

Preface

In 2007, video relay service (VRS) was a fairly new enterprise in the signed language interpreting profession. I was then a novice American Sign Language (ASL)–English interpreter enrolled in a graduate program in interpreting. Like many of my fellow students, I was eager to cut my teeth on this new service, intrigued with the idea of providing interpretations via video technology. Upon being hired by a VRS provider, I was given the title of communications assistant (CA), along with the promise of an opportunity to be mentored within the company’s training program. It appeared to be the perfect way for me to be safely inducted into the interpreting profession.

However, during my first week of work, I immediately felt uncomfortable with one of the instructions given to me by the VRS company manager. He explained that I might occasionally receive calls from deaf consumers who would ask to be connected to podcasts (lengthy noninteractive audio recordings about a variety of topics). He stated that some of the deaf callers might instruct me to not interpret the podcast and that I should honor their request but remain on line for the duration of the podcast, despite its length. These types of calls were even given a special name—“r-calls” or “rest calls”—creating the impression that these calls were a perk for the interpreter. Even as a novice interpreter, I felt there was something odd about this arrangement, but when I questioned my manager, he told me that r-calls were a common practice among VRS providers and they were handled in this manner because of “the need for emerging companies to succeed in the industry as they competed with larger VRS providers.” The explanation seemed implausible, but as a new CA in VRS and as a novice interpreter, I uncomfortably accepted his explanations. However, I was in a quandary about how to address these r-calls: if I refused to accept them, I might have been perceived as being insubordinate and could possibly lose my job, but if I accepted the so-called r-calls without interpreting them, I felt I was deviating from ethical interpreting practice. Wasn’t the goal of my work to convey an equivalent message between communicative participants? After a few weeks, my distrust grew of both this situation and the company, and I decided to leave my position.

This experience left me wondering about the rules that govern the work of CAs¹ in the VRS setting. Personally, I was unable to identify whether rules originated with the Federal Communications Commission (FCC) or individual VRS companies. I wondered if other CAs were aware of the origin of the rules that govern their work. To pursue these questions, I conducted a small-scale investigation into the origin and nature of rules in VRS. Using a semistructured interview protocol, I interviewed four interpreters who worked as either CAs or held leadership roles in the VRS industry (Alley, 2014). The results of this pilot study revealed that although interpreters were aware of the rules governing their work in VRS, they were often uncertain about the purpose of the rules or who was responsible for the establishment of the rules. The question of responsibility was evident as participants repeatedly discussed the roles and responsibilities of the following three parties in establishing VRS rules and guidelines: (a) the national organization of signed language interpreters, the Registry of Interpreters for the Deaf (RID), in developing a Standard Practice Paper; (b) interpreter education programs in preparing students for VRS work; and (c) FCC as the legal backbone of VRS rules and how that oversight drove VRS providers to create additional rules.

The theme of responsibility recurred when participants discussed their own VRS work. Participants stated they felt they had a responsibility to produce quality interpretations and provide excellent customer service for VRS consumers. According to the participants, supervisors focused on the statistical data presented in reports to both meet FCC requirements and produce billable minutes. Although it was clear that many players were involved in the VRS conglomerate, participants exhibited uncertainty about who was responsible for the various constraints that influ-

1. For the purpose of clarity, I distinguish the usage of the terms *communications assistant (CA)* and *interpreter* throughout this text. From a bureaucratic standpoint (i.e., Federal Communications Commission and individual VRS providers), individuals who provide ASL–English interpretation in the VRS environment are communications assistants; therefore, when discussing the work performed by these individuals from an organizational standpoint, I use the term *communications assistants* or CAs. However, the participants in this study most often refer to themselves as interpreters, which reflects their self-perception and the work that they perform in VRS. Throughout this text, I will follow the preferred term of either the VRS provider or the participant.

enced VRS work. One participant, a leader in the RID Video Interpreters Members Section (VIMS), described the dynamics as follows:

I think the FCC is upset at the providers and the providers are upset with the FCC, and . . . the interpreters are standing in the middle. . . . The providers saying, “Well you have to do this or you’re gonna lose your job.” So then everyone goes into a panic and, “Omigod, the FCC’s gonna take our job away!” No the FCC’s not, your provider’s not gonna pay you. . . . And the interpreter is standing in the middle [trying to understand whose fault it is], “Well is it the FCC or is it my provider?” Who do I need to be looking at to be asking for something? And, more often than not, interpreters are starting to look at RID [who’s saying], “We’re doing everything we can and we’re on the same page as the FCC here. The problem is with the providers.”

