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Thank you for allowing me the opportunity to submit written testimony regarding HB 614. I am testifying on behalf of the Legal Aid Society of Columbus, a legal aid organization that helps Franklin County residents with civil legal issues. One such issue is helping residents secure government benefits such as unemployment compensation. While Ohio residents are encountering myriad difficulties with the ODJFS unemployment compensation system as currently configured, my testimony will focus on the difficulties encountered by residents who are not proficient in English.

Most individuals living in Ohio read, write, speak and understand English. There are many individuals, however, for whom English is not their primary language. Individuals who have a limited ability to read, write, speak, or understand English, are limited English proficient, or "LEP." ODJFS has identified the following 14 language populations as large enough to require translation assistance: Spanish, French, Somali, Arabic, Mandarin, Russian, Ukrainian, Vietnamese, Burmese, Korean, Serbo-Croatian, Polish, Hindi, and Hungarian.

There are only two ways to apply for regular unemployment benefits: over the phone at 1-877-644-6562, and through the ODJFS website. Translation or interpretation services should be available for LEP applicants either way.

Due to recent improvements to the ODJFS Interactive Voice Response (IVR) system, LEP Ohioans trying to access benefits using the phone now have voice prompts in 8 different languages. For other languages, an applicant can press the star button and be put on hold to wait for interpretation help. Applicants using the ODJFS website are able to access some documents in Spanish, but none in any of the other 14 languages.

The situation is worse for Pandemic Unemployment Assistance (PUA) applicants. As with regular unemployment benefits, applicants must use the website or the phone. Applicants using the website have to begin the process by answering a series of questions in English. There is no translation assistance offered whatsoever. Applicants trying to apply by phone are invited to press 1 for English, and 2 for Spanish, but for applicants who speak any other language, there are no voice prompts in their native language or other opportunity to access language services.

In Columbus, where our office is located, there is a population of 45,000 Somalis. Many of them are new to the United States, struggle with English, and now have lost work due to COVID-19. I recently





reached out to the director of the Somali Community Association of Ohio to ask if their constituents were having language-related struggles with the state's unemployment compensation system. His answer was that there were widespread struggles, and that in order to successfully apply and understand issues preventing the award of benefits, they were counting on the assistance of bilingual Somalis. He mentioned one woman in particular, Ubah Ali, who has helped hundreds of Somalis apply for claims and try to decipher notices and directives that were holding up benefits. Ubah does this as a volunteer, while still working full time, and gets more requests than she can handle. Others will help but charge a fee for their translation assistance. Still others ask their minor children, who have a greater fluency in English, to help them understand what to do. The need for translation assistance is pronounced. The system as currently structured is shutting out LEP applicants simply because of their struggles with a new language.

The lack of language access services is not just a practical problem, but also a legal one. Executive Order 13166, signed into effect in 2000, along with guidance from the United States Department of Justice, requires recipients of federal funds to use a four-factor analysis to determine which language populations are sizable enough to require the provision of language access services, and to develop and implement a language access plan for those populations. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance. Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate the prohibition under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d and Title VI regulations against national origin discrimination.

A reformation of the unemployment compensation systems that includes language access provisions for all of the 14 languages identified by ODJFS, would not only help Ohio's LEP residents in a practical way, but also bring the state into compliance with federal law.

Thank you for your kind consideration of these comments.

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