

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LABOR AND CIVIL SERVICE

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, May 8, 2014
1:35 p.m.

PRESENT:

COUNCILMAN JAMES KENNEY, CHAIR
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BOBBY HENON
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA

RESOLUTION 130782 - Resolution calling on the
Committee on Labor and Civil Service of the
Council of the City of Philadelphia to hold
hearings on increasing access to City services
to immigrant and language-minority
populations...

- - -

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2

COUNCILMAN KENNEY: Good

3

afternoon, ladies and gentlemen. Thank

4

you for your attendance of the City

5

Council's Labor and Civil Service

6

Committee. This is a public hearing to

7

hear testimony on Resolution No. 130728,

8

which is calling on the Committee on

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Labor and Civil Service of the Council of

10

the City of Philadelphia to hold hearings

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on increasing access to City services to

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immigrant and language-minority

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populations, including the development of

14

hiring guidelines and goals, and to

15

determine progress made toward that end.

16

In attendance is Councilman

17

Goode, Councilman Squilla, Councilmember

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Quinones-Sanchez, and I'd recognize

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Councilperson Sanchez, if she has any

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remarks.

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COUNCILWOMAN SANCHEZ: Thank

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you, Chair, Councilman Kenney, for not

23

only holding this hearing, but your

24

ongoing work as it relates to issues of

25

immigration and diversity in the City of

1 5/8/14 - LABOR - RES. 130782

2 Philadelphia.

3 I also want to acknowledge
4 Councilman Goode, who last year helped me
5 kind of formulate what I hope to be today
6 the beginning of a process around
7 language access and diversity in the
8 workforce. He asked for a legal opinion
9 that gave us some guidance and really
10 opened up the door to how the City could
11 be more proactive on this.

12 I want to thank the
13 Administration, the Civil Service
14 Commission, its leadership under the
15 Chairwoman, Doris Smith, and others who
16 have always been engaging in this
17 discussion and who today will shed some
18 light around what their capacity is,
19 ability is, and authority is and how we
20 can move forward.

21 As many of you know,
22 Philadelphia is a diverse city with a
23 strong immigrant past and an equally
24 strong immigrant future. Philadelphia's
25 foreign-born population has increased by

1 5/8/14 - LABOR - RES. 130782
2 over 40,000 between 2000 and 2012, with
3 now nearly 180,000 Philadelphians that
4 are born in another country other than
5 Philadelphia, and they now account --
6 other than United States, they now
7 account for 12 percent of our population.

8 More than one in five
9 Philadelphians speak a language other
10 than English at home. This includes
11 thousands of City residents who primarily
12 speak Spanish, Chinese, Vietnamese,
13 Russian, Arabic, and countless others.
14 This population shift represents new
15 challenges in effectively delivering
16 services and fundamentally are providing
17 an exciting opportunity for development
18 in the City of Philadelphia. The Mayor,
19 Mayor Nutter, and his Administration have
20 made great strides in this through a
21 series of historic Executive Orders and
22 directives from the Managing Director's
23 Office.

24 Today we'll hear some testimony
25 about where we are today and I hope, as I

1 5/8/14 - LABOR - RES. 130782

2 said, is the beginning of a discussion
3 about how we move forward in the City of
4 Philadelphia to provide the best access
5 to the residents and the constituents and
6 the taxpayers for their government.

7 So thank you very much,
8 Mr. Chair, for allowing us to have this
9 hearing. Thank you.

10 COUNCILMAN KENNEY: Thank you
11 very much for your comments and for your
12 attendance.

13 The first set of witnesses will
14 be Beth Shapiro, John Lara, and Sonja
15 Kerr.

16 Oh, I'm sorry. I apologize. I
17 missed the first witness, because I have
18 three in a row. Jennifer Rodriguez.

19 (Witness approached witness
20 table.)

21 COUNCILWOMAN SANCHEZ: Is the
22 Personnel Director going to join us?

23 COUNCILMAN KENNEY: Please.

24 (Witness approached witness
25 table.)

1 5/8/14 - LABOR - RES. 130782

2 COUNCILMAN KENNEY: Whoever is
3 ready to go first, please identify
4 yourself for the record and please move
5 the microphone -- we have an old system,
6 so move it close to you and speak
7 directly into it. Thank you.

8 MS. RODRIGUEZ: Good
9 afternoon --

10 COUNCILMAN KENNEY: Good
11 afternoon.

12 MS. RODRIGUEZ: -- Chairman
13 James Kenney and members of the Committee
14 of Labor and Civil Service. I am
15 Jennifer Rodriguez, Executive Director of
16 the Mayor's Office of Immigrant and
17 Multicultural Affairs, and I'm here to
18 testify on Resolution 130782 on
19 increasing access to City services to
20 immigrant and limited English-proficient
21 individuals. This resolution was
22 introduced by Councilwoman Maria
23 Quinones-Sanchez, and good afternoon to
24 you, Councilwoman, and to Councilman
25 Goode.

1 5/8/14 - LABOR - RES. 130782

2 After decades of population
3 decline and low immigrant influx, over
4 the past several decades our city has
5 experienced a surge in foreign-born
6 residents, leading organizations like the
7 Brookings Institute to categorize
8 Philadelphia as a reemerging immigrant
9 gateway.

10 According to the Delaware
11 Valley Regional Planning Commission's
12 Data Snapshot on immigration published
13 last year, Philadelphia has the greatest
14 number of foreign-born people of any
15 municipality in the region. At 172,400,
16 we have nearly seven times more
17 foreign-born persons than Trenton, New
18 Jersey, which has the second largest
19 immigrant population in the Delaware
20 Valley. The rate of growth has been
21 high. Foreign-born residents make up
22 approximately 11 percent of our city's
23 population, and over one-third of them,
24 or 38 percent, have arrived in the United
25 States since the year 2000.

1 5/8/14 - LABOR - RES. 130782

2 This rapid change in our
3 demographic profile brings tremendous
4 economic and cultural vitality to the
5 City, yet it also presents significant
6 challenges, especially in our efforts to
7 provide access to services and in helping
8 immigrants to fully participate in our
9 communities. One of the most notable
10 challenges is that of language.

11 Immigrants in Philadelphia come
12 from many different countries, and many
13 of them are limited English proficient,
14 or LEP. In fact, 21 percent of residents
15 in Philadelphia speak a language other
16 than English at home, and 9.5 percent,
17 approximately 136,000, speak English less
18 than very well. In other words, they're
19 not fluent in English.

20 Of the 138,000 residents that
21 speak Spanish, 51,000 of them do not
22 speak English fluently, and of the 70,000
23 that speak Asian and Pacific Islander
24 languages, 44,300 do not speak English
25 fluently.

1 5/8/14 - LABOR - RES. 130782

2 The federal government has
3 issued two mandates that guarantee
4 meaningful access to federally funded
5 programs to persons of limited English
6 proficiency. Title VI of the Civil
7 Rights Act of 1964 guarantees that no
8 person in the United States shall, on the
9 grounds of race, color, or national
10 origin, be excluded from participation
11 in, be denied the benefit of, or be
12 subjected to discrimination under any
13 program or activity receiving federal
14 financial assistance. There is also
15 Executive Order 13166 issued by President
16 Clinton in the year 2000 and reaffirmed
17 by President Obama in 2011 which requires
18 that recipients of federal funds provide
19 meaningful access to their LEP applicants
20 and beneficiaries. These mandates are
21 unfunded, but the U.S. Department of
22 Justice has issued guidance to assist
23 entities in fulfilling them. DOJ sets a
24 four-factor reasonable analysis that
25 balances, one, the number or proportion

1 5/8/14 - LABOR - RES. 130782
2 of limited English-proficient individuals
3 eligible to be served or likely to be
4 encountered by the agency or department;
5 two, the frequency with which limited
6 English-proficient individuals come in
7 contact with the department or agency;
8 three, the nature and importance of the
9 program, activity or service provided by
10 the department to those persons' lives;
11 and, four, the availability of resources
12 and the costs to the grantee, recipient
13 or agency.

14 In Philadelphia, City efforts
15 to implement a coordinated approach to
16 meet the needs of limited
17 English-proficient individuals date back
18 to 2001 when then Mayor John Street
19 issued Executive Order 04-01, which
20 required departments to determine
21 resources needed to provide limited
22 English-proficient individuals access to
23 federally funded programs in order to
24 comply with the federal mandates.
25 Following those efforts, in 2003, the

1 5/8/14 - LABOR - RES. 130782

2 Managing Director's Office launched
3 Global Philadelphia, as the City's
4 language access program was branded then,
5 which designated language access liaisons
6 within the City's operating departments
7 to help coordinate resources, implement
8 policies and language access plans.

9 Those efforts led to a formal language
10 access policy and plan, MDO Directive 62,
11 issued in 2007.

12 Mayor Michael Nutter has signed
13 two Executive Orders that underscore the
14 importance of ensuring meaningful access
15 to services for LEP individuals across
16 the City. Executive Order 08-09 mandates
17 that all City services be available to
18 individuals regardless of their
19 citizenship or legal immigration status,
20 the only exception being programs where
21 the access is limited by law. Executive
22 Order 09-08 mandates that all City
23 departments, agencies, and boards provide
24 language access services and develop
25 language access plans to guide the

1 5/8/14 - LABOR - RES. 130782

2 implementation of these services.

3 In terms of operations,

4 Managing Director's Office Directive 62

5 lays out uniform standards for the

6 delivery of language access services

7 across all operating departments, at the

8 same time allowing each the flexibility

9 to assess their needs and priorities

10 based on the four-factor analysis

11 mentioned earlier, the number of limited

12 English-proficient individuals, the

13 frequency of contact, importance of the

14 program, and resources available. Since

15 then, in order to facilitate the delivery

16 of language access services, the City has

17 contracted with language services

18 vendors, which support the language needs

19 of the departments throughout the City.

20 Currently, our office manages seven

21 vendors that provide telephonic

22 interpretation, in-person interpretation,

23 document translation, proofreading, and

24 training.

25 In addition to these basic

1 5/8/14 - LABOR - RES. 130782
2 tools, our office, MOIMA, supports the
3 language access needs of departments
4 through technical assistance and
5 training. For example, this year we
6 assisted the Department of Finance in the
7 development of outreach materials for
8 both the homestead and LOOP tax relief
9 programs. We trained the Philadelphia
10 Police Department promoted staff on
11 Directive 71, which outlines the protocol
12 to be followed during encounters with
13 limited English-proficient individuals.
14 We have just scheduled new training on
15 how to develop materials in plain
16 English, which is an essential skill in
17 effective community outreach and
18 necessary to produce documents that are
19 effective when translated in foreign
20 languages. We are also working with the
21 Revenue Department and the Managing
22 Director's Office to train recent hires
23 and other staff on language access tools
24 and culturally competent customer
25 service.

1 5/8/14 - LABOR - RES. 130782

2 There are other ways in which
3 the City of Philadelphia ensures that
4 limited English-proficient individuals
5 have meaningful access to the services in
6 their preferred language. The City has
7 designed "I speak" wallet-sized cards,
8 which I have here, for example, in 16
9 languages. These --

10 COUNCILMAN KENNEY: What is the
11 name of the card?

12 MS. RODRIGUEZ: "I speak" --
13 well, city of language Language Access
14 Card or "I speak." So basically --

15 COUNCILMAN KENNEY: Is it "I
16 speak"?

17 MS. RODRIGUEZ: I speak.

18 COUNCILMAN KENNEY: ICE?

19 MS. RODRIGUEZ: No, no, no. I
20 talk, I speak.

21 COUNCILMAN KENNEY: Oh, good.
22 Stay away from the ICE. Don't slip on
23 the ICE too. Thank you.

24 MS. RODRIGUEZ: No. No.

25 COUNCILMAN KENNEY: I'm sorry.

1 5/8/14 - LABOR - RES. 130782

2 MS. RODRIGUEZ: That's quite
3 all right.

4 These cards are available in 16
5 languages and they help LEP individuals
6 inform English speakers what their
7 preferred language is.

8 The Philly 3-1-1 Call Center
9 provides users access to telephonic
10 interpretation in over 180 languages, and
11 their smart phone application, or app,
12 can be downloaded in 16 languages. At
13 last count, Philadelphia was the only
14 city to provide this service.

15 The City also has certified
16 interpreters within its staff. DHS has
17 ten certified interpreters, while our
18 Police Department has a volunteer corps
19 of interpreters, of approximately 200
20 certified interpreters. The Commerce
21 Department has a well-regarded innovative
22 program of multi-lingual commercial
23 corridor liaisons who provide technical
24 assistance and serve as intermediaries
25 between the City and immigrant business

1 5/8/14 - LABOR - RES. 130782

2 owners.

3 In the years since the City's
4 language access program was created, the
5 City has made significant progress in
6 delivering language assistance services
7 to the thousands of residents who are
8 limited English proficient. Yet despite
9 many accomplishments, we recognize that
10 there's more work to be done in order to
11 ensure that every resident can have ready
12 and meaningful access to services and
13 programs regardless of their ability to
14 speak English.

15 The City has a sound foundation
16 in which to continue to develop its
17 language access program, and our office
18 is committed to strengthening it in ways
19 that build upon the practices and
20 initiatives currently in place and that
21 also takes a close look at opportunities
22 for improving interdepartmental
23 collaboration, new technology
24 applications, evaluation and performance
25 measurements, and long-term

1 5/8/14 - LABOR - RES. 130782

2 sustainability.

3 We will work with departments
4 to update their language access plans
5 and, in cases where no plans exist, to
6 draft them. We will reactivate the
7 departmental language access liaisons in
8 order to better ensure coordination and
9 integration of language access services.
10 We will help departments identify
11 essential public documents that should be
12 available or accessible to limited
13 English-proficient individuals, including
14 information that should be available in
15 the City's website. We will look for
16 ways to build upon the work that has been
17 done in identifying and effectively using
18 bilingual or multi-lingual employees to
19 improve accessibility to the limited
20 English-proficient community. We will
21 explore the use of technology and improve
22 services -- in order to improve services
23 and reduce costs. We will work to
24 measure success by identifying
25 performance measures and conducting

1 5/8/14 - LABOR - RES. 130782

2 periodic evaluations that include
3 feedback from limited English-proficient
4 users. In addition, we will work to
5 improve community outreach and awareness
6 of language access tools available.

7 As we continue to experience
8 the high rate of immigrant settlement
9 that we have observed over the last
10 decade, it will become increasingly
11 important for the City to ensure that we
12 have the necessary infrastructure and
13 resources to welcome and integrate these
14 newcomers into the City's fabric. We are
15 committed to work with City Council, the
16 immigrant community, and stakeholders to
17 ensure that limited English-proficient
18 individuals have access to quality public
19 services regardless of the language they
20 speak.

21 Thank you.

22 COUNCILMAN KENNEY: Thank you
23 very much for your testimony.

24 Let the record reflect that
25 Councilman O'Neill is also in attendance

1 5/8/14 - LABOR - RES. 130782
2 at the Committee hearing.

3 Mr. D'Attilio, do you have any
4 prepared testimony?

5 MR. D'ATTILIO: No, I don't.

6 Albert D'Attilio, Director of
7 Human Resources.

8 I'm here to answer any
9 questions you may have concerning the
10 hiring process.

11 COUNCILMAN KENNEY: Thank you
12 very much for your testimony.

13 Is there any program through
14 Human Resources or through each
15 individual department that deals mostly
16 interacting with citizens relative to
17 kind of the sensitivity of the issue? I
18 think one of -- in dealing with the
19 public that may be limited in their
20 ability to speak English. I mean, I know
21 sometimes even English speakers will come
22 to a desk in an office somewhere in
23 Philadelphia and not express themselves
24 clearly to what they're looking for, and
25 there's kind of sometimes this dismissive

1 5/8/14 - LABOR - RES. 130782

2 attitude about not knowing what you want
3 or how to ask for it. And I'm wondering
4 if there's any kind of, both with the
5 Police Department, L&I, Health, DHS, the
6 departments that come in contact with
7 people the most, is there any type of
8 either training at the Police Academy or
9 at Fire School for paramedics or any of
10 the other preparing to come to work for
11 the City in an ongoing education?

12 MS. RODRIGUEZ: So our office
13 works with the Customer Service Academy,
14 and part of the curriculum of the
15 Customer Service Academy includes
16 language access. We have also -- or the
17 Managing Directors prior to us has,
18 through our vendors, provided cultural
19 sensitivity training to different
20 departments, Revenue, L&I and such. So
21 the trainings are available, and right
22 now Revenue is scheduled, for example, to
23 have a training.

24 The training that we have done
25 with the Police basically is how to

1 5/8/14 - LABOR - RES. 130782
2 access the tools available for -- to deal
3 or to communicate with limited
4 English-proficient individuals, and it
5 does touch on sensitivity, but we have
6 not crafted a cultural sensitivity
7 training specifically.

8 COUNCILMAN KENNEY: Do we do
9 any kind of secret shopper activity? You
10 know what I'm talking about?

11 MS. RODRIGUEZ: To date --

12 COUNCILMAN KENNEY: And not to
13 look to discipline anybody, but to kind
14 of look to improve the service.

15 MS. RODRIGUEZ: To date, we do
16 not. However, we are in -- that's one of
17 the conversations we're having with the
18 Police Department, implementing a secret
19 shopper service. It can be kind of
20 tricky, if you will, or difficult.

21 COUNCILMAN KENNEY: I think it
22 would be more difficult with the Police
23 to be a secret shopper with all the
24 trouble you run into, but as far as going
25 to a desk at L&I, for example, or going

1 5/8/14 - LABOR - RES. 130782

2 to interface with the Revenue or paying a
3 water bill or things of that nature.

4 MS. RODRIGUEZ: So certainly in
5 terms of evaluating the service and the
6 quality, it's important to know how it's
7 actually delivered on a realtime basis,
8 right? And that's something that I think
9 we should discuss or we could discuss.
10 In order to do that effectively, I think
11 we need to go through a period of time in
12 which the departments are retrained or
13 re-inculcate the importance of language
14 access and then perhaps go through it.

15 COUNCILMAN KENNEY: But I also
16 think that something like that should not
17 be punitive in nature as far as
18 disciplinary. It should be educational
19 as opposed to that. I think because
20 people would be less likely to be angry
21 about it as a City worker if you knew you
22 weren't going to be in trouble, but just
23 received better instruction.

24 MS. RODRIGUEZ: I think working
25 with the departments in crafting the

1 5/8/14 - LABOR - RES. 130782

2 program is probably one of the most
3 effective ways in ensuring that they buy
4 in and they actually are supportive of
5 it.

6 COUNCILMAN KENNEY: Just one
7 more area. I notice when people travel
8 sometimes to Europe and other places,
9 there's these handheld devices that
10 will -- you can speak into. It's like a
11 Google translate handheld where you can
12 speak into and then it translates it back
13 in the language. Have we looked at
14 anything like that that could be
15 available to customer service folks?

16 MS. RODRIGUEZ: Yes, we have.
17 The trouble or the challenge with those
18 services is that to the extent that the
19 nature of the conversation is technical,
20 then the translation is really not the
21 best.

22 COUNCILMAN KENNEY: It's like
23 auto correct.

24 MS. RODRIGUEZ: For example,
25 the Philly 3-1-1 app, you can download it

1 5/8/14 - LABOR - RES. 130782
2 in a language, you can text, and it takes
3 you back in your preferred language. So
4 I think one of what we really need to
5 look at is technology, how to apply it,
6 but it needs to -- in instances where
7 there's a lot of technical language, that
8 becomes a challenge.

9 COUNCILMAN KENNEY:
10 Councilwoman Sanchez.

11 COUNCILWOMAN SANCHEZ: Thank
12 you.

13 I want to recognize MOIMA and
14 its work and what it's done, and I want
15 to thank Jennifer for kind of outlining
16 in her testimony and the supporting
17 documentation the current investments
18 that we have here.

19 Some of the questions we've
20 been working with for both the Personnel
21 Department and MOIMA, but I do want to
22 ask some questions for the purposes of
23 the record, because I believe that this
24 is going to be an ongoing conversation
25 about how the City improves, as Jennifer

1 5/8/14 - LABOR - RES. 130782
2 says, improves some of these services
3 that we have.

4 Currently, what, if any,
5 tracking is done by department for
6 cultural sensitivity and actual
7 utilization? You mention that you work
8 with departments. Do you work with all
9 departments or do you have a plan, and
10 who is in charge of that?

11 MS. RODRIGUEZ: So there is --
12 the Managing Director's Office when they
13 implemented or issued Directive 62, they
14 had a plan, a working plan, for the
15 implementation of the directive, and
16 those documents exist. I think that
17 there's really no need to recreate the
18 wheel in the sense that there's a really
19 robust planning process that has taken
20 place, and I think that the best way that
21 we can serve is to reactivate that.

22 We are and I -- our
23 department --

24 COUNCILWOMAN SANCHEZ: You
25 mention reactivate. Is there no one in

1 5/8/14 - LABOR - RES. 130782

2 charge?

