal o federal (como el DOL), no a las agencias privadas de empleo.	Refers to local, state or federal government labor agencies (e.g. the DOL), not private employment agencies.
Retainer	Acuerdo de representación	Acuerdo con un abogado que trabajará con un caso. También se llama “Acuerdo de retención”.	
Limited Representation	Representación limitada	Especifica qué trabajo hace el abogado para su cliente, (puede ser completar/presentar una solicitud de DALE pero no presentar una demanda al empleador).	Specifies the work a lawyer will do for a client (e.g. filing DALE application, but not suing the employer).
Pro-Se	Pro se	Representarse a sí mismo, sin abogado.	
Advanced Parole	Advanced Parole / Permiso de viaje	Parole significa “permiso”, pero a menudo se usa el término en inglés para que sea exacto (pronunciado “ <i>advans parol</i> ”)	These terms can be translated for understanding but we often use the English original to be specific.
Parole in Place	Parole in Place / Permiso de estadía	PIP, hay varios tipos. Parole significa “permiso”, pero a menudo se usa el término en inglés para que sea exacto (pronunciado “ <i>parol in pleis</i> ”)	These terms can be translated for understanding but we often use the English original to be specific.

Military PIP	Parole Militar	PIP para personas por servicio militar a EE. UU.	
Labor Based PIP	Parole Laboral	PIP para personas con casos de derechos laborales (i.e. DALE)	
Biden failed family PIP	Parole de Familia	No se autorizó. PIP para personas casadas con ciudadanos estadounidenses. “Keeping Families Together”, propuesto por Biden, fue derrotado en la corte.	