

**Appendix 16: Greyhound’s Title VI Language Access Plan**

LANGUAGE ACCESS PLAN

Greyhound Lines, Inc.  
P. O. Box 660362  
Dallas, Texas 75266-0362

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## LANGUAGE ACCESS PLAN

The Greyhound Lines, Inc. (“Greyhound”) Language Access Plan has been prepared to address Greyhound’s responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. Individuals who have a limited ability to read, write, speak, or understand English are referred to herein as the population of individuals who require language assistance or “LAP”. Greyhound is federally mandated (Circular 4702.1B) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities to individuals who are LAP. Greyhound utilized the U.S. Department of Transportation’s (DOT) Guidance Handbook and performed a four-factor analysis to develop its LAP Plan. Additional guidance came from the U.S. Department of Justice Civil Rights Division and their recommended Table of Authorities cited above and changes have been made to Greyhound’s Title VI and accompanying Language Access Plan (LAP).

### Four Factor Analysis

1) The number or proportion of LAP persons in the service area. Greyhound’s service area is essentially the 48 contiguous United States. Not all areas of the country are directly serviced by Greyhound. Greyhound interlines with a number of interlining partners to provide service to geographic areas it does not directly service. LAP data was gathered from the following sources to identify information on persons who do speak languages other than English at home and who speak English less than well or not at all and would be classified as an LAP person: (1) 2020 Census Data; (2) Census Bureau’s American Community Survey and Fact Finder Surveys; and Department of Labor LAP Special Tabulation website. Languages spoken by individuals with whom Greyhound staff have frequent contact with will determine which documents will be translated and the types of interpreters provided in accordance with U.S.D.O.T. LAP Guidance, that requires DOT/FTA recipients to take reasonable steps to ensure meaningful access to their programs and activities by persons needing language assistance. Greyhound uses internal traffic control feedback on customer interactions, relying on local employees’ feedback about customer interactions as well as contacts with its Customer Information Center (CIC) as regular metrics of those LAP persons needing assistance.

Data collected by Greyhound from its Customer Information Center (CIC) Language Survey during recent calls indicates the number of calls per preferred language group as follows: English (2,880,275), Spanish (379,064) and French (19,017). A review of this data concerning the numbers of LAP persons, revealed that the highest percentage of the total population five years

of age and over that speaks a language other than English at home are Spanish speakers. The second highest percentage of the total population five years of age and over that speak a language other than English at home are French speakers. While there may be other languages identified by the CIC, the numbers are small and infrequent, and therefore were not monitored during this timeframe. Likewise, these calls are from the entirety of the Greyhound service area, but do not include any additional caller characteristics. Greyhound continues to evaluate all its callers to the CIC, as well as the more frequent internal traffic control interactions by staff to determine if there is a need to expand its customer LAP practices beyond what it currently performs.

2) The frequency with which LAP individuals come into contact with the service. The extent to which Greyhound serves LAP persons daily via our fixed route intercity bus service, is unknown, especially in light of electronic devices that readily translate information for users. With more than 95% of Greyhound tickets already purchased online, via electronic devices, the need for direct customer sales is less than previously experienced. Greyhound is currently evaluating the frequency by which Greyhound personnel identify and serve LAP persons, and in the geographic regions of the area Greyhound serves. Of those LAP persons who ride Greyhound buses, Greyhound will seek to determine the needs of the top six LAP languages identified and if requested by passengers or State DOTs, to provide vital documents in that language.

The degree to which Greyhound terminal staff encounter LAP persons varies and terminal staff do not make assumptions of an individual's primary language based on race, color, or national origin. However, if there appears to be some type of language difficulty in the terminal staff's presence, as recommended by the FTA, they will seek to determine whether a person needs language assistance in one of many other ways, and if that assistance is available, including:

- a) Voluntary self-identification by the individual with LAP or their companion;
- b) Affirmative inquiry regarding the primary language of the individual if they have self-identified as needing language assistance services;
- c) Engagement by a qualified multilingual staff or qualified interpreter, if available, to verify an individual's primary language;
- d) Use of an "I Speak" language identification card or poster, if there are other native languages experienced in a certain community; or
- e) Asking the individual about their region, municipality, village or specific community to ensure the correct identification of the language.

