Recommendations from ARPA Implementation Advisory Committee
Submitted to New Orleans City Council on March 19, 2024

General

- CAO should **Issue RFP/RFO immediately** so both projects are fully funded.

- The public expects and the city should deliver greater efficiency and transparency with respect to internal processes, communications and timelines/timeframes that are consistent across departments so that the language access becomes successfully implemented and the DBE requirements and labor ordinances are legally fulfilled.

Labor Audit

- ARPA funds should be used for a labor audit as set out in the attached RFP.

- Audit purpose to illuminate current status of implementation and enforcement of labor and DBE ordinances including public reporting of complaints and eligible contracts; the recommended scope of work is attached to, and incorporated in, these recommendations.

- The **auditor** engaged through the RFP must have full access to third-party contractor records related to city contracts; the auditor’s access should be akin to that of the CAO’s office in performing investigations.

- This committee recommends the **creation of a Worker and Community Board at the completion of the audit**. The Worker and Community Board should include directly impacted members of the community (e.g, workers employed on city contracts, workers hired through the City’s local hire program, local DBEs) and local worker advocates and will convene to review audit findings and determine what next steps can be made that will have more positive outcomes for communities disproportionately affected by the Covid-19 pandemic.

- Moving forward, the CAO must be proactive to ensure that city contractors comply with city ordinances while the contracted job is active.
The CAO Internal Audit Division was tasked with enforcement of Living Wage Ordinance and Ban the Box policy as recently as 2019. The Internal Audit Division should return to its mission and be staffed adequately to fulfill its function, which will be articulated with the completion of the external audit.

Moving forward, the CAO should introduce a weight in RFPs for contractors who commit to, or have a documented history of, meeting local hire standards.

With the understanding that only the external audit, as outlined in the RFP, is funded through the ARPA, this committee recommends that all of the above-listed recommendations be fully funded by the City going forward.

**Language Access Pilot Program**

- Funds should go toward a full pilot program for Language Access to City services for residents who specifically need assistance in Spanish, Vietnamese and American Sign Language. Services include: in-person interpreting at pre-scheduled meetings between residents and city staff as well as public governmental meetings, on-demand telephone/video interpreting available at City Hall and to communicate with City Hall, translation of the city website and public-facing government documents like forms and informational brochures through a request process.

  **TRANSLATION REQUEST FORM:** Residents need an accessible way to request a government form, document or webpage be translated professionally and thereafter permanently provided as an option alongside the English language version. Official forms and documents specifically should be translated into current template designs that are identifiable to city staff and used the same way that an English language form or document would be. Translation services would also be necessary to translate resident responses on these documents.

  The services provided by the pilot program and used by residents should be statistically tracked, and reported on a quarterly basis, including primary languages used by residents not provided by the pilot program. The resulting data would help inform city decision makers on how a permanent Language Access Program in New Orleans is structured so that any future pandemics or disasters do not re-create a disproportionate impact for non-English speaking and/or non-hearing residents.

  A Language & Communication Access Coordinator position, funded by ARPA, needs to accompany the pilot program. The role is crucial to ensure proper
implementation of the outlined language services. The position’s description was created by the Mayor’s Office of Human Rights & Equity, where the coordinator will be housed, and confirmed with feedback from committee members.

- The committee recommends that the Language & Communication Access Coordinator position be funded beyond ARPA funds, and the pilot program, to ensure the longevity of the language access program for the City of New Orleans. The committee recommends that once all allocated ARPA funds are utilized for this program, that an appropriation from the General Fund be utilized to fund the program thereafter.

- PRIORITY: If funds are limited, the committee recommends that highest priority be given to the largest benefit in the form of Spanish, Vietnamese and ASL in-person and telephone/virtual interpreting services for interaction with City departments. Once the implementation of this program is underway, translation of documents and interpreting of public meetings should be the next priority. The Language Access Coordinator is key to ensuring training of city employees about the new services.