3 MS. RODRIGUEZ: Well, we are in
4 charge. So the Managing Director's
5 Office is -- MOIMA is in charge. The
6 liaison to the departments, we are in
7 contact with all of them. However, the
8 liaisons have not been -- they have not
9 met together to have an interdepartmental
10 exchange and to really coordinate and
11 really think about performance
12 measurements and monitoring of activity.
13 So we have tracking ability, for example.
14 Our vendors can -- their databases, they
15 have access to how many calls in how many
16 languages, and you can query the
17 databases to get some trends.

18 But there is -- currently we
19 haven't sat down, for example, to talk
20 about what does that really mean and are
21 there gaps in service or improvement, and
22 I think that's one of the areas in which
23 the City could do a lot better.

24 COUNCILWOMAN SANCHEZ: So right
25 now there is no guidance for departments

1 5/8/14 - LABOR - RES. 130782
2 about what they should and should not be
3 doing. There is an MDO directive. There
4 is a plan, and the plan hasn't been
5 executed. Is that what you're saying?

6 MS. RODRIGUEZ: Well, the
7 departments -- no, not exactly, in that
8 the departments have the plans and some
9 departments are clearly -- I can, for
10 example, talk about the Public Health
11 Department is very engaged in ensuring
12 that the language services are available.
13 Every department that we are in touch
14 with has the tools available to them. To
15 what extent they use the analysis in
16 improving their performance, I'm not -- I
17 can't answer that right now. So that's
18 one of those instances of which I think
19 bringing the departments together to see
20 how well they understand the metrics that
21 they're able to obtain through the
22 service would be important.

23 COUNCILWOMAN SANCHEZ: Who do
24 they submit those matrix to?

25 MS. RODRIGUEZ: Right now they

1 5/8/14 - LABOR - RES. 130782

2 do not -- there's not a central reporting
3 process.

4 COUNCILWOMAN SANCHEZ: Okay.

5 In terms of timeframe -- I know you
6 haven't been here this long -- are there
7 any plans for establishing those matrix,
8 that conversation? What's the timeline?

9 MS. RODRIGUEZ: So that's part
10 of that initial planning and work plan
11 that the Managing Director's Office did
12 in the 2008, 2007, and that's
13 incorporated into that plan. To what
14 extent it was executed in the past, I am
15 not -- I don't know.

16 COUNCILWOMAN SANCHEZ: So there
17 is no annual reporting to you or anyone
18 in charge of gathering kind of that data?

19 MS. RODRIGUEZ: The departments
20 have not reported to my office and --

21 COUNCILWOMAN SANCHEZ: Do they
22 report to the Managing Director's Office?

23 MS. RODRIGUEZ: Not to my
24 knowledge, but I'm not clear on that.

25 COUNCILWOMAN SANCHEZ: So one

1 5/8/14 - LABOR - RES. 130782
2 of the things that we've done that I've
3 learned watching Councilman Goode, in
4 frustration, we asked departments last
5 year and this year to begin reporting out
6 around language access. Have you seen
7 what the departments have been giving to
8 Council as part of this budget process?
9 Have you looked at those spreadsheets
10 yet?

11 MS. RODRIGUEZ: Frankly, no.

12 COUNCILWOMAN SANCHEZ: Let me
13 suggest that you do. It is quite
14 disappointing in the numbers. And the
15 exercise is not done so that departments
16 could just report out, but it was to
17 begin to document how departments rate in
18 terms of cultural diversity, language
19 diversity, male, female. I think the
20 demographic information is quite telling
21 for the City. It would be important that
22 if in fact -- you're saying that MOIMA is
23 now charged with reviewing this?

24 MS. RODRIGUEZ: We're charged
25 with the language access.

1 5/8/14 - LABOR - RES. 130782

2 COUNCILWOMAN SANCHEZ: Just the
3 language access?

4 MS. RODRIGUEZ: Just the
5 language. So it would only be in matters
6 of telephonic interpretation, document
7 translation, and training in terms of
8 language access and cultural sensitivity.

9 COUNCILWOMAN SANCHEZ: Has any
10 City department ever thought about your
11 department or Managing Director's
12 Office -- maybe Al could respond to this.
13 Has anyone done a needs assessment to
14 determine department by department what
15 the needs are based on the current
16 utilization of the translation line?

17 MS. RODRIGUEZ: Each department
18 in developing their language access plan,
19 the basis of the development of a
20 language access plan is a needs
21 assessment plan.

22 COUNCILWOMAN SANCHEZ: But you
23 said that not all departments have a
24 language access plan. Who has it and who
25 doesn't?

1 5/8/14 - LABOR - RES. 130782

2 MS. RODRIGUEZ: So --

3 COUNCILWOMAN SANCHEZ: And you
4 can submit that for the Chair for the
5 record, because I think it's important to
6 see who has it and who doesn't. And I
7 think it's real important, as Councilman
8 Kenney says, we don't want to be
9 punitive, but at the same time, we want
10 to know who is doing it and who is not.

11 MS. RODRIGUEZ: Sure.

12 COUNCILWOMAN SANCHEZ: And who
13 is measuring that piece.

14 I wanted to ask Mr. D'Attilio a
15 couple questions. Again, the Personnel
16 Office has been extremely cooperative in
17 doing this, but, again, for the record,
18 does the City have any goals or
19 objectives in reducing the
20 underrepresentation of various ethnic
21 groups within its workforce and both on
22 the Civil Service side and on the exempt
23 side?

24 MR. D'ATTILIO: So for the
25 record -- and before I answer that, may I

1 5/8/14 - LABOR - RES. 130782

2 come back to a question that you had just
3 posed on data -- on statistical -- on
4 statistics -- I'm sorry for babbling --
5 on language access. When we do -- when
6 employees are hired, we do ask if they
7 have any language skills, and we record
8 that in our central system. So we can
9 produce a report for you that will
10 indicate the number of employees who have
11 identified themselves as being
12 multi-language skills and what those
13 languages are.

14 As far as goals, the
15 Administration is very much committed to
16 a diverse workforce. We do not have
17 goals as to race, gender, ethnic
18 background or national origin. I believe
19 because Title VII of the Civil Rights Act
20 of 1964 clearly would -- that would be an
21 issue with the law, because our hiring
22 has to be neutral with respect to race,
23 gender, religion, national origin, age,
24 disability, that sort of thing.

25 COUNCILWOMAN SANCHEZ: So right

1 5/8/14 - LABOR - RES. 130782

2 now we have no goals. Who tracks it?

3 MR. D'ATTILIO: So my office
4 does a report for the Equal Employment
5 Opportunity Commission. It's done
6 annually. I believe it's done in
7 September for an October 1 filing, and we
8 provide that information. It's public
9 record. We provide that information to
10 the EEOC, and we're happy to provide that
11 to you. So it does identify by
12 occupational group, not by job title, our
13 representation and it identifies areas
14 where we may be underrepresented.

15 COUNCILWOMAN SANCHEZ: When you
16 do this report, do you share this with
17 departments? Is there any conversation
18 after that annual report is written up by
19 anyone?

20 MR. D'ATTILIO: So I believe --
21 and I'll have to go back and check. I
22 believe that my EEO manager does have
23 those conversations with departments,
24 especially those departments that are
25 showing an underutilization. If not, we

1 5/8/14 - LABOR - RES. 130782
2 should be doing that. And departments
3 also have access to the same information,
4 because it's in our Human Capital
5 Management system. So they can run
6 basically the same report for their
7 department.

8 COUNCILWOMAN SANCHEZ: Okay.
9 One of the issues -- and, again, this is
10 a conversation we've been having for a
11 while. I've asked Commissioners -- I'm
12 sounding like a broken record for the
13 last seven years -- around the creation
14 of bilingual-designated positions, and
15 I've been extremely disappointed about
16 the fact that we haven't done that.

17 How many bilingual-designated
18 positions does the City currently have?

19 MR. D'ATTILIO: About 75.

20 COUNCILWOMAN SANCHEZ: About
21 75. And you'll be able to give us a
22 breakdown of where those are?

23 MR. D'ATTILIO: Sure.

24 COUNCILWOMAN SANCHEZ: One of
25 the issues related to this that I hear

1 5/8/14 - LABOR - RES. 130782

2 from the departments is the recruitment.
3 For the record, can you clarify who does
4 recruitment for the different
5 departments?

6 MR. D'ATTILIO: So recruitment
7 currently is the responsibility of the
8 hiring department. The Office of Human
9 Resources in the past had a recruitment
10 office. We have not had a recruitment
11 office probably for close to 15 years.

12 COUNCILWOMAN SANCHEZ: So the
13 Personnel Department, you go through all
14 of the approval of jobs, everything, but
15 you have no one doing recruitment?

16 MR. D'ATTILIO: We do not have
17 a recruitment office. We post our
18 positions on our job site. We can advise
19 departments with hard-to-fill positions
20 or special needs on how we think the best
21 recruitment strategies would be. Many
22 departments don't have a recruitment
23 office at all.

24 I can tell you that the Police
25 Department does have a recruitment

1 5/8/14 - LABOR - RES. 130782

2 office, as does the Fire Department, I
3 believe as does Prisons and DHS. So many
4 of the larger departments have a
5 recruitment arm in their department, but
6 we do not have that ability right now.

7 COUNCILWOMAN SANCHEZ: Does the
8 Personnel Department offer any guidance
9 to departments around the ones who have
10 recruitment around recruitment around the
11 diversity?

12 MR. D'ATTILIO: So typically
13 when departments are having recruitment
14 issues, they will meet with us, and we
15 will try to strategize with their
16 recruiters how best to recruit, to
17 attract qualified individuals for their
18 positions. So we do do that, but as I
19 mentioned before, the responsibility
20 currently lies with the departments.

21 COUNCILWOMAN SANCHEZ: Do you
22 as the Personnel Director see any
23 limitations, barriers in your testing in
24 any of your eligibility criteria to
25 hiring a diverse workforce?

1 5/8/14 - LABOR - RES. 130782

2 MR. D'ATTILIO: Probably the
3 largest barrier would be the Charter's
4 requirement which we call the rule of
5 two. So you can go out and have the best
6 recruitment effort there is and recruit a
7 diverse candidate population, but
8 ultimately the Charter requires a
9 department to only consider the top two
10 candidates for a position. So if you're
11 looking at hundreds and hundreds of
12 people, the top two candidates are the
13 only two who can actually be considered.
14 And from a testing perspective, there may
15 be no difference in performance between
16 the top candidate and Candidate No. 5,
17 10, 15. They may actually have the same
18 score, but, again, the Charter requires
19 us to limit the consideration to only the
20 top two candidates. I think that's the
21 biggest impediment to diversity
22 initiatives.

23 COUNCILWOMAN SANCHEZ: In
24 addition to that, does the Charter
25 restrict only to testing as a mechanism

1 5/8/14 - LABOR - RES. 130782

2 for ranking someone?

3 MR. D'ATTILIO: I believe so.

4 The Charter speaks specifically about
5 open competitive situations, a
6 competitive testing process. On
7 promotional -- on the promotional side,
8 the Charter talks about work performance,
9 conduct, history, attendance as being
10 factors in the selection process. So
11 there is an argument that we may have a
12 little bit more flexibility on the
13 promotional side than we do on the open
14 competitive side, but on the open
15 competitive side where we don't have that
16 history of performance, I believe the
17 Charter does require us to test for every
18 position, with the exception of labor,
19 which is essentially a lottery.

20 COUNCILMAN KENNEY: What
21 happens on the competitive list for entry
22 level when the top 25 candidates all have
23 the same test score? How do we rank --
24 why would one person be put in second
25 place as opposed to third if they're

1 5/8/14 - LABOR - RES. 130782

2 exactly the same score?

3 MR. D'ATTILIO: So, again, we
4 come back to the Charter requirement,
5 that we have to have a rank order, and
6 then how we break those ties is set forth
7 by both Charter and Civil Service
8 regulations.

9 So, for example, the Civil
10 Service regulations look if it's a
11 multi-part examination and say one part
12 of that examination, it may be the
13 written examination, is weighted more
14 than the second part, and the two
15 candidates who are tied, one candidate
16 scored better on the more weighted
17 portion, that candidate would get the
18 preference. It also comes down to, all
19 things being equal, there is a
20 requirement that we favor the
21 Philadelphia resident. So that's a
22 tiebreaker. And ultimately when all of
23 those factors are played out and there's
24 still a tie that needs to be broken, we
25 end up with a random number that just

1 5/8/14 - LABOR - RES. 130782

2 decides that a rank order. And as I
3 mentioned before, Councilman, from the
4 psychometric point of view, there's often
5 no difference. I mean, we're talking
6 about people with the same scores, but
7 often it's people who are in a band of
8 scores who are psychometrically
9 equivalent on the examination, but the
10 Charter requires us to put them in a rank
11 order and that's how we do it.

12 COUNCILMAN KENNEY: If you had
13 your way, would you do it a different
14 way?

15 MR. D'ATTILIO: Yes.

16 COUNCILMAN KENNEY: What would
17 you do?

18 MR. D'ATTILIO: So I would
19 explore a number of options. Again, it
20 would require a Charter change, but I
21 think that band scoring is an option that
22 would be preferable to us, where you
23 basically determine from a psychometric
24 point of view what scores are
25 equivalent --

1 5/8/14 - LABOR - RES. 130782

2 COUNCILMAN KENNEY: I'm sorry.
3 What is psychometric?

4 MR. D'ATTILIO: It's the
5 science of testing. So you basically
6 decide -- and it could be something --
7 every score between 95 and 100 are
8 equivalent, and then you basically
9 consider all of those individuals for the
10 position.

11 As far as the rule of two,
12 there are some options that I could
13 recommend. The State of Pennsylvania
14 uses a rule of the three highest scores.
15 So if they happen to have 100 people who
16 have the highest score, they're all
17 considered, along with the hundred people
18 who have 99 and a hundred people who have
19 a 98.

20 COUNCILMAN KENNEY: They're
21 considered for what? If you have 50
22 jobs --

23 MR. D'ATTILIO: They would have
24 to interview and select from those
25 individuals. Some jurisdictions use a

1 5/8/14 - LABOR - RES. 130782

2 rule but it's greater than two. It may
3 be a rule of three. It may be a rule of
4 five. I think San Francisco actually,
5 they have a rule of, if I remember
6 correctly, they have a rule of the three
7 highest scores, but they have flexibility
8 to use other rules if it makes sense for
9 the population that they're testing. So
10 there are a number of different
11 methodologies that we could use if we
12 didn't have the Charter restriction.

13 COUNCILWOMAN SANCHEZ: Question
14 around that. You say that Philadelphia
15 is weighted differently. How is it
16 weighted differently and does that
17 require a Charter change for us to
18 enhance that?

19 MR. D'ATTILIO: So I believe
20 from the research that we've done that we
21 have the most restrictive certification
22 rule in the country. I have not found a
23 rule that is stricter than the rule of
24 the two top-ranking scores. And it is
25 part of the Home Rule Charter. So in

1 5/8/14 - LABOR - RES. 130782

2 order to change that, we would have to
3 have a Charter change.

4 COUNCILWOMAN SANCHEZ: But you
5 said that Philadelphia is weighted
6 differently in those things, when all
7 else seem equal. How is Philadelphia
8 weighted?

9 MR. D'ATTILIO: Not
10 Philadelphia. I meant on the eligible
11 list. One of the tiebreakers -- we often
12 give multiple parts of an examination, a
13 written examination, an oral -- with an
14 oral examination component, and then
15 seniority. So where two candidates are
16 tied in the overall score but one
17 candidate scored better on the more
18 heavily weighted portion of the
19 examination, that candidate would rank
20 higher than the other candidate that
21 scored lower on that higher -- it's one
22 of the tiebreakers that we use.

23 COUNCILWOMAN SANCHEZ: So there
24 is no grading system, no way of providing
25 Philadelphia preference based on the

1 5/8/14 - LABOR - RES. 130782

2 Charter?

3 MR. D'ATTILIO: The Charter
4 currently provides a preference when all
5 other things are equal. So it's part of
6 the tie-breaking process.

7 COUNCILWOMAN SANCHEZ: But we
8 couldn't -- the Charter does not allow
9 for enough flexibility that we can weigh
10 that heavier in the formula for
11 designating?

12 MR. D'ATTILIO: I would ask the
13 Law Department to weigh in on that,
14 because, you know, certainly you can pass
15 an ordinance or a Charter. I just don't
16 know about the constitutionality issues
17 of that.

18 COUNCILWOMAN SANCHEZ: So who
19 designates or how are decisions made
20 around how much of any testing is
21 weighted, written versus oral versus
22 sample work? Who makes those decisions?

23 MR. D'ATTILIO: We make those
24 decisions, the Office of Human Resources.

25 COUNCILWOMAN SANCHEZ: So if

1 5/8/14 - LABOR - RES. 130782

2 you wanted to, you could weight all of
3 your testing differently?

4 MR. D'ATTILIO: Well, each
5 examination we determine what are the
6 parts and weights, whether it would be a
7 hundred percent written, a hundred
8 percent oral, a performance evaluation, a
9 what we call training and experience
10 evaluation in which we sit down and we
11 evaluate the applicant's resume or
12 application, with specific criteria,
13 specific points for years of experience,
14 educational accomplishments, that sort of
15 thing. But we make those determinations.
16 So we have that flexibility. But once we
17 administer the examination and then
18 there's a final score, then we need to
19 use those final scores and create a
20 numerical list from one to X, and once
21 that list is established, the department
22 can only look at the top two individuals
23 for each vacancy that they fill.

24 COUNCILWOMAN SANCHEZ: But I
25 want to stay on this issue of how the job

1 5/8/14 - LABOR - RES. 130782
2 specs are weighted. I have my issues
3 with testing. You and I talked about
4 that before. What is to stop the Civil
5 Service Commission for modifying the
6 split of what gets weighed, written, oral
7 or otherwise?

8 MR. D'ATTILIO: So just to be
9 clear, that responsibility rests with the
10 Personnel Director, and I delegate that
11 to my Hiring Services Division. That's
12 not contained in the job specification.
13 And one of the factors that we look at
14 when we determine our parts and weights
15 on an examination is the application
16 pool, whether they've been tested before
17 and we can ascertain that they have the
18 basic level of knowledge and we may need
19 to focus on other criteria for
20 assessment, whether we can satisfy the
21 rule of two, whether we have to test
22 thousands of people or three people. I
23 mean, all of that factors in on how we
24 determine what are proper parts and
25 weights.

1 5/8/14 - LABOR - RES. 130782

2 COUNCILWOMAN SANCHEZ: Do you
3 do that internally or do you contract
4 that assessment out?

5 MR. D'ATTILIO: Ninety-nine
6 point nine percent of our assessments are
7 done internally. Every once in a while
8 we will contract out an examination. I
9 think the only one we're currently
10 contracting out is for firefighter.

11 COUNCILWOMAN SANCHEZ: So
12 internally you have the ability to, let's
13 say, reassess every position and change
14 its job specification in the weighted
15 formula by which you do that ranking?
16 You have the authority to do that?

17 MR. D'ATTILIO: I just want to
18 be clear, because we're talking about two
19 different things. So the type of exam
20 that we administer, that authority rests
21 with my office. The job specification,
22 which is the first step, we make
23 recommendations to the Civil Service
24 Commission. The Civil Service Commission
25 approves those job descriptions. So I

1 5/8/14 - LABOR - RES. 130782

2 can't unilaterally change a job
3 description. I take that to the Civil
4 Service Commission. We probably revise
5 20 job descriptions a month. We may
6 establish a job description, we may
7 abolish a job description, but our
8 classification plan, which has about a
9 thousand job descriptions, is in constant
10 evolution. So we do have the ability to
11 go to the Civil Service Commission and
12 make a case for why a job description
13 needs to be changed.

14 COUNCILWOMAN SANCHEZ: One of
15 the things that the City has done very
16 aggressively; in fact, the Mayor
17 supported it and we recently readjusted,
18 is, we've done City preference for
19 businesses and contractors as a way of
20 bypassing any racial, ethnic, and
21 religious violations to Title VII.

22 What limitations, if any, does
23 your department have for us doing that as
24 it relates to the job -- the
25 specifications that your commission

1 5/8/14 - LABOR - RES. 130782

2 creates?

3 MR. D'ATTILIO: So as I
4 mentioned before, there was a recent
5 Charter change, maybe three or four years
6 ago, that created a preference for
7 Philadelphia residents. That preference,
8 as it currently is created, is that when
9 all other things are equal, the
10 Philadelphia resident gets the
11 preference. We talked earlier about
12 whether that preference could be made
13 more robust, and that was where I
14 indicated that I would like some guidance
15 from the Law Department, because the only
16 question I have is the constitutionality
17 of giving Philadelphia residents a
18 preference over non-Philadelphia
19 residents. It may or may not be legal.
20 I just -- I don't know without that legal
21 guidance.

22 COUNCILMAN KENNEY: I'm just
23 curious, who has the authority, you or
24 the Civil Service Commission, to weight
25 or to give preference for bilingual

1 5/8/14 - LABOR - RES. 130782
2 applicants? I mean, we preference
3 veterans. We preference people who have
4 lost their parents in the line of duty
5 who are City employees. Is it you or the
6 Civil Service Commission that could add
7 an additional weight to someone who
8 speaks two languages or three?

