

## **Idaho Industrial Commission faces civil rights complaint**

By REBECCA BOONE, Associated Press

BOISE, Idaho (AP) — A group of workers has brought a civil rights complaint against the Idaho workers' compensation agency for only providing services in English.

Erik Johnson, an attorney with Idaho Legal Aid Services, filed the federal complaint against the Idaho Industrial Commission on behalf of the workers late last week.

Johnson says the state agency turned the workers away because they only speak Spanish, in some cases telling them that they would have to find and pay for their own interpreters to access services.

Federal rules prohibit agencies that receive federal funds from discriminating against people based on their race or national origin. The Idaho Industrial Commission received nearly \$840,000 in federal funds in 2014, and \$586,000 last year.

Idaho Industrial Commission spokeswoman Dara Barney said the agency had not yet seen the complaint and so she couldn't comment.

For several years, the commission has held the position that it isn't required to provide language assistance services to Spanish-speaking residents seeking workers' compensation services, Johnson said in his complaint to the U.S. Department of Justice.

Johnson wrote that an Idaho Legal Aid Services employee called the Commission in Boise in March and was told the commission used to have brochures available in Spanish on the workers' compensation program but the governor had told the panel to get rid of them to carry out Idaho's English-only law.

Todd Dvorak, a spokesman for the Idaho attorney general's office, also declined to comment on the case.

Johnson said he communicated with the attorney general's office about the issue, and the state's attorneys contend that the English-only services don't amount to discrimination.

"In short, I'm not convinced anything you say in your letter amounts to unlawful discrimination by the commission," Deputy Attorney General Carl Withroe wrote to Johnson on Aug. 28.

The federal money received by the commission goes only to the Idaho Crime Victims Compensation program, which operates separately from the other work of the commission, Withroe wrote in the letter, asserting that fund complies with the federal rules.

The workers' compensation program doesn't use federal funds, and even if it was bound by the federal rules it isn't failing any legal duty imposed by the rules, Withroe contended.

Three workers brought the complaint, though their names were redacted from the copy Johnson provided to news organizations.

A Pocatello woman said in the complaint that she had a pending workers' compensation claim earlier this year, but when she called the commission the person answering spoke only in English and so she couldn't understand what the person was saying.