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Advocates Reach Agreement with CA Employment Development Department to Expand Language Access

Language access improvements implemented through 2024 ensure EDD upholds Californians' civil rights and embraces communities' vast language abilities

SACRAMENTO — In a victory for Californians and language rights advocates, residents who do not use English as their primary language will now have more access to the California Employment Development Department's (EDD) unemployment insurance (UI) program, which provides critical benefits to eligible workers across the state. Legal Aid Foundation of Los Angeles (LAFLA), Asian Americans Advancing Justice – Asian Law Caucus (ALC), California Rural Legal Assistance, Inc. (CRLA), Center for Workers' Rights (CWR), and Legal Aid at Work (LAAW) have reached a settlement with EDD that ensures the agency's UI benefits, services, and resources are available in all languages used by California residents.

The agreement stems from a [complaint](#) initially filed by LAFLA with the Department of Fair Employment and Housing (DFEH), alleging systemic language access violations of federal and state anti-discrimination mandates covering national origin, ethnic identification, and linguistic characteristics. Partner legal organizations ALC, CRLA, CWR, and LAAW joined the complaint, and DFEH mediated the matter. As part of the settlement, the parties' agreement was filed in Sacramento Superior Court. Chinese for Affirmative Action joined as part of that filing.

"We applaud EDD's willingness to make their processes more equitable for all California workers, regardless of the languages they use," said **Joann Lee, Special Counsel on Language Justice at LAFLA**. "This settlement holds EDD more accountable to the needs of our state's diverse cultures and communities. EDD was not alone as many state and local agencies' language access practices fall sorely short of what is required. As a state, California can and should do better."

California is one of the most linguistically diverse states in the nation. Almost half of residents speak a language other than English at home, and 7 million individuals primarily use one of more than 200 non-English languages. While Spanish is the most common, constituting

approximately 64%, roughly 2.4 million residents with limited English proficiency use languages other than Spanish.

Throughout the pandemic, claimants trying to access critical UI benefits have faced a range of barriers and setbacks — at one point, only a small percentage were able to speak with a representative — while trying to put food on the table and keep their families afloat. Individuals who use non-dominant languages and who were fortunate to get through were unable to communicate with EDD, as language services were not provided to the vast majority of callers. Many resorted to paying for services from predatory third-party brokers or notarios to file their claims, and still often could not ultimately navigate the process and secure benefits. The Governor’s [September 2020 EDD Strike Team report](#) found that “individuals who are not fluent in English face insurmountable barriers to receiving assistance.”

Kern County resident and CRLA client Gregorio Sanchez describes some of these barriers: “I speak Mixteco and I have too many problems opening my UI with EDD...I don't know how to use smart phones or computers, so each time that I want to open my benefits claim, I go to someone to help me and that person charges me each time that I go to them for help.”

“Language access is not just legally and morally required, language access is fraud prevention,” said **CRLA Indigenous Program Legal Director Marisa Lundin**. “We hope one major outcome of this settlement will be that people like Mr. Sanchez who use non-dominant languages will be able to directly access EDD without having to share sensitive financial and identity documents with for-profit private, unscrupulous intermediaries and pay out of pocket to access unemployment benefits without any assurances that valid claims will be accurately or successfully submitted.”

“For many limited English speakers, EDD’s lack of language services has been an insurmountable barrier to accessing the benefits they need to support their families. EDD’s commitment to provide interpretation support in real time when talking with claimants, in the claimant’s preferred language, will have a real and rapid impact on community members. Expanding in-language phone lines and translated resources in additional Asian, Middle Eastern, and other languages will reduce the barriers that have frustrated families and kept them from receiving support before and during the pandemic,” said **Winnie Kao, Senior Counsel at Advancing Justice - Asian Law Caucus**.

“This settlement on the UI program is a great step in the right direction,” said **Katherine Wutchiett, Staff Attorney for the Work and Family Program at LAAW**. “Parallel changes are needed in EDD’s Paid Family Leave and State Disability Insurance programs that are entirely paid for by our diverse workforce, and our community members must be able to meaningfully access these benefits.”

Community members and advocates successfully advanced legislative changes last year to improve language access within the UI program, including [\\$21 million over two years](#) to

enhance multilingual services at EDD. The legislation also requires that EDD report to the legislative budget and policy committees on the status of multilingual paid family leave and state disability insurance services by July 1, 2022. The terms of the settlement, which strengthen the recent legislative measure, include:

- Provide real-time spoken and signed language services through qualified interpreters or multilingual staff for UI claimants in *any* language the claimant needs. If these language services cannot be provided despite good-faith efforts, then EDD must call the claimant back with the requested interpreter, within five business days (with limited exceptions).
- Expand dedicated in-language UI phone lines to include the top seven non-English languages used by Californians by the end of 2022. Phone lines are currently available in Spanish, Mandarin, Cantonese, and Vietnamese. The settlement requires that Korean, Tagalog, and Armenian lines be added.
- Translate all UI vital documents for claimants in the top 15 non-English languages used by Californians by the end of 2022 – using qualified human translators, not machine translation. Those languages will include those listed above plus Arabic, Farsi, Punjabi, Russian, Japanese, Hindi, Khmer (Cambodian), and Thai.
- Improve online access through multilingual access portals and UI online in the top seven non-English languages by 2024.

“One notable feature of this settlement is the requirement for EDD to collect data on how California workers are making use of supportive language services to access UI and share that data regularly with language rights advocates,” said **Center for Workers’ Rights Executive Director Daniela Urban**. “We look forward to the continued collaboration with EDD to ensure that the changes in this settlement make a positive difference in the lives of California families.”

[Read the full settlement including all the measures.](#)

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[About Legal Aid Foundation of Los Angeles](#)

Legal Aid Foundation of Los Angeles (LAFLA) is a nonprofit law firm that seeks to achieve equal justice for people living in poverty across Greater Los Angeles. LAFLA changes lives through direct representation, systems change, and community empowerment. It has five offices in Los Angeles County, along with four Self-Help Legal Access Centers at area courthouses, and three domestic violence clinics to aid survivors.

[About California Rural Legal Assistance, Inc.](#)

California Rural Legal Assistance, Inc. (CRLA) provides free legal services and education to tens of thousands of low-income residents of California’s rural counties and litigates cases that benefit even more people. We help our clients get fair pay for their hard work, find and stay in safe housing, access healthcare, ensure quality education for their kids, and more. Our vision is a rural California where all people are treated with dignity and respect and guaranteed their fundamental rights. Visit us online: www.crla.org.

[About Center for Workers' Rights](#)

The Center for Workers' Rights is a Sacramento-based, non-profit legal and advocacy organization whose mission is to create a community where workers are respected and treated with dignity and fairness. To bring that vision into reality, we provide legal representation to low-wage workers, advocate for initiatives to advance workers' rights, and promote worker education, activism, and leadership in the greater Sacramento area.

[About Asian Americans Advancing Justice - Asian Law Caucus](#)

Asian Law Caucus (ALC) was founded in 1972 as the nation's first legal and civil rights organization focusing on the needs of low-income, immigrant and underserved Asian Americans and Pacific Islanders. Recognizing that social, economic, political, and racial inequalities continue to exist in the United States, ALC is committed to the pursuit of equality and justice for all sectors of our society.

[About Legal Aid at Work](#)

Legal Aid at Work is a nonprofit legal services organization that supports working families with low-incomes through free legal clinics and helplines, outreach and education, direct services and litigation, and policy advocacy.