9 MR. D'ATTILIO: So there are
10 certain preferences that exist now
11 through the Civil Service regulations
12 and, of course, the Civil Service
13 Commission is responsible for
14 promulgating those regulations. The one
15 that I think Councilwoman Sanchez is
16 referring to is creating job
17 specifications with a bilingual
18 specialty. Another is --

19 COUNCILMAN KENNEY: No. My
20 point -- not to interrupt you. I just
21 want to make sure I get the right train
22 of thought. Why couldn't we weight it
23 for all positions? Why does it have to
24 be a bilingual specialty? Why wouldn't
25 it be okay for anyone we hire to speak

1 5/8/14 - LABOR - RES. 130782

2 more than one language?

3 MR. D'ATTILIO: So I believe --
4 your original question is where would
5 that authority come from, and I think the
6 answer to that would be through the Civil
7 Service Commission. I would advocate
8 that for any position -- I think there's
9 a justification, an argument that could
10 be made that for any position that
11 interacts with the public, such a
12 preference would be a bona fide
13 requirement. Many of our positions do
14 not interact with the public, and I think
15 I would be --

16 COUNCILMAN KENNEY: Could you
17 give me some examples?

18 MR. D'ATTILIO: -- I think I
19 would be hard-pressed to advocate such a
20 preference for those positions.

21 COUNCILMAN KENNEY: Could you
22 give some examples as to who doesn't come
23 in contact with the public?

24 MR. D'ATTILIO: So I'm thinking
25 that in terms of an HVAC mechanic or a

1 5/8/14 - LABOR - RES. 130782
2 plumber who is working internally. Those
3 positions don't necessarily come in
4 contact with the public. I'm a little
5 bit harder pressed to justify a language
6 preference. But many of our positions do
7 come in contact with the public, and I
8 think that creating a preference for
9 those positions is something that we can
10 consider. And we've been having --
11 Councilwoman Sanchez and I met a few
12 months ago, and as a result of that
13 conversation, we have started to look at
14 how we can possibly provide greater
15 preference for the language skills for
16 those positions. So we have some ideas
17 that we're trying to work out the kinks
18 on, but we may be close to it.

19 COUNCILMAN KENNEY: For
20 example, I could see like a Water
21 Department employee who is working in the
22 street, either on a storm drain or on a
23 water line, having a bilingual person
24 that's there in a community that speaks
25 in a large scale another language would

1 5/8/14 - LABOR - RES. 130782

2 seem to be a preference for us to have,
3 because then at least we have the
4 opportunity to explain what it is we're
5 doing there, how long we're going to be,
6 why can't people park at a certain time.
7 I mean, all that -- I don't think it's
8 just the L&I inspector or the health
9 inspector. I think there's -- even in
10 sanitation, I mean, to me there seems to
11 be -- again, unless you're under the hood
12 of a car working in Fleet Management on
13 police vehicles, perhaps it wouldn't be a
14 benefit, but any time you're out in the
15 street, it seems to me that, whether
16 you're in the Cambodian neighborhood or
17 you're in the Vietnamese neighborhood or
18 Hispanic neighborhood, you would have
19 more advantage to communicate with your
20 own citizens if we had more bilingual,
21 trilingual people.

22 MR. D'ATTILIO: You have no
23 argument from me on that.

24 COUNCILWOMAN SANCHEZ: If
25 Council asked your department to provide

1 5/8/14 - LABOR - RES. 130782

2 that assessment, what you would consider
3 your first tier, absolutely, your second
4 tier in terms of language capacity --
5 your first tier, your second tier, and
6 your third tier, how long would that type
7 of an assessment take you?

8 MR. D'ATTILIO: A couple weeks.

9 COUNCILWOMAN SANCHEZ: And
10 you're saying you do about 20 job specs a
11 month. If we said to you we need to get,
12 based on your own assessment, first tier,
13 second tier, third tier, how long would
14 it take you to get through every job
15 specification?

16 MR. D'ATTILIO: To change every
17 job spec, to change a large portion of a
18 thousand job descriptions? That would be
19 a huge effort. I think there may be
20 other ways of accomplishing the same
21 goal, possibly through a Civil Service
22 regulation. That could be done quicker.

23 COUNCILWOMAN SANCHEZ: Okay.
24 So if we ask you for some recommendations
25 around potential Civil Service

1 5/8/14 - LABOR - RES. 130782
2 regulations, including Philadelphia-based
3 preference and language incentive --
4 let's call it that, for lack of a better
5 term. I'll let you, the experts, come up
6 whether that's pay differential or
7 whatever -- how long would that take you
8 to do?

9 MR. D'ATTILIO: Since we've
10 been talking about this internally, I
11 think we can give you an idea on a
12 preference probably within the next few
13 days.

14 The other option -- I'm sorry.
15 What was the other thing that you asked
16 for?

17 COUNCILWOMAN SANCHEZ: What
18 incentives for the bilingual
19 designations. Jennifer spoke about the
20 certification of bilingual folks through
21 the different departments. And so how do
22 we incentivize? One of the things that
23 for the record in talking to particularly
24 the Police Department, people are
25 certified to be bilingual, but there's no

1 5/8/14 - LABOR - RES. 130782
2 incentive to provide the interpretation
3 services. So how long would it take the
4 Civil Service Commission to come up
5 with -- to promulgate some incentives for
6 people in departments to become bilingual
7 certified to provide the language
8 services?

9 MR. D'ATTILIO: So I think
10 coming up with the idea is fairly quick,
11 and I think we've discussed a few of
12 them. The process itself would be the
13 internal vetting, bringing it to the
14 Civil Service Commission in a public
15 hearing. That would be open to comments
16 either for or against.

17 Once the Commission, assuming
18 the Commission passes on those
19 regulations, it would then go to the
20 Administrative Board. If the
21 Administrative Board passes on it, it
22 would then go to Records for a 30-day
23 period. So generally I think you're
24 talking about four or five months.

25 COUNCILMAN KENNEY: Could we

1 5/8/14 - LABOR - RES. 130782

2 also start -- when it comes to language
3 preference, could we try to delineate
4 based on our population our need which
5 foreign languages are the more prevalent
6 in the City, whether it's -- but then try
7 to attack or approach the job description
8 weighting preference -- I don't like
9 "preference." It sends people in a
10 strange way, but weighting test or
11 application based on the need we have.

12 So, for example, the
13 immigration patterns will change over the
14 years, and at some point in time 10, 15,
15 20 years from now, our Southeast Asian
16 population will be speaking better
17 English than I, so we won't have really a
18 need for that kind of weight. It may be
19 some crisis in Eastern Europe or in South
20 America. You know what I'm saying?

21 So, for example, I assume we
22 have a large Russian-speaking population
23 in Northeast Philly. So, I mean, looking
24 at it that way as opposed to -- I don't
25 know if there's a Latvian or something.

1 5/8/14 - LABOR - RES. 130782

2 We have one language that we have five
3 people living in the City that speak it,
4 perhaps we don't need to weight that that
5 way, but if it's Spanish or Cambodian or
6 Vietnamese or Korean or Russian, it seems
7 to be that's the priority at the moment.

8 MR. D'ATTILIO: And I agree,
9 and Director Rodriguez and I had
10 reviewed, I guess, a week or two ago a
11 report that broke down the languages
12 spoken in the City, and what I would say
13 to you is that it may make sense to
14 focus, for example, on the top five
15 languages, because then there's a huge
16 drop-off with the number of people who
17 speak languages other than the top five
18 in the City. And to your point, the
19 languages do change. The immigration
20 pattern changes.

21 COUNCILMAN KENNEY: Okay.

22 MR. D'ATTILIO: So I agree.

23 COUNCILWOMAN SANCHEZ: We
24 agree. I mean, we got to know what's
25 trending and what's going to go up,

1 5/8/14 - LABOR - RES. 130782

2 because there's some people that are here
3 that are not going to go away.

4 So one of the things that I
5 would say is that I want to be able to
6 have a plan for what we're asking the Law
7 Department to weigh in on as it relates
8 to the legalities and ensuring that we're
9 not violating Title VII but, at the same
10 time, creating incentives as opposed to
11 just preferences for some of these
12 decisions so that we can figure out what
13 is regulatory, and then if there is a
14 need for Council to legally provide some
15 regulatory legal basis for you to move
16 forward in the Civil Service Commission,
17 we can work through the summer and
18 hopefully in September. My concern is,
19 as I mentioned to the Administration, is
20 for the first time in a while, we're
21 going to be staffing up a lot of
22 departments, EMT, Police.

23 COUNCILMAN KENNEY: L&I.

24 COUNCILWOMAN SANCHEZ: L&I.

25 They actually designated the L&I position

1 5/8/14 - LABOR - RES. 130782

2 bilingual.

3 COUNCILMAN KENNEY: Good.

4 COUNCILWOMAN SANCHEZ: Other
5 departments, and what I'd like to be able
6 to see is for us to -- because we're
7 talking about filling in positions of
8 folks who are going to be here 20, 30
9 years. So to the extent that we could be
10 proactive as those departments staff up
11 to give the departments guidance.

12 What frustrates me is when
13 departments come in and say they don't
14 have goals or they don't have a plan, and
15 then there's nothing to hold them
16 accountable. So I think this year was
17 the first year that we got more robust
18 information from the departments. I'd
19 like to be able to see us establish some
20 aspirational kind of pathway so that in
21 the next year, in the next budget cycle,
22 that we've made some progress. But if
23 people are not -- if no one is providing
24 guidance, then we're left to department
25 by department kind of situation. And so

1 5/8/14 - LABOR - RES. 130782

2 we'd like to shore that up. So maybe one
3 of my recommendations as a result of this
4 hearing is to ask the Administration to
5 put a task force together that really is
6 charged with pulling together some
7 concrete recommendations. Then we figure
8 out who enforces them and implements them
9 so that we're not left to just Executive
10 Orders, but we figure out what needs to
11 be infused, whether it's in our Charter
12 or in our Civil Service regulation.

13 So I appreciate your help and
14 your support in having kind of this
15 discussion and charge for this.

16 One last thing to Jennifer.
17 And I know that we have other folks here
18 and I don't want to make them wait, and
19 we have another hearing at 3 o'clock. I
20 really appreciate folks' patience in this
21 stuff.

22 One of the things that I think
23 it's important for MOIMA as it looks at
24 its MDO directive and its assessment is
25 to provide this Council -- and we will

1 5/8/14 - LABOR - RES. 130782
2 recess this hearing and then in September
3 come back -- with a pathway around how
4 you're going to measure the language
5 access plans for the departments that
6 have it and how are you going to work
7 with those departments who have none.

8 As much as I appreciate the
9 Global Philadelphia and the help lines,
10 without some clear guidance, there are
11 concerns not only in the City government
12 but also in the row offices and others
13 around who is providing translation,
14 particularly as we talk about victims,
15 particularly when we talk about our
16 public safety, when we talk about our
17 judicial system, who is ensuring that
18 people are getting provided the accurate
19 information and that they're
20 understanding, particularly legal
21 procedures that impact people's lives.

22 And so I think we're at a point
23 that if we're all committed as we say to
24 this new immigrant community, that we
25 have a plan and that someone is looking

1 5/8/14 - LABOR - RES. 130782

2 at it and that we're holding ourselves
3 accountable to it and, more importantly,
4 that we're providing the resources both
5 to the Personnel Department and MOIMA to
6 do it so that we're actually working
7 towards something. And if it's a
8 resource issue, then I think this Council
9 always wants to know, because we help
10 establish what those priorities are.

11 COUNCILMAN KENNEY: The other
12 thing I would add is if MOIMA could, when
13 they're looking at the African section,
14 the African issues, which languages are
15 prevalent, because sometimes, for
16 example, in certain African countries,
17 French is the predominant language and
18 then which -- a lot of them -- the
19 problem is, we get into dialects and
20 things. It's like really hard sometimes.
21 I know Portuguese is also something
22 that -- well, it's according to how the
23 continent was invaded and when what a
24 predominant language may be for an
25 African country or is there some native

1 5/8/14 - LABOR - RES. 130782

2 language of that.

3 MS. RODRIGUEZ: I would say
4 that that data exists and we have it.
5 What happens is that once you -- the two
6 primary languages -- by far the primary
7 foreign language spoken in the City of
8 Philadelphia is Spanish. I mean, by and
9 large. After that is Mandarin,
10 Vietnamese, Korean, and then all of the
11 others are basically, you would say,
12 tied, right? So what African language is
13 more prominent than another, I would say
14 that, you know, when you look at the
15 numbers, all of them are sort of at the
16 same level. So that makes really
17 staffing, for example, it's challenging.
18 It's not clear other than Spanish and
19 those other languages I mentioned, the
20 other ones sort of are pretty much at the
21 same level. So that really bodes for
22 some challenges, but certainly one of the
23 things that we've done in the office is,
24 we worked with the -- when you look
25 geographically might be a way of

1 5/8/14 - LABOR - RES. 130782

2 assessing that rather than just absolute
3 numbers, right? So one of the things
4 we've done is, we've worked with the
5 Planning Commission, and they have mapped
6 by census tract and by councilmanic
7 district what are the intensity of
8 languages and intensity of foreign born
9 so that departments and City Council can
10 have a better idea of who's living where
11 and what languages are being spoken.

12 COUNCILMAN KENNEY: And those
13 maps are being developed or they're
14 available?

15 MS. RODRIGUEZ: They are
16 available on the website, on our office's
17 website.

18 COUNCILMAN KENNEY: Great.
19 Councilman Goode.

20 COUNCILMAN GOODE: Thank you,
21 Mr. Chairman.

22 I just thought of a question
23 since you were talking about how many
24 people speak those languages and it would
25 be hard to create a number of staff

1 5/8/14 - LABOR - RES. 130782
2 positions for each of those different
3 languages. In terms of your contracting
4 for language services, how many languages
5 do you cover through that contracting?

6 MS. RODRIGUEZ: No less than
7 180 languages, each vendor that we
8 contract with.

9 COUNCILMAN GOODE: Thank you.

10 COUNCILMAN KENNEY: Thank you
11 very much.

12 Any more questions?

13 (No response.)

14 COUNCILMAN KENNEY: Seeing
15 none, thank you very much for your
16 testimony.

17 The next panel is Beth Shapiro,
18 Juan Lara, and Sonja Kerr.

19 (Witnesses approached witness
20 table.)

21 COUNCILMAN KENNEY: Please
22 identify yourself for the record and
23 whoever would like to start, please
24 begin.

25 MS. SHAPIRO: Good afternoon.

1 5/8/14 - LABOR - RES. 130782

2 My name is Beth Shapiro. I'm an attorney
3 with Community Legal Services of
4 Philadelphia.

5 COUNCILMAN KENNEY: Please.

6 MS. SHAPIRO: Oh, you want me
7 to go ahead?

8 COUNCILMAN KENNEY: Please.

9 MS. SHAPIRO: And I'll just
10 note that Juan Lara had to leave.

11 COUNCILMAN KENNEY: Okay.
12 Thank you.

13 MS. SHAPIRO: So good afternoon
14 again. My name is Beth Shapiro and I'm a
15 senior staff attorney with Community
16 Legal Services of Philadelphia, and on
17 behalf of our limited English-proficient
18 clients, thank you for the opportunity to
19 talk with you about increasing access to
20 City services for those who have limited
21 ability to speak, read, write or
22 understand English.

23 Community Legal Services is a
24 non-profit law office providing free
25 legal services to over 12,000 low-income

1 5/8/14 - LABOR - RES. 130782

2 Philadelphians every year, as well as
3 expert advice to legal services programs
4 across the state. CLS regularly
5 represents clients who are not proficient
6 in English and works closely with
7 organizations that serve immigrant and
8 refugee communities. In 2013, we
9 represented low-income clients who
10 collectively speak 38 languages.

11 For over 15 years, we have
12 identified language barriers as a
13 critical factor in some clients' legal
14 problems, and we have worked to help our
15 limited English-proficient clients
16 overcome these language barriers as they
17 navigate City and City-funded programs
18 and services.

19 The City of Philadelphia needs
20 to communicate accurately to carry out
21 daily government functions, obtain
22 information, process information, and
23 educate residents. Public trust and
24 government trustworthiness depends upon
25 the accuracy of government

1 5/8/14 - LABOR - RES. 130782

2 communications. An individual should
3 expect their government to be accessible,
4 informative, and effective.

5 For the City to operate
6 effectively, City agencies must be
7 available and accessible to all persons
8 regardless of how well they speak
9 English. Both United States citizens and
10 legal permanent residents who have not
11 yet become fluent in English live in
12 Philadelphia, and their right to public
13 information and public services should
14 not rest solely on how well in any given
15 moment they can read, speak or understand
16 English. Whether investigating a crime,
17 collecting taxes or registering a new
18 business, city governments must be able
19 to communicate appropriately and
20 effectively.

21 In addition, the City has legal
22 obligations, as has been mentioned
23 previously, including under Title VI of
24 the federal Civil Rights Act of 1964.
25 This federal statute and related federal

1 5/8/14 - LABOR - RES. 130782
2 agency regulations bar national origin
3 discrimination, including the failure to
4 provide meaningful access to persons with
5 limited English proficiency. Potential
6 consequences for violating these laws
7 include loss of federal financial
8 support, which is a grave prospect
9 considering the City budget and the needs
10 of Philadelphia residents.

11 We applaud the City of
12 Philadelphia for the strides made to
13 improve access to City services for
14 immigrant and limited English-proficient
15 persons such as establishing citywide
16 contracts for in-person interpretation,
17 telephonic interpretation, and written
18 translation services, and we urge City
19 Council and all City agencies to take
20 advantage of these resources and to focus
21 more attention on individual steps they
22 can take to ensure that they are
23 providing appropriate, competent, and
24 timely language services when
25 communicating with limited

1 5/8/14 - LABOR - RES. 130782

2 English-proficient persons.

3 In closing, we offer several
4 recommendations, more specific
5 recommendations. Number one, all City
6 government agencies and offices that have
7 contact with the public must prepare
8 practical language access plans that
9 instruct their employees on how to use
10 the City's interpretation and translation
11 resources and on their legal obligation
12 to use them routinely in City business.

13 Number two, City staff who have
14 regular contact with the public and their
15 managers must receive hands-on training
16 using the City's interpretation and
17 translation resources and, if
18 appropriate, bilingual staff, using
19 bilingual staff. Demonstrating the
20 simple process of dialing and using a
21 telephone interpreter, for example, makes
22 a huge difference in people's willingness
23 to use these resources. This training
24 should also be a component of every new
25 employee's orientation.

1 5/8/14 - LABOR - RES. 130782

2 Number three, City agencies and
3 offices must inform the public that they
4 will provide language assistance to
5 conduct City business. This can take
6 many forms, including signs at service
7 counters, website postings, translated
8 statements on agencies' billing notices,
9 and written materials and multi-lingual
10 prompts on phone systems.

11 Number four, every agency and
12 office should identify and record the
13 primary language of the people with whom
14 they come into contact. As agencies
15 upgrade their computer database systems,
16 they should make sure there's a mandatory
17 field for tracking primary language.
18 This data-keeping is essential to aid
19 co-workers who next have contact with the
20 LEP person so they can arrange for
21 appropriate language services. It's
22 essential for planning for future
23 programs, services, and resources, and
24 it's essential for accountability so that
25 supervisors, managers, and City

1 5/8/14 - LABOR - RES. 130782

2 Commissioners know whether they are
3 complying with their language access
4 obligations.

5 These and other recommendations
6 that Community Legal Services makes can
7 be found on the language access checklist
8 for agencies and organizations that's
9 attached to my written testimony.

10 Thank you.

11 COUNCILMAN KENNEY: Thank you
12 for your testimony.

13 Please identify yourself for
14 the record.

15 MS. KERR: Good afternoon. My
16 name is Sonja Kerr. I'm with the Public
17 Interest Law Center of Philadelphia, and
18 on behalf of the Law Center, I thank you
19 for the opportunity to speak briefly
20 today.

21 The Law Center sees one
22 critical issue in this endeavor that we
23 don't want to overlook, which is what is
24 happening in our School District, because
25 those children in our schools and the

1 5/8/14 - LABOR - RES. 130782

2 parents of those children are residents
3 in our city. As been mentioned already,
4 the numerous new immigrants to our city,
5 and I join with Beth's comments about the
6 types of recommendations that all City
7 agencies should have in place.

8 In addition, the School
9 District of Philadelphia, which receives
10 some funding through various means,
11 including the City, has some obligations
12 as well. And the School District, of
13 course, has a multi-lingual education
14 office, it has a translation and
15 interpretation center, and folks in these
16 offices want to improve the services and
17 there is a need to improve the services.
18 There is also a need to improve the
19 direct instruction to children who are
20 English second-language speakers.

21 Presently, the School District
22 has significant difficulties in providing
23 each of these types of services. Right
24 now, for example, the School District of
25 Philadelphia reports it does not even

1 5/8/14 - LABOR - RES. 130782

2 know exactly how many families need
3 documents translated or need
4 interpreters. There's an estimate only
5 of around 19,000. It's hard to plan if
6 you don't know what you're planning for.