3) The nature and importance of service provided by Greyhound. Greyhound provides important intercity transportation services to the public through its fixed route system. Greyhound is the largest intercity bus company in the United States and provides a large number of connection points over multiple states. Greyhound also receives operating and capital assistance from various State DOTs under the 49 U.S.C. §5311(f) Intercity Bus Grant Program and will periodically examine whether those subsidized routes carry increased numbers of LAP persons. Periodically, State DOTs will contact Greyhound asking for more detailed LAP information on the state subsidized services the company runs in their state, and

Greyhound staff will provide the research and data requested.

4) The resources available to the recipient of the federal funds to assure meaningful access to the service by LAP persons. Greyhound ensures that information is available in Spanish where required regarding services, programs and activities including customer service, fare and schedule information and information provided via its websites. Greyhound's Customer Information Center (CIC) is a telephone-based information service that manages customer inquiries primarily concerning bus transit trip generation, however, there are bilingual staff that can assist with translations, as needed. For other languages, translators are available as well, although not immediately. In many locations, Greyhound shares space with third party carriers and public transit agencies and does periodically rely on those agency resources for assistance in helping LAP persons. Greyhound will also pay for translation and interpreter services when needed. Additional resources the company consults include those listed above plus these websites: U.S.D.O.J. Civil Rights Division; U.S.D.O.L.; the U.S.D.O.T.; and FTA websites. The CIC is a procured service, that handles customer inquiries before, during and after the passenger's trip. A third party may also contact the CIC for questions related to their client's travel needs and ticket purchases as well. Greyhound's internal traffic control activities also monitor and provide assistance where needed.

Documents that are determined to be vital are always translated into Spanish based on the areas of the National Intercity Bus Network system served, and where required by customer demand. Vital documents are defined as those documents without which a person would be unable to access services and include documents such as travel brochures that contain services, policies, and procedures for traveling on an intercity bus and using terminal facilities. These vital documents also include information related to complaints or comments as well as accessibility options for passengers. These documents may be translated into other languages upon request. The Greyhound.com website information is automatically translated into the language of the mobile end user purchasing tickets and browsing the company website, which increases the reach of those seeking information, in their own language. This feature applies to mobile and non-mobile computer devices, placing even more control in the hands of our passengers. Greyhound continues to focus on technology enhancements during a time of declining resources and cost constraints to ensure that reasonable efforts are made to address its obligations for LAP persons and their needs. This includes sharing language assistance materials and services among and between recipients, advocacy groups, affected populations and Federal agencies.

### **Implementation Plan**

Based on the four-factor analysis, Greyhound has made reasonable efforts to identify the language needs and services required to provide meaningful access to information for the LAP customers of Greyhound. The type of service the company provides also plays a role in deciding how those the LAP needs are met, as Greyhound's bus is in a geographic area for only a short time before departing to its next location. Because Greyhound only carries paid ticketed passengers on its service, many times local staff interactions with the traveling public may not indicate a need for LAP service, even though a LAP person is traveling on Greyhound. Greyhound will review its LAP on an

annual basis and incorporate an LAP data gathering venture, such as surveys, to further identify additional language area-specific needs for the top languages, or changes in its service that include larger targets of LAP persons, when identified. Since July 2012, Greyhound has included as part of its LAP program, activities and services that are being offered or will be offered by Greyhound including Spanish speaking telephone agents to provide customer service, fare and schedule information, and Spanish websites. Greyhound continues to offer paid translators, as needed, for larger group travels, identified in advance by local staff.

### **Safe Harbor**

FTA Circular 4702.1B, Chapter III.9(c) creates a Safe Harbor Provision where “DOT has adopted DOJ’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LAP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LAP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LAP language group of the right to receive competent oral interpretation of those written materials, free of cost.”

“These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LAP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.”

