



**TITLE: LANGUAGE ACCESS POLICY AND PLAN FOR COMMUNICATION WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY**

**1 PURPOSE**

In accordance with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, this policy establishes guidelines for providing language accessible services to individuals that are limited English proficient (LEP) and/or deaf or hard of hearing.

Language assistance services shall be provided to LEP and deaf or hard of hearing individuals whenever a request for language assistance services is received. All staff will inform these individuals that language assistance services are available, and the Company will provide these services free of charge.

**2 APPLICABILITY**

The provisions of this policy apply to all employees of the Company. All employees, regardless of their position, are expected to comply with this policy and to take appropriate measures to ensure that LEP persons and deaf or hard of hearing individuals are provided timely, meaningful access to all Company services, programs and activities.

**3 DEFINITIONS**

*Limited English Proficient individual* means any individual whose primary language is not English, and has limited or no ability to speak, understand, read, or write English.

*Interpretation* is the process of orally rendering a spoken or signed communication from one language into another language.

*Primary language* means the language that an individual communicates most effectively in.

*Translation* is converting written text from one language into written text in another language. ‘Translation’ is often misused to mean interpretation, but it is a written medium.

*A qualified interpreter or translator* is a trained professional who is a neutral third party with the requisite language skills, experienced in interpretation or translation techniques, and knowledgeable in specialized content areas and technical terminology in order to effectively facilitate communication between two or more parties who do not share a common language.

*Sight Translation* is the rendering of material written in one language, completely and accurately into spoken speech in another language.

*Vital Documents* are any materials that are essential to an individual’s ability to access services and programs provided by the Company or are required by law.

## 4. PROVISIONS

### 4.1 Language Assistance Procedures

#### 4.1.1 Determining the need for language assistance

- a. Staff, at the initial point of contact, will assess the need for language assistance, and notify the individual of the right to an interpreter at no cost. Staff members who have subsequent contact will continue to assess the need for language assistance.
- b. To assess the need for language assessment, staff should ask open-ended questions, and avoid asking questions that would allow for yes or no responses. For example, asking: “how may I be of assistance?” instead of “do you need help?”
- c. The LEP individual may speak more than one language or may have limited proficiency in a secondary language. Staff shall identify the primary language of the LEP individual, and work to provide language assistance in the primary language of the individual.
- d. A deaf individual may also have limited English proficiency and not be proficient in American Sign Language. Staff shall work to identify the primary language of the deaf individual and provide language assistance in the primary language of the individual.
- e. Request for language assistance from the LEP individual or companion.

#### 4.1.2 Identifying Language

- a. Staff shall request the individual or companion to identify the language of the LEP or Deaf individual.
- b. Staff may request bilingual/multilingual staff or volunteers to identify the primary language.
- c. Use in-person, video remote interpreters, or telephonic interpreters to identify the language.
- d. Use an “I speak” card or poster to identify the primary language.
- e. Staff should determine if the preferred mode of communication for deaf or Hard of Hearing individuals is interpretation or Communication Access Realtime Translation (CART).

#### 4.1.3 Procedures for language services

- a. Bilingual/multilingual staff
  - The People & Culture Team shall be notified if an LEP individual needs bilingual/multilingual assistance and shall attempt to coordinate such assistance utilizing employees known to the Employer as being bilingual/multilingual.
  - The bilingual/multilingual staff person shall provide interpretation or services in the primary language of the individual.
- b. In-person/ Over-the Phone/Video Remote Interpreting
  - Tidewater shall provide qualified in-person, over-the-phone, or video remote interpreters as needed through American Language Services (AML-Global). Services are provided 24 hours a day/7 days per week. Requests can be made via telephone at (877) 600-0396 or email at [translation@alsglobal.net](mailto:translation@alsglobal.net).
- c. Video Relay Services
  - The Washington Telecommunication Relay Services (WTRS) may be used to allow hearing callers to communicate with deaf, hard of hearing, deaf-blind and speech disabled relay users. Anyone wishing

to use WATRS should dial 1-800-833-6384 to connect with a WATRS Communication Assistant.

- d. Translation of Vital Documents
  - Tidewater will use an interpreter to sight translate a document into the individual's primary language as needed.
  - Written communication to the LEP individual should be translated into the primary language of the LEP individual.
- e. Notice of Language Services

Signage will be placed in visible locations notifying individuals of the right to request an interpreter at no cost to the individual. Signage will be translated into the languages most frequently used.

## 4.2 Staff Compliance

### 4.2.1 Training

Staff will receive training on the content of the language access policy; how to identify the need for language access services; working with an LEP and Deaf individuals; providing language accessible service in a culturally sensitive manner; and interpretation resources available.

### 4.2.2 Internal Language Access Contacts

Tidewater's People & Culture Supervisor shall serve as the Language Access Coordinator for the Company.

### 4.2.3 Monitoring and Assessment

- a. Human Resources shall be responsible for monitoring compliance with the Company's Language Access Policy.
- b. Tidewater shall collect information on language use and need, including: primary language of clients; use and language of interpretation services; distribution of translated documents; frequency of contact with LEP or deaf individuals seeking services; and referrals of LEP or deaf individuals and the language of the referred LEP or deaf individual.
- c. Tidewater shall conduct an annual review of the effectiveness of the language access policy and make changes as needed. Additionally, the Company will identify:
  - The number or proportion of LEP persons eligible to be served or likely to be encountered;
  - The frequency with which LEP individuals come in contact with Tidewater;
  - The nature and importance of the program, activity, or service provided by the Company to people's lives; and
  - The resources available to Tidewater to provide language assistance and their associated costs.

## 5 COMPLAINT PROCESS

A completed Complaint Form (<https://www.tidewater.com/safety-environment>) regarding the denial of language accessible services, or regarding the quality of language accessible services, including interpreters or translated materials, shall be sent to Tidewater Holdings, Inc., Attn: Language Access Coordinator, 6305 NW Old Lower River Road, Vancouver, WA, 98660 or via email at HR@Tidewater.com. The complaint should specify the date, individual(s) involved, and the nature of the complaint (i.e. the interpreter was summarizing, or an LEP individual or Deaf individual was denied services because they did not bring their own interpreter).

Tidewater shall provide qualified in-person, over-the phone, or video remote interpreters as needed for individuals with limited English proficiency through American Language Services at (877) 600-0396 or via email at [translation@alsglobal.net](mailto:translation@alsglobal.net). The Washington Telecommunication Relay Services (WTRS) shall be used to allow hearing callers to communicate with deaf, hard of hearing, deaf-blind and speech disabled relay users.

The accused party will be notified within 30 days upon receipt of the complaint and Union employees will be advised of their right to Union representation. If warranted, a prompt, thorough, and impartial investigation will be initiated and concluded within 30 days of the receipt of the complaint to determine whether the facts and evidence support the alleged complaint. Upon conclusion of the investigation, the Language Access Coordinator shall report their findings and any corrective actions to the complainant along with their right to appeal the results of the investigation. Appeals must be done in writing and sent to the Vice President, People & Culture at 6305 NW Old Lower River Road, Vancouver, WA 98660 or via email at [HR@Tidewater.com](mailto:HR@Tidewater.com). Appeals must be postmarked within 10 business days following receipt of the complaint findings and proposed corrective action(s). Failure to submit an appeal within this period shall be interpreted as acceptance of the proposed corrective action(s).