7 The School District --
8 regularly we hear problems with parents,
9 and it's not just rare languages. It's
10 languages like Spanish, languages like
11 Russian, languages like Chinese. These
12 are not unusual languages. Often they do
13 not receive paperwork in their language,
14 and this does have an impact even in City
15 services. When a child who does not
16 speak English and a parent who does not
17 speak English encounters difficulty at
18 school and that child ends up in the
19 juvenile justice system and we have a
20 language issue, it's a long path, but
21 it's a path that doesn't work well if you
22 don't know what the rules are because you
23 can't read the information and you don't
24 have an interpreter.

25 One of the big problems in the

1 5/8/14 - LABOR - RES. 130782

2 School District is a lack of bilingual
3 counseling assistants. These are people
4 who can help in a building level, at a
5 building level, but, of course, with some
6 of the budget cutbacks, we've seen a huge
7 reduction in those staff this year.

8 Finally, the overall
9 distribution of services is uneven
10 throughout the District for providing
11 children English-as-a-second-language
12 instruction. We have some children and
13 these children grow up to be adults and
14 the very people that we're talking about
15 accessing City services who are spending
16 five to seven years in
17 English-as-a-second-language service
18 program. This is far too long. This
19 demonstrates the difficulty with the
20 quality.

21 So the Law Center appreciates
22 the present resolution. We do urge the
23 Council to continue to have these
24 hearings and to encourage both City
25 agencies and the School District to work

1 5/8/14 - LABOR - RES. 130782

2 on these problems. The parents, of
3 course, need interpretation, translation
4 assistance, and the District's general
5 comment when we listen to them about
6 these issues is that they're unable to
7 provide or improve these services because
8 of funding. These are the children who
9 are going to be our City residents.
10 These are the parents who are already our
11 City residents.

12 So the Council, we ask, should
13 hold a specific hearing on educational
14 aspect issues. And we also urge the
15 Council to approve already pending
16 funding requests of the District, because
17 as you've heard from everyone who has
18 spoken today, there are real impacts here
19 on real people, parents, children in our
20 City, and denial of language access is a
21 real impact. We have not only a legal
22 duty, we have a moral responsibility to
23 step forward and solve these problems.

24 Thank you.

25 COUNCILMAN KENNEY: Thank you

1 5/8/14 - LABOR - RES. 130782

2 for your testimony.

3 Any questions for either of
4 these witnesses?

5 (No response.)

6 COUNCILMAN KENNEY: Seeing
7 none, thank you very much for coming in.

8 Nancy Nguyen, Rorng Sorn, John
9 Chin. I don't think he's here.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN KENNEY: Please
13 identify yourself for the record.

14 MS. NGUYEN: Absolutely. Good
15 afternoon, Councilmembers.

16 COUNCILMAN KENNEY: Please
17 identify yourself.

18 MS. NGUYEN: My name is Nancy
19 Nguyen and I'm the Branch Manager of
20 BPSOS-Delaware Valley.

21 COUNCILMAN KENNEY: You can
22 proceed with your testimony.

23 MS. NGUYEN: Thank you. So
24 BPSOS-Delaware Valley is a
25 community-based organization in

1 5/8/14 - LABOR - RES. 130782
2 Philadelphia. We've been working with
3 the Vietnamese community in both
4 Philadelphia and South Jersey for the
5 past five years. I'm speaking also as
6 the first member of the collaborative of
7 the Philadelphia Asian service providers.
8 We work directly with limited
9 English-speaking populations every day
10 and see the depth of the need for
11 language access and diverse hiring in the
12 City.

13 So on behalf of this
14 collaborative, we are very grateful for
15 your ongoing work and that you have
16 invited us to speak on behalf of our
17 communities. We would like to thank and
18 recognize Councilwoman Quinones-Sanchez
19 and Councilman Kenney, Goode, Oh, and
20 Squilla for your work on the issues of
21 language access and legislation on behalf
22 of immigrants for many years.

23 Asian Americans are the City's
24 fastest growing ethnic group, having more
25 than doubled from 42,000 in 1990 to over

1 5/8/14 - LABOR - RES. 130782

2 100,000 today. We make up 7 percent of
3 the City. The City's overall population
4 grew just 1 percent during the same
5 period.

6 With the increase in population
7 comes an increase in the need for
8 services in the Asian community,
9 specifically Chinese, Vietnamese, and
10 Cambodian populations, three of the four
11 largest Asian communities in
12 Philadelphia. I was really appreciative
13 throughout listening to Councilman
14 Kenney, your mentioning both Chinese and
15 Vietnamese.

16 For this reason, BPSOS,
17 Philadelphia Chinatown Development
18 Corporation, and the Cambodian
19 Association of Greater Philadelphia have
20 recently formed a collaboration to better
21 serve three of the four largest Asian
22 American communities in the Greater
23 Philadelphia area, Chinese, Vietnamese,
24 and Cambodian. These underserved Asian
25 populations each face low incomes,

1 5/8/14 - LABOR - RES. 130782

2 limited English proficiency,
3 unemployment, and significant health
4 disparities. Our missions are to empower
5 these communities and we seek equitable
6 access to service for them, as required
7 by law.

8 So I work personally among the
9 Vietnamese community in South
10 Philadelphia. There are over 17,000
11 Vietnamese individuals in Philadelphia.
12 Fifty-nine percent of them are low
13 income, 58 percent are limited English
14 proficient.

15 With 67 of the community born
16 outside of the U.S., Vietnamese
17 immigrants continue to move to the City
18 in large numbers and reunite with their
19 families, many of which include seniors
20 who were refugees from communist Vietnam
21 and suffered persecution, imprisonment,
22 and even torture following the Vietnam
23 War. To this day, Vietnamese individuals
24 face a myriad of physical and mental
25 health issues. The reality is that while

1 5/8/14 - LABOR - RES. 130782

2 almost all of these are legal permanent
3 residents and citizens, we are
4 distressful of City services and require
5 both linguistic and cultural sensitivity
6 beyond that of a language line.

7 Clients report to us that many
8 hospitals and area agencies do not even
9 know how to use language lines even when
10 it's required. As a result, every day
11 our office is overwhelmed with
12 individuals with needs beyond what we can
13 serve. Our organization has a very
14 limited budget, funded primarily to serve
15 youth as we work towards building safer
16 and more accessible schools.

17 Only 48 percent of Vietnamese
18 adults over the age of 25 have graduated
19 high school in Philadelphia, and while we
20 are working hard to change the statistics
21 for the next generation, our offices have
22 seen an overwhelming demand for other
23 services such as patient navigation
24 through the health system, translation
25 interpretation for everything from tax

1 5/8/14 - LABOR - RES. 130782

2 payments to ObamaCare, and seeking access
3 to the myriad of City services available
4 to us.

5 We offer as many English
6 language and citizenship classes as we
7 can, but as this community continues to
8 integrate into the City at large, we need
9 people who understand our needs. Many
10 newly naturalized Vietnamese citizens are
11 eager to vote, for instance, but in the
12 last presidential election, we
13 encountered a lot of problems at the
14 polls. There were no interpreters where
15 we were, and we found only four
16 interpreters in the entire City for 1,600
17 poll sites. So many clients have come to
18 our offices reporting that they were not
19 given this type of support.

20 Diverse hiring will allow Asian
21 Americans to have a critical voice at the
22 table and enable the Vietnamese community
23 to work towards self-sufficiency. Job
24 access itself is a critical issue in the
25 Asian American community, and the number

1 5/8/14 - LABOR - RES. 130782
2 of Asian Americans in Pennsylvania has
3 quadrupled between 2007 and 2011, an
4 increase higher than all other racial
5 groups statewide. In 2011, Asian
6 American unemployment was higher than the
7 average in Philadelphia, with a rate of
8 17 percent compared to 12.

9 We want to make sure that our
10 community is being served in all
11 departments, including labor, education,
12 health, voting, and social services.

13 Personally I really unite with
14 what has been shared in the last panel,
15 but I know that my colleagues here have
16 more to add. So I would like to
17 introduce Rorng Sorn from the Cambodian
18 Association.

19 COUNCILMAN KENNEY: Thank you.

20 Please identify yourself for
21 the record.

22 MS. SORN: Good afternoon,
23 Councilman Goode, Councilman Kenney, and
24 Councilwoman Sanchez, for giving us the
25 opportunity to testify today, and thank

1 5/8/14 - LABOR - RES. 130782

2 you for all the work that you've been
3 doing to really advocate on behalf of our
4 community. We know that this has been --

5 COUNCILMAN KENNEY: I'm sorry.
6 You have to state your name for the
7 record so it's in the transcript.

8 MS. SORN: State my name?

9 COUNCILMAN KENNEY: State your
10 name for the record.

11 MS. SORN: My name is Rorng
12 Sorn and I'm from the Cambodian
13 Association of Greater Philadelphia.

14 COUNCILMAN KENNEY: Thank you.

15 MS. SORN: Thank you. So on
16 behalf of the Cambodian Association and
17 our community today, I would like to
18 bring to your attention the need of
19 hiring bilingual staff for the City is
20 very critical, and it's beyond just
21 translated material and translation or
22 phone, because the reason is that the
23 technical issues and -- most of the
24 community do not read or write their own
25 language, because majority of those who

1 5/8/14 - LABOR - RES. 130782
2 were educated were banished or were
3 executed. So those who survive and come
4 here do not have language ability, even
5 read or write their own language. So the
6 material that translated, that money can
7 use for hiring bilingual staff who can
8 work directly with the community. That
9 is more effective.

10 Also, I would like to ask that
11 for City agency to acknowledge and
12 financially support the existing
13 partnership like the Boat People SOS,
14 PCDC, and any other agency who already in
15 the timeline serving the community,
16 because not just that we overwhelmed with
17 the services that we need to provide to
18 our communities, but other agency also
19 coming to us for all kind of services
20 that we are overwhelmed to try to be the
21 linkage, to be the broker, and also
22 provide direct service and do many other
23 things. So we would appreciate if the
24 different City agency be able to think
25 about and looking to partner with us and

1 5/8/14 - LABOR - RES. 130782

2 keep us fair and also have a formal
3 mutual partnership that is benefit
4 mutually. That's what we are looking and
5 asking you to consider.

6 CAGP works in the North and
7 South Philadelphia with the City nearly
8 10,000 based on the census, but the
9 number is about doubled based on they
10 still working in the City for many, many
11 years, over 30 years. Most of us live in
12 impoverished, limited English-speaking
13 communities. Forty-nine percent, nearly
14 half of the Cambodian, are limited
15 English proficient. In the communities
16 still not recovered from the Cambodian
17 genocide, 55 percent were born outside
18 the U.S. and 65 percent are low income.
19 Like the Vietnamese population, many
20 Cambodian are refugee and face emotional
21 trauma and numerous physical and
22 behavioral health disparities. Parents,
23 children, families, City agency come to
24 us for almost everything - health
25 services, after-school programs, youth

1 5/8/14 - LABOR - RES. 130782

2 development, social services, emergency
3 services, job referral, and many more.

4 So the need is so great that
5 while I am CAGP, as Executive Director of
6 the Cambodian Association, I still have
7 to provide direct service at least two
8 day out of four day that I have to be at
9 the front line serving my client. So I
10 have to do many different thing just
11 trying to meet the needs of our
12 community, trying to address their health
13 issues, social services, and many other
14 things, including crisis in issue with
15 children runaway or missing, and I take
16 call for all different hours, evening,
17 nighttime from different agency, from the
18 Police Department, from other agency or
19 even the School District and so forth
20 just so that we can really assist and
21 help support those families who need the
22 services that we provide. We also
23 provide long-term programmatic
24 interventions to improve community health
25 and wellnesses for all ages.

1 5/8/14 - LABOR - RES. 130782

2 As you may know, Cambodian
3 Association is the only Cambodian
4 association in the tri-state area, so we
5 are serving trying to address beyond what
6 we can do. So CAGP staff and program are
7 stretched far beyond capacity to provide
8 support to multiple City agencies, often
9 without compensation. When Philadelphia
10 City agencies or guidance counselors from
11 the school, hospital or clinic, social
12 service agency want to reach out to
13 Cambodian, they come to us because they
14 trust us, but also because they don't
15 have the language or capacity to reach
16 out to our community. So they have to
17 reach out to us, and that also put a lot
18 of burden on us to try to really help
19 navigate and coordinate the services that
20 our community need.

21 But if agencies were to
22 properly compensate such all this value
23 partnership, it would help us to maintain
24 the services that we are struggling to
25 provide and may have to cut, which I'm --

1 5/8/14 - LABOR - RES. 130782

2 right now the struggle that I'm having,
3 the new fiscal year is about to start and
4 I'm frustrated and overwhelmed. So I
5 just wanted to let you know.

6 If bilingual Asian American
7 were to be staffed directly in the City
8 of Philadelphia offices, it would also
9 greatly facilitate the process of making
10 sure members of our community were served
11 and improve connection. It would also
12 give needed jobs to this community for
13 sustainability. Ultimately, we are
14 seeking increased access to services.
15 For health, this also means increased
16 language access in clinics and hospitals.
17 There's a data assessment to demonstrate
18 the staggering health disparity we know
19 to be true among the Southeast Asian
20 immigrant and refugee we serve, the
21 effort to reduce health disparity and
22 increase access to care for all Asian
23 Americans.

24 Despite our best efforts to
25 partner with the City and seek

1 5/8/14 - LABOR - RES. 130782
2 sustainable funding elsewhere, we have
3 been so underfunded that unfortunately,
4 like I mentioned, CAGP may not be able to
5 keep our salaried staff, which who really
6 do multiple -- running multiple programs,
7 doing multiple thing so that just we can
8 help our community.

9 For example, our youth
10 employment program that was funded
11 through City support for many years did
12 not receive renewal this year, and we may
13 have to cancel educational youth
14 programming that is so critical for this
15 community. Only 52 percent of Cambodian
16 adult aged 25 and over graduated high
17 school, and just 8 percent have a
18 Bachelor Degree or higher.

19 Our hard-working bilingual
20 staff, who already provide so many
21 linkages with the City, told me that they
22 are encouraged that the City itself may
23 seek to promote hiring bilingual staff.
24 At CAGP committee meeting yesterday, we
25 were talking about -- my staff urged me

1 5/8/14 - LABOR - RES. 130782

2 to let you know that the City agency need
3 to look no further. I mean, I'm willing
4 to let myself move on to something that
5 can make -- I mean, working in this
6 agency and I'm willing to continue to
7 develop my younger emerging staff to come
8 and take the place. Ultimately it's
9 about involvement, empowerment, and
10 sustainability in our community. So
11 that's what I'm looking for.

12 So last, but not least, I would
13 like to ask you to consider also maybe to
14 staff bilingual staff to reflect your
15 constituent. That would help also be the
16 person that can be the ambassador, the
17 connectors and so forth, work directly
18 with the community to understand the need
19 in the community firsthand and also to
20 serve on behalf of your office.

21 On that note, I wanted to thank
22 you again for your attention and
23 consideration, and now I would like to
24 introduce you to my also colleague from
25 the PCDC, Philadelphia Chinatown

1 5/8/14 - LABOR - RES. 130782

2 Development Corp, Chris -- oh, no; Karis
3 Tzeng. Thank you.

4 COUNCILMAN KENNEY: Thank you.

5 Please identify yourself for
6 the record.

7 MS. TZENG: My name is Karis
8 Tzeng and I'm here on behalf of the
9 Philadelphia Chinatown Development
10 Corporation.

11 Good afternoon, Councilman
12 Kenney, Goode, and Sanchez. My name is
13 Karis Tzeng and I am testifying on behalf
14 of my organization, the Philadelphia
15 Chinatown Development Corporation, PCDC.
16 Our mission is to preserve, protect, and
17 promote Chinatown as a viable ethnic,
18 residential, and business community.

19 First, the leadership of PCDC,
20 Father Tom Betz, Cecilia Moy Yep, and
21 John Chin, would like to state for the
22 record that it values and respects City
23 Council's leadership for advancing a
24 framework to realize the goals of
25 diversity and language access for the

1 5/8/14 - LABOR - RES. 130782

2 City's growing immigrant population. We
3 especially recognize Councilman Kenney
4 for his decades of advocacy and work to
5 improve the quality of life for
6 Philadelphia's immigrant population.

7 On behalf of PCDC, it has been
8 our pleasure to work with members of City
9 Council on initiatives that impact our
10 community. Chinatown and the Chinese
11 community of 33,000 individuals has been
12 here for over 140 years. While in some
13 aspects this population is thriving, we
14 still have the highest percentage of
15 limited English-speaking individuals of
16 any racial or ethnic group in the City.
17 Sixty-one percent of the Chinese
18 community is limited English proficient
19 and 56 percent are low income.

20 People come to our office every
21 day for interpretation and navigation for
22 City services, and sometimes individuals
23 spend hours in meetings while our
24 overworked staff mediate between these
25 individuals and various agencies. The

1 5/8/14 - LABOR - RES. 130782

2 Asian Americans Advancing Justice report
3 on "A Community of Contrasts" details the
4 demographics, challenges, and needs of
5 the Asian American population in
6 Philadelphia.

7 We also assist a high number of
8 individuals and business owners with
9 business development and financial
10 literacy. The City offers a number of
11 programs for small business owners, but
12 often agencies do not have the capacity
13 to effectively help our community. We
14 provide homeowner and financial literacy
15 workshops and assist with loan
16 applications. Still beyond this, people
17 come to our office first with all
18 problems, from health to legal, and
19 oftentimes we have to turn clients away.
20 They come to us because we speak their
21 language and they trust us. If the City
22 were to hire more bilingual staff, this
23 would greatly aid the process of working
24 in these communities. Moreover, the
25 Asian American community needs job skills

1 5/8/14 - LABOR - RES. 130782
2 training that will lead to high-quality
3 jobs as well as job fairs that will break
4 the cycle of poverty for Asian Americans.
5 Increased English language classes and
6 other outreach specifically to our
7 community is crucial to promoting
8 integration.

9 PCDC was a member of the task
10 force which issued the "Opening Doors to
11 City Services: The Grassroots Business
12 Development Taskforce Report" in 2006.
13 We have seen the increase in access due
14 to the implementation of recommendations
15 listed in that report. We are convinced
16 that it is critical to establish
17 achievable goals and guidelines in order
18 to continue to increase access to
19 immigrant and language-minority
20 populations.

21 We embrace City Council
22 Resolution 130782. Therefore, we implore
23 City Council and the Administration to
24 move with speed and work with our
25 agencies and the Asian American community

1 5/8/14 - LABOR - RES. 130782
2 at large to develop goals and guidelines.
3 Now is an opportunity to include all
4 immigrants and residents in the City's
5 vision for the future.

6 Thank you.

7 COUNCILMAN KENNEY: Thank you
8 all for your testimony.

9 Councilman Henon is also in
10 attendance.

11 There's a couple things that
12 popped out at me while you were giving
13 your testimony, Nancy. One of the things
14 for sure that some of the other past
15 ethnic groups did when they came to this
16 country, Italians, the Irish, even though
17 we probably spoke more English than the
18 Italians, Polish, even in the African
19 American community, which was native-born
20 but were coming from different areas of
21 the country and were shut out of a lot of
22 government services and government
23 access, you got to make sure that
24 everybody is eligible to vote in your
25 communities that you serve, and I also

1 5/8/14 - LABOR - RES. 130782

2 would suggest that people get involved in
3 the grassroots level of politics. I
4 mean, there's nothing better to having
5 three divisions that are predominantly
6 either Vietnamese or Cambodian in South
7 Philly, having six committee people that
8 can impress their ward leader with their
9 turnout and their numbers and then get
10 the same attention from our at-large
11 members from your District Councilperson,
12 because they know that that's the way
13 this kind of democracy works.

14 Certainly there are those of us
15 who will do it because we believe that
16 it's the right thing to do, it's a moral
17 responsibility, but there are those who
18 need to be convinced, because there would
19 be a negative result for them if they
20 didn't. And I think that that is
21 extremely important. And I know people
22 don't want to come out and let the
23 government know who they are or fill out
24 a form or file something, but I think
25 that's really the most direct way of

1 5/8/14 - LABOR - RES. 130782
2 accessing the resources that your
3 community needs, is by having clout two
4 times a year on Election Day where it
5 really matters.

6 MS. NGUYEN: Absolutely. And I
7 just wanted to make sure. All of our
8 organizations have been very active in
9 ensuring that our community is both
10 engaged in the election process and also
11 being informed in language, and so that's
12 why we've been working with David Oh's
13 office -- sorry; Councilmember David Oh's
14 office to do so.

15 I think that on the flip,
16 though, making sure that polling sites
17 and there's language access at those
18 sites and that poll workers and judge of
19 elections are trained to know how to use
20 language line is critical.

21 COUNCILMAN KENNEY: But just
22 remember, in the end, the election
23 officials are all elected. You elect
24 them. So you won't have to worry about
25 language access if you elect your judge

1 5/8/14 - LABOR - RES. 130782

2 of election and machine inspectors and
3 all those other things.

