

Protection for Interpreters – Section 2777

- Interpreters in a Referral Agency relationship on condition that they are certified or registered in a language and domain with an available certification or registration
- Interpreters can be Individual Sole Proprietors
- May qualify under B2B Exemption



AB 2257 and Interpreters



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Two Pathways to Exemption



- **Section 2777** – working as a contract interpreter with a “referral” agency (i.e., a language services company)

OR

- **Section 2776** – working in a Business to Business (B2B) relationship

Section 2777: “Interpreting Services Means...”

A) Services provided by a **certified** or **registered** interpreter in a language with an available certification or registration through:

- the Judicial Council of California
- State Personnel Board
- any other agency or department in the State of California
- through a testing organization, agency, or educational institution approved or recognized by the state
- Registry of Interpreters for the Deaf (RID)
- Certification Commission for Healthcare Interpreters (CCHI)
- National Board of Certification for Medical Interpreters (NBCMI/IMIA)
- International Association of Conference Interpreters (AIIC)
- United States Department of State
- Administrative Office of the United States Courts



Section 2777: “Interpreting Services Means...”



(B) Services provided by an interpreter in a language without an available certification through the entities listed in subparagraph (A).

Section 2777: “Certification means...”

*(4) If there is an **applicable** professional licensure, permit, certification, or registration administered or recognized by the state **available for the type of work** being performed for the client, the service provider shall certify to the referral agency that they have the **appropriate** professional licensure, permit, certification, or registration. The referral agency shall keep the certifications for a period of at least three years.*

Note: Interpreters have to show proof of certification to the agencies that hire them.

What’s ambiguous is: **type of work**.

We hope this can mean “interpreting specialization.”

But that will depend on how the EDD interprets the language.



Section 2776: “Interpreting Services Also Means...”

- If you have incorporated as partnership, LLC or corporation you can provide interpreting services directly.
- It is possible the certification requirement under Section 2777 will not apply in this case (Grey Area)
- *This applies to trainers as well.



What are the implications?

THE UPSIDE

- Many interpreters can continue to work with as they always have (LLDs included).
- Language service providers have a pathway back to California.
- There is strong incentive for more interpreters to acquire existing certifications.
- Certification programs may be pushed to expand.
- THIS IS GOOD!



What are the implications?

THE DOWNSIDE

- Many interpreters currently working in medical and legal settings must be hired as employees until they get certified.
- Language service companies may continue to avoid hiring in the most in-demand language pairs.
- There is potential wiggle room for agencies to become “certifying” entities with home-grown tests.
- We need to be vigilant!





- Is it perfect?
No.
- Is it a huge step forward from no exemption at all?
Yes!
- Does it help our profession progress? ***YES!!!***