

Policy

It is the policy of the California Department of Food and Agriculture (CDFA) to ensure compliance with the Dymally-Alatorre Bilingual Services Act (Act). The Act was created to eliminate any language barriers that preclude people of California from equal access to public services. The Act requires every State department directly involved in providing public services to employ a sufficient number of bilingual staff when a significant portion of its customers are non-English speakers.

Effective communication between all levels of State government and California's diverse population requires not only the provisions of verbal bilingual services, but also those services that address the needs of the persons with disabilities.

Authority

California Government Code sections 7299.1-7299.5, 19052

Definition

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| <i>Language Survey</i> | A biennial review of each department's bilingual services. |
| <i>Public Contact Position</i> | Duties that include verbal or written communication with members of the public. |
| <i>Bilingual Pay Differential</i> | Additional payment for employees who use their bilingual skills an average of 10% or more of their total work time. |
| <i>Bilingual Certification</i> | Examination process to provide for selective certification of individuals possessing specific language fluency in addition to English. |

Language Survey

The intent of the language survey is to evaluate all CDFA's programs to ensure all Californians receive an equal level of accessible services. Only employees that are in public contact positions will participate in the survey. These positions typically provide technical or professional assistance to the public (e.g., branch chiefs, public information officers, investigators, supervisors, auditors, clerical staff, etc.).

Dymally-Alatorre Bilingual Services Act

The California Department of Human Resources (CalHR) has the responsibility for determining the year and periods in which the survey will be conducted. CDFA's Equal Employment Opportunity (EEO) Office is responsible for coordinating the departmental survey and reporting the results to CalHR.

Bilingual Pay Differential

Persons required to fill a bilingual position who possess the required language skills and have obtained a Bilingual Certification may be eligible for a bilingual pay differential.

Program management identifies which position(s) may qualify for the bilingual pay differential. The Program submits a duty statement to its respective Human Resources Branch (HRB) analyst who determines if the position meets the eligibility requirements. Once the duties have been approved as qualified for a bilingual pay differential, the Bilingual Oral Fluency Certification examination can be administered by CalHR.

Bilingual Certification

Bilingual Certification is a tool by which departments may hire individuals with the necessary language skills to ensure compliance with the Act. The use of a Bilingual Certification does not automatically mean the individual hired is entitled to a bilingual pay differential. A position may be designated as requiring a bilingual skill at a level below the (10%) required for a bilingual pay differential.

CalHR administers the Bilingual Oral Fluency Certification exam to departmental employees identified as having the necessary language skills required for the position. CDFA's Exam Unit coordinates scheduling of the exam with CalHR by completing and submitting a Bilingual Examination Request Form and payment.

Distribution

Distribution of the above policy includes all Managers and Supervisors.

Any questions regarding this policy should be directed to CDFA's EEO Office at (916) 654-1005.

Questions regarding bilingual certification or bilingual pay differential should be directed to CDFA's HRB at (916) 654-0790.