

# Deaf and Hard of Hearing in Government (DHHIG) meeting with EEOC Commissioner

January 29, 2014



# DHHIG Mission

DHHIG empowers Deaf and Hard of Hearing Federal Employees to overcome communication barriers, resolve accessibility issues, and promote a fully inclusive work environment through networking and fostering professional growth.

# About DHHIG

- Group of Deaf and Hard of Hearing Federal Employees in the Washington DC area met informally between 1976 - 1998
  - The number of members grew and DHHIG was formally incorporated in 1998
- Represent Deaf and Hard of Hearing Federal workers in all 50 states
- 501(c)3 non profit organization

# DHHIG Discussion Topics

- OPM: Employment of People with Disabilities in the Federal Executive Branch FY 2012 Report
- Primary Reasonable Accommodation requests for Deaf and Hard of Hearing employees
  - Sign Language Interpreters
  - Video Phones

# OPM FY 2012 Report: Employment of People with Disabilities (1/2)

- Executive Order 13548 states that the Federal Government must become a **model for the employment of individuals with disabilities**
- Targeted disabilities are defined as deafness, blindness, missing extremities, partial paralysis, complete paralysis, epilepsy, intellectual disabilities, psychiatric disabilities, and dwarfism.
  - The number of targeted disabilities have increased every year since 2010 from 0.95% of the federal workforce. In 2012, this increased to 0.99%
  - If you look at the numbers closely, it seems agencies could be doing better

# OPM FY 2012 Report: Employment of People with Disabilities (2/2)

- The number of new hires with targeted disabilities have decreased every year from 1,178 in 2010 to 1,101 in 2012
- There are 49 federal agencies in the report. There is a significant decrease in the employment of targeted disabilities since 2010. Supporting data in the appendix

	Targeted Disability Increase by Agency	Targeted Disability Decrease by Agency	Percent of agencies <b>reducing full time employment of people with targeted disabilities</b>
<b>2010-2011</b>	20	29	59.1%
<b>2010-2012</b>	21	28	57.1%

Source: <http://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/disability-report-fy2012.pdf>

# Using Sign Language Interpreters

- Sign language interpreting makes communication possible between people who are Deaf and Hard of Hearing and people who can hear
- Interpreting is a complex process that requires a high degree of linguistic, cognitive and technical skills in both English and American Sign Language (ASL)
- Sign language interpreting, like spoken language interpreting, involves more than simply replacing a word of spoken English with a signed representation of that English word
- ASL has its own grammatical rules, sentence structure and cultural nuances
- Interpreters must thoroughly understand the subject matter in which they work so that they are able to convert information in one language, known as the source language, into another, known as the target language



Photo Credit: <http://www.ncdhhs.gov/dsdhh/business/opportunities.htm>

Source: [http://rid.org/UserFiles/File/pdfs/Standard\\_Practice\\_Papers/Drafts\\_June\\_2006/Professional\\_Sign\\_Language\\_Interpreter\\_SPP\(1\).pdf](http://rid.org/UserFiles/File/pdfs/Standard_Practice_Papers/Drafts_June_2006/Professional_Sign_Language_Interpreter_SPP(1).pdf)

# Certified Deaf Interpreter (CDI)

- Needed when the communication mode for Deaf and Hard of Hearing is so unique that it cannot be adequately accessed by interpreters who are hearing
- Typically works as a team member with a certified interpreter who can hear and speak
- For those who are Deaf-Blind, the CDI may receive a speaker's message visually, then relay it to the deaf-blind individual through a sense of touch or at close visual range
- Benefits include optimal understanding by all parties

Standing Female: Sign Language Interpreter  
Standing Male: Certified Deaf Interpreter



Photo Credit:

[http://www.interpretereducation.org/wp-content/uploads/2011/07/Courtroom\\_DI.jpg](http://www.interpretereducation.org/wp-content/uploads/2011/07/Courtroom_DI.jpg)

Source: [http://rid.org/UserFiles/File/pdfs/Standard\\_Practice\\_Papers/CDISPP.pdf](http://rid.org/UserFiles/File/pdfs/Standard_Practice_Papers/CDISPP.pdf)