4 So the whole mechanics of that
5 political process, some people who were
6 native-born Americans just don't want to
7 be bothered with it, but if you're
8 foreign-born, you'd better be involved in
9 it, because that's going to be the leg up
10 that gets you what you need in your
11 community, despite the fact that those of
12 us who are sympathetic will help anyway.
13 But I do think when you can show those
14 primary turnout divisions in South Philly
15 are being pumped up around 5th, 6th, 7th,
16 8th Street, south of Snyder Avenue,
17 people go -- we look at those numbers and
18 pay attention to them, trust me.

19 The other thing I would suggest
20 to all of you also but, Rorng, your
21 testimony brought it out, I think you
22 should begin to track what's available in
23 public employment in the City and start
24 trying to train your young people, have a
25 course in taking a City test so that you

1 5/8/14 - LABOR - RES. 130782

2 can get more people naturally into the
3 City workforce. I was just talking to
4 Councilwoman Sanchez. I mean, for
5 example, we are desperate for paramedics.
6 We can't get paramedics. I mean, we try
7 all the time. And trying to save someone
8 who is having a heart attack or a medical
9 emergency and has a disparate language
10 than yours is a hard thing to translate.
11 Nothing better to having more Cambodian,
12 Vietnamese, and Chinese members of the
13 Fire Department who are paramedics or
14 working in the City workforce.

15 So keep track of what they're
16 testing for. Pick out five, six, ten of
17 your brightest youngsters and get them
18 ready for that test, and then that's how
19 you begin to infiltrate the workforce,
20 and you won't worry about bilingual then.
21 We'll have bilingual-speaking employees
22 naturally.

23 MS. SORN: I can't agree with
24 you more, and that's what we trying to
25 do. The challenge we have is that we

1 5/8/14 - LABOR - RES. 130782

2 don't have any support of funding from
3 larger institutions such as the Workforce
4 Development or other agency that would
5 have the money but not necessarily reach
6 out to our community to provide the
7 financial need or be able to partner with
8 us to provide the training to us. So we
9 really don't have the resource to be able
10 to do that.

11 We definitely keep track of who
12 have been hired in our community, because
13 a lot of time we know. Like we have to
14 commend the Department of -- I mean, the
15 Police Department have been really doing
16 a great job in hiring, training police
17 officer, and I have seen at least 12, 13
18 Cambodian-speaking police officer. So I
19 have to commend that.

20 So I wanted to see how can we
21 partner with these institution, and maybe
22 with your help, we can bring that
23 services into our community. That is the
24 challenge we have, because as you may
25 know, most of us adult were working in

1 5/8/14 - LABOR - RES. 130782

2 factory or manufacturing around the City
3 for 10, 15, 20, 25 years when we came as
4 refugee, when they did not require high
5 school diploma or language skill. But
6 then with the economic turndown and this
7 manufacturing company either close its
8 door or moving away or downsizing, many
9 of our member lost their job, and this is
10 the struggle that we are facing every
11 single day, is how can we help them find
12 a sustainable job, because many of them
13 start to lose home and car.

14 COUNCILMAN KENNEY: That's one
15 level of folks. What I'm talking about
16 now are your high school graduates, your
17 two-year college graduates, and your
18 four-year college graduates. They're
19 young. They probably speak fluent
20 English, but they also speak their native
21 language. Hopefully they haven't lost
22 it. And those are the folks that need to
23 take the tests to obtain City employment,
24 because then you have a natural -- that's
25 what happened with every ethnic group.

1 5/8/14 - LABOR - RES. 130782

2 They just folded in, they folded in.

3 They became -- the Irish were cops. A
4 lot of sanitation workers were Italian.
5 I mean, that's how they moved, and it
6 makes your community even more stable
7 when you have steady employment.

8 MS. SORN: Right.

9 COUNCILMAN KENNEY: And I
10 understand the group you're talking about
11 that lost jobs because of movement of
12 industry or sweat shops and things like
13 that, but what I'm talking about is your
14 youngsters at this point.

15 MS. SORN: We do both. We do
16 both. Every year with the funding from
17 PYN, Philadelphia Youth Network, we were
18 able to train 25 or so youth, finding
19 internship and also train them how to
20 find job, but then this year we got cut.
21 And we always train the intern from
22 college, from high school. And I have
23 one intern here with me right now that
24 we're trying to groom them.

25 So we are doing what we can

1 5/8/14 - LABOR - RES. 130782

2 with the limited resource or no resource.

3 COUNCILMAN KENNEY: Again, and
4 I understand the funding issue. What I'm
5 saying is follow the City employment
6 offerings and the tests that are being
7 offered. And the other group I would
8 suggest you partnering with, if you
9 haven't already, is the Welcoming Center
10 of New Pennsylvanians, because they have
11 another whole group of access.

12 I just want to tell you one
13 story yesterday that I think is
14 interesting. I had to go to the hospital
15 yesterday for a test, and I'm in
16 Methodist Hospital in South Philly and I
17 had to drink some terrible stuff and I
18 had to wait a couple hours. And while
19 I'm sitting waiting, there's these two
20 Italian American women, older than me,
21 probably in their 70's, having this very
22 dramatic Italian conversation back and
23 forth. I'm sitting there and the one
24 lady starts interpreting for me. So,
25 remember, even though people have been

1 5/8/14 - LABOR - RES. 130782

2 here for generations, they still hold on
3 to their language, and I think that's an
4 important thing to do. I think you need
5 English obviously. I think I need
6 Spanish. I mean, I tried a couple times
7 and didn't do well, but I think that it's
8 important to understand that ethnic
9 groups, even some of the older folks,
10 they maintain their culture, and it's not
11 a bad thing.

12 So while we're moving in the
13 English direction, I think we need to
14 hold on to the culture too and not lose
15 it all.

16 Councilwoman Sanchez.

17 MS. SORN: Thank you so much
18 for your recommendations.

19 COUNCILWOMAN SANCHEZ: Thank
20 you. I also want to encourage you, and I
21 think the reason we were having this
22 hearing -- and I'm glad that you put your
23 comments on the record -- is that we
24 don't want to leave it up to chance and
25 we want our policies, our regulations and

1 5/8/14 - LABOR - RES. 130782
2 what we do, whether it's in our Personnel
3 Office, our Civil Service Commission, and
4 clearly with the Mayor's commitment
5 through his Office of Multicultural
6 Affairs, that we're being as deliberate
7 and as focused as we can to provide that
8 assistance.

9 And so this is the beginning of
10 a conversation. We will continue to work
11 with the Administration to figure out how
12 we assess where we are and where we want
13 to go. In the next coming years, we are
14 going to be staffing up. There's a lot
15 of retirements in City government, and we
16 want to make sure that every group feels
17 included and that we are providing
18 Philadelphians who are now, as we all
19 know, many new immigrants have that
20 opportunity and the accessibility. And
21 so we look forward to that partnership
22 with you as we develop that, and we do
23 have to make sure that our workforce
24 dollars are being invested in those
25 constituencies to the best of our

1 5/8/14 - LABOR - RES. 130782

2 ability.

3 So that's part of the
4 conversation, and we look forward to
5 working with you. So I want to thank you
6 for coming out and commit to you that
7 when I talk about language access and
8 accessibility for everyone, it is for
9 everyone, and so I really truly
10 appreciate the work that you do.

11 Thank you.

12 COUNCILMAN KENNEY: Thank you
13 very much.

14 Thank you all for your
15 testimony.

16 (Committee on Labor and Civil
17 Service concluded at 3:20 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
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ability 3:19 16:13 19:20 26:13 36:6 47:12 48:10 67:21 86:4 108:2	54:20 accomplishments 16:9 45:14 account 4:5,7 accountability 72:24 accountable 60:16 63:3 accuracy 68:25 accurate 62:18 accurately 68:20 109:5 achievable 96:17 acknowledge 3:3 86:11 Act 9:7 32:19 69:24 active 99:8 activity 9:13 10:9 21:9 26:12 actual 25:6 add 50:6 63:12 84:16 addition 12:25 18:4 37:24 69:21 74:8 additional 50:7 address 88:12 89:5 administer 45:17 47:20 Administration 3:13 4:19 32:15 59:19 61:4 96:23 107:11 Administrative 56:20,21 adult 91:16 102:25 adults 76:13 82:18 advancing 93:23 95:2 advantage 53:19 70:20 advice 68:3 advise 35:18	advocacy 94:4 advocate 51:7,19 85:3 Affairs 6:17 107:6 African 63:13,14 63:16,25 64:12 97:18 afternoon 2:3 6:9 6:11,23 66:25 67:13 73:15 78:15 84:22 93:11 after-school 87:25 age 32:23 82:18 aged 91:16 agencies 11:23 69:6 70:19 71:6 72:2,8,14 73:8 74:7 76:25 82:8 89:8,10,21 94:25 95:12 96:25 agency 10:4,7,13 70:2 72:11 86:11,14,18,24 87:23 88:17,18 89:12 92:2,6 102:4 ages 88:25 aggressively 48:16 ago 49:6 52:12 58:10 agree 58:8,22,24 101:23 ahead 67:7 aid 72:18 95:23 Al 30:12 Albert 19:6 allow 44:8 83:20 allowing 5:8 12:8 ambassador 92:16 America 57:20 American 80:22 83:25 84:6 90:6	95:5,25 96:25 97:19 105:20 Americans 79:23 83:21 84:2 90:23 95:2 96:4 100:6 analysis 9:24 12:10 27:15 and/or 109:22 angry 22:20 annual 28:17 33:18 annually 33:6 answer 19:8 27:17 31:25 51:6 anybody 21:13 anyway 100:12 apologize 5:16 app 15:11 23:25 applaud 70:11 applicants 9:19 50:2 applicant's 45:11 application 15:11 45:12 46:15 57:11 applications 16:24 95:16 apply 24:5 109:20 appreciate 61:13 61:20 62:8 86:23 108:10 appreciates 76:21 appreciative 80:12 approach 10:15 57:7 approached 5:19 5:24 66:19 78:10 appropriate 70:23 71:18 72:21 appropriately 69:19 approval 35:14	approve 77:15 approves 47:25 approximately 7:22 8:17 15:19 Arabic 4:13 area 23:7 80:23 82:8 89:4 areas 26:22 33:13 97:20 argument 38:11 51:9 53:23 arm 36:5 arrange 72:20 arrived 7:24 ascertain 46:17 Asian 8:23 57:15 79:7,23 80:8,11 80:21,24 83:20 83:25 84:2,5 90:6,19,22 95:2 95:5,25 96:4,25 asked 3:8 29:4 34:11 53:25 55:15 asking 59:6 87:5 aspect 77:14 aspects 94:13 aspirational 60:20 assess 12:9 107:12 assessing 65:2 assessment 30:13 30:21 46:20 47:4 54:2,7,12 61:24 90:17 assessments 47:6 assist 9:22 88:20 95:7,15 assistance 9:14 13:4 15:24 16:6 72:4 77:4 107:8 assistants 76:3 assisted 13:6 association 80:19 84:18 85:13,16 88:6 89:3,4 assume 57:21

assuming 56:17 attached 73:9 attack 57:7 101:8 attendance 2:4,16 5:12 18:25 38:9 97:10 attention 70:21 85:18 92:22 98:10 100:18 attitude 20:2 attorney 67:2,15 attract 36:17 at-large 98:10 authority 3:19 47:16,20 49:23 51:5 auto 23:23 availability 10:11 available 11:17 12:14 15:4 17:12,14 18:6 20:21 21:2 23:15 27:12,14 65:14,16 69:7 83:3 100:22 Avenue 100:16 average 84:7 awareness 18:5	43:25 54:12 57:4,11 87:8,9 basic 12:25 46:18 basically 14:14 20:25 34:6 40:23 41:5,8 64:11 basis 22:7 30:19 59:15 beginning 3:6 5:2 107:9 behalf 67:17 73:18 79:13,16 79:21 85:3,16 92:20 93:8,13 94:7 behavioral 87:22 believe 24:23 32:18 33:6,20 33:22 36:3 38:3 38:16 42:19 51:3 98:15 beneficiaries 9:20 benefit 9:11 53:14 87:3 best 5:4 23:21 25:20 35:20 36:16 37:5 90:24 107:25 Beth 5:14 66:17 67:2,14 Beth's 74:5 better 17:8 22:23 26:23 39:16 43:17 55:4 57:16 65:10 80:20 98:4 100:8 101:11 Betz 93:20 beyond 82:6,12 85:20 89:5,7 95:16 big 75:25 biggest 37:21 bilingual 17:18 49:25 50:17,24 52:23 53:20	55:18,20,25 56:6 60:2 71:18 71:19 76:2 85:19 86:7 90:6 91:19,23 92:14 95:22 101:20 bilingual-desig... 34:14,17 bilingual-speak... 101:21 bill 22:3 billing 72:8 bit 38:12 52:5 Board 56:20,21 boards 11:23 Boat 86:13 BOBBY 1:11 bodes 64:21 bona 51:12 born 4:4 65:8 81:15 87:17 bothered 100:7 BPSOS 80:16 BPSOS-Delawa... 78:20,24 Branch 78:19 branded 11:4 break 39:6 96:3 breakdown 34:22 BRIAN 1:11 briefly 73:19 brightest 101:17 bring 85:18 102:22 bringing 27:19 56:13 brings 8:3 broke 58:11 broken 34:12 39:24 broker 86:21 Brookings 7:7 brought 100:21 budget 29:8 60:21 70:9 76:6 82:14 build 16:19 17:16 building 76:4,5	82:15 burden 89:18 business 15:25 69:18 71:12 72:5 93:18 95:8 95:9,11 96:11 businesses 48:19 buy 23:3 bypassing 48:20	center 15:8 73:17 73:18,21 74:15 76:21 105:9 central 28:2 32:8 certain 50:10 53:6 63:16 certainly 22:4 44:14 64:22 98:14 CERTIFICATE 109:2 certification 42:21 55:20 109:19 certified 15:15,17 15:20 55:25 56:7 CERTIFY 109:3 certifying 109:23 Chair 1:10 2:22 5:8 31:4 Chairman 6:12 65:21 Chairwoman 3:15 challenge 23:17 24:8 101:25 102:24 challenges 4:15 8:6,10 64:22 95:4 challenging 64:17 chance 106:24 change 8:2 40:20 42:17 43:2,3 47:13 48:2 49:5 54:16,17 57:13 58:19 82:20 changed 48:13 changes 58:20 charge 25:10 26:2 26:4,5 28:18 61:15 charged 29:23,24 61:6 Charter 37:8,18 37:24 38:4,8,17
--	---	--	--	---

39:4,7 40:10,20 42:12,17,25 43:3 44:2,3,8,15 49:5 61:11 Charter's 37:3 check 33:21 checklist 73:7 child 75:15,18 children 73:25 74:2,19 76:11 76:12,13 77:8 77:19 87:23 88:15 Chin 78:9 93:21 Chinatown 80:17 92:25 93:9,15 93:17 94:10 Chinese 4:12 75:11 80:9,14 80:23 94:10,17 101:12 Chris 93:2 citizens 19:16 53:20 69:9 82:3 83:10 citizenship 11:19 83:6 city 1:2,6,15,16 2:4,10,11,25 3:10,22 4:11,18 5:3 6:19 7:4 8:5 10:14 11:16,17 11:22 12:16,19 14:3,6,13 15:14 15:15,25 16:5 16:15 18:11,15 20:11 22:21 24:25 26:23 29:21 30:10 31:18 34:18 48:15,18 50:5 57:6 58:3,12,18 62:11 64:7 65:9 67:20 68:17,19 69:5,6,18,21 70:9,11,13,18 70:19 71:5,12	71:13 72:2,5,25 74:3,4,6,11 75:14 76:15,24 77:9,11,20 79:12 80:3 81:17 82:4 83:3 83:8,16 85:19 86:11,24 87:7 87:10,23 89:8 89:10 90:7,25 91:11,21,22 92:2 93:22 94:8 94:16,22 95:10 95:21 96:11,21 96:23 100:23,25 101:3,14 103:2 103:23 105:5 107:15 citywide 70:15 city's 7:22 11:3,6 16:3 17:15 18:14 71:10,16 79:23 80:3 94:2 97:4 City-funded 68:17 Civil 1:3,15 2:5,9 3:13 6:14 9:6 31:22 32:19 39:7,9 46:4 47:23,24 48:3 48:11 49:24 50:6,11,12 51:6 54:21,25 56:4 56:14 59:16 61:12 69:24 107:3 108:16 clarify 35:3 classes 83:6 96:5 classification 48:8 clear 28:24 46:9 47:18 62:10 64:18 clearly 19:24 27:9 32:20 107:4 client 88:9 clients 67:18 68:5	68:9,13,15 82:7 83:17 95:19 clinic 89:11 clinics 90:16 Clinton 9:16 close 6:6 16:21 35:11 52:18 103:7 closely 68:6 closing 71:3 clout 99:3 CLS 68:4 collaboration 16:23 80:20 collaborative 79:6,14 colleague 92:24 colleagues 84:15 collecting 69:17 collectively 68:10 college 103:17,18 104:22 color 9:9 come 8:11 10:6 19:21 20:6,10 32:2 39:4 51:5 51:22 52:3,7 55:5 56:4 60:13 62:3 72:14 83:17 86:3 87:23 89:13 92:7 94:20 95:17,20 98:22 comes 39:18 57:2 80:7 coming 56:10 78:7 86:19 97:20 107:13 108:6 commend 102:14 102:19 comment 77:5 comments 5:11 56:15 74:5 106:23 Commerce 15:20 commercial 15:22	commission 3:14 33:5 46:5 47:24 47:24 48:4,11 48:25 49:24 50:6,13 51:7 56:4,14,17,18 59:16 65:5 107:3 Commissioners 34:11 73:2 Commission's 7:11 commit 108:6 commitment 107:4 committed 16:18 18:15 32:15 62:23 committee 1:3,15 2:6,8 6:13 19:2 91:24 98:7 108:16 communicate 21:3 53:19 68:20 69:19 communicating 70:25 communications 69:2 communist 81:20 communities 8:9 68:8 79:17 80:11,22 81:5 86:18 87:13,15 95:24 97:25 community 13:17 17:20 18:5,16 52:24 62:24 67:3,15,23 73:6 79:3 80:8 81:9 81:15 83:7,22 83:25 84:10 85:4,17,24 86:8 86:15 88:12,24 89:16,20 90:10 90:12 91:8,15 92:10,18,19	93:18 94:10,11 94:18 95:3,13 95:25 96:7,25 97:19 99:3,9 100:11 102:6,12 102:23 104:6 community-bas... 78:25 company 103:7 compared 84:8 compensate 89:22 compensation 89:9 competent 13:24 70:23 competitive 38:5 38:6,14,15,21 comply 10:24 complying 73:3 component 43:14 71:24 computer 72:15 concern 59:18 concerning 19:9 concerns 62:11 concluded 108:17 concrete 61:7 conduct 38:9 72:5 conducting 17:25 connection 90:11 connectors 92:17 consequences 70:6 consider 37:9 41:9 52:10 54:2 87:5 92:13 consideration 37:19 92:23 considered 37:13 41:17,21 considering 70:9 constant 48:9 constituencies 107:25 constituent 92:15 constituents 5:5 constitutionality
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44:16 49:16 contact 10:7 12:13 20:6 26:7 51:23 52:4,7 71:7,14 72:14 72:19 contained 46:12 109:5 continent 63:23 continue 16:16 18:7 76:23 81:17 92:6 96:18 107:10 continues 83:7 contract 47:3,8 66:8 contracted 12:17 contracting 47:10 66:3,5 contractors 48:19 contracts 70:16 Contrasts 95:3 control 109:22 conversation 23:19 24:24 28:8 33:17 34:10 52:13 105:22 107:10 108:4 conversations 21:17 33:23 convinced 96:15 98:18 cooperative 31:16 coordinate 11:7 26:10 89:19 coordinated 10:15 coordination 17:8 cops 104:3 Corp 93:2 Corporation 80:18 93:10,15 corps 15:18 correct 23:23 109:8 correctly 42:6	corridor 15:23 costs 10:12 17:23 Council 1:2,15 2:9 18:15 29:8 53:25 59:14 61:25 63:8 65:9 70:19 76:23 77:12,15 94:9 96:21,23 Councilman 1:10 1:10,11,11,12 2:2,16,17,22 3:4 5:10,23 6:2,10 6:24 14:10,15 14:18,21,25 18:22,25 19:11 21:8,12,21 22:15 23:6,22 24:9 29:3 31:7 38:20 40:3,12 40:16 41:2,20 49:22 50:19 51:16,21 52:19 56:25 58:21 59:23 60:3 63:11 65:12,18 65:19,20 66:9 66:10,14,21 67:5,8,11 73:11 77:25 78:6,12 78:16,21 79:19 80:13 84:19,23 84:23 85:5,9,14 93:4,11 94:3 97:7,9 99:21 103:14 104:9 105:3 108:12 councilmanic 65:6 Councilmember 2:17 99:13 Councilmembers 78:15 Councilperson 2:19 98:11 Councilwoman 1:12 2:21 5:21	6:22,24 24:10 24:11 25:24 26:24 27:23 28:4,16,21,25 29:12 30:2,9,22 31:3,12 32:25 33:15 34:8,20 34:24 35:12 36:7,21 37:23 42:13 43:4,23 44:7,18,25 45:24 47:2,11 48:14 50:15 52:11 53:24 54:9,23 55:17 58:23 59:24 60:4 79:18 84:24 101:4 106:16,19 Council's 2:5 93:23 counseling 76:3 counselors 89:10 count 15:13 counters 72:7 countless 4:13 countries 8:12 63:16 country 4:4 42:22 63:25 97:16,21 couple 31:15 54:8 97:11 105:18 106:6 course 50:12 74:13 76:5 77:3 100:25 cover 66:5 co-workers 72:19 crafted 21:6 crafting 22:25 create 45:19 65:25 created 16:4 49:6 49:8 creates 49:2 creating 50:16 52:8 59:10	creation 34:13 crime 69:16 crisis 57:19 88:14 criteria 36:24 45:12 46:19 critical 68:13 73:22 83:21,24 85:20 91:14 96:16 99:20 crucial 96:7 cultural 8:4 20:18 21:6 25:6 29:18 30:8 82:5 culturally 13:24 culture 106:10,14 curious 49:23 current 24:17 30:15 currently 12:20 16:20 25:4 26:18 34:18 35:7 36:20 44:4 47:9 49:8 curriculum 20:14 customer 13:24 20:13,15 23:15 cut 89:25 104:20 cutbacks 76:6 cycle 60:21 96:4	days 55:13 deal 21:2 dealing 19:18 deals 19:15 decade 18:10 decades 7:2,4 94:4 decide 41:6 decides 40:2 decisions 44:19 44:22,24 59:12 decline 7:3 definitely 102:11 Degree 91:18 Delaware 7:10,19 delegate 46:10 deliberate 107:6 delineate 57:3 delivered 22:7 delivering 4:15 16:6 delivery 12:6,15 demand 82:22 democracy 98:13 demographic 8:3 29:20 demographics 95:4 demonstrate 90:17 demonstrates 76:19 Demonstrating 71:19 denial 77:20 denied 9:11 department 9:21 10:4,7,10 13:6 13:10,21 15:18 15:21 19:15 20:5 21:18 24:21 25:5,23 27:11,13 30:10 30:11,14,14,17 34:7 35:8,13,25 36:2,5,8 37:9 44:13 45:21
---	---	---	--	---