Because the geographic area served by Greyhound is generally the continental U.S. and specifically, 1,800 locations, rather than rely solely on the standard Four Factor Analysis, Greyhound has chosen to identify separately the languages identified in the census data, its CIC information, and local staff internal traffic control assessments to determine which LAP groups the company may not be adequately marketing to, and what documents need to be translated into what languages. (See Greyhound Language Access Plan). As a result of this effort, Greyhound has complied and will continue to comply with the Safe Harbor Provision which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LAP populations. The “safe harbor” means that if a recipient provides written translation under these circumstances, such action will be considered strong evidence of compliance with the recipient’s written translation obligations under Title VI of the Civil Rights Act of 1964 (Title VI). More specifically, Greyhound utilizes competent bilingual staff and

informal interpreters in addition to the written translation services for the frequently encountered LAP group who is currently using our services. Greyhound terminal and operations staff will also utilize competent and accurate translators for individuals identified as needing written documents in their language.

While Greyhound indicated under its four-factor analysis that it would determine the needs of the top six LAP language groups identified, the Safe Harbor Provision provides, and current data indicates, there is only one LAP language group that qualifies for specialized translation needs, as determined by Greyhound. In addition to this determination, Greyhound fully understands that the vast majority of its passengers, more than 95%, purchase their tickets online, using mobile devices which provide access to the Greyhound website in the language of the user. Therefore, until another LAP language group is identified, by future data, that meets the threshold identified in the Safe Harbor Provision, or Greyhound is operating more schedules in an area that can be reasonably identified as needing expanded LAP vital document translations, only Spanish Language group translation of vital documents will be provided.

Data collected by Greyhound from its recent 2023 survey of Customer Information Center Language Survey indicate the number of calls per preferred language group as follows: English (2,880,275); Spanish (379,064); and French (19,017). There were other preferred language groups encountered but the numbers were not collected by staff due to the infrequency of contact. Greyhound continues to monitor its CIC calls for language preference of its customers and will update the information as it is available and adjust its LAP and LAP Plans and Programs as needed. The aforementioned observations do not prevent Greyhound from conducting regional surveys requested by State DOTs who provide 49 U.S.C. § 5311(f) Intercity Bus Capital or Operating Grants as needed.

## **LANGUAGE ACCESS PLAN**

### **Introduction and Purpose**

Greyhound is committed to complying with all civil rights laws, including Title VI which requires Greyhound to make sure individuals with limited English proficiency have meaningful access to our services. The term LAP doesn't refer to people who are bilingual, but rather individuals who have a limited ability to read, write, or understand English well or at all.

The purpose of this plan is to ensure that we provide individuals with LAP meaningful access to our services. In preparation for writing this plan and in order to identify the specific needs for LAP individuals, we conducted a needs assessment using the four-factor analysis. In accordance with this four-factor analysis, Greyhound's assessment balanced the following:

- 1) The number or proportion of LAP persons served or encountered in the eligible service population. (As instructed in the guidance for the purpose of determining those LAP persons "served or encountered", we included those persons who would be served or encountered if the persons received adequate outreach and we provided sufficient language services);

- 2) The frequency with which LAP persons come into contact with Greyhound staff;
- 3) The nature and importance of the service provided by Greyhound and its staff; and
- 4) The resources available and costs. Please note that to the extent possible, we have tried to reduce costs by identifying the resources available throughout our company and making them available to each location. Greyhound also relies on services provided by our third-party ticket agents, other intercity bus carriers and local public transit agencies that Greyhound interlines with.

### **LAP Populations to be Served or Encountered and the Frequency of Encounters**

The geographic area served by Greyhound is generally the continental U.S and specifically, 1,800 locations, which is quite extensive. However, upon review of the guidance, we do not construe our obligation to provide language assistance quite so broadly. Rather we determined the LAP populations to be served are based on the following: 1) census data; 2) a review of current customers' language needs; and 3) conversations with agencies in the geographic areas where our company-operated terminals are located. We have chosen to identify separately the languages identified in the census data to determine which LAP groups we may not be adequately marketing to, and what documents we need to translate into which languages.

Greyhound recognizes its staff has and will continue to have significant contact with LAP persons who speak various languages, largely Spanish (other than English), throughout the provision of service beginning with ticket purchasing. This includes the following:

- 1) The ticketing process, including telephone communication and assistance in purchasing a ticket;
- 2) Standard interactions with a customer, including but not limited to, customer-service related questions;
- 3) The travel process; and, if applicable;
- 4) Follow-up customer-service issues.