# Process to schedule Sign Language Interpreters

Each agency has their own process to schedule Sign Language Interpreters. The different processes each agency has shows there are opportunities to improve the process and eliminate communication barriers. Currently, the Deaf and Hard of Hearing employee may:

- **Contact the full time interpreters** who work for the agency to submit an interpreter request
- **Contact the External Interpreting Vendor(s)** to submit an interpreter request
- **Contact the Equal Employment Opportunity or Reasonable Accommodation office** and submit an interpreter request
  - Potential conflict of interest?
- **Use the assigned Sign Language Interpreter** who works for the Deaf and Hard of Hearing employee full time
- **Submit a request with their supervisor** for an interpreter. The supervisor then follows the internal agency processes to request an interpreter
- **Not be allowed to do anything.** The supervisor is responsible for scheduling interpreters for all events on behalf of the Deaf and Hard of Hearing employee

# Funding for Sign Language Interpreters

DHHIG believes there are opportunities to evaluate and improve the funding for interpreters. The ultimate goal should be to foster an environment to maximize the productivity of the Deaf and Hard of Hearing employee (or prospective employees). DHHIG believes the best solution would be to move towards centralized funding for interpreters.

- **Budget for Sign Language Interpreters.** Some agencies do not have a budget for Sign Language Interpreters
  - Makes it difficult for Deaf and Hard of Hearing individuals to obtain jobs
  - After realizing the prospective candidate is Deaf and Hard of Hearing, the agency may close the position because they cannot afford interpreters
- **Office supply budget.** Funding for the interpreter may come from the office supply budget. When the budget for office supplies is depleted due to the use of interpreters, this may create acrimony with the Deaf and Hard of Hearing employee
- **Near end of fiscal year.** Budgets may be running low, so requests go out to reduce or minimize the use of Sign Language Interpreters

# Common reasons why Sign Language Interpreters may not be provided

- **Meetings scheduled at the last minute**, typically scheduled the same day
- **Request for an interpreter was not submitted timely.** Sign Language Interpreter agencies may require new requests be submitted with more than 2, 5, or 10 business days in advance
- **Meeting may be rescheduled to a new time.** The assigned Sign Language Interpreter may not be able to accommodate the new meeting time
- **Interpreter request was forgotten, misplaced or lost**
- **Meeting runs longer than expected** and the interpreter has to leave due to other commitments or assignments
- **Interpreter is late** due to being lost, stuck in traffic and/or unable to find parking
- **Typically, the meeting or event proceeds without the involvement of the Deaf and Hard of Hearing individual(s)**

# How can communication barriers be minimized?

Survey of DHHIG members have demonstrated:

- **Positive experiences** when Deaf and Hard of Hearing employees are **empowered to take ownership for their communication needs**
  - Involved with the selection of the Sign Language Vendor(s) or Full Time Staff Interpreter(s)
  - Asked regularly for feedback about the interpreters the agency uses
- **Negative experience** when Deaf and Hard of Hearing employees **rely on others to handle their communication needs**
  - Survey results have demonstrated that the Deaf and Hard of Hearing may not have been able to participate in meetings with everyone in the team because the supervisor has indicated that the Deaf and Hard of Hearing employee doesn't need to attend the meeting
    - May potentially harm the individuals' ability to advance in the future if they are not viewed as a valued team member

# Recommendations to improve the experience of using Sign Language Interpreters

- **Empower the Deaf and Hard of Hearing employee** to take ownership for their communication needs
  - Give the Deaf and Hard of Hearing employee the ability to schedule directly with the interpreters or the vendor(s)
- **Use multiple Sign Language Interpreter vendors** to increase chances of qualified interpreter being available for the Deaf and Hard of Hearing employee
  - Consider requiring certified interpreters from the Registry of Interpreters for the Deaf
- **Remove costs from the equation** from the department who employs, or plans to employ new employees with targeted disabilities. When the costs to provide reasonable accommodation become invisible, this will lead to an increase the employment of Targeted Disabilities in the Federal Government
- **Centralize Sign Language Interpreters** and the process of scheduling interpreters should be with a central agency, such as General Services Administration (GSA) or Office of Personnel Management (OPM)

