

## Operational Policy

<b>Policy title:</b>	Language Proficiency Pay Differential Policy		
<b>Policy number:</b>	OHA-060-044		
<b>Original date:</b>	02/15/2015	<b>Last update:</b>	03/07/2016
<b>Approved:</b>	Mark Fairbanks, OHA Chief Financial Officer		

### Purpose

The Oregon Health Authority is committed to ensuring good communication between agency staff and individuals who depend on our services. The agency also is committed to supporting staff in the development and use of abilities that increase their ability to communicate with the communities we serve. Fulfilling this commitment through a language proficiency policy will result in improved outcomes for staff and our service recipients.

### Description

This policy details the requirements for training, hiring and providing a pay differential for staff who are multi-lingual.

### Applicability

This policy applies to OHA staff including employees, volunteers, trainees and interns.

As keepers of the public trust, all agency employees have a responsibility to comply with state and agency policies, administrative rule, and state and federal law. The agency takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Employees who fail to comply with state or agency policy, administrative rule, or state and federal law may face progressive discipline, up to and including dismissal from state service.

### Policy

1. The OHA office of Human Resources (HR) shall coordinate with agency programs to develop and maintain a list identifying non-English languages commonly needed by OHA employees, including American Sign Language.
2. Qualifying employees of OHA required to use their skills in more than one language in the performance of their assigned duties, including oral or written communication such as interpretation and written translation or the use of sign language, may be offered a pay differential for proficiency in a non-English language.
3. Differential pay is based on operations and position need as well as current demographic data and measurable outcomes specific to each position.
4. To qualify for a language pay differential, OHA employees shall meet language proficiency standards.
5. OHA shall employ an independent third-party assessor of language abilities to determine levels of proficiency and create standardized language performance measures.

6. Assigned duties determining eligibility for a pay differential based on non-English language proficiency vary for each position and shall be specified within each individual position description.
  - a. Managers may request that non-English language proficiency be added to a position description.
  - b. The addition of non-English proficiency to a position description shall be reviewed and approved by HR.
7. Supervising managers shall immediately notify HR when an employee is no longer eligible for a language pay differential.
8. OHA employees may test for language proficiency during their employment, whether or not they are in a position requiring non-English language proficiency.
  - a. HR shall add a proficiency designation and the language in which proficiency has been established to the personnel file of each employee passing the proficiency test.
  - b. The names of employees with passing proficiency scores will be added to an HR list of staff “pre-qualified” for bilingual positions.
9. OHA shall contract with a language testing service to assess the language proficiency of employees and candidates for employment when those employees will receive a pay differential based on the use of non-English language skills in the performance of their assigned duties.
10. In order to receive a pay differential for proficiency in a non-English language, or be offered a position requiring proficiency in a non-English language, staff and candidates must achieve:
  - a. A level of “High Intermediate” fluency on the oral assessment.
  - b. A minimum score of Level 3 in the ASL proficiency interview.
  - c. Written language proficiency, at the request of the supervising manager based on job responsibilities.
11. Employees or applicants may have testing waived by providing approved documentation such as:
  - a. A previously documented ASL proficiency interview test score of Level 3 or above.
  - b. A college degree or diploma from a country with a national language applicable to the desired position.
  - c. National or state certification as an interpreter in a legal, medical or other setting.
12. Prospective staff applying for positions requiring non-English language proficiency (including current staff applying for promotion or transfer) shall have one opportunity during the application process to pass the proficiency assessment.
13. All OHA staff receiving a language proficiency pay differential when this policy goes into effect shall be assessed to ensure interpretive (oral) language proficiency in the target language within six months of the implementation of this policy.
  - a. Employees may test twice within a six month period in order to demonstrate proficiency.
  - b. Based on operational needs and budget constraints, OHA may support skill enhancement for employees who do not pass their initial proficiency assessment.
  - c. Employees who do not demonstrate proficiency within a six month period of their initial testing may have their pay differential removed and non-English language responsibilities reassigned.

## References

## Forms referenced

## Related policies

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**Policy history**

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