- Language access is not a luxury but a necessity for residents to have equal rights within our city – to economic opportunities, civic participation, and knowledge to help residents make informed decisions for them and their families. Based on existing Federal laws and regulations, the City of New Orleans is currently operating in a legal gray zone of not providing consistent and widespread language access for non-English and/or non-hearing residents. Disaster events and Mayoral press conferences remain the only consistent use of one or multiple of the language needs listed.

- On-demand telephone/virtual interpreting program would include:
  ○ Visible posters at City Hall front desk with instructions in English, Spanish and Vietnamese about how to access interpreting services.

  ○ Over the phone interpreting with video remote access (made available at City Hall front desk for residents who need to use interpreting services to call a city office or department.

  ○ Any space within City Hall that regularly interacts with the public should also be trained on how to use the telephone/virtual interpreting services.

- Using professional translation and interpretation services instead of relying solely on tools like Google Translate is important for several reasons, especially...
when dealing with official communications, services, and interactions with the public. Here are some key reasons:

1. **Accuracy and Nuance**: Professional translators and interpreters are trained to understand the nuances, cultural contexts, idiomatic expressions, and technical terminology of the languages they work with. Automated tools often struggle with these aspects, leading to errors or misunderstandings in translation that could have serious implications, especially in legal, medical, or emergency contexts.

2. **Cultural Sensitivity**: Professionals are skilled in navigating cultural nuances and ensuring that translations are culturally appropriate and sensitive. This is crucial in maintaining respectful and effective communication with all members of a community, especially those from diverse backgrounds.

3. **Confidentiality and Security**: Cities often deal with sensitive information that requires confidentiality. Professional translation and interpretation services typically adhere to strict codes of ethics and confidentiality agreements, ensuring that sensitive information is handled securely. Automated online tools might not offer the same level of security and confidentiality.

4. **Legal and Official Documentation**: Legal and official documents require a high level of precision and often need to be certified. Professional translators can provide certified translations that are accepted by courts, government agencies, and educational institutions, which is something automated tools cannot offer.

5. **Customization and Flexibility**: Professional services can be tailored to the specific needs of a city's departments and projects, offering more flexibility than automated tools. This includes the ability to work on complex formats, adapt to specific project requirements, and provide consultation on cultural appropriateness and communication strategies.

6. **Human Interaction and Empathy**: In many situations, especially in community engagement or in providing services to residents, the human aspect of communication is crucial. Professional interpreters can navigate emotional nuances, tone, and non-verbal cues in a way that automated tools cannot, providing a more empathetic and effective communication channel.

7. **Liability and Accountability**: In case of errors in translation that lead to misunderstandings, disputes, or legal issues, having used a professional service provides a level of accountability and recourse that is not available when relying on automated tools.

In conclusion, while tools like Google Translate can be useful for informal or
immediate translations, the complexities and responsibilities of city governance and public service necessitate the use of professional translation and interpretation services to ensure accuracy, cultural sensitivity, security, and legal compliance.

- Since the **City of New Orleans Language Access Plan is a living document**, there need to be mechanisms for feedback, evaluation, accountability and metrics for improvement of service delivery. The following mechanisms are recommended:

  - Publicly available form for feedback regarding the language access plan and implementation

  - Annual report from OHRE to include:
    - Accounting of and analysis of the public feedback that has been received and how the Language Access Plan, OHRE and City Government can address any concerns or stated priorities
    - Evaluation on the quality, efficiency, and cost-effectiveness of language access resources provided
    - Review of new and emerging best practices from other institutions and/or jurisdictions and how they might be incorporated into the Language Access Plan

  - Language Access Council convened by the Language Access Coordinator, will be created to improve communication from the community to the city with the goal to improve language accessibility for residents.

Appendix 1: Labor Audit RFP Committee Memo (November 2023)
Appendix 2: City Language Access Pilot Program Proposal (March 2024)
Appendix 3: Language Access Coordinator Job Description (November 2023)