52:21 53:25 55:24 59:7 60:24,25 63:5 88:18 101:13 102:14,15 departmental 17:7 departments 10:20 11:6,23 12:7,19 13:3 17:3,10 20:6,20 22:12,25 25:8,9 26:6,25 27:7,8,9 27:19 28:19 29:4,7,15,17 30:23 33:17,23 33:24 34:2 35:2 35:5,19,22 36:4 36:9,13,20 55:21 56:6 59:22 60:5,10 60:11,13,18 62:5,7 65:9 84:11 depends 68:24 depth 79:10 description 48:3,6 48:7,12 57:7 descriptions 47:25 48:5,9 54:18 designated 11:5 59:25 designates 44:19 designating 44:11 designations 55:19 designed 14:7 desk 19:22 21:25 desperate 101:5 despite 16:8 90:24 100:11 details 95:3 determinations 45:15 determine 2:15 10:20 30:14	40:23 45:5 46:14,24 develop 11:24 13:15 16:16 92:7 97:2 107:22 developed 65:13 developing 30:18 development 2:13 4:17 13:7 30:19 80:17 88:2 93:2 93:9,15 95:9 96:12 102:4 devices 23:9 DHS 15:16 20:5 36:3 dialects 63:19 dialing 71:20 difference 37:15 40:5 71:22 different 8:12 20:19 35:4 40:13 42:10 47:19 55:21 66:2 86:24 88:10,16,17 97:20 differential 55:6 differently 42:15 42:16 43:6 45:3 difficult 21:20,22 difficulties 74:22 difficulty 75:17 76:19 diploma 103:5 direct 74:19 86:22 88:7 98:25 109:22 direction 106:13 directive 11:10 12:4 13:11 25:13,15 27:3 61:24 directives 4:22 directly 6:7 79:8 86:8 90:7 92:17 Director 5:22	6:15 19:6 36:22 46:10 58:9 88:5 Directors 20:17 Director's 4:22 11:2 12:4 13:22 25:12 26:4 28:11,22 30:11 disability 32:24 disappointed 34:15 disappointing 29:14 disciplinary 22:18 discipline 21:13 discrimination 9:12 70:3 discuss 22:9,9 discussed 56:11 discussion 3:17 5:2 61:15 dismissive 19:25 disparate 101:9 disparities 81:4 87:22 disparity 90:18 90:21 distressful 82:4 distribution 76:9 district 65:7 73:24 74:9,12 74:21,24 75:7 76:2,10,25 77:16 88:19 98:11 District's 77:4 diverse 3:22 32:16 36:25 37:7 79:11 83:20 diversity 2:25 3:7 29:18,19 36:11 37:21 93:25 Division 46:11 divisions 98:5 100:14 document 12:23	29:17 30:6 documentation 24:17 documents 13:18 17:11 25:16 75:3 doing 27:3 31:10 31:17 34:2 35:15 48:23 53:5 85:3 91:7 102:15 104:25 DOJ 9:23 dollars 107:24 door 3:10 103:8 Doors 96:10 Doris 3:15 doubled 79:25 87:9 download 23:25 downloaded 15:12 downsizing 103:8 draft 17:6 drain 52:22 dramatic 105:22 drink 105:17 drop-off 58:16 due 96:13 duty 50:4 77:22 D'Attilio 19:3,5,6 31:14,24 33:3 33:20 34:19,23 35:6,16 36:12 37:2 38:3 39:3 40:15,18 41:4 41:23 42:19 43:9 44:3,12,23 45:4 46:8 47:5 47:17 49:3 50:9 51:3,18,24 53:22 54:8,16 55:9 56:9 58:8 58:22 E eager 83:11 earlier 12:11	49:11 Eastern 57:19 economic 8:4 103:6 educate 68:23 educated 86:2 education 20:11 74:13 84:11 educational 22:18 45:14 77:13 91:13 EEO 33:22 EEOC 33:10 effective 13:17,19 23:3 69:4 86:9 effectively 4:15 17:17 22:10 69:6,20 95:13 effort 37:6 54:19 90:21 efforts 8:6 10:14 10:25 11:9 90:24 either 20:8 52:22 56:16 78:3 98:6 103:7 elect 99:23,25 elected 99:23 election 83:12 99:4,10,22 100:2 elections 99:19 eligibility 36:24 eligible 10:3 43:10 97:24 embrace 96:21 emergency 88:2 101:9 emerging 92:7 emotional 87:20 employee 52:21 employees 17:18 32:6,10 50:5 71:9 101:21 employee's 71:25 employment 33:4 91:10 100:23
--	--	---	--	--

103:23 104:7 105:5 empower 81:4 empowerment 92:9 EMT 59:22 enable 83:22 encountered 10:4 83:13 encounters 13:12 75:17 encourage 76:24 106:20 encouraged 91:22 endeavor 73:22 ends 75:18 enforces 61:8 engaged 27:11 99:10 engaging 3:16 English 4:10 8:13 8:16,17,19,22 8:24 9:5 13:16 15:6 16:8,14 19:20,21 57:17 67:22 68:6 69:9 69:11,16 70:5 74:20 75:16,17 81:2,13 83:5 87:15 94:18 96:5 97:17 103:20 106:5,13 English-as-a-se... 76:11,17 English-profici... 6:20 10:2,6,17 10:22 12:12 13:13 14:4 17:13,20 18:3 18:17 21:4 67:17 68:15 70:14 71:2 English-speaking 79:9 87:12 94:15 enhance 42:18 ensure 16:11 17:8	18:11,17 70:22 ensures 14:3 ensuring 11:14 23:3 27:11 59:8 62:17 99:9 entire 83:16 entities 9:23 entry 38:21 equal 33:4 39:19 43:7 44:5 49:9 equally 3:23 equitable 81:5 equivalent 40:9 40:25 41:8 especially 8:6 33:24 94:3 essential 13:16 17:11 72:18,22 72:24 essentially 38:19 establish 48:6 60:19 63:10 96:16 established 45:21 establishing 28:7 70:15 estimate 75:4 ethnic 31:20 32:17 48:20 79:24 93:17 94:16 97:15 103:25 106:8 Europe 23:8 57:19 evaluate 45:11 evaluating 22:5 evaluation 16:24 45:8,10 evaluations 18:2 evening 88:16 everybody 97:24 evidence 109:4 evolution 48:10 exactly 27:7 39:2 75:2 exam 47:19 examination	39:11,12,13 40:9 43:12,13 43:14,19 45:5 45:17 46:15 47:8 example 13:5 14:8 20:22 21:25 23:24 26:13,19 27:10 39:9 52:20 57:12,21 58:14 63:16 64:17 71:21 74:24 91:9 101:5 examples 51:17 51:22 exception 11:20 38:18 exchange 26:10 exciting 4:17 excluded 9:10 executed 27:5 28:14 86:3 Executive 4:21 6:15 9:15 10:19 11:13,16,21 61:9 88:5 exempt 31:22 exercise 29:15 exist 17:5 25:16 50:10 existing 86:12 exists 64:4 expect 69:3 experience 18:7 45:9,13 experienced 7:5 expert 68:3 experts 55:5 explain 53:4 explore 17:21 40:19 express 19:23 extent 23:18 27:15 28:14 60:9 extremely 31:16	34:15 98:21 F fabric 18:14 face 80:25 81:24 87:20 facilitate 12:15 90:9 facing 103:10 fact 8:14 29:22 34:16 48:16 100:11 factor 68:13 factors 38:10 39:23 46:13,23 factory 103:2 failure 70:3 fair 87:2 fairly 56:10 fairs 96:3 families 75:2 81:19 87:23 88:21 far 21:24 22:17 32:14 41:11 64:6 76:18 89:7 fastest 79:24 Father 93:20 favor 39:20 federal 9:2,13,18 10:24 69:24,25 69:25 70:7 federally 9:4 10:23 feedback 18:3 feels 107:16 female 29:19 fide 51:12 field 72:17 Fifty-nine 81:12 figure 59:12 61:7 61:10 107:11 file 98:24 filing 33:7 fill 45:23 98:23 filling 60:7 final 45:18,19	Finally 76:8 Finance 13:6 financial 9:14 70:7 95:9,14 102:7 financially 86:12 find 103:11 104:20 finding 104:18 Fire 20:9 36:2 101:13 firefighter 47:10 first 5:13,17 6:3 47:22 54:3,5,12 59:20 60:17 79:6 93:19 95:17 firsthand 92:19 fiscal 90:3 five 4:8 42:4 56:24 58:2,14 58:17 76:16 79:5 101:16 Fleet 53:12 flexibility 12:8 38:12 42:7 44:9 45:16 flip 99:15 fluent 8:19 69:11 103:19 fluently 8:22,25 focus 46:19 58:14 70:20 focused 107:7 folded 104:2,2 folks 23:15 55:20 60:8 61:17,20 74:15 103:15,22 106:9 follow 105:5 followed 13:12 following 10:25 81:22 force 61:5 96:10 foregoing 109:7 109:19 foreign 13:19
---	--	---	---	--

57:5 64:7 65:8 foreign-born 3:25 7:5,14,17,21 100:8 form 98:24 formal 11:9 87:2 formed 80:20 forms 72:6 formula 44:10 47:15 formulate 3:5 forth 39:6 88:19 92:17 105:23 Forty-nine 87:13 forward 3:20 5:3 59:16 77:23 107:21 108:4 found 42:22 73:7 83:15 foundation 16:15 four 10:11 49:5 56:24 72:11 80:10,21 83:15 88:8 four-factor 9:24 12:10 four-year 103:18 framework 93:24 Francisco 42:4 Frankly 29:11 free 67:24 French 63:17 frequency 10:5 12:13 front 88:9 frustrated 90:4 frustrates 60:12 frustration 29:4 fulfilling 9:23 fully 8:8 109:5 functions 68:21 fundamentally 4:16 funded 9:4 10:23 82:14 91:10 funding 74:10 77:8,16 91:2	102:2 104:16 105:4 funds 9:18 further 92:3 future 3:24 72:22 97:5 G gaps 26:21 gateway 7:9 gathering 28:18 gender 32:17,23 general 77:4 generally 56:23 generation 82:21 generations 106:2 genocide 87:17 gentlemen 2:3 geographically 64:25 getting 62:18 give 34:21 43:12 49:25 51:17,22 55:11 60:11 90:12 given 69:14 83:19 giving 29:7 49:17 84:24 97:12 glad 106:22 Global 11:3 62:9 go 6:3 22:11,14 33:21 35:13 37:5 48:11 56:19,22 58:25 59:3 67:7 100:17 105:14 107:13 goal 54:21 goals 2:14 31:18 32:14,17 33:2 60:14 93:24 96:17 97:2 going 5:22 21:24 21:25 22:22 24:24 53:5 58:25 59:3,21 60:8 62:4,6 77:9	100:9 107:14 good 2:2 6:8,10 6:23 14:21 60:3 66:25 67:13 73:15 78:14 84:22 93:11 Goode 1:10 2:17 3:4 6:25 29:3 65:19,20 66:9 79:19 84:23 93:12 Google 23:11 government 5:6 9:2 62:11 68:21 68:24,25 69:3 71:6 97:22,22 98:23 107:15 governments 69:18 grading 43:24 graduated 82:18 91:16 graduates 103:16 103:17,18 grantee 10:12 grassroots 96:11 98:3 grateful 79:14 grave 70:8 great 4:20 65:18 88:4 102:16 greater 42:2 52:14 80:19,22 85:13 greatest 7:13 greatly 90:9 95:23 grew 80:4 groom 104:24 grounds 9:9 group 33:12 79:24 94:16 103:25 104:10 105:7,11 107:16 groups 31:21 84:5 97:15 106:9 grow 76:13 growing 79:24	94:2 growth 7:20 guarantee 9:3 guarantees 9:7 guess 58:10 guidance 3:9 9:22 26:25 36:8 49:14,21 60:11 60:24 62:10 89:10 guide 11:25 guidelines 2:14 96:17 97:2 H half 87:14 Hall 1:6 handheld 23:9,11 hands-on 71:15 happen 41:15 happened 103:25 happening 73:24 happens 38:21 64:5 happy 33:10 hard 63:20 65:25 75:5 82:20 101:10 harder 52:5 hard-pressed 51:19 hard-to-fill 35:19 hard-working 91:19 health 20:5 27:10 53:8 81:3,25 82:24 84:12 87:22,24 88:12 88:24 90:15,18 90:21 95:18 hear 2:7 4:24 34:25 75:8 heard 77:17 hearing 2:6,23 5:9 19:2 56:15 61:4,19 62:2 77:13 106:22	hearings 1:16 2:10 76:24 heart 101:8 heavier 44:10 heavily 43:18 help 11:7 15:5 17:10 61:13 62:9 63:9 68:14 76:4 88:21 89:18,23 91:8 92:15 95:13 100:12 102:22 103:11 helped 3:4 helping 8:7 Henon 1:11 97:9 high 7:21 18:8 82:19 91:16 95:7 103:4,16 104:22 higher 43:20,21 84:4,6 91:18 highest 41:14,16 42:7 94:14 high-quality 96:2 hire 50:25 95:22 hired 32:6 102:12 hires 13:22 hiring 2:14 19:10 32:21 35:8 36:25 46:11 79:11 83:20 85:19 86:7 91:23 102:16 Hispanic 53:18 historic 4:21 history 38:9,16 hold 1:15 2:10 60:15 77:13 106:2,14 holding 2:23 63:2 home 4:10 8:16 42:25 103:13 homeowner 95:14 homestead 13:8 hood 53:11 hope 3:5 4:25
---	--	---	---	--

hopefully 59:18 103:21 hospital 89:11 105:14,16 hospitals 82:8 90:16 hours 88:16 94:23 105:18 huge 54:19 58:15 71:22 76:6 Human 19:7,14 34:4 35:8 44:24 hundred 41:17,18 45:7,7 hundreds 37:11 37:11 HVAC 51:25 I ICE 14:18,22,23 idea 55:11 56:10 65:10 ideas 52:16 identified 32:11 68:12 identifies 33:13 identify 6:3 17:10 33:11 66:22 72:12 73:13 78:13,17 84:20 93:5 identifying 17:17 17:24 immigrant 1:16 2:12 3:23,24 6:16,20 7:3,8,19 15:25 18:8,16 62:24 68:7 70:14 90:20 94:2,6 96:19 immigrants 8:8 8:11 74:4 79:22 81:17 97:4 107:19 immigration 2:25 7:12 11:19 57:13 58:19	impact 62:21 75:14 77:21 94:9 impacts 77:18 impediment 37:21 implement 10:15 11:7 implementation 12:2 25:15 96:14 implemented 25:13 implementing 21:18 implements 61:8 implore 96:22 importance 10:8 11:14 12:13 22:13 important 18:11 22:6 27:22 29:21 31:5,7 61:23 98:21 106:4,8 importantly 63:3 impoverished 87:12 impress 98:8 imprisonment 81:21 improve 17:19,21 17:22 18:5 21:14 70:13 74:16,17,18 77:7 88:24 90:11 94:5 improvement 26:21 improves 24:25 25:2 improving 16:22 27:16 incentive 55:3 56:2 incentives 55:18 56:5 59:10	incentivize 55:22 include 18:2 70:7 81:19 97:3 included 107:17 includes 4:10 20:15 including 2:13 17:13 55:2 69:23 70:3 72:6 74:11 84:11 88:14 income 81:13 87:18 94:19 incomes 80:25 incorporated 28:13 increase 80:6,7 84:4 90:22 96:13,18 increased 3:25 90:14,15 96:5 increasing 1:16 2:11 6:19 67:19 increasingly 18:10 indicate 32:10 indicated 49:14 individual 19:15 69:2 70:21 individuals 6:21 10:2,6,17,22 11:15,18 12:12 13:13 14:4 15:5 17:13 18:18 21:4 36:17 41:9 41:25 45:22 81:11,23 82:12 94:11,15,22,25 95:8 industry 104:12 infiltrate 101:19 influx 7:3 inform 15:6 72:3 information 17:14 29:20 33:8,9 34:3 60:18 62:19	68:22,22 69:13 75:23 informative 69:4 informed 99:11 infrastructure 18:12 infused 61:11 initial 28:10 initiatives 16:20 37:22 94:9 innovative 15:21 inspector 53:8,9 inspectors 100:2 instance 83:11 instances 24:6 27:18 Institute 7:7 institution 102:21 institutions 102:3 instruct 71:9 instruction 22:23 74:19 76:12 integrate 18:13 83:8 integration 17:9 96:8 intensity 65:7,8 interact 51:14 interacting 19:16 interacts 51:11 interdepartmen... 16:22 26:9 Interest 73:17 interesting 105:14 interface 22:2 intermediaries 15:24 intern 104:21,23 internal 56:13 internally 47:3,7 47:12 52:2 55:10 internship 104:19 interpretation 12:22,22 15:10 30:6 56:2 70:16	70:17 71:10,16 74:15 77:3 82:25 94:21 interpreter 71:21 75:24 interpreters 15:16,17,19,20 75:4 83:14,16 interpreting 105:24 interrupt 50:20 interventions 88:24 interview 41:24 introduce 84:17 92:24 introduced 6:22 invaded 63:23 invested 107:24 investigating 69:16 investments 24:17 invited 79:16 involved 98:2 100:8 involvement 92:9 in-person 12:22 70:16 Irish 97:16 104:3 Islander 8:23 issue 19:17 32:21 45:25 63:8 73:22 75:20 83:24 88:14 105:4 issued 9:3,15,22 10:19 11:11 25:13 96:10 issues 2:24 34:9 34:25 36:14 44:16 46:2 63:14 77:6,14 79:20 81:25 85:23 88:13 Italian 104:4 105:20,22
--	---	--	--	--

