

TRANSLATION

The Appeals Board provides translation services to limited-English and Non-English speakers by telephone or in person at prehearings or formal hearings. A party to a hearing is entitled to the assistance of an interpreter in accordance with the Appeals Board's established rules of practice and procedure, Title 8, California Code of Regulations, Chapter 3.3, Section 376.5. *Please contact our office to request translation services.*

California Code of Regulations

Title 8, Chapter 3.3

Section 376.5: Interpreters.

- (a) The hearing and prehearing conference shall be conducted in the English language. The Appeals Board shall notify each party of the right to an interpreter at the time they are notified of the date of the prehearing conference and of the hearing date.
- (b) A party who does not proficiently speak or understand the English language or who requests an interpreter shall be provided, during the hearing or prehearing conference, an interpreter approved by the Appeals Board. A request for an interpreter shall be made to the Appeals Board no later than 10 working days prior to the date the interpreter is needed. The cost of providing the interpreter for a party shall be paid by the party requesting the interpreter unless the Appeals Board directs that the Appeals Board shall pay the cost of providing the interpreter due to financial hardship of the requesting party.
- (c) If a party's witness does not proficiently speak or understand the English language, the terms and conditions set forth in subsection (b) shall apply. The party presenting the witness may request the Appeals Board to provide an interpreter under those terms and conditions. The cost of providing the interpreter for a witness shall be paid by the party presenting the witness unless the Appeals Board directs that the Appeals Board shall pay the cost of providing the interpreter due to financial hardship of that party.
- (d) Language assistance for a party or a party's witness includes oral interpretation or written translation of a language other than English into English or of English into another language and provision of sign interpreters for deaf or hard-of-hearing parties or persons.
- (e) A person whose name appears on the list of interpreters known to be proficient in various languages published by the State Personnel Board shall be eligible to be

examined by the Appeals Board relating to terminology and procedures generally used in hearings before the Appeals Board.

(f) In the event that interpreters on the approved list cannot be present at the hearing or the prehearing conference or if there is no interpreter on the approved list for a particular language, the Appeals Board may qualify and appoint other interpreters.

(g) Before appointment of an interpreter, the Appeals Board or a party may conduct a brief supplemental examination of the prospective interpreter to see if the person has the qualifications necessary to serve as an interpreter in the hearing or prehearing conference and to see if the person understands terms and procedures generally used in hearings and prehearing conferences before the Appeals Board, can explain these terms and procedures in English and the other language being used, and can interpret these terms and procedures into the other language. An interpreter shall not have had any involvement in the issues of the proceeding prior to the hearing or prehearing conference, and shall disclose to the Appeals Board and to all parties any actual or apparent conflict of interest. Any condition that interferes with the objectivity of an interpreter constitutes a conflict of interest. A conflict may exist if an interpreter is acquainted with or related to a party or witness to the proceeding or if an interpreter has an interest in the outcome of the proceeding.

(h) The Appeals Board shall disqualify an interpreter if the interpreter cannot understand and interpret the terms and procedures used in the hearing or prehearing conference, has engaged in conduct creating the appearance of bias, prejudice, or partiality, or has disclosed privileged or confidential communications.