

Working in a Safe Environment: Understanding Sexual Harassment Law for Interpreters on Assignment

This is just a brief introduction on information regarding sexual harassment. Interpreters may at times be the victim of sexual harassment, but they may also be the perpetrator. Often misunderstandings happen because of well intended behaviors or comments, but the impact may in fact be negative and traumatizing. It is important that interpreters understand the difference between intention and impact. Many of us come from other cultures and sometimes comments in one culture may be viewed differently in another culture.

Interpreters should never be alone with someone else in a private room while working. It is important to realize that as interpreters you have a certain amount of power and this power should never be abused.

CCCS has never received a complaint regarding sexual harassment from any of our interpreters or regarding any of our interpreters, but we wish to take a proactive approach to this topic. For this reason we have provided the following overview and references on sexual harassment.

Professional interpreters face many challenges during their interpreting assignments, such as scheduling, travelling, meeting new providers, new patients and much more. Despite expected external distractions, a professional interpreter must remain focused on their interpreting languages in order to produce accurate messages from spoken and unspoken interactions in the triadic experience between the provider and patient. Another important element is a safe work environment. A safe working environment is essential to the success of the interpreting encounter regardless of whether the interpreter is a staff or freelance interpreter. Working in an unsafe, intimidating or hostile environment will only add to the already complex dynamics of interpreting. Many organizations have existing policies and procedures addressing work safety, discrimination and labor laws as well as routinely providing training to their employees. However, training may not be offered, provided or available to part-time, contract, or self-employed interpreters. Therefore, understanding many of the laws impacting interpreters is the responsibility of individual interpreters.

For example, an important topic to be aware of is the Sexual Harassment Law. Under Massachusetts General Laws, sex discrimination is prohibited in the workplace. The law states that "sexual harassment is a form of sex discrimination which is prohibited in places of public accommodation, educational facilities and housing." The law distinguishes two types of sexual harassment protection, and they are:

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1. *Quid Pro Quo Harassment: which states that "sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature... submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions."*

Essentially, if a supervisor, manager, or a person in authority offers any type of benefits, promotions, employment, etc., in return for sexual favors, it would constitute Quid Pro Quo Harassment, which is illegal under the law.

2. *The second type of sexual harassment under the law is "Hostile Work Environment." This occurs when "sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when... such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment." This type of harassment may be in the form of language, inappropriate touching, suggestive pictures and objects, etc.*

When offensive, humiliating or a sexually offensive verbal or physical harassment is unsolicited and affects the individual work performance, and under the law such conduct interferes with the individual's ability to carry out their work, the individual is protected by the law.

It is important to note that each state may have individual laws protecting workers from an unsafe working environment. For example, New Hampshire also has a sexual harassment policy which states: "Sexual Harassment {is} An unwelcome sexual advance, a request for a sexual favor, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment." Under Federal law, Title VII includes "broad prohibitions against sex discrimination specifically covering sexual harassment."

Under this law, everyone has a right to file a complaint without the fear retaliation. Organizations whether private or public, should have policy requirements regarding complaint procedures, grievance processes, etc. and these policies should be well displayed and readily available to all employees. It is your responsibility to become familiar with the law in order to recognize any unsafe working conditions.

Although Massachusetts law does not require employers to provide training on Sexual Harassment they are encouraged to do so. As a result CCCS, Inc. will soon be offering an on-line, in-house training program for all of our interpreters. This training will take place at the beginning of December. As an organization, we strive to ensure that our interpreters have all the tools necessary to do their work in a safe working environment.

