

**COLORADO COMMISSION FOR THE  
DEAF AND HARD OF HEARING**

**LEGAL AUXILIARY SERVICES**

***SUMMARY REPORT***

**&**

***RECOMMENDATIONS***

Prepared By: Cheri Davis, Manager



**COLORADO**  
Department of Human Services

## 2016 Hourly Rate Compensation Study-Contract Sign Language Interpreters

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### **BACKGROUND**

The rate survey and compensation study was initiated after a request was made by the Colorado Commission for the Deaf and Hard of Hearing-Legal Auxiliary Services (CCDHH-LAS) contract sign language interpreters to consider an hourly rate increase as well as the potential for a “tiered” pay system. Many believe that having graduated compensation rates to differentiate and reward those with more years of experience as well as additional specialty certifications is common practice in the industry. Fee Schedules are reviewed on an annual basis, and a rate survey was sent to existing CCDHH independent contract sign language interpreters to determine the feasibility of a future rate increase and/or a new pay structure. The objective of the compensation study and rate survey is to compare CCDHH hourly rates with market hourly rates for contract sign language interpreters in Colorado and make a recommendation for the fee schedules for calendar year 2017. The study was initiated in August 2016.

Reasons given for an hourly rate increase consideration, as gathered from interpreter comments from the confidential Survey Monkey survey:

- *Colorado pay rates are less than other states. There should be wider pay rate gap between SC:L and legally qualified due to the additional training and years of experience required for the SC:L*
- *In general, rates have not increased in the last 8 years*
- *Since there is no opportunity for interpreters to establish their rates for the work coordinated by CCDHH, the rates should be aligned with what is standard in the freelance community. It requires a tremendous amount of time and expense to attain and maintain the education and knowledge to work in the legal field. The current rates do not adequately compensate this specialization.*
- *SC:L should have at least an \$8.00 an hour higher pay than state qualified as they have proved ability through testing.*
- *I believe in the tiered pay structure. We have all been there. I also hope that there isn't a cap on it. I often feel I have hit the “glass ceiling”. But with higher demands and requirements for us interpreters, our pay should resemble that. I understand that there are limitations. I'm glad you're re-visiting this!*
- *I applaud the effort to create a tiered system where interpreters are paid according to their training, years of experience and areas of expertise. I understand this is a complicated process but I think it is most fair and in the best interest of interpreters, agencies and clients. Also, seasoned interpreters typically cap out and don't see a pay raise for a decade or more, so my hope is that agencies will consider a yearly cost-of-living increase like most companies follow. Thank you for your efforts in establishing competitive and fair pay rates!*
- *Current rates are behind standard rates in other states. Far behind.*
- *I have always felt that experience and years of service should be considered in compensation*
- *I wonder if it might be beneficial to keep us all at the same rate because...I notice that when more experienced interpreters get paid more for the same job that a lesser experienced interpreter can do, the lesser experienced interpreter is given the jobs more often (so the agency can save money). Seriously*

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### DATA SOURCES

The Judicial Office of Language Access (OLA) was recently asked by contract spoken language interpreters for a compensation study and one was completed. To stay in alignment with contractors paid for the same classification of service provision to the courts, the same data sources were used based on the February 2016 OLA Compensation Study.

Data sources used for this evaluation:

1. Current CCDHH contract sign language interpreters
2. Comparable court data-states chosen for comparison based on similar population, size and court structure (Oregon, New Mexico, Minnesota, Nebraska, North Carolina, Utah) Although Judicial chose not to compare with Arizona due to the fact that their Court Language Access Program is not as “sophisticated” as the other states and they are currently dealing with changes in statute, Arizona was included in this report for sign language interpreters.
3. Private agency rates paid
4. Division of Vocational Rehabilitation (DVR) and City & County of Denver rates
5. History of rate increases
6. Summary of data from interpreter survey completed by CCDHH-LAS, August 2016

### HISTORY OF RATE INCREASES

The chart below shows that the Legally Qualified, contracted interpreters, Status I & II, were last given a substantial hourly rate increase Jan.1, 2015. RID certified contracted interpreters, Status IV, have not seen an hourly rate increase in over 6 years.

YEAR	STATUS	HOURLY RATE	% INCREASE
2014	I	\$55	0%
	II	\$51	0%
	IV	\$45	0%
2015	I	\$60	9%
	II	\$53	3.8%
	IV	\$45	0%

### INFORMATION FROM COMPARABLE STATES

For the hourly legal rate comparison, information was gathered from the map of [Language Access Programs by State](#), found on the National Center for State Courts (NCSC) website. The published information on this map for Colorado was incorrect, so each state was contacted to verify rate information for the analysis. The findings are listed in the chart below. For the community hourly rate comparison, information was gathered from [www.salarygenius.com](http://www.salarygenius.com), and from email correspondence with state commissions for the deaf and hard of hearing and state chapters of the Registry of Interpreters for the Deaf.

