

SAN JOAQUIN COUNTY WORKNET EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT POLICIES AND PROCEDURES DIRECTIVE

DIRECTIVE NO.	EFFECTIVE DATE	APPLICABILITY	PAGE
25-25	May 1, 2026	CMD, GMD	1 of 4
SUBJECT: LIMITED ENGLISH PROFICIENCY			

I. PURPOSE

The purpose of this directive is to provide guidance and establish procedures for San Joaquin County Employment and Economic Development Department (EEDD) staff to ensure compliance with the nondiscrimination and equal opportunity requirements of the Workforce Innovation and Opportunity Act (WIOA) Section 188 and its implementing regulations. This policy specifically addresses protections for individuals with Limited English Proficiency (LEP) and prohibits discrimination based on national origin, including LEP status. It further ensures that LEP individuals have meaningful access to all WIOA Title I—financially assisted programs and activities, consistent with the requirements of the State and Local Plan.

II. GENERAL INFORMATION

This policy is designed to ensure meaningful access to services, equal opportunity, and full compliance with the nondiscrimination provisions of the Workforce Innovation and Opportunity Act (WIOA), federal and state regulations and guidance. These regulations affirm that individuals with Limited English Proficiency (LEP) are protected from discrimination based on national origin, as outlined in [29 CFR § 38.9](#). In addition, [29 CFR § 38.41](#) requires all recipients of WIOA Title I financially assisted programs and activities to collect and record each individual's LEP status and preferred language to maintain compliance and ensure equitable access to all programs and services.

This directive supersedes PPD D-25 Limited English Proficiency, dated August 11, 2017.

References:

- [WIOA \(Public Law 113-125\) Section 188](#)

This WIOA Title I-financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. This program is substantially funded by federal funding. For more information go to: www.sjworknet.org/WIOAresources.asp

- [29 CFR Part 38](#), Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act
- [Title VI of the Civil Rights Act of 1964](#)
- [TEN 28-16](#), Best Practices, Partnership Models, and Resources Available for Serving English Language Learners, Immigrants, Refugees, and New Americans
- [WSD17-03](#), Limited English Proficiency

III. POLICY

EEDD is committed to ensuring that no individual is denied access to WIOA Title I programs or services due to national origin or LEP. LEP individuals must have meaningful access to all services, benefits, and training opportunities. This policy aligns with [WSD17-03](#) and other federal regulations to guarantee:

1. **Non-discrimination:** No WIOA participant or applicant will be discriminated against based on national origin or LEP status.
2. **Recordkeeping:** LEP and preferred language information will be collected and maintained for all applicants, participants, and terminees.
3. **Service Delivery:** Reasonable steps will be taken to ensure that LEP individuals can access all aid, benefits, services, and training, either directly or through partnerships and referrals.
4. **Continuous Improvement:** LEP plans will be updated periodically to reflect regulatory guidance, operational changes, lessons learned, demographic shifts, and stakeholder feedback.

IV. PROCEDURE

A. Service Access and Delivery

The San Joaquin County Workforce Development Board AJCCs, through EEDD and its partners, provides a comprehensive service delivery system to support LEP participants. Services are designed to remove barriers to employment and training and include:

- Initial assessment and career guidance
- Referral to vocational training, On-the-Job Training (OJT), and work experience opportunities
- Connections to partner agencies providing supportive services

Special attention is given to placing LEP participants in worksites and OJTs with bilingual staff or supervisors to support skill acquisition, language development, and employment readiness. Orientation sessions and program materials are offered in multiple languages to ensure accessibility.

B. Language Assistance Services

All AJCCs will provide language assistance in person, electronically, or by phone to ensure LEP participants can access all WIOA Title I services.

Key components include:

- **Bilingual Staff:** Onsite staff proficient in common languages spoken by the local LEP population
- **Contracted Services:** Professional translation and interpretation services, including sign language
- **Prohibition on Family Interpreters:** LEP individuals will not be required to use family members, except in emergencies, when information is minimal, or at the participant's request. Family members should not be used as interpreters because they can compromise accuracy, confidentiality, and impartial communication, which undermines meaningful access requirements under Title VI of the Civil Rights Act of 1964.
- **Vital Information:** Written translations of critical documents will be provided in languages spoken by a significant portion of the population. For less common languages, reasonable oral interpretation will be provided. All communications of vital information will include a Babel Notice indicating that language assistance is available.

C. Community Partnerships

The AJCC maintains strong partnerships with local organizations serving LEP populations, including community-based organizations, faith-based organizations, adult schools, and community colleges. These partnerships provide ESL/VESL training, GED and basic skills programs, and referrals to employment and training services.

Regular collaboration with regional workforce partners ensures alignment of programs, identification of emerging skill needs, and sharing of best practices to strengthen service delivery for LEP individuals.

D. Staff Training

AJCC staff and partner organizations receive ongoing training on serving LEP participants, including strategies for communication, cultural competence, and awareness of available resources. Partner agencies provide cross-training to ensure staff are knowledgeable about all programs and services available to LEP participants.

E. Data Collection and Maintenance

The AJCC will maintain accurate records of LEP and preferred language information for all applicants, participants, and terminees in accordance with

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[29 CFR § 38.41](#). This data will support program evaluation, compliance monitoring, and continuous improvement of services for LEP individuals.

F. Policy Updates

LEP plans and procedures will be reviewed annually and updated as needed to ensure continued effectiveness and compliance. Updates will take into account new regulatory guidance and recommendations, operational changes or lessons learned through implementation, demographic shifts in the Limited English Proficiency (LEP) population, and feedback received from stakeholders and program participants.

V. QUESTIONS REGARDING THIS DIRECTIVE

May be referred to the Executive Director of EEDD via Managers or designee.

VI. UPDATE RESPONSIBILITY

The Executive Director of EEDD and/or designee shall be responsible for updating this directive, as appropriate.

VII. APPROVED



PATRICIA VIRGEN
EXECUTIVE DIRECTOR

PV:jl