# Teletypewriters (TTY)

- Standard equipment typically provided to Deaf and Hard of Hearing employees
  - May also be called TDD (Telecommunications Device for the Deaf)
- Telecommunications Relay Service (TRS) allows Deaf and Hard of Hearing to place and receive phone calls
  - Communication Assistants (CAs) facilitate telephone calls between Deaf and Hard of Hearing and a person who can hear
  - Source: <http://www.fcc.gov/guides/telecommunications-relay-service-trs>
- Slow and frustrating
  - Ineffective for most conference calls and training events



Photo Credit: <http://www.adcohearing.com/image/minicomiv.jpg>

# Video Phones

- Video Phones (VP) enables Deaf and Hard of Hearing employees to communicate using American Sign Language (ASL) through video equipment (cameras), rather than through typed text (e.g. TTYs)
- Video Relay Services (VRS) allows Deaf and Hard of Hearing individuals communicate on the phone through a remote sign language interpreter
- VRS services have been regulated by the Federal Communications Commission (FCC) since 2002



Photo Credit: <http://tap.gallaudet.edu/Emergency/E911/HarkinsFiles/images/image2.png>

# Challenges with providing Video Phones in the Federal Government (1/2)

- **Lacking timely access to a Video Phone**
  - If new employees have a telephone on their first day, similar provisions should be in place for new Deaf and Hard of Hearing Employees
  - Some Deaf and Hard of Hearing employees have been waiting years for access to a video phone
  - Some agencies are still testing video phones for years without any steps for implementation for Deaf and Hard of Hearing employees
- **Video Phones are not always provided for the Deaf and Hard of Hearing Employee**
  - Some employees have had to either personally use their cellular/mobile device to make VRS calls, or purchase a Video Phone for the agency



# Challenges with providing Video Phones in the Federal Government (2/2)

- **Video Phone Restrictions.** Deaf and Hard of Hearing employees face restrictions not applied to rest of agency workforce, and they may not be able to:
  - Make or Receive Calls
    - Incoming calls may be blocked from outside of the agency
    - May only allow outgoing VRS calls only. Calls to other VP users prohibited
  - Call 911
  - Access video mail / video messaging systems (similar to voice mail)
- **Delay to speak with the Deaf and Hard of Hearing on their Video Phone**
  - Due to the infrastructure design, there may be lengthy (up to a few minutes) wait time for a hearing caller to connect with a Deaf and Hard or Hearing VP equipment
- **Substandard Video Quality**

# Example of substandard video quality

- Difficult to understand the conversation if the video is blocky or pixelated
- Calls may fail and display a “black screen”
- Comparing with telephones, akin to frequent cut-outs
- Issues are typically attributed to the network design or security rules



# Using Video Relay Service (VRS) for Conference Calls may not be optimal

- **One Voice**
  - Everyone who speaks on the conference call may appear to be the same speaker to the Deaf and Hard of Hearing employee
  - May be difficult to enforce a “State your name first before speaking” rule if Deaf and Hard of Hearing is not the moderator
- **VRS Interpreter lacks access to context / material / shared screen**
  - Material which may be available to Deaf and Hard of Hearing employee may not be available to the VRS Interpreter
- **VRS is not optimal for all conference calls.** When this may not be optimal, the use of Sign Language Interpreters are recommended

# Barriers with Video Phones in the Federal Government

- **Cost**

- Agencies may lack the funds or they are worried about the costs to provide video services for Deaf and Hard of Hearing employees

- **Security.** Frequently cited as to the reason why Video Phones cannot be provided

- Fear of security breaches
- Unable to track or monitor the usage of Video Phones

- **Confidentiality**

- There may be a fear the VRS interpreter may leak sensitive information. FCC regulations state the providers (e.g. sign language interpreters) must ensure user confidentiality and may not keep records of the contents of any conversation

- Source: <http://www.fcc.gov/guides/telecommunications-relay-service-trs>

There are options to address all of the concerns listed above. There are ways to make it affordable to provide video phones while addressing security concerns