Italians 97:16,18	24:9 31:8 38:20 40:12,16 41:2 41:20 49:22 50:19 51:16,21 52:19 56:25 58:21 59:23 60:3 63:11 65:12,18 66:10 66:14,21 67:5,8 67:11 73:11 77:25 78:6,12 78:16,21 79:19 80:14 84:19,23 85:5,9,14 93:4 93:12 94:3 97:7 99:21 103:14 104:9 105:3 108:12	L L 109:14 labor 1:3,15 2:5,9 3:1 4:1 5:1 6:1 6:14 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1,18 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1,11 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1,16 lack 55:4 76:2 ladies 2:3 lady 105:24 language 3:7 4:9 8:10,15 11:4,5,8 11:9,24,25 12:6 12:16,17,18	13:3,23 14:6,13 14:13 15:7 16:4 16:6,17 17:4,7,9 18:6,19 20:16 22:13 23:13 24:2,3,7 27:12 29:6,18,25 30:3 30:5,8,18,20,24 32:5,7 51:2 52:5 52:15,25 54:4 55:3 56:7 57:2 58:2 62:4 63:17 63:24 64:2,7,12 66:4 68:12,16 70:24 71:8 72:4 72:13,17,21 73:3,7 75:13,20 77:20 79:11,21 82:6,9 83:6 85:25 86:4,5 89:15 90:16 93:25 95:21 96:5 99:11,17 99:20,25 101:9 103:5,21 106:3 108:7 languages 8:24 13:20 14:9 15:5 15:10,12 26:16 32:13 50:8 57:5 58:11,15,17,19 63:14 64:6,19 65:8,11,24 66:3 66:4,7 68:10 75:9,10,10,11 75:12 language-mino... 1:16 2:12 96:19 Lara 5:14 66:18 67:10 large 52:25 54:17 57:22 64:9 81:18 83:8 97:2 larger 36:4 102:3 largest 7:18 37:3 80:11,21 Latvian 57:25	launched 11:2 law 11:21 32:21 44:13 49:15 59:6 67:24 73:17,18,21 76:21 81:7 laws 70:6 lays 12:5 lead 96:2 leader 98:8 leadership 3:14 93:19,23 leading 7:6 learned 29:3 leave 67:10 106:24 led 11:9 left 60:24 61:9 leg 100:9 legal 3:8 11:19 49:19,20 59:15 62:20 67:3,16 67:23,25 68:3 68:13 69:10,21 71:11 73:6 77:21 82:2 95:18 legalities 59:8 legally 59:14 legislation 79:21 LEP 8:14 9:19 11:15 15:5 72:20 let's 47:12 55:4 level 38:22 46:18 64:16,21 76:4,5 98:3 103:15 liaison 26:6 liaisons 11:5 15:23 17:7 26:8 lies 36:20 life 94:5 light 3:18 limit 37:19 limitations 36:23 48:22 limited 6:20 8:13
J J 1:11 James 1:10 6:13 Jennifer 5:18 6:15 24:15,25 55:19 61:16 Jersey 7:18 79:4 job 33:12 35:18 45:25 46:12 47:14,21,25 48:2,5,6,7,9,12 48:24 50:16 54:10,14,17,18 57:7 83:23 88:3 95:25 96:3 102:16 103:9,12 104:20 jobs 35:14 41:22 90:12 96:3 104:11 John 5:14 10:18 78:8 93:21 join 5:22 74:5 JR 1:10 Juan 66:18 67:10 judge 99:18,25 judicial 62:17 jurisdictions 41:25 justice 9:22 75:19 95:2 justification 51:9 justify 52:5 juvenile 75:19	Kerr 5:15 66:18 73:15,16 kind 3:5 19:17,25 20:4 21:9,13,19 24:15 28:18 57:18 60:20,25 61:14 86:19 98:13 kinks 52:17 knew 22:21 know 3:21 19:20 21:10 22:6 28:5 28:15 31:10 44:14,16 49:20 57:20,25 58:24 61:17 63:9,21 64:14 73:2 75:2 75:6,22 82:9 84:15 85:4 89:2 90:5,18 92:2 98:12,21,23 99:19 102:13,25 107:19 knowing 20:2 knowledge 28:24 46:18 Korean 58:6 64:10	K Karis 93:2,7,13 keep 87:2 91:5 101:15 102:11 Kenney 1:10 2:2 2:22 5:10,23 6:2 6:10,13 14:10 14:15,18,21,25 18:22 19:11 21:8,12,21 22:15 23:6,22		

9:5 10:2,5,16,21 11:21 12:11 13:13 14:4 16:8 17:12,19 18:3 18:17 19:19 21:3 67:17,20 68:15 70:5,14 70:25 79:8 81:2 81:13 82:14 87:12,14 94:15 94:18 105:2 line 30:16 50:4 52:23 82:6 88:9 99:20 lines 62:9 82:9 linguistic 82:5 linkage 86:21 linkages 91:21 list 38:21 43:11 45:20,21 listed 96:15 listen 77:5 listening 80:13 literacy 95:10,14 little 38:12 52:4 live 69:11 87:11 lives 10:10 62:21 living 58:3 65:10 loan 95:15 long 28:6 53:5 54:6,13 55:7 56:3 75:20 76:18 long-term 16:25 88:23 look 16:21 17:15 21:13,14 24:5 39:10 45:22 46:13 52:13 64:14,24 92:3 100:17 107:21 108:4 looked 23:13 29:9 looking 19:24 37:11 57:23 62:25 63:13 86:25 87:4	92:11 looks 61:23 LOOP 13:8 lose 103:13 106:14 loss 70:7 lost 50:4 103:9,21 104:11 lot 24:7 26:23 59:21 63:18 83:13 89:17 97:21 102:13 104:4 107:14 lottery 38:19 low 7:3 80:25 81:12 87:18 94:19 lower 43:21 low-income 67:25 68:9 L&I 20:5,20 21:25 53:8 59:23,24,25 M machine 100:2 maintain 89:23 106:10 majority 85:25 making 90:9 99:16 male 29:19 Management 34:5 53:12 manager 33:22 78:19 managers 71:15 72:25 manages 12:20 Managing 4:22 11:2 12:4 13:21 20:17 25:12 26:4 28:11,22 30:11 Mandarin 64:9 mandates 9:3,20 10:24 11:16,22	mandatory 72:16 manufacturing 103:2,7 mapped 65:5 maps 65:13 Maria 1:12 6:22 MARK 1:12 material 85:21 86:6 materials 13:7,15 72:9 matrix 27:24 28:7 matter 109:7 matters 30:5 99:5 Mayor 4:18,19 10:18 11:12 48:16 Mayor's 6:16 107:4 MDO 11:10 27:3 61:24 mean 19:20 26:20 40:5 46:23 50:2 53:7,10 57:23 58:24 64:8 92:3 92:5 98:4 101:4 101:6 102:14 104:5 106:6 meaningful 9:4 9:19 11:14 14:5 16:12 70:4 means 74:10 90:15 109:21 meant 43:10 measure 17:24 62:4 measurements 16:25 26:12 measures 17:25 measuring 31:13 mechanic 51:25 mechanics 100:4 mechanism 37:25 mediate 94:24 medical 101:8 meet 10:16 36:14 88:11	meeting 91:24 meetings 94:23 member 79:6 96:9 103:9 members 6:13 90:10 94:8 98:11 101:12 mental 81:24 mention 25:7,25 mentioned 12:11 36:19 40:3 49:4 59:19 64:19 69:22 74:3 91:4 mentioning 80:14 met 26:9 52:11 Methodist 105:16 methodologies 42:11 metrics 27:20 Michael 11:12 MICHELE 109:14 microphone 6:5 missed 5:17 missing 88:15 mission 93:16 missions 81:4 modifying 46:5 MOIMA 13:2 24:13,21 26:5 29:22 61:23 63:5,12 moment 58:7 69:15 money 86:6 102:5 monitoring 26:12 month 48:5 54:11 months 52:12 56:24 moral 77:22 98:16 move 3:20 5:3 6:4 6:6 59:15 81:17 92:4 96:24 moved 104:5 movement 104:11 moving 103:8	106:12 Moy 93:20 Multicultural 6:17 107:5 multiple 43:12 89:8 91:6,6,7 multi-language 32:12 multi-lingual 15:22 17:18 72:9 74:13 multi-part 39:11 municipality 7:15 MURPHY 109:14 mutual 87:3 mutually 87:4 myriad 81:24 83:3 N name 14:11 67:2 67:14 73:16 78:18 85:6,8,10 85:11 93:7,12 Nancy 78:8,18 97:13 national 9:9 32:18 32:23 70:2 native 63:25 103:20 native-born 97:19 100:6 natural 103:24 naturalized 83:10 naturally 101:2 101:22 nature 10:8 22:3 22:17 23:19 navigate 68:17 89:19 navigation 82:23 94:21 nearly 4:3 7:16 87:7,13 necessarily 52:3 102:5 necessary 13:18
---	---	---	--	--

18:12 need 22:11 24:4 25:17 45:18 46:18 54:11 57:4,11,18 58:4 59:14 74:17,18 75:2,3 77:3 79:10 80:7 83:8 85:18 86:17 88:4,21 89:20 92:2,18 98:18 100:10 102:7 103:22 106:4,5 106:13 needed 10:21 90:12 needs 10:16 12:9 12:18 13:3 24:6 30:13,15,20 35:20 39:24 48:13 61:10 68:19 70:9 82:12 83:9 88:11 95:4,25 99:3 negative 98:19 neighborhood 53:16,17,18 Network 104:17 neutral 32:22 new 4:14 7:17 13:14 16:23 62:24 69:17 71:24 74:4 90:3 105:10 107:19 newcomers 18:14 newly 83:10 Nguyen 78:8,14 78:18,19,23 99:6 nighttime 88:17 nine 47:6 Ninety-nine 47:5 non-Philadelphia 49:18 non-profit 67:24 North 87:6	Northeast 57:23 notable 8:9 note 67:10 92:21 notes 109:6 notice 23:7 notices 72:8 number 7:14 9:25 12:11 32:10 39:25 40:19 42:10 58:16 65:25 71:5,13 72:2,11 83:25 87:9 95:7,10 numbers 29:14 64:15 65:3 81:18 98:9 100:17 numerical 45:20 numerous 74:4 87:21 Nutter 4:19 11:12 O Obama 9:17 ObamaCare 83:2 objections 109:4 objectives 31:19 obligation 71:11 obligations 69:22 73:4 74:11 observed 18:9 obtain 27:21 68:21 103:23 obviously 106:5 occupational 33:12 October 33:7 offer 36:8 71:3 83:5 offered 105:7 offerings 105:6 offers 95:10 office 4:23 6:16 11:2 12:4,20 13:2,22 16:17 19:22 20:12 25:12 26:5	28:11,20,22 30:12 31:16 33:3 35:8,10,11 35:17,23 36:2 44:24 47:21 64:23 67:24 72:12 74:14 82:11 92:20 94:20 95:17 99:13,14 107:3 107:5 officer 102:17,18 offices 62:12 71:6 72:3 74:16 82:21 83:18 90:8 office's 65:16 officials 99:23 oftentimes 95:19 oh 5:16 14:21 67:6 79:19 93:2 Oh's 99:12,13 okay 28:4 34:8 50:25 54:23 58:21 67:11 old 6:5 older 105:20 106:9 once 45:16,20 47:7 56:17 64:5 ones 36:9 64:20 one-third 7:23 ongoing 2:24 20:11 24:24 79:15 open 38:5,13,14 56:15 opened 3:10 Opening 96:10 operate 69:5 operating 11:6 12:7 operations 12:3 opinion 3:8 opportunities 16:21 opportunity 4:17	33:5 53:4 67:18 73:19 84:25 97:3 107:20 opposed 22:19 38:25 57:24 59:10 option 40:21 55:14 options 40:19 41:12 oral 43:13,14 44:21 45:8 46:6 order 9:15 10:19 10:23 11:16,22 12:15 16:10 17:8,22 22:10 39:5 40:2,11 43:2 96:17 Orders 4:21 11:13 61:10 ordinance 44:15 organization 78:25 82:13 93:14 organizations 7:6 68:7 73:8 99:8 orientation 71:25 origin 9:10 32:18 32:23 70:2 original 51:4 outlines 13:11 outlining 24:15 outreach 13:7,17 18:5 96:6 outside 81:16 87:17 overall 43:16 76:8 80:3 overcome 68:16 overlook 73:23 overwhelmed 82:11 86:16,20 90:4 overwhelming 82:22 overworked 94:24	owners 16:2 95:8 95:11 o'clock 61:19 O'Neill 1:11 18:25 P Pacific 8:23 panel 66:17 84:14 paperwork 75:13 paramedics 20:9 101:5,6,13 parent 75:16 parents 50:4 74:2 75:8 77:2,10,19 87:22 park 53:6 part 20:14 28:9 29:8 39:11,14 42:25 44:5 108:3 participate 8:8 participation 9:10 particularly 55:23 62:14,15 62:20 partner 86:25 90:25 102:7,21 partnering 105:8 partnership 86:13 87:3 89:23 107:21 parts 43:12 45:6 46:14,24 pass 44:14 passes 56:18,21 path 75:20,21 pathway 60:20 62:3 patience 61:20 patient 82:23 pattern 58:20 patterns 57:13 pay 55:6 100:18 paying 22:2 payments 83:2
--	--	--	---	---

PCDC 86:14 92:25 93:15,19 94:7 96:9 pending 77:15 Pennsylvania 1:6 41:13 84:2 Pennsylvanians 105:10 people 7:14 20:7 22:20 23:7 37:12 40:6,7 41:15,17,18 46:22,22 50:3 53:6,21 55:24 56:6 57:9 58:3 58:16 59:2 60:23 62:18 65:24 72:13 76:3,14 77:19 83:9 86:13 94:20 95:16 98:2,7,21 100:5 100:17,24 101:2 105:25 people's 62:21 71:22 percent 4:7 7:22 7:24 8:14,16 45:7,8 47:6 80:2 80:4 81:12,13 82:17 84:8 87:13,17,18 91:15,17 94:17 94:19 percentage 94:14 performance 16:24 17:25 26:11 27:16 37:15 38:8,16 45:8 period 22:11 56:23 80:5 periodic 18:2 permanent 69:10 82:2 persecution 81:21 person 9:8 38:24	52:23 72:20 92:16 personally 81:8 84:13 Personnel 5:22 24:20 31:15 35:13 36:8,22 46:10 63:5 107:2 persons 7:17 9:5 10:10 69:7 70:4 70:15 71:2 perspective 37:14 Philadelphia 1:2 1:6,15 2:10 3:2 3:22 4:5,18 5:4 7:8,13 8:11,15 10:14 11:3 13:9 14:3 15:13 19:23 39:21 42:14 43:5,7,10 43:25 49:7,10 49:17 62:9 64:8 67:4,16 68:19 69:12 70:10,12 73:17 74:9,25 79:2,4,7 80:12 80:17,19,23 81:10,11 82:19 84:7 85:13 87:7 89:9 90:8 92:25 93:9,14 95:6 104:17 Philadelphians 4:3,9 68:2 107:18 Philadelphia's 3:24 94:6 Philadelphia-b... 55:2 Philly 15:8 23:25 57:23 98:7 100:14 105:16 phone 15:11 72:10 85:22 physical 81:24 87:21	Pick 101:16 piece 31:13 place 16:20 25:20 38:25 74:7 92:8 places 23:8 plain 13:15 plan 11:10 25:9 25:14,14 27:4,4 28:10,13 30:18 30:20,21,24 48:8 59:6 60:14 62:25 75:5 planning 7:11 25:19 28:10 65:5 72:22 75:6 plans 11:8,25 17:4,5 27:8 28:7 62:5 71:8 played 39:23 please 5:23 6:3,4 66:21,23 67:5,8 73:13 78:12,16 84:20 93:5 pleasure 94:8 plumber 52:2 point 40:4,24 47:6 50:20 57:14 58:18 62:22 104:14 points 45:13 police 13:10 15:18 20:5,8,25 21:18 21:22 35:24 53:13 55:24 59:22 88:18 102:15,16,18 policies 11:8 106:25 policy 11:10 Polish 97:18 political 100:5 politics 98:3 poll 83:17 99:18 polling 99:16 polls 83:14 pool 46:16 popped 97:12	population 3:25 4:7,14 7:2,19,23 37:7 42:9 57:4 57:16,22 80:3,6 87:19 94:2,6,13 95:5 populations 1:17 2:13 79:9 80:10 80:25 96:20 portion 39:17 43:18 54:17 Portuguese 63:21 posed 32:3 position 37:10 38:18 41:10 47:13 51:8,10 59:25 positions 34:14,18 35:18,19 36:18 50:23 51:13,20 52:3,6,9,16 60:7 66:2 possibly 52:14 54:21 post 35:17 postings 72:7 potential 54:25 70:5 poverty 96:4 practical 71:8 practices 16:19 predominant 63:17,24 predominantly 98:5 preferable 40:22 preference 39:18 43:25 44:4 48:18 49:6,7,11 49:12,18,25 50:2,3 51:12,20 52:6,8,15 53:2 55:3,12 57:3,8,9 preferences 50:10 59:11 preferred 14:6 15:7 24:3	prepare 71:7 prepared 19:4 preparing 20:10 present 1:9 76:22 Presently 74:21 presents 8:5 preserve 93:16 President 9:15,17 presidential 83:12 pressed 52:5 pretty 64:20 prevalent 57:5 63:15 previously 69:23 primarily 4:11 82:14 primary 64:6,6 72:13,17 100:14 prior 20:17 priorities 12:9 63:10 priority 58:7 Prisons 36:3 proactive 3:11 60:10 probably 23:2 35:11 37:2 48:4 55:12 97:17 103:19 105:21 problem 63:19 problems 68:14 75:8,25 77:2,23 83:13 95:18 procedures 62:21 proceed 78:22 proceedings 109:4 process 3:6 19:10 25:19 28:3 29:8 38:6,10 44:6 56:12 68:22 71:20 90:9 95:23 99:10 100:5 produce 13:18 32:9
--	---	--	--	--

proficiency 9:6 70:5 81:2 proficient 8:13 16:8 68:5 81:14 87:15 94:18 profile 8:3 program 9:13 10:9 11:4 12:14 15:22 16:4,17 19:13 23:2 76:18 89:6 91:10 programmatic 88:23 programming 91:14 programs 9:5 10:23 11:20 13:9 16:13 68:3 68:17 72:23 87:25 91:6 95:11 progress 2:15 16:5 60:22 prominent 64:13 promote 91:23 93:17 promoted 13:10 promoting 96:7 promotional 38:7 38:7,13 prompts 72:10 promulgate 56:5 promulgating 50:14 proofreading 12:23 proper 46:24 properly 89:22 proportion 9:25 prospect 70:8 protect 93:16 protocol 13:11 provide 5:4 8:7 9:18 10:21 11:23 12:21 15:14,23 33:8,9	33:10 52:14 53:25 56:2,7 59:14 61:25 70:4 72:4 77:7 86:17,22 88:7 88:22,23 89:7 89:25 91:20 95:14 102:6,8 107:7 provided 10:9 20:18 62:18 providers 79:7 provides 15:9 44:4 providing 4:16 43:24 60:23 62:13 63:4 67:24 70:23 74:22 76:10 107:17 psychometric 40:4,23 41:3 psychometrically 40:8 public 2:6 17:11 18:18 19:19 27:10 33:8 51:11,14,23 52:4,7 56:14 62:16 68:23 69:12,13 71:7 71:14 72:3 73:16 100:23 109:15 published 7:12 pulling 61:6 pumped 100:15 punitive 22:17 31:9 purposes 24:22 put 38:24 40:10 61:5 89:17 106:22 PYN 104:17 p.m 1:7 108:17	quadrupled 84:3 qualified 36:17 quality 18:18 22:6 76:20 94:5 query 26:16 question 32:2 42:13 49:16 51:4 65:22 questions 19:9 24:19,22 31:15 66:12 78:3 quick 56:10 quicker 54:22 Quinones-Sanc... 1:12 2:18 6:23 79:18 quite 15:2 29:13 29:20	really 3:9 23:20 24:4 25:17,18 26:10,11,20 57:17 61:5,20 63:20 64:16,21 80:12 84:13 85:3 88:20 89:18 91:5 98:25 99:5 102:9,15 108:9 realtime 22:7 reason 80:16 85:22 106:21 reasonable 9:24 reassess 47:13 receive 71:15 75:13 91:12 received 22:23 receives 74:9 receiving 9:13 recess 62:2 recipient 10:12 recipients 9:18 recognize 2:18 16:9 24:13 79:18 94:3 recommend 41:13 recommendatio... 47:23 54:24 61:3,7 71:4,5 73:5 74:6 96:14 106:18 record 6:4 18:24 24:23 31:5,17 31:25 32:7 33:9 34:12 35:3 55:23 66:22 72:12 73:14 78:13 84:21 85:7,10 93:6,22 106:23 Records 56:22 recovered 87:16 recreate 25:17 recruit 36:16 37:6 recruiters 36:16	recruitment 35:2 35:4,6,9,10,15 35:17,21,22,25 36:5,10,10,13 37:6 reduce 17:23 90:21 reducing 31:19 reduction 76:7 reemerging 7:8 referral 88:3 referring 50:16 reflect 18:24 92:14 refugee 68:8 87:20 90:20 103:4 refugees 81:20 regardless 11:18 16:13 18:19 69:8 region 7:15 Regional 7:11 registering 69:17 regular 71:14 regularly 68:4 75:8 regulation 54:22 61:12 regulations 39:8 39:10 50:11,14 55:2 56:19 70:2 106:25 regulatory 59:13 59:15 related 34:25 69:25 relates 2:24 48:24 59:7 relative 19:16 relief 13:8 religion 32:23 religious 48:21 remarks 2:20 remember 42:5 99:22 105:25 renewal 91:12
---	--	---	--	--

