

Ms John , Mr Abate , Ms Glick , and to all present

Thank you for offering me the opportunity to speak to you today , for calling this session and addressing the issue of whether this proposal , closure of my workplace , will lead to a serious failure in fulfilling the mission of the NYS Dept of labor's Unemployment insurance program for New York City residents.

My name is Vanessa Castillo. I work as a Supervising Labor Services Representative in NYC. I have worked for the Unemployment Insurance Program for 12 years. For the first 7 years I worked directly in customer contact; I took and processed unemployment insurance applications, I answered general and claimant specific inquiries, I interviewed clients, I made eligibility and entitlement determinations on claims, that is- based on the law I made decisions on whether a claimant was eligible for benefits or not; and because I am fluent in Spanish I provide these services to our Hispanic claimants in Spanish as well. I now supervise workers who do those tasks. I am proud of my career in public service and hope to provide many more years of the same.

I am here to testify today on the language and translations issues and problems that our clientele will encounter in the face of this closure. Our telephone claim center provides unemployment insurance services to the NYC region, which covers the 5 boroughs. As we all are aware NYC is a very diverse, multicultural, and multilingual geographical area. You can find a person of every ethnicity, race, and nationality in our city; many whom lack sufficient English speaking abilities. A large portion of the customers we serve are these people , those that have English language deficiencies and require services in their own language. For example in a given week we may receive 30,000 calls, 1/3rd of those require assistance in a language other than English. Before the department of labor began it's downsizing of our center we had 18 Asian employees , 71 Hispanics, 111 afro Americans and 56 staff members of other nationalities including Russian ,Arabic, Indian , most of us bilingual , offering services in our native language to our customers; a call center truly representative of the community we serve. 6 of the 8 workers I used to supervise spoke at least 2 languages in their customer contacts (Spanish , Polish , and Creole) I now only have 5 . Our other claims units have about 6-7 staff members each and are comprised of a similar make up , including staff that are fluent in ...Spanish , French , Chinese , Mandarin , Cantonese Korean Greek ,Hindi , Filipino , and Tagalog .

In April, the initial phase of the proposed closure took place, We lost 46 bilingual staff members (12 Chinese speaking employees and about 44 Spanish speaking ones) . Continued loss of our multilingual trained staff will have devastating effects and cause serious ramifications on the department, the unemployment insurance program, and most importantly, the customers we serve. It will put into question the integrity of the program ,clients will receive poor , inadequate , untimely decisions.

Since the dept of labor has already begun our closure by phasing out our clerical intake staff, the other two upstate telephone call centers have assumed a large portion of our informational calls. However our claims adjustment section has not only been

consistently taken out of their regular job function and been asked to help with answering informational call , during the Department of Labor's busiest season , but we have also been contacted by upstate coworkers to provide Spanish assistance because they lacked sufficient bilingual staff . I have personally received such phone calls as well as my Spanish speaking workers . our examiners then are not able to work on their cases , thus creating a bigger backlog and causing undue delays.

In addition ,once our center ceases operations, it is unlikely that our staff will relocate upstate; the majority of whom are bilingual minorities. In light of this the dept recognizes that they will have to hire and train new employee to assume the positions we once held and as a footnote its worthy to mention that the state has already posted the civil service test announcements in hopes that in the future they will be able to fill in these vacant positions. Training new employees in matters of unemployment insurance laws takes 2 years to accomplish and that is by the department's own standards, in reality it takes many more. In the mean time while they try to recruit and train personnel, they will have to rely on a language translation service to deliver its program to our NYC limited English speaking community. However the dept has not taken into consideration that calls using third party translation services will be twice as long and even more costly for the state than they were ever before. Instead of paying one person for a call, the State will be paying for two. Calls to this translation service can cost up to \$3 per minute. An average interview (that is, one that is between interviewer and claimant alone) may take 30 minutes or more ; this call will now be 1hour long using a translation service. Our NYC call center rarely used the translation line , and we definitely did not use it for Spanish or Chinese. Where then is the cost savings that the department claims they are trying to achieve with this closure?

Another problem is that because we're dealing with very sensitive issues that require clear explanations, every detail is important. Once a third party is used, pertinent information will be lost in translation. How can the Department be assured that claimants are receiving all the information they need to know to remain eligible, in the way that we are trying to convey it to them? How will the Department know that the claimant's information was translated in the same context as the claimant meant it to be? These translators are not familiar with unemployment insurance issues and laws; are staff members are.

