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July 14, 2021

Honorable Anthony Portantino
Chair, Appropriations Committee
California State Senate
State Capitol, Room 5050
Sacramento, CA 95814

RE: AB 401 (CHIU) as amended May 24, 2021 – SUPPORT

Dear Senator Portantino:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports AB 401**. This bill is scheduled for hearing before Senate Appropriations Committee on July 15, 2021.

AB 401 would ensure that Californians with limited English proficiency can access the critical benefits administered by the Employment Development Department (EDD), including unemployment insurance, state disability insurance, paid family leave, and pandemic unemployment assistance which are currently lifelines for millions of Californians.

California has one of the country's most diverse populations and is home to the nation's largest limited English proficient (LEP) population. The state has close to 7 million residents who primarily speak one of over 200 non-English languages. While Spanish is the most common non-English language, the state has approximately 2.4 million LEP residents who speak other languages. Yet, many of EDD's services and critical forms are only provided in English and Spanish. While it may suffice for some smaller cities and states, providing access solely in one language other than

English is simply unacceptable in an economy as large and diverse as California.

Current EDD language access practices, policies, and protocols have resulted in catastrophic, deep and long-term financial hardship and instability for countless Californians with LEP. As the recent EDD Strike Team reported, “individuals who are not fluent in English face insurmountable barriers to receiving assistance.” For example, the fastest way to process an application for EDD benefits, including unemployment insurance, is using the online portal on EDD’s website, which is only available in English and Spanish. Though telephonic applications are available through EDD, all dedicated multilingual phone lines are overburdened and nearly impossible to get through. Paper applications are the slowest processing method for application and though multilingual forms are available online for reference, applications are only accepted for submission in English and Spanish. Simply put, California is failing to meet the needs of California’s LEP community, depriving them of their civil rights and, for many, their sole source of financial support to meet basic needs.

To ensure all Californians have equitable access to EDD’s services, AB 401 would:

- Require proactive identification of a claimant’s language needs.
- Require EDD to provide expanded translation of EDD applications, vital documents and notices, which are sent directly to the claimant.
- Require EDD to communicate with claimants in their preferred language in a timely manner, including interpretation for oral communications or telephone or otherwise.
- Establish a community review process of EDD’s translation efforts to ensure accessibility.
- Require EDD to report annual data on applications and benefits administered by language.

Now, as many Californians struggle with the financial hardship in the wake of the pandemic, the need to be able to access EDD services is greater than ever.

For these reasons, DRC supports this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Harris", with a horizontal flourish extending to the right.

Eric Harris
Director of Public Policy
Disability Rights California

cc: Honorable Members, Senate Appropriations Committee
Honorable David Chiu, California State Assembly
Riana King, Office of Assembly Member Chiu
John Knobel, Office of Assembly Member Mayes