

CIVIL RIGHTS TRAINING

The Emergency Food Assistance Program (TEFAP) & Commodity Supplemental Food Program (CSFP)

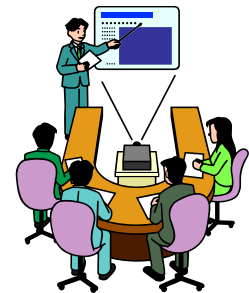
Iowa Department of Human Services
January 2017

GOALS OF CIVIL RIGHTS

- Equal treatment for all eligible participants
- Knowledge of rights and responsibilities
- Get rid of reasons why people don't take part in a program
- Dignity and respect for all

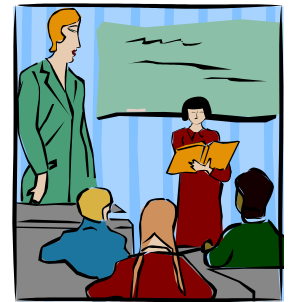
TRAINING

- Local agencies are responsible for annual training
- First line workers (including volunteers) and all levels of supervisors must receive required training
- Training can be done in many ways
- **You are required to document your training efforts**



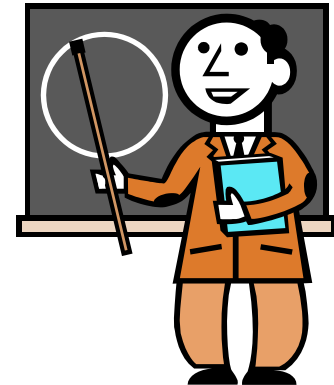
Required Training Documentation

- Name of the training instructor
- Date training was given
- Topics covered in the training
- Names of all the people being trained
 - Use simple sign-in sheets which all participants sign at the end of the training session
- Keep your sign-in sheets in your files along with a copy of the training.



CIVIL RIGHTS REQUIRED TRAINING TOPICS

- Collection and use of data
- Effective public notification systems
- Complaint procedures
- Compliance review techniques
- Resolution of noncompliance
- Reasonable accommodation of people with disabilities
- Language assistance
- Conflict resolution and
- Customer service



TRAINING TIPS

- Be sensitive, civil rights can be very personal and people approach it from different angles
- Answer questions directly and clearly
- If you don't know the answer DO NOT make something up – agree to get the answer and then follow up
- Contact Iowa Department of Human Services for help.

What is Federal Financial Assistance?

Federal financial assistance is anything of value received from the federal government such as:

- Cash grants and loans
- USDA food/commodities
- Training
- Property donations,
- Permission to use federal property
- Similar items and services



CIVIL RIGHTS LAWS

- Title VI – Civil Rights Act of 1964 states *No person in the United States shall be discriminated against on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.*
 - Example: Race/color: Treating or speaking to a child differently (using slang for example) or in a friendlier manner because of race or color.



Language

Agencies of TEFAP & CSFP have a responsibility to make sure the following people are served in other languages:

- Limited English proficiency (LEP)
- Those who do not speak English as their primary language
- Those who have a limited ability to read, speak, write, or understand English

Additional resources available at:

www.fns.usda.gov/cr/LEP_entry.htm

Language



Provide information in other language when:

- High number of LEP persons are in your eligible population
- The person has contact with program often

**SHORTAGE OF MONEY DOES NOT
ELIMINATE REQUIREMENT!!!**

Language

- Minor children should not be used as interpreters
- Volunteers may be used, but make sure they understand confidentiality!
- See www.lep.gov for more information



CIVIL RIGHTS LAWS

- The Age Discrimination Act of 1975 provides: *No person in the United States, shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.*



CIVIL RIGHTS LAWS

- Title IX of the Education Amendments of 1972 states: *No person in the United States shall, on the basis sex (gender), be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.*
 - Example: You shouldn't offer smaller portions to women compared to men. The same size portion should be offered to each.



CIVIL RIGHTS LAWS

- Section 504 of the Rehabilitation Act of 1973 added disability to Title VI.
- Title II and Title III of the Americans with Disabilities Act of 1990 extended the requirements to all services, programs and activities of state and local governments and prohibits discrimination based on disability in other public services.

Reasonable Accommodations

- Make sure people with disabilities can get into your agency from the parking lot, entrances, hall, elevators, rest rooms, and allows service animals
- Arrange ways for people to get services
 - Example: You come up to main floor if your program is in the basement and you don't have an elevator.
- FedRelay www.gsa.gov/fedrelay
Telecommunications services to allow individuals who are deaf, hard of hearing, and/or have speech disabilities.



WHAT IS A PROTECTED CLASS?

- Any person or group of people who have characteristics for which discrimination is prohibited based on a law, regulation, or executive order.
- Protected classes in TEFAP & CSFP are race, color, national origin, age, sex, and disability.

2004 “Equal Opportunity for Religious Organizations”

- Laws protect faith-based organizations
- Church and community organizations are treated the same
- Prohibits discrimination against an organization on the basis of religion, religious belief or character in the distribution of funds
- Any faith organization can use space in their building without removing religious art or symbols

Law Protects People

- No organization that receives direct assistance from the USDA can discriminate against a participant or potential participant on the basis of religion or religious belief.
- Faith-based organizations can do their mission, as long as USDA funds (or activities) do not support worship, religious instruction or pressuring people to take their beliefs.

ASSURANCES

- Help to clarify expectations
- Intended to help stop discrimination against applicants and participants
- Intended to prevent future discrimination
- Help address effects of past discrimination



Collection and Use of Data

- Required for CSFP
- Currently participants self-declare for TEFAP
- In general, any data collected about beneficiaries should be kept secure and confidential.

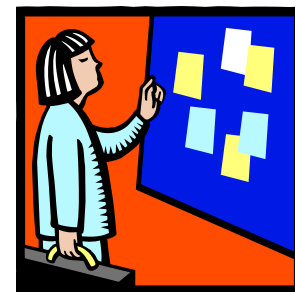


- Used to determine if more people could be reached in your community.
- Identify who needs to be reached yet.