In losing our staff the department will also quickly lose their ability to meet the legal obligations as mandated by the Municipal Labor Committee Consent decree of 1983 and the Memorandum of Understanding of 1997 that were established as federal statute for the purposes of providing and ensuring that our Spanish speaking claimants received full written and verbal services in their language. It states , once a Spanish claimant has registered for services through our Spanish language system , all subsequent verbal and written communication is done in Spanish. Yes, the Dept of labor has expressed it's every intention of using the language line for verbal communications, in the event that they do not recruit the adequate number of bilingual staff , but the dept has neglected to address the written translations required for our Spanish clients when this closure enters into full completion . How then will the Department keep up with this requirement? No

provisions have been made as of yet. As if to say we will cross that bridge when we get there, showing a complete disregard for our claimants. In our daily dealings we receive correspondence from our Spanish claimants. We receive letters of inquiries, hearing requests, responses to questionnaires and even complaints in Spanish. Another problem is that our clients not only have limited English deficiencies but may also have challenges in their own language. Our customers not only speak other languages, but they speak different dialects and have varying degrees of educational and literacy levels. We might receive a piece of correspondence that is written in perfect Spanish- easy to translate, but all too many times we receive letters that are written in limited grammar, words are phonetically written, they may be written in what is termed 'spanglish' where both the Spanish and English languages are combined to form words, and as if that were not difficult enough we might receive letter that is written in phonetic Spanglish. As a coworker and I were discussing the other day, we often have to translate the letter in Spanish first, that is decipher what the claimant is trying to say, to then be able to translate into English. A task that no paperback, hardcover nor even online dictionary will be able to help with. A task that is difficult to perform, yet our staff is fully equipped to and has been able to handle because we know the languages of our community . We live where we work and we all have neighbors , friends , and family members that have limited English abilities and are in similar situations. And as an informational note for those not aware , litigation against the Dept of Labor is still currently pending with our Asian community concerning this very same issue of inadequate translation services. Although the dept made provisions several years ago to provide Chinese speaking agents, there are still not enough , and even less now that we lost 12 of them . In addition there were no execution of plans made in regards to the written communications and translations for the Asian community. So the problem of language barriers is not new, it's just increasing. - simply put limited or non-English speaking customers have continually received the short end of the stick.

So Once the dept of labor closes our doors , they'll be closing the doors to most NYC residents who need unemployment benefits ,but don't speak English. Experience and history have shown us that once a person, client, experiences language barriers and obstacles when applying for public services they quickly get discouraged and would rather not deal with the system at all . Those who may be eligible for unemployment benefits during a period of financial crisis may not apply or continue with the process when faced with inadequate translating services. It's frustrating enough not understanding what is said to them in English and even more so when they cannot express their own situation as well. Their in delicate situations and their dilemma during this period is : How will I feed my children ? How will I pay my rent ? How will I pay my bills while I try to find another job . Our customer feel a certain degree of comfort when they are able to speak to us in their own language . The State must not forget that our claimants are not seeking our services because of economic choice but rather because of economic necessity. It's devastating enough to lose their jobs , but to have an English language deficiency and encounter insufficient translating services will hinder their ability to obtain necessary resources and would add to the problem . This is an all too common occurrence that is prevalent in many state and city agencies providing economic

sustenance . We say the Department of Labor should not contribute to this ever growing 'trend' . The State Department of Labor has an obligation by law to provide their services in a manner that is understandable to the communities and clients they serve. With this closure they wont be able to do this thus the entire program then fails in it's mission when it doesn't deliver it's services to it's community in a fair and equal manner. We hope the State and Commissioner will reconsider it's position -the only solution as we see it is to keep us open and restore our call center to our full operational capacity as it once was before. Let us provide our community with the same level of service.. and in languages that we have been able to provide until now- before the irreversible damages occur.

And in closing ,I'd like to leave you with one last thought for consideration :
Department of Labor officials , including Commissioner Angelo, maintain they can't afford to keep us open .

But with the testimony that I've provided and all the arguments we're presenting to you to today , the reality is ,
...with all that's at stake ..

How can they afford to close us down ?

Again I'd like to thank the distinguished panel for your time . And to all of our supporters and all those present today , thank you , thank you very much .