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State	Legal Rate/Hr	Community Rate/Hr	Notes
Minnesota	\$55-\$70	\$42-\$62	<ol style="list-style-type: none"> <li>1. SC:L – maximum of \$70/hr</li> <li>2. CDI's – maximum of \$70/hr</li> <li>3. General Certifications from RID &amp; on state-wide roster- maximum of \$55/hr</li> </ol>
Nebraska	\$50	\$32-\$47	
New Mexico	\$40-\$60	\$30-\$45	<p><i>Certified: Legal Specialist (SC:L or CDI + CLIP-R) - \$60/hr</i></p> <p><i>Certified: Legally Qualified - \$50/hr</i></p> <p><i>Certified: Legal Apprentice - \$40/hr</i></p>
North Carolina	\$55-\$85	\$36-\$53	<p><i>The ASL interpreters are not contracted directly with NCAOC, so they set their own rates. They tend to range from \$55 - \$85 per hour. The rates from \$75 and up tend to be rates charged by agencies and are not dependent upon the interpreter's licensure level.</i></p>
Oregon	\$25-\$55	\$23-\$35	<p><i>Oregon Certified ASL Interpreters who have their SC:L are at the rate of \$55 per hour. ASL Interpreters who do not have much court experience or are not certified earn anywhere from \$25 on up. Most of them are at about \$45 per hour.</i></p>
Utah	\$45-\$55(agency only)	\$28-\$43	<p><i>The rate paid to the agency is determined by the agency and the state contract. The rate for the interpreter is determined by the agency and each</i></p>

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			<i>individual interpreter. Interpreters must have RID SC:L or complete the court approval process to be placed on a Court Interpreter Approved list to work in any state court.</i>
Arizona	\$52-\$60	\$42-\$50	<i>Arizona interpreters are paid a \$10 differential for legal work. Freelance interpreters who are certified generally earn \$42-50/hr, based on their certification, and legal work would bump their regular rate up \$10. There is no tiered system per se, but interpreters are typically paid toward the higher end of the range if they have the SC:L.</i>

State Information	Legal Rate	Community Rate	Notes
Average Hourly Rates	\$62.14	\$47.86	Calculated using the top number in a range

### **FINDINGS FROM OTHER COLORADO AGENCIES**

Agency	Legal Rate	Community Rate	Notes
CCDHH	\$53-\$60	\$45	
Colo. Div. of Voc. Rehab	NA	\$52	
City & County of Denver	\$53-\$60	\$45	
Colo. Private Agencies	na	na	0 responses rec'd

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### FINDINGS FROM CCDHH RATE SURVEY

In a survey conducted in August 2016 by CCDHH LAS, a total of 37 of 51 (73%) of current independent contract sign language interpreters, Status I, II and IV, provided information regarding rates paid by entities other than CCDHH LAS. An average of the rates submitted for four categories surveyed is represented by the four categories below:

	<b>Freelance Community</b>	<b>Agency Community</b>	<b>Freelance Legal</b>	<b>Agency Legal</b>
Ave. Hourly Rate	\$50.00	\$43.00	\$62.50	\$50.00

### Considerations in Response to Comments Received from Interpreters

- Current hourly rates are not “way behind other states” with similar geographic location, demographics and court systems according to findings above
- CCDHH is a state agency that is dependent on annual appropriation from the legislature; therefore, it is not feasible to commit future program resources by giving annual “cost of living” increases
- Annual cost-of-living increases would jeopardize the employer-independent contractor relationship
- Even a tiered pay structure would have to have a maximum, many interpreters would still “cap out”
- CCDHH is not an employer and is mandated to establish the fee schedules, per Code of Colorado Regulations (12 CCR 2516-1)
- There was a substantial hourly rate increase for Status I (+\$5/hr) and Status II (+\$3/hr) in 2015.
- There is a \$7 per hour difference for those with the additional specialty certificate (SC:L)

### CONCLUSION

After collecting and analyzing the data and monitoring previous and current budgets, it has been determined that there will be no change in the hourly rates paid to sign language in the 2017 Fee Schedules. Rates currently being paid by CCDHH are within a reasonable range using data collected from other states, information submitted by freelance interpreters themselves and other Colorado government agencies, see comparison below.

	<b>Legal Rate</b>	<b>Community Rate</b>
<b>CCDHH</b>	<b>\$53-\$60</b>	<b>\$45</b>
Ave. of Other States	\$61.71	\$43.42
Interpreters-Freelance Rates	\$62.50	\$50
Interpreters-Agency Rates	\$50	\$43

### RECOMMENDATION

The budget will continue to be monitored in 2017 and research will continue to be done on alternative pay structures for possible reconsideration when fee schedules are reviewed for 2018. It is important that any new pay structure does not cause an administrative or budgetary burden. According to the survey, a high percentage of current service providers (49% community, 32.5% legal) have over 15 years of experience which would have a large impact on the budget if years of experience is a determining factor for a tiered system. Not enough information was found regarding simple tiered pay systems and there was not enough time to calculate the impact on the budget or include a change in the 2017 fee schedules.