We also recognize that based on the four-factor analysis we conducted our marketing efforts need to reach LAP persons who speak Spanish.

### **Language Assistance Measures**

The type of language assistance necessary to provide meaningful access will vary depending on the type of communication staff is having with the LAP person (e.g., phone, in person or written communication) and in some circumstances more than one method will work. Regardless of how the language assistance is provided, we recognize the importance of providing such

services in a timely manner and in an appropriate place. Failure to do so may effectively delay or deny LAP customers access to our services. We understand that the extent of our obligation to provide both oral and written translation is dependent on the four-factor analysis.

As such, we have made every effort to translate all vital written documents into Spanish. Our four-factor analysis has determined that while there are other languages using our service, none rise to the level of the Safe Harbor Requirements and as such there is no need for translation services beyond Spanish. However, we do provide a translated written notice of the person's right to an oral interpretation when they request one.

Our marketing efforts need to be fully accessible to LAP persons. This includes, but isn't limited to, brochures, advertisements, choice of newspapers and radio stations. The degree to which Greyhound will provide oral language assistance will depend on the nature and importance of the activity. We will provide free language assistance to LAP individuals for important, critical junctures, such as assistance with ticket purchasing and navigating our services. When we hold public meetings, we will automatically provide an interpreter for any required LAP population. We will also announce in major languages in any public notice of the meeting that anyone in need of an interpreter may call a certain number before the meeting to request an interpreter. If requested ahead of time, we will provide these individuals free language assistance at the meeting.

### **Competent Bilingual Staff**

Greyhound makes every effort to hire staff that can communicate with customers. A significant consideration when hiring staff for a location (managerial as well as drivers) is whether the applicant can competently provide language assistance to LAP customers at the location. A large percentage of our staff is bilingual, and every effort has been made to match their language skills with the needs of LAP customers. Our preference is to meet the needs of our LAP customers through direct language assistance. When this isn't possible, we are committed to meeting our LAP customers' needs through other methods.

We understand that it isn't enough for staff to be "bilingual" when communicating with our LAP customers. Some bilingual persons may be able to effectively communicate in two languages but aren't competent to interpret between English and that language. We also recognize that the skills of interpreting and the skills used for translating aren't the same. A person may be capable of one and not the other. We will make every effort to offer bilingual staff interpreter training and professional development opportunities to ensure that communication is effective and accurate.

Greyhound's goal is to provide meaningful access to our services for individuals with limited English proficiency in a timely manner. As stated above, we often use competent bilingual staff to act as interpreters for customers.

Interpreters, when necessary to be used, aren't required to provide a formal certification as an interpreter. However, they must still do the following:

- Be proficient in and able to communicate information accurately in both English and the other applicable language;
- Understand transportation-related terms;
- Maintain impartiality and act solely in the role as an interpreter; and
- Be aware of regionalisms and be able to provide the most appropriate interpretation in a consistent manner.

Where individual rights depend on precise, complete, and accurate interpretation, we will try to use certified interpreters or those otherwise deemed qualified by a state or federal court. Regardless of who is used as an interpreter, location staff will adhere to the following guidelines when using an interpreter:

- Explain to the interpreter the purpose of the communication and provide a description of the information to be conveyed;
- Provide brief explanations of technical terms of art that may come up during the communication;
- Avoid using acronyms;
- Speak in short sentences;
- Express one idea at a time and allow the information to be interpreted prior to continuing;
- Check in with the interpreter to make sure he/she is understanding what you're saying because if he/she doesn't then how he/she translates the information may be confusing to the LAP customer;
- Avoid using double negatives;
- Enunciate words;
- Don't use contractions;
- Talk to the customer and not to the interpreter. In other words, face the customer and look at him/her and not the interpreter;
- Be patient;
- Thank the interpreter.

### **Informal Interpreters**

Customers who have limited English proficiency often choose to bring an informal interpreter with them to assist in communication, including but not limited to the LAP customer's family members, friends, or personal advocates. In such instances, location staff must remember the following:

- Informal interpreters may not be appropriate, depending on the circumstances and subject matter. Simply put, not all informal interpreters are competent to provide quality and accurate interpretations. As a result, such language assistance may not result in an LAP person obtaining meaningful access to our services.