The information provided above is for education and information purposes only, and does not include the entire summary of the law. We encourage you to visit your state's website to get more information on Sexual Harassment. The quotes and descriptions are from the following:

1. MA General Law, Chapter 151B, Sections 3A, 41a) and 16A. MA Commission Against Discrimination; Model Sexual Harassment Policy (MCAD Policy 96-2 adopted by the Commission on October 23, 1996.
2. NH Human Rights Commission Sexual Harassment Policy
3. Federal Civil Rights Law, Title VII of the 1964 Civil Rights Act of 1991, the provisions of Title IX of the 1972 Educational Amendments.
4. Random House Webster's College Dictionary
5. "Sexual Harassment in the Workplace Guidelines." MA Commission Against Discrimination. November 18, 2010. <http://www.mass.gov/mcad/shguide.html>

Sexual Harassment-Glossary

- Sexual Harassment** practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment.
- Sexual advances . . .** unwanted and unsolicited comments about an individual's sexual activities deficiencies or prowess. This may also include physical contact.
- Sexual favors** direct or implied requests by a supervisor(s) or a superior for sexual favors in exchange for any type of employment benefit.
- Hostile Work Environment** "sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when...such advances requests or conduct have the purpose or effect of unreasonably interfering with an individual's classroom/work environment."
- Law** "The principles and regulations established by a government or other authority and applicable to a people, whether by legislation or by custom enforced by judicial decision."
- Policies** A principle, plan, or course of action as pursued by government, organization, individual, etc.
- Quid Pro Quo** requests for sexual favors, verbal or physical conduct of a sexual nature when submission to or rejection of such advances, request or conduct is made either explicitly or implicitly as a term of condition of employment or as a basis for academic/employment decisions.
- Penalties** a punishment fixed by law.
- Grievance** a complaint arising from circumstances or condition relating to ones employment.
- Retaliation** Intimidation towards the party that filed a grievance or complaint.



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PRESIDENT'S CORNER

We are so thankful for all your trust, hard work and loyalty. CCCS is expanding our services, by hiring four new staff members. Please join us in welcoming Alcionei Donato to our translation team. Donato will be working with Alejandra, and together they will grow and fully staff our translations department. Alejandro Cabrera just joined the interpreter office and for a few weeks he will be assisting with data entry and reminder phone calls to our interpreters. Fatuma Hassan, who is our main Somali freelance interpreter will join CCCS as an interpreter and a student recruiter for our Institute. Also we would like to welcome back Stefanie DiMeo. She has actually been back with us for the past several months, but now we are happy to say that after taking some time off, she has now officially accepted a full time job with us. She is our new Administrative Manager and Recruiter. She will be working closely with Fatuma and me.

This is an exciting time for CCCS, we have almost doubled our business in the past few months, and we are committed to continue serving our customers, interpreters and translators with the most efficient and personalized services. With the support of our staff and very dear colleagues and customers in the legal field, we have launched our first 8-hour Foundation assessment for all healthcare interpreters who want to also work in the legal field. We have assessed 22 interpreters, covering 12 different languages. We are in the process of revamping our emergency coverage services and we are now also providing over the phone interpretation as a back up to face to face.

Our institute is in the process of coming out with a work book for health care interpreters, and soon we will have on line workshops and courses on advanced skills for interpreters. Please check your e-mails for reminders on how you are doing with meeting our deadline for paid CCCS CEUS, based on our monthly quizzes that are sent out with your checks and the Communicator Express.

Last year when we decided to start to pay our part of the taxes for our interpreters, as we now classify them as per diem interpreters, we had no idea how we will be able to afford it, as our margin profit is pretty lean to begin with. Now, that we have made it through the year though, we cannot imagine ever going back. We want to thank our interpreters for being great ambassadors to our profession and for our company, CCCS. Almost every week we hear praise, regarding our customer services and our wonderful interpreters and translators.

CCCS, with your help and support, has been able to continue with our main mission of training bilingual individuals and qualified interpreters. I want to thank the interpreters and translators for being so quality driven and for being so responsible with their assignments. We have taken a risk by hiring more people. We realize that it is a risk, but we feel that in a small way it helps the economy, and at the same time, it helps us to tweak some of our programs such as our emergency and translation coverage, and also as a result we are able to expand our language pool.