# Recommendations to address Video Phones in the Federal Government

- **Treat all employees equally.** Agency expectations for phone operations should be the same for video phone operation
  - Video Phone outages should be treated similarly as a telephone outage. Typically when there are issues with video phones, it may take days or weeks to address and resolve the problem
- **Involve Deaf and Hard of Hearing Stakeholders.** Stakeholders should participate with the vendor / equipment selection process
  - Regularly obtain feedback from Deaf and Hard of Hearing employees about the video quality, and quality of VRS provider / vendor
- **Use Video Phone Subject Matter Experts (SME).** Typically individuals leading the Video Phone project are not familiar with the communication needs of Deaf and Hard of Hearing and they may make decisions which may not be positive for the Deaf and Hard of Hearing individual
  - Optimally, the person who is responsible for Video Phones / Video Relay Services in the agency should be capable of fluently communicating in sign language without the use of sign language interpreters
- **Create a Video Phone Executive with EEOC** pursuant to Executive Order 13164 where EEOC is responsible for reasonable accommodations
  - Due to inconsistencies with the provision of Video Phones, an executive position should be created to develop policies and oversee the implementation of Video Phones with various agencies
  - Include questions about Video Phones with the EEOC Management Directive 715 forms that agencies fill out

# Appendix

# Targeted Disability Decrease for 2010-2011

	2011	2011- Targeted Disability	2011 - % of Targeted Disability	2010	2010- Targeted Disability	2010 - % of Targeted Disability	Percent Decrease between 2010 and 2011
DOD-Combined	699,618	4,937	0.71	686,554	5,029	0.73	0.02
Department of the Air Force	166,338	895	0.54	158,039	893	0.57	0.03
Department of the Army	255,487	1,601	0.63	257,947	1,712	0.66	0.03
Department of Defense	85,818	1,094	1.27	81,179	1,055	1.3	0.03
Department of the Navy	191,975	1,347	0.7	189,389	1,369	0.72	0.02
U.S. AID	2,226	12	0.54	2,130	14	0.66	0.12
Department of Energy	15,548	117	0.75	15,757	121	0.77	0.02
Department of Education	4,066	58	1.43	4,010	58	1.45	0.02
Environmental Protection Agency	16,702	217	1.3	16,601	220	1.33	0.03
General Services Administration	12,448	98	0.79	12,554	102	0.81	0.02
Department of Housing and Urban Development	9,269	103	1.11	9,397	116	1.23	0.12
National Aeronautics and Space Administration	17,801	203	1.14	17,190	202	1.18	0.04
Nuclear Regulatory Commission	3,796	35	0.92	3,867	37	0.96	0.04
Department of State	9,443	48	0.51	8,959	48	0.54	0.03
Social Security Administration	64,539	1,261	1.95	66,666	1,314	1.97	0.02
Federal Deposit Insurance Corporation	5,339	30	0.56	5,101	35	0.69	0.13
National Archives and Records Administration	2,703	41	1.52	2,690	44	1.64	0.12
Pension Benefit Guaranty Corporation	920	11	1.2	890	12	1.35	0.15
Equal Employment Opportunity Commission	2,422	64	2.64	2,476	67	2.71	0.07
Federal Communications Commission	1,677	16	0.95	1,708	17	1	0.05
Federal Trade Commission	1,010	4	0.4	1,059	6	0.57	0.17
Federal Housing Finance Agency	581	3	0.52	433	3	0.69	0.17
Broadcasting Board of Governors	1,623	11	0.68	1,658	12	0.72	0.04
Government Printing Office	2,163	30	1.39	2,259	32	1.42	0.03
National Science Foundation	1,207	15	1.24	1,200	17	1.42	0.18
Railroad Retirement Board	945	8	0.85	964	9	0.93	0.08
Securities and Exchange Commission	3,569	35	0.98	3,611	36	1	0.02
Smithsonian Institution	4,782	38	0.79	4,754	43	0.9	0.11
Other Agencies	5,926	57	0.96	5,884	57	0.97	0.01

