



Martin Luther King, Jr.  
OUTPATIENT CENTER

POLICY AND PROCEDURE

<b>DIVISION:</b> ADMINISTRATION	<b>NUMBER:</b> 04-004
<b>SUBJECT: BILINGUAL BONUS COMPENSATION PROGRAM</b>	
<b>SECTION:</b> HUMAN RESOURCES	<b>PAGE:</b> 1 <b>OF:</b> 4
<b>REVIEWED BY:</b> HR ADMINISTRATOR AND POLICY & PROCEDURE COMMITTEE	<b>EFFECTIVE DATE:</b> 11/24/75
<b>TO BE PERFORMED BY:</b> ALL WORKFORCE MEMBERS	<b>REVIEWED DATE:</b> 04/11/06 <b>REVISED DATE:</b> 01/2016

**PURPOSE**

To provide a consistent and equitable policy governing ongoing monitoring of the Bilingual Bonus Compensation Program that responds to the bilingual needs of the facility, based upon our unique public service responsibilities and establishes the method by which we approve and pay bilingual bonuses, in compliance with prevailing regulations.

**POLICY**

MLK OPC Department/Service Manager(s) shall annually, or more frequently, in the event of organizational and/or program changes, establish a Bilingual Bonus Compensation Program for county employees.

**PROCEDURE: GUIDELINES FOR THE BILINGUAL BONUS COMPENSATION PROGRAM**

COMPENSATION

Any person employed in a permanent full-time position, or in temporary or recurrent position (effective January 1, 1992), may receive additional compensation at the rate established by the County Code, Title VI for the provision of bilingual translation services, if all of the following conditions are fulfilled:

- The Department/Service Manager has designated that the specific assignment of the employee requires a fluency in *both* English and at least one foreign language and knowledge and sensitivity towards the culture and needs of the Non-English and Limited English Proficiency clientele of the department/service area and the encumbered position has been approved for bilingual compensation in the MLK OPC Bilingual Bonus Plan.
- An authorized Bilingual Examiner has certified that the employee possesses and exercises a fluency in both English and the required foreign language or languages, and possesses and displays a knowledge of and sensitivity toward the culture and needs of the foreign language group involved. For the purposes of this policy, American Sign Language (AMESLAN) is deemed to be a foreign language.
- The employee must have a current performance evaluation on file with DHS Human Resources with an overall rating of competent or better.

EFFECTIVE DATE

- Bonus Compensation shall be effective for the pay period in which the employee's Department/Service Manager makes the findings required in subsection A above and said findings are validated by the DHS Office of Human Resources. In no event shall such compensation be effective prior to the first day of the employee's assignment to the qualifying position – or – prior to the first day that the criteria in subsection A above is fulfilled, irrespective of the date of the Department/Service Manager's request.

### DURATION

- Authorization for an employee to receive Bilingual Bonus Compensation will remain in effect only for as long as the employee:
  - Continues to be assigned to the position and function that has been approved for bilingual compensation;
  - Continues to effectively utilize *both* English and the designated foreign language(s) on a continuing and frequent basis, by demonstrating fluency in both English and the required foreign language or languages
    - and – knowledge of and sensitivity toward the culture and needs of the foreign language group involved;
  - Maintains a performance rating of at least competent

### ABSENCES

Bilingual Bonus Compensation does not constitute base rate pay. If the employee is absent for *more* than 60 calendar days the Bilingual Bonus Compensation provided under this policy shall be suspended during such absence.

### EXCLUSIONS

Bilingual Bonus Compensation as allowed by this policy shall not apply to persons employed in the position of Interpreter (Item 1154), Elections Materials Translator (Item 155), Supervisor, Elections Materials Translator (Item 153), or Child Placement Coordinator (Item 9084).

### NOT A BASE RATE

The Bilingual Bonus Compensation allowed by this policy shall not constitute a base rate.

## **APPLICATION OF THE BILINGUAL BONUS COMPENSATION**

### **Obtaining Approval for Bilingual Bonus Compensation Program**

- The responsible Supervisor/Manager will prepare the “Request for Bilingual Bonus Compensation” form (Attachment 1).
- The Department/Service Manager will review each request and determine its appropriateness and consider the number of employees currently receiving Bilingual Bonus Compensation in the unit.
- If the request is appropriate, the Department/Service manager will forward the signed request document to DHS Human Resources processing.
- DHS Office of Human Resources will schedule an appointment for the employee to be tested and certified for his/her bilingual ability. If the employee is already in the possession of a language proficiency certificate for the designated language and appropriate skill level (e.g., reading, writing and/or speaking) – issued by a certified County examiner – further proficiency testing is not required.
- Once the employee has been certified and the request is consistent with the provisions of this policy, the bilingual bonus will be authorized by the DHS Human Resources.

### **Employee Assignment and/or Position Change**

Bilingual Bonus Compensation *will* automatically terminate upon *any* change in an employee’s assignment or position involving a transaction by DHS Office of Human Resources (e.g., promotion, demotion, transfer, change of classification, etc.).

- If the new assignment or position requires the frequent and continuing use of *both* English and one or more foreign languages, the responsible Supervisor/Manager *must* submit a Bilingual Bonus Request in accordance with Section A, above.
- Bilingual Bonus Compensation will *not* be paid to the employee until the new request is approved pursuant to the provisions of this policy.
- Bilingual Bonus Compensation must be terminated upon the employee's assignment to an ineligible classification or to an assignment that does not require fluency in both English and a foreign language, effective on the date of the change of assignment.
- It is the responsibility of the employee's Supervisor/Manager to notify the DHS Office of Human Resources of the employee's ineligibility for bonus compensation in a timely manner to prevent overpayment.

#### **OFFICE OF HUMAN RESOURCES RESPONSIBILITY**

- Receive, review and disposition all requests for Bilingual bonus Compensation
- Schedule and/or conduct language proficiency testing for individual employees who have been recommended for Bilingual Bonus Compensation who are not in possession of the required certification.
- Perform quarterly audits to identify those employees receiving Bilingual Bonus Compensation who either are absent without pay – or – have been absent in excess of sixty (60) calendar days.
  - Bonus payment will be interrupted for employees who are ineligible due to absence/status.
- Conduct annual reviews of all employees receiving Bilingual Bonus Compensation to ensure that such employees continue to meet the eligibility requirements expressed in this policy (page 1, Compensation), including having a *current* annual performance evaluation on file in the DHS Human Resources with an overall rating of competent or better.
  - In cases where the employee's evaluation is not current or is deficient in rating, notice will be provided to the Department/Service Area Manager and to the individual employee that the bonus compensation has been stopped due to ineligibility pursuant to the provisions of this policy.
- On an annual basis, publish and distribute a listing of interpretive staff to all department/service areas and facilities of DHS.

#### **DEFINITION:**

Fluency in a second language is the ability to speak, read and/or write in the designated language as demonstrated through certified proficiency testing recognized by the County of Los Angeles.

#### **AUTHORITY**

Health and Safety Code Section 1257  
Senate Bill 1840 (Chapter 672)  
L.A County Code, Title 6, Division 1, Chapter 6.10, Section 6.10.140  
DHS Policy No. 318, Non-English and Limited English Proficiency  
Memorandum of Understanding (MOU)

**NOTED AND APPROVED:**

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Cynthia M. Oliver, Chief Executive Officer

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Date

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Ellen Rothman, M.D., Chief Medical Director

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Date

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Lessie Barber, Nursing Director

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Date

Signature(s) on File.