Last but not least, I want to thank our staff for being an unbelievable group of great workers, and great people. We all have had to sacrifice our salaries a bit, so that we can continue expanding our services, but we feel that it is worth it, because we all believe in providing qualified cultural linguistic services 24/7. As often I say, "I am a very lucky 'boss'!"

Warmest regards, Zarita



UPCOMING TRAININGS

The Art of Medical Interpretation 60 hour course

The program targets interpreters at all levels and fosters an environment that gives each individual a measure of control over the learning process. Training sessions focus on interpreting technique, cultural competency, interpreting ethics, mastering medical terminology through the Samurai! method, developing specialized glossaries and increasing memory power. Learning is measured through role-play and interpreter evaluation tools. Class size is limited to 30 students and features spoken languages only. Language coaches will assist students develop target language glossaries through role-playing exercises. Language coaches will be provided to groups of 3 or more interpreters working in each target language.

The classroom work is supported by a new training manual; The Art of Medical Interpretation was designed to accompany this course and includes over 875 pages of interpreter practice guidelines, medical terminology, disease information, exercises, diagrams, quizzes and over 90 role-plays. It serves as a resource guide to best practices and terminology for interpreting and is also an essential tool for developing professionals after they complete the classroom course work.

The American Translators Association has approved the Art of Medical Interpretation 60-hour training program for 10 Continuing Education Points.

Nashua

Intensive Winter 2011 (\$695 plus materials)

Nashua, NH: February 3-5, and February 7-11,
9:00am - 5:00pm

Spring 2011 (\$695 plus materials)

Nashua, NH: Saturday, March 5 - June 4, 9 am – 3 pm

Woburn

Spring 2011 (\$695 plus materials)

Woburn, MA: Tuesdays and Thursdays, February 15 to
April 12, 6 pm – 10 pm

Orientation: Tuesday, February 15, 5 pm - 6 pm

The Fundamentals of Legal Interpreting 60-hour Program

Woburn, MA

February 2011, Dates T.B.A.

Workshops

We will soon be offering Advanced Interpreter Skills for the Legal, Medical and Conference interpreting fields. These workshops will allow the trained interpreter to improve their skills and it will also give them the opportunity to reach out and begin to take on challenges in new but related fields. We invite you to watch for our new trainings and to expand your boundaries, and to look for new ways to improve your proficiency.

If you have any questions or would like more info, please call us at 781-497-5066, or through email at CCCInstitute@embracingculture.com.

New Website

Our new website is close to being up and running. We are pleased to announce that certain elements are almost completely finalized and we will soon be offering online, in-house trainings to our interpreters through our new website. We are very excited about the new site and the new products that we will be offering.
www.EmbracingCulture.com.





ask Dr. Lane

What is a “brain attack?”

A brain attack is a term coined by neurologists to describe strokes or cerebral vascular accidents. Everyone recognizes the word, “heart attack” and knows that this means that an artery in the heart has been blocked. Someone that has had a heart attack needs immediate medical attention. The same is true when someone experiences a “brain attack.” If an artery supplying a part of the brain is blocked, then that part of the brain’s function can be lost. We know that if we can get a heart attack victim to a catheterization (cath) lab very fast, the symptoms of the heart attack can be ameliorated and stopped. If we can get a victim of a stroke to a special lab within three hours of the onset of symptoms, the probability of stopping the symptoms and having a good rehabilitation climbs astronomically.

A stroke, or cerebral vascular accident is when an artery supplying a particular part of the brain is stopped up and blood cannot reach this part. The functions supplied by that part of the brain stop, or are destroyed, or immensely impaired.

Major complaints associated with ischemia to the brain include:2

- Brief loss of consciousness, or period of decreased consciousness (fainting, confusion, convulsions or coma)
- Sudden, severe headache with no known cause.
- Sudden numbness or weakness of the face, arm or leg, especially on one side of the body.
- Sudden trouble walking, dizziness, loss of balance or coordination
- Sudden confusion, trouble speaking or understanding.
- Sudden trouble seeing in one or both eyes.