- In emergency situations that are not reasonably foreseeable, Greyhound may need to temporarily rely on informal interpreters. Reliance on children is especially discouraged unless there is an extreme emergency, and no competent interpreters are available.

### **Written Translation Services**

Greyhound will provide written translation of vital documents into the language of each frequently encountered LAP group who is currently using our services, as required by the DOT/FTA guidance. Greyhound vital documents include but are not limited to: complaint, consent, release, or waiver forms, and DOT-specific application forms for services, programs, or activities covered by the program. The document must be targeted to the public and include but are not limited to: all Title VI related items, notices, announcements, Greyhound website, public awareness, written notices of rights, and any information that would provide the public notice and permit participate in the benefits provided under the Federal assistance Greyhound receives. In addition, Greyhound will conduct its own marketing (including using translated materials) in a manner that reaches each LAP group “eligible” to be served based on the census data for the geographic area.

### **Accuracy of Translation**

Greyhound will make every effort to use competent and accurate translators. We recognize that this is particularly important for documents with legal or other information where accuracy has important consequences. Many of the considerations discussed regarding interpreters apply to translators. As stated earlier, the skill of translating is very different from the skill of interpreting, and competency in one doesn’t mean competency in the other. When possible, we will rely on our location staff to translate documents, and either have two people work in tandem or have one person translate the document and a second, independent translator, translate it back into English to make sure it’s accurate.

When translating documents, Greyhound, its staff and vendors will make every effort to do so at the appropriate reading level of our target audience. We also recognize that there isn’t always an appropriate direct translation of an English term. We will work with our translators to provide an appropriate alternative and try to develop and maintain a glossary of commonly used terms that can be used again, when appropriate. We may also provide our translators with examples of previous translations of similar material to assist in translation. At some locations, Greyhound may also provide public translations made by its other transportation business partners to access local amenities and services in various other languages, for which Greyhound will neither guarantee accuracy nor responsibility for the translated information.

Greyhound has translated a number of documents that we will utilize. Staff has also been instructed that LAP persons may not be able to read their native language, and to be ready to provide oral interpretation of written documents. If information is needed in another language, contact 214-849-8000. Si se necesita información en otro idioma, llame al 214-849-8000.

## **Staff Training Regarding LAP Policies and Procedures**

All current Greyhound staff have been trained on their obligation to provide meaningful access to information and services for LAP persons. Likewise, ongoing training on this topic will be part of our company's orientation for new employees, and existing employees as needed. The training will seek to make all employees aware of the following:

- a) Background of the LAP program;
- b) Our company's obligation to provide meaningful access to individuals with LAP;
- c) LAP policies and procedures; and
- d) Protocol in responding to LAP callers, written communications from LAP persons and in-person contact with LAP persons.

## **Providing Notice of Free Language Services to Persons with LAP**

We recognize that it is important to put customers on notice that we provide free language assistance. We will develop a notice in different languages that states this and how to obtain language assistance. We may notify persons through the following methods:

- a) Post signs in common areas and offices;
- b) Place this statement in marketing materials, if space is limited, we will put it in the most common language(s).
- c) Use a telephone voice mail menu in the most common languages encountered;
- d) Provide notices on non-English-language radio and television;
- e) Presentations and/or notices at community organizations.

## **Continuous Oversight of the LAP – Monitoring and Updates**

By implementing our Language Access Plan, Greyhound can help remove barriers to meaningful access to those Greyhound passengers who are LAP persons seeking to use or participate in all the company's transportation services, and related activities. Greyhound will monitor and update this LAP on an ongoing basis, as determined by the ongoing assessment of our customers by Greyhound staff and management. Technology enhancements and the continued increase in online ticketing sales will continue to have an impact on those identifiable LAP persons that need further Greyhound translation or interpreter assistance, although the need for such services will be monitored going forward. As Federal agencies continue to review and change the Federal mandates under Title VI, Greyhound will continue to make the necessary adjustments in its Title VI and –LAP documents to fulfill those requirements.