This quote suggests that CAs are aware that governing bodies constrain their work in VRS but are unclear regarding which organization (i.e., FCC or individual provider) sets the controls in their work. Providers may be placing blame on the FCC’s regulatory practices, suggesting that the FCC makes providers closely regulate CA work. In reality, many rules that govern the work of CAs are provider initiated. The participant quoted also described an attempt of the VIMS to approach the FCC with its concerns. She described the FCC’s response as follows:

If it doesn’t directly affect customer service the FCC won’t make any regulations on it. So at some point interpreters wanted the FCC to make a requirement saying [interpreters] couldn’t work over a percentage of billable time to make sure that interpreters don’t get injured. Well, they came back and said “Well, that’s an employee relation issue. We don’t regulate that. That’s under a whole different department in the federal government. You’ve got to go over to the labor org and talk to them. Don’t talk to us.”

So although the FCC is an authority regulating the provision of VRS, the FCC does not hold sway over aspects of CA work that involve employee relations (e.g., break time, shift selection, team interpreting). Although some providers assert that rules are established to adhere to FCC regulations, fraudulent activity within the VRS industry revealed that at least some VRS corporate rules were motivated by capitalist, profit-driven motives rather than long-established codes of ethical behavior.

Not long after leaving my position with VRS, I learned that the owner of the VRS provider I had worked for and several other VRS providers were under federal investigation for fraud. The r-calls I was instructed to accept were nothing more than a scheme intended to defraud the federal government of millions of dollars by billing the FCC for interpreting hours that never took place. The Department of Justice reported that the FCC reimbursed VRS corporate providers for these fraudulent claims at the rate of \$390 per hour, for a total of tens of millions of dollars (U.S. Department of Justice, 2009). As a result of the investigation, 26 VRS owners and employees across the United States were indicted and convicted of felonies for their role in making (or causing others to make) fraudulent VRS calls and billing the government for those calls (U.S. Department of Justice, 2009).

Many interpreters who worked for the indicted VRS providers were not charged with crimes, but their reputations were tainted by their association with the companies. Some reported that they struggled to find positions with other VRS providers as the result of having been implicated in the scandal (personal communications, 2008). If I had continued to work for the VRS company, I would have unknowingly been complicit in fraudulent and illegal business practices and possibly suffered similar consequences. This experience opened my eyes to the serious problems that could arise with VRS guidelines and how interpreters view their own professional autonomy in VRS work. This motivated me to further explore the decisions VRS interpreters make in their work, within the construct of professional autonomy.

Because the four people that I originally spoke with were leaders in the VRS field (e.g., managers of VRS centers, VIMS board members) and were unsure of the origin of as well as the purpose behind the VRS rules, I wondered if they adhered to the rules. If not, how and when did they deviate from the rules? Did the interpreters in my pilot study represent the larger interpreting community in their understanding of work in VRS? The study described in this book aimed to examine the factors influencing decision making among VRS interpreters and the ways interpreters exercise professional autonomy in the VRS setting. To operationalize the construct of professional autonomy, I combined definitions of professional autonomy offered by Kasher (2005) and Sandstrom (2007) as (a) the ability to use reason and ethics to guide one's own actions, and (b) the freedom granted by the professional community and society to make decisions and act in a particular manner.

Naturally, examining professional autonomy leads to an investigation of the system under which interpreting takes place. Interpreting services are provided in systems that govern the actions of its participants. In line with this theory, the decisions made by a staff interpreter in a K–12 educational setting would align with the policies of the school where they are employed. The decisions of an interpreter in a hospital would follow protocols outlined by the hospital where they offer services. In this same vein, one could predict that the decisions made by an interpreter in VRS align with the rules that govern the VRS setting—those laid out by the provider as well as the FCC. Amid the confusion clearly felt by interpreters in VRS at the time of this study, further investigation is needed in order to gain understanding of the decision-making of interpreters in this environment.