

# The Basics

## Your program is required to:

1. Participate in mandatory annual civil rights training;
2. Have an outreach strategy in place that reaches all populations in your service area;
3. Maintain a file with samples of all outreach materials containing the nondiscrimination statement;
4. Have an LEP plan in place that all staff and volunteers are aware of;
5. Post “And Justice For All” poster (form AD-475C) and information on how to make a complaint;
6. Forward all discrimination complaints to DHS’ complaint hotline and assist in follow-up;
7. Address/Acknowledge all complaints and assist complainant if necessary;
8. Maintain a file of all complaints received.

I fully understand my responsibilities in adhering to Civil Rights responsibilities and regulations.

Signature

Date

# Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

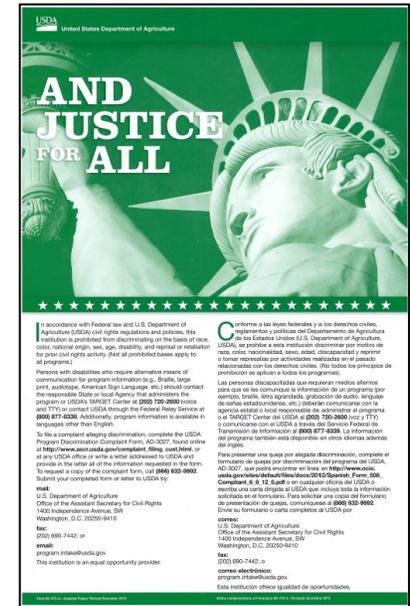
To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

**Legal Authorities**—Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, and all requirements imposed by the regulations of the Department of Agriculture (7CFR Part 15), Department of Justice (28CFR Parts 42 and 50), and FNS instructions, directives, or regulations.

# Civil Rights Training



# Recipient Agency Organizations Distributing Emergency Food

The purpose of this instruction is to establish and convey policy and provide guidance and direction to the USDA Food and Nutrition Service recipients and customers and ensure compliance with and enforcement of the prohibition against discrimination in all FNS nutrition programs and activities, whether federally funded in whole or not.

As a staff person (or volunteer) of an Oregon Food Bank program distributing federal commodities, you must agree to provide equal and consistent treatment to all potentially eligible persons, applicants and beneficiaries (clients).

**Protected classes for Food Bank programs are:**

Race	Age
Sex	Disability
National origin	Religion
Political affiliation	Military status
Familial status	Marital status
Sexual orientation/gender identity	

Discrimination based on any of these federal and state protected classes is prohibited. Types of discrimination include, but are not limited to:

**Differential Treatment:**

i.e., refusal of service, using different eligibility criteria for certain clients, treating applicants differently based on protected class.

**Discriminatory Impact:**

Discrimination that is not intentional, but has that effect. A rule, policy or practice may be neutral on its surface, but it may impact a protected class disproportionately.

**Best Practices**

- Be aware of your own personal assumptions and do your best to keep them to yourself when working with clients.
- In general, try to accommodate special dietary needs (diabetes, food allergies, etc.) and religious requirements (Kosher or Halal foods).
- Be prepared to provide program information in alternate formats for people with disabilities (i.e., reading materials out loud for visually impaired, etc.).

**Tips for Faith-based Organizations:**

- Proselytizing is not allowed.
- Be aware of actions/comments that could have a negative effect or create a barrier to service.
- Sharing information about religious programs is fine, but make sure the client understands that they do not need to participate in order to receive food (i.e., prayer service before meals).

**Public Notification: Outreach**

All programs must have a public outreach plan to inform participants and potentially eligible persons of the program availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint. Outreach needs to reach all populations in your service area.

- Forms of communication: Brochures, bulletins, leaflets, letters, newspapers, radio/television announcements.
- All forms of communication must include the nondiscrimination statement (see back of this brochure).
- Provide appropriate translation of information in accordance with the program LEP Plan.
- Advise the public, including minorities and grassroots organizations, in the service area of program availability and eligibility standards.
- Display “And Justice For All” poster (form AD-475c) and Eligibility Questions poster in prominent areas.

**Limited English Proficiency (LEP)**

Your program must have a plan to serve those with limited English proficiency. Primary factors to consider are:

- Number of LEP persons in your service area;
- Frequency with which LEP persons come in contact with the program;
- Importance of service provided by the program;
- Resources available to the recipient.

**Develop an LEP Plan:**

Your plan should include strategies for providing translation of critical documents and interpretation through:

- Staff or volunteers;
- Contracts or informal community relationships;
- Language line.

All staff and volunteers need to be aware of and understand the LEP plan. You must keep your plan on file and evaluate and update your plan periodically.

If you need assistance in creating an LEP plan you can contact your RFB for more information and/or visit [www.lep.gov](http://www.lep.gov).

**Civil Rights Complaints**

Civil Rights complaints are characterized by the complainant verbalizing or submitting, in writing, a complaint that alleges they have been treated unfairly on the basis of a protected class.

- Everyone has the legal right to file a discrimination complaint without retaliation—agency staff cannot refuse to assist with a complaint or create barriers.
- Agency staff must be willing to assist in complaint resolution.
- Agencies must keep records of all complaints for a period of three years from the date of the resolution of the complaint
- Complainants have 180 days from the alleged discriminatory action to file a complaint.

**Complaint Process**

Persons who wish to make a complaint can call Oregon Department of Human Services (DHS) Hotline 1-800-442-5232 or complete a complaint form. Complaint forms are to be sent to DHS. Agencies must post Hotline tear-off sheets with their “And Justice For All” poster. Contact your RFB for additional tear-off sheets.

Once a complaint is made, DHS, or, if appropriate, the USDA Office of Civil Rights, will investigate the complaint, which will include a review and evaluation of the facts. All parties will be informed of the decision or action required for resolution. Complainants have the right to appeal the decision if they choose.

**Complaint Form**

Every complaint should include the following:

- Name, address, and phone number (or other means of contact) of the person alleging discrimination;
- Location and name of organization accused of discrimination;
- Basis of alleged discrimination (age, race, etc.);
- Nature of incident that led person to allege discrimination.

**These are your legal responsibilities.** A complaint could become a lawsuit based on a claim of the violation of a person’s civil rights.