# Targeted Disability Decrease for 2010-2012

	2012	2012 - Targeted Disability	2012 - % of Targeted Disability	2010	2010 - Targeted Disability	2010 - % of Targeted Disability	Percent Decrease between 2010 and 2012
DOD-Combined	691,466	4,826	0.7	686,554	5,029	0.73	0.03
Department of the Air Force	161,574	877	0.54	158,039	893	0.57	0.03
Department of the Army	251,257	1,515	0.6	257,947	1,712	0.66	0.06
Department of Defense	86,135	1,073	1.25	81,179	1,055	1.3	0.05
Department of the Navy	192,500	1,361	0.71	189,389	1,369	0.72	0.01
U.S. AID	2,439	12	0.49	2,130	14	0.66	0.17
Department of Education	3,899	55	1.41	4,010	58	1.45	0.04
Environmental Protection Agency	16,218	213	1.31	16,601	220	1.33	0.02
General Services Administration	12,114	97	0.8	12,554	102	0.81	0.01
Department of Housing and Urban Development	8,982	99	1.1	9,397	116	1.23	0.13
National Aeronautics and Space Administration	17,558	197	1.12	17,190	202	1.18	0.06
Nuclear Regulatory Commission	3,629	34	0.94	3,867	37	0.96	0.02
Department of State	9,761	50	0.51	8,959	48	0.54	0.03
Social Security Administration	62,599	1,227	1.96	66,666	1,314	1.97	0.01
Federal Deposit Insurance Corporation	5,581	33	0.59	5,101	35	0.69	0.10
National Archives and Records Administration	2,629	40	1.52	2,690	44	1.64	0.12
Pension Benefit Guaranty Corporation	906	10	1.1	890	12	1.35	0.25
Commodity Futures Trading Commission	662	1	0.15	622	1	0.16	0.01
Equal Employment Opportunity Commission	2,244	59	2.63	2,476	67	2.71	0.08
Federal Trade Commission	1,043	5	0.48	1,059	6	0.57	0.09
Federal Housing Finance Agency	671	2	0.3	433	3	0.69	0.39
Broadcasting Board of Governors	1,616	10	0.62	1,658	12	0.72	0.10
Government Printing Office	1,854	23	1.24	2,259	32	1.42	0.18
National Science Foundation	1,220	14	1.15	1,200	17	1.42	0.27
Securities and Exchange Commission	3,615	32	0.89	3,611	36	1	0.11
Consumer Product Safety Commission	489	5	1.02	467	5	1.07	0.05
Smithsonian Institution	4,690	40	0.85	4,754	43	0.9	0.05
Other Agencies	5,935	51	0.86	5,884	57	0.97	0.11



# Video Phone Terminology

- **Video Phones**: Video equipment Deaf and Hard of Hearing individuals use to communicate
- **Video Relay Service (VRS)**: Video Telecommunication Service which allows Deaf and Hard of Hearing individuals communicate with hearing people in real time through a remote sign language interpreter (Note: FCC rules prohibit both parties to be in the same room)
- **Video Relay Interpreting (VRI)**: Similar to VRS, allows communication in the same room. Typically paid by the Federal Agency, similar to use of Sign Language Interpreters
- **Point to Point (P2P)**: Calls between two video phones

# Telecommunications Relay Service

- Telecommunications Relay Service (TRS) is a telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. TRS is available in all 50 states, the District of Columbia, Puerto Rico, and the U.S. territories for local and/or long distance calls. TRS providers - generally telephone companies - are compensated for the costs of providing TRS from either a state or a federal fund. There is no cost to the TRS user.
  - Source: <http://www.fcc.gov/guides/telecommunications-relay-service-trs>
- Federal Communications Commission (FCC) has issued regulations for Provisions of Telecommunications Relay Services (TRS) pursuant to Title IV of the Americans with Disabilities Act (ADA).
  - Source: <http://www.fcc.gov/encyclopedia/telecommunications-relay-services-rules>

# Video Relay Services (VRS)

- Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language (ASL) to communicate with voice telephone users through video equipment, rather than through typed text... Because conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, VRS has become an enormously popular form of TRS.
- Source: <http://www.fcc.gov/guides/video-relay-services>



Photo Credit: [http://tap.gallaudet.edu/Emergency/Nov05Conference/Presentations/maddix\\_files/images/image2.png](http://tap.gallaudet.edu/Emergency/Nov05Conference/Presentations/maddix_files/images/image2.png)

# Government VRS Overview

Gallaudet University published an objective information about video phones titled “*Videophone Telecommunications Accessibility in Federal Government: Technology and Policy Analysis*”

<http://tap.gallaudet.edu/videocomm/VideoTelecom.doc>