report 28:22 29:16 32:9 33:4 33:16,18 34:6 58:11 82:7 95:2 96:12,15 reported 28:20 reporter 109:23 reporting 28:2,17 29:5 83:18 reports 74:25 representation 33:13 represented 68:9 represents 4:14 68:5 reproduction 109:20 requests 77:16 require 38:17 40:20 42:17 82:4 103:4 required 10:20 81:6 82:10 requirement 37:4 39:4,20 51:13 requires 9:17 37:8,18 40:10 RES 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1	64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 research 42:20 resident 16:11 39:21 49:10 residential 93:18 residents 4:11 5:5 7:6,21 8:14,20 16:7 49:7,17,19 68:23 69:10 70:10 74:2 77:9 77:11 82:3 97:4 resolution 1:14,14 2:7 6:18,21 76:22 96:22 resource 63:8 102:9 105:2,2 resources 10:11 10:21 11:7 12:14 18:13 19:7,14 35:9 44:24 63:4 70:20 71:11,17 71:23 72:23 99:2 respect 32:22 respects 93:22 respond 30:12 response 66:13 78:5 responsibility 35:7 36:19 46:9	77:22 98:17 responsible 50:13 rest 69:14 restrict 37:25 restriction 42:12 restrictive 42:21 rests 46:9 47:20 result 52:12 61:3 82:10 98:19 resume 45:11 retirements 107:15 retrained 22:12 reunite 81:18 Revenue 13:21 20:20,22 22:2 reviewed 58:10 reviewing 29:23 revise 48:4 re-inculcate 22:13 right 15:3 20:21 22:8 26:24 27:17,25 32:25 36:6 50:21 64:12 65:3 69:12 74:23 90:2 98:16 104:8,23 Rights 9:7 32:19 69:24 robust 25:19 49:13 60:17 Rodriguez 5:18 6:8,12,15 14:12 14:17,19,24 15:2 20:12 21:11,15 22:4 22:24 23:16,24 25:11 26:3 27:6 27:25 28:9,19 28:23 29:11,24 30:4,17 31:2,11 58:9 64:3 65:15 66:6 Room 1:6 Rorng 78:8 84:17	85:11 100:20 routinely 71:12 row 5:18 62:12 RPR-Notary 109:15 rule 37:4 41:11,14 42:2,3,3,5,6,22 42:23,23,25 46:21 rules 42:8 75:22 run 21:24 34:5 runaway 88:15 running 91:6 Russian 4:13 58:6 75:11 Russian-speaki... 57:22	satisfy 46:20 save 101:7 saying 27:5 29:22 54:10 57:20 105:5 says 25:2 31:8 scale 52:25 scheduled 13:14 20:22 school 20:9 73:24 74:8,12,21,24 75:7,18 76:2,25 82:19 88:19 89:11 91:17 103:5,16 104:22 schools 73:25 82:16 science 41:5 score 37:18 38:23 39:2 41:7,16 43:16 45:18 scored 39:16 43:17,21 scores 40:6,8,24 41:14 42:7,24 45:19 scoring 40:21 second 7:18 38:24 39:14 54:3,5,13 second-language 74:20 secret 21:9,18,23 section 63:13 see 27:19 31:6 36:22 52:20 60:6,19 79:10 102:20 Seeing 66:14 78:6 seek 81:5 90:25 91:23 seeking 83:2 90:14 seen 29:6 76:6 82:22 96:13 102:17 sees 73:21 select 41:24
--	---	--	---	---

selection 38:10	46:11 56:3,8	sites 83:17 99:16	16:14 18:20	staffed 90:7
self-sufficiency	66:4 67:3,16,20	99:18	19:20 23:10,12	staffing 59:21
83:23	67:23,25 68:3	sitting 105:19,23	50:25 58:3,17	64:17 107:14
sends 57:9	68:18 69:13	situation 60:25	65:24 67:21	staggering 90:18
senior 67:15	70:13,18,24	situations 38:5	68:10 69:8,15	stakeholders
seniority 43:15	72:21,23 73:6	six 98:7 101:16	73:19 75:16,17	18:16
seniors 81:19	74:16,17,23	Sixty-one 94:17	79:16 95:20	standards 12:5
sense 25:18 42:8	75:15 76:9,15	skill 13:16 103:5	103:19,20	start 57:2 66:23
58:13	77:7 80:8 82:4	skills 32:7,12	speakers 15:6	90:3 100:23
sensitivity 19:17	82:23 83:3	52:15 95:25	19:21 74:20	103:13
20:19 21:5,6	84:12 86:17,19	slip 14:22	speaking 57:16	started 52:13
25:6 30:8 82:5	87:25 88:2,3,13	small 95:11	79:5	starts 105:24
September 33:7	88:22 89:19,24	smart 15:11	speaks 38:4 50:8	state 41:13 68:4
59:18 62:2	90:14 94:22	Smith 3:15	52:24	85:6,8,9 93:21
series 4:21	96:11 97:22	Snapshot 7:12	spec 54:17	statements 72:8
serve 15:24 25:21	102:23	Snyder 100:16	special 35:20	States 4:6 7:25
68:7 80:21	serving 86:15	social 84:12 88:2	specialty 50:18,24	9:8 69:9
82:13,14 90:20	88:9 89:5	88:13 89:11	specific 45:12,13	statewide 84:5
92:20 97:25	set 5:13 39:6	solely 69:14	71:4 77:13	statistical 32:3
served 10:3 84:10	sets 9:23	solve 77:23	specifically 21:7	statistics 32:4
90:10	settlement 18:8	Sonja 5:14 66:18	38:4 80:9 96:6	82:20
service 1:3,15 2:5	seven 7:16 12:20	73:16	specification	status 11:19
2:9 3:13 6:14	34:13 76:16	Sorn 78:8 84:17	46:12 47:14,21	statute 69:25
10:9 13:25	Shapiro 5:14	84:22 85:8,11	54:15	stay 14:22 45:25
15:14 20:13,15	66:17,25 67:2,6	85:12,15 101:23	specifications	steady 104:7
21:14,19 22:5	67:9,13,14	104:8,15 106:17	48:25 50:17	stenographic
23:15 26:21	share 33:16	sorry 5:16 14:25	specs 46:2 54:10	109:6
27:22 31:22	shared 84:14	32:4 41:2 55:14	speed 96:24	step 47:22 77:23
39:7,10 46:5	shed 3:17	85:5 99:13	spend 94:23	steps 70:21
47:23,24 48:4	shift 4:14	sort 32:24 45:14	spending 76:15	stop 46:4
48:11 49:24	shopper 21:9,19	64:15,20	split 46:6	storm 52:22
50:6,11,12 51:7	21:23	SOS 86:13	spoke 55:19 97:17	story 105:13
54:21,25 56:4	shops 104:12	sound 16:15	spoken 58:12 64:7	strange 57:10
56:14 59:16	shore 61:2	sounding 34:12	65:11 77:18	strategies 35:21
61:12 72:6	show 100:13	south 57:19 79:4	spreadsheets 29:9	strategize 36:15
76:17 79:7 81:6	showing 33:25	81:9 87:7 98:6	Squilla 1:12 2:17	street 10:18 52:22
86:22 88:7	shut 97:21	100:14,16	79:20	53:15 100:16
89:12 107:3	side 31:22,23 38:7	105:16	stable 104:6	strengthening
108:17	38:13,14,15	Southeast 57:15	staff 13:10,23	16:18
services 1:16 2:11	signed 11:12	90:19	15:16 60:10	stretched 89:7
4:16 6:19 8:7	significant 8:5	Spanish 4:12 8:21	65:25 67:15	stricter 42:23
11:15,17,24	16:5 74:22 81:3	58:5 64:8,18	71:13,18,19	strides 4:20 70:12
12:2,6,16,17	signs 72:6	75:10 106:6	76:7 85:19 86:7	strong 3:23,24
14:5 16:6,12	simple 71:20	speak 4:9,12 6:6	89:6 91:5,20,23	struggle 90:2
17:9,22,22	single 103:11	8:15,17,21,22	91:25 92:7,14	103:10
18:19 23:18	sit 45:10	8:23,24 14:7,12	92:14 94:24	struggling 89:24
25:2 27:12	site 35:18	14:14,16,17,20	95:22	stuff 61:21 105:17

subjected 9:12	70:22 72:5	4:24 18:23 19:4	35:20 37:20	times 7:16 99:4
submit 27:24 31:4	88:15 92:8	19:12 24:16	40:21 42:4 47:9	106:6
success 17:24	103:23	66:16 73:9,12	50:15 51:5,8,14	title 9:6 32:19
suffered 81:21	taken 25:19 109:6	78:2,22 97:8,13	51:18 52:8 53:7	33:12 48:21
suggest 29:13	takes 16:21 24:2	100:21 108:15	53:9 54:19	59:9 69:23
98:2 100:19	talk 14:20 26:19	testing 36:23	55:11 56:9,11	today 3:5,17 4:24
105:8	27:10 62:14,15	37:14,25 38:6	56:23 60:16	4:25 73:20
summer 59:17	62:16 67:19	41:5 42:9 44:20	61:22 62:22	77:18 80:2
supervision	108:7	45:3 46:3	63:8 78:9 86:24	84:25 85:17
109:22	talked 46:3 49:11	101:16	98:20,24 99:15	told 91:21
supervisors 72:25	talking 21:10	tests 103:23 105:6	100:13,21	Tom 93:20
support 12:18	40:5 47:18	text 24:2	105:13 106:3,4	tools 13:2,23 18:6
61:14 70:8	55:10,23 56:24	thank 2:3,21 3:12	106:5,7,13,21	21:2 27:14
83:19 86:12	60:7 65:23	5:7,9,10 6:7	thinking 51:24	top 37:9,12,16,20
88:21 89:8	76:14 91:25	14:23 18:21,22	third 38:25 54:6	38:22 45:22
91:11 102:2	101:3 103:15	19:11 24:11,15	54:13	58:14,17
supported 48:17	104:10,13	65:20 66:9,10	thought 30:10	top-ranking
supporting 24:16	talks 38:8	66:15 67:12,18	50:22 65:22	42:24
supportive 23:4	task 61:5 96:9	73:10,11,18	thousand 48:9	torture 81:22
supports 13:2	Taskforce 96:12	77:24,25 78:7	54:18	touch 21:5 27:13
sure 31:11 34:23	tax 13:8 82:25	78:23 79:17	thousands 4:11	track 100:22
50:21 72:16	taxes 69:17	84:19,25 85:14	16:7 46:22	101:15 102:11
84:9 90:10	taxpayers 5:6	85:15 92:21	three 5:18 10:8	tracking 25:5
97:14,23 99:7	technical 13:4	93:3,4 97:6,7	41:14 42:3,6	26:13 72:17
99:16 107:16,23	15:23 23:19	106:17,19 108:5	46:22 49:5 50:8	tracks 33:2
surge 7:5	24:7 85:23	108:11,12,14	72:2 80:10,21	tract 65:6
survive 86:3	technology 16:23	thing 32:24 45:15	98:5	train 13:22 50:21
sustainability	17:21 24:5	55:15 61:16	thriving 94:13	100:24 104:18
17:2 90:13	telephone 71:21	63:12 88:10	Thursday 1:7	104:19,21
92:10	telephonic 12:21	91:7 98:16	tie 39:24	trained 13:9
sustainable 91:2	15:9 30:6 70:17	100:19 101:10	tiebreaker 39:22	99:19
103:12	tell 35:24 105:12	106:4,11	tiebreakers 43:11	training 12:24
sweat 104:12	telling 29:20	things 22:3 29:2	43:22	13:5,14 20:8,19
sympathetic	ten 15:17 101:16	39:19 43:6 44:5	tied 39:15 43:16	20:23,24 21:7
100:12	term 55:5	47:19 48:15	64:12	30:7 45:9 71:15
system 6:5 32:8	terms 12:3 22:5	49:9 55:22 59:4	tier 54:3,4,5,5,6	71:23 96:2
34:5 43:24	28:5 29:18 30:7	61:22 63:20	54:12,13,13	102:8,16
62:17 75:19	51:25 54:4 66:3	64:23 65:3	ties 39:6	trainings 20:21
82:24	terrible 105:17	86:23 88:14	tie-breaking 44:6	transcript 85:7
systems 72:10,15	test 38:17,23	97:11,13 100:3	time 12:8 22:11	109:8,20
	46:21 57:10	104:12	31:9 53:6,14	translate 23:11
	100:25 101:18	think 19:18 21:21	57:14 59:10,20	101:10
T	105:15	22:8,10,16,19	101:7 102:13	translated 13:19
table 5:20,25	tested 46:16	22:24 24:4	timeframe 28:5	72:7 75:3 85:21
66:20 78:11	testify 6:18 84:25	25:16,20 26:11	timeline 28:8	86:6
83:22	testifying 93:13	26:22 27:18	86:15	translates 23:12
take 48:3 54:7,14	testimony 2:7	29:19 31:5,7	timely 70:24	translation 12:23
55:7 56:3 70:19				

23:20 30:7,16 62:13 70:18 71:10,17 74:14 77:3 82:24 85:21 trauma 87:21 travel 23:7 tremendous 8:3 trending 58:25 trends 26:17 Trenton 7:17 tricky 21:20 tried 106:6 trilingual 53:21 tri-state 89:4 trouble 21:24 22:22 23:17 true 90:19 109:7 truly 108:9 trust 68:23 89:14 95:21 100:18 trustworthiness 68:24 try 36:15 57:3,6 86:20 89:18 101:6 trying 52:17 88:11,12 89:5 100:24 101:7,24 104:24 turn 95:19 turndown 103:6 turnout 98:9 100:14 two 9:3 10:5 11:13 37:5,9,12 37:13,20 39:14 41:11 42:2,24 43:15 45:22 46:21 47:18 50:8 58:10 64:5 71:13 88:7 99:3 105:19 two-year 103:17 type 20:7 47:19 54:6 83:19 types 74:6,23	typically 36:12 Tzeng 93:3,7,8,13 U ultimately 37:8 39:22 90:13 92:8 unable 77:6 underfunded 91:3 underrepresent... 31:20 underrepresent... 33:14 underscore 11:13 underserved 80:24 understand 27:20 67:22 69:15 83:9 92:18 104:10 105:4 106:8 understanding 62:20 underutilization 33:25 unemployment 81:3 84:6 uneven 76:9 unfortunately 91:3 unfunded 9:21 uniform 12:5 unilaterally 48:2 unite 84:13 United 4:6 7:24 9:8 69:9 unusual 75:12 update 17:4 upgrade 72:15 urge 70:18 76:22 77:14 urged 91:25 use 17:21 27:15 41:25 42:8,11 43:22 45:19 71:9,12,23 82:9	86:7 99:19 users 15:9 18:4 uses 41:14 utilization 25:7 30:16 U.S 9:21 81:16 87:18 V vacancy 45:23 Valley 7:11,20 78:20,24 value 89:22 values 93:22 various 31:20 74:10 94:25 vehicles 53:13 vendor 66:7 vendors 12:18,21 20:18 26:14 versus 44:21,21 veterans 50:3 vetting 56:13 VI 9:6 69:23 viable 93:17 victims 62:14 Vietnam 81:20,22 Vietnamese 4:12 53:17 58:6 64:10 79:3 80:9 80:15,23 81:9 81:11,16,23 82:17 83:10,22 87:19 98:6 101:12 view 40:4,24 VII 32:19 48:21 59:9 violating 59:9 70:6 violations 48:21 vision 97:5 vitality 8:4 voice 83:21 volunteer 15:18 vote 83:11 97:24 voting 84:12	W W 1:10 wait 61:18 105:18 waiting 105:19 wallet-sized 14:7 want 3:3,12 20:2 24:13,14,21 31:8,9 45:25 47:17 50:21 59:5 61:18 67:6 73:23 74:16 84:9 89:12 98:22 100:6 105:12 106:20 106:24,25 107:12,16 108:5 wanted 31:14 45:2 90:5 92:21 99:7 102:20 wants 63:9 War 81:23 ward 98:8 watching 29:3 water 22:3 52:20 52:23 way 25:20 40:13 40:14 43:24 48:19 57:10,24 58:5 64:25 98:12,25 ways 14:2 16:18 17:16 23:3 54:20 website 17:15 65:16,17 72:7 week 58:10 weeks 54:8 weigh 44:9,13 59:7 weighed 46:6 weight 45:2 49:24 50:7,22 57:18 58:4 weighted 39:13 39:16 42:15,16 43:5,8,18 44:21 46:2 47:14	weighting 57:8,10 weights 45:6 46:14,25 welcome 18:13 Welcoming 105:9 wellnesses 88:25 well-regarded 15:21 weren't 22:22 we'll 4:24 101:21 we're 21:17 29:24 33:10 40:5 47:9 47:18 52:17 53:4,5 59:6,8,20 60:6,24 61:9 62:22,23 63:2,4 63:6 76:14 104:24 106:12 107:6 we've 24:19 29:2 34:10 42:20 48:18 52:10 55:9 56:11 60:22 64:23 65:4,4 76:6 79:2 99:12 wheel 25:18 willing 92:3,6 willingness 71:22 WILSON 1:10 witness 5:17,19 5:19,24,24 66:19 78:10 witnesses 5:13 66:19 78:4,10 women 105:20 wondering 20:3 words 8:18 work 2:24 16:10 17:3,16,23 18:4 18:15 20:10 24:14 25:7,8 28:10 38:8 44:22 52:17 59:17 62:6 75:21 76:25 79:8,15,20 81:8
--	---	---	--	---

82:15 83:23 85:2 86:8 92:17 94:4,8 96:24 107:10 108:10 worked 64:24 65:4 68:14 worker 22:21 workers 99:18 104:4 workforce 3:8 31:21 32:16 36:25 101:3,14 101:19 102:3 107:23 working 13:20 22:24 24:20 25:14 52:2,21 53:12 63:6 79:2 82:20 87:10 92:5 95:23 99:12 101:14 102:25 108:5 works 20:13 68:6 87:6 98:13 workshops 95:15 worry 99:24 101:20 wouldn't 50:24 53:13 write 67:21 85:24 86:5 written 33:18 39:13 43:13 44:21 45:7 46:6 70:17 72:9 73:9	49:5 57:14,15 60:9 68:11 76:16 79:5,22 87:11,11 91:11 94:12 103:3 107:13 Yep 93:20 yesterday 91:24 105:13,15 young 100:24 103:19 younger 92:7 youngsters 101:17 104:14 youth 82:15 87:25 91:9,13 104:17 104:18	32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1,22 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 13166 9:15 136,000 8:17 138,000 8:20 140 94:12 15 35:11 37:17 57:14 68:11 103:3 16 14:8 15:4,12 17 84:8 17,000 81:10 172,400 7:15 180 15:10 66:7 180,000 4:3 19,000 75:5 1964 9:7 32:20 69:24 1990 79:25	20 48:5 54:10 57:15 60:8 103:3 200 15:19 2000 4:2 7:25 9:16 2001 10:18 2003 10:25 2006 96:12 2007 11:11 28:12 84:3 2008 28:12 2011 9:17 84:3,5 2012 4:2 2013 68:8 2014 1:7 21 8:14 25 38:22 82:18 91:16 103:3 104:18	28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 50 41:21 51,000 8:21 52 91:15 55 87:17 56 94:19 58 81:13
X	0	2	3	6
X 45:20	04-01 10:19 08-09 11:16 09-08 11:22	13166 9:15 136,000 8:17 138,000 8:20 140 94:12 15 35:11 37:17 57:14 68:11 103:3 16 14:8 15:4,12 17 84:8 17,000 81:10 172,400 7:15 180 15:10 66:7 180,000 4:3 19,000 75:5 1964 9:7 32:20 69:24 1990 79:25	3 61:19 3-1-1 15:8 23:25 3:20 108:17 30 60:8 87:11 30-day 56:22 33,000 94:11 38 7:24 68:10	50 41:21 51,000 8:21 52 91:15 55 87:17 56 94:19 58 81:13
Y	1	2	4	7
year 3:4 7:13,25 9:16 13:5 29:5,5 60:16,17,21 68:2 76:7 90:3 91:12 99:4 104:16,20 years 16:3 34:13 35:11 45:13	1 33:7 80:4 1,600 83:16 1:35 1:7 10 37:17 57:14 103:3 10,000 87:8 100 41:7,15 100,000 80:2 11 7:22 12 4:7 84:8 102:17 12,000 67:25 13 102:17 130728 2:7 130782 1:14 3:1 4:1 5:1 6:1,18 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1	16 14:8 15:4,12 17 84:8 17,000 81:10 172,400 7:15 180 15:10 66:7 180,000 4:3 19,000 75:5 1964 9:7 32:20 69:24 1990 79:25	40,000 4:2 400 1:6 42,000 79:25 44,300 8:24 48 82:17	6th 100:15 62 11:10 12:4 25:13 65 87:18 67 81:15
			5	
			5 37:16 5th 100:15 5/8/14 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1	7 80:2 7th 100:15 70's 105:21 70,000 8:22

71 13:11
75 34:19,21

8

8 1:7 91:17
8th 100:16

9

9.5 8:16
95 41:7
98 41:19
99 41:18