When someone experiences symptoms like these, it is an emergency. If the symptoms improve and/or disappear within 24 hours, the attack is called a TIA which means Transient Ischemic Attack. If the symptoms last longer than 24 hours it is a stroke. In the beginning, one does not know if the attack will end in 24 hours and be a TIA or have symptoms that continue and be a stroke.

With certain tests, a physician can determine the type of stroke and whether it would respond to treatment. If an ischemic stroke can be treated within 24 hours, the symptoms can be alleviated and sometimes cured

There are two kinds of strokes. One is ischemic and the other is hemorrhagic. In ischemic strokes the blood vessel to the brain is plugged and the part of the brain that the vessel supplies is damaged due to lack of oxygen. There are two kinds of ischemic strokes. One is caused by the narrowing of the artery with a clot forming on it. The clot forming in the narrowed artery is called a thrombus and for this reason this stroke is called a thrombotic stroke. The other ischemic stroke is caused by a clot that forms in the heart or aorta and travels up to the brain and occludes an artery.

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This kind of traveling clot is called an embolism and the stroke is an embolic stroke. Ischemic strokes are most common and cause 84% of all strokes.

The second major kind of stroke other than ischemic is called a hemorrhagic stroke. This is when the blood vessel in the brain breaks and blood goes directly out of the vessel. If the bleeding occurs in the parenchyma of the brain this is called an intracranial hemorrhage (ICH) and if it occurs outside, or under the brain it is a subarachnoid hemorrhage. Hemorrhagic strokes only make up 15% of all strokes but cause 30% of the deaths that are caused by strokes.

If the emergency room doctor does a CT scan as soon as possible, he or she can determine if there is a hemorrhage (bleeding). If there is no hemorrhage, and it is within 3 hours of onset of the symptom(s), the doctor may initiate a treatment to dissolve the clot, called tissue plasminogen activator (tpa). Tpa stimulates an enzyme called plasminogen to dissolve the clot. Often the results can be dramatic. If the stroke is due to bleeding, tpa would only make the bleeding worse. That is why it is so important to determine the kind of stroke in order to provide the best treatment.

Remember the signs of a stroke and when you see them, get the patient to a hospital as soon as possible. Some hospitals have developed stroke centers specially designed to evaluate the kind of stroke and start the treatment as soon as possible. So like a heart attack, a quick evaluation to find the clot and identify if it is hemorrhagic or ischemic, can give an ischemic "brain attack" a strong chance to be cured.

Reference

- 1. http://www.stroke.org/site/DocServer/NSA_complete_guide.pdf?docID=341



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Interpreter Resource

We are quickly approaching the end of the year and we are encouraging all of our interpreters to return their completed monthly quizzes that are included in the Communicator Express so that they can continue as an active interpreter for CCCS. As you remember, you must submit 8 or more quizzes in which you score 80% or higher in order to receive your internal CEUs.

We are also developing short workshops that are geared towards specific topics that interpreters need to know in order to be effective in the health care setting. At the end of this month and at the beginning of December we will be requiring all of our interpreters to take a short online course. This course will overview everything that an interpreter would need to know in order to comply with HIPAA regulations. Shortly thereafter we will be presenting other online workshops for our interpreters on "Sexual Harassment" and "Health Safety Orientation for Health Care Interpreters."

We are asking that all of our interpreters please make sure that our Interpreter Resource Dept. has your updated email address. Thank you for your cooperation in this matter.

- Answers to the CCCS Crossword-November
- Across
- 4. ARTERY
 - 5. HIPAA
 - 6. SEXUAL FAVORS
 - 7. TIA
 - 8. DIZZINESS
 - 9. STROKE
 - 10. ADVANCED SKILLS
 - 11. RETALIATION
- Down
- 1. GRIEVANCE
 - 2. SEXUAL FAVORS
 - 3. CHIA
 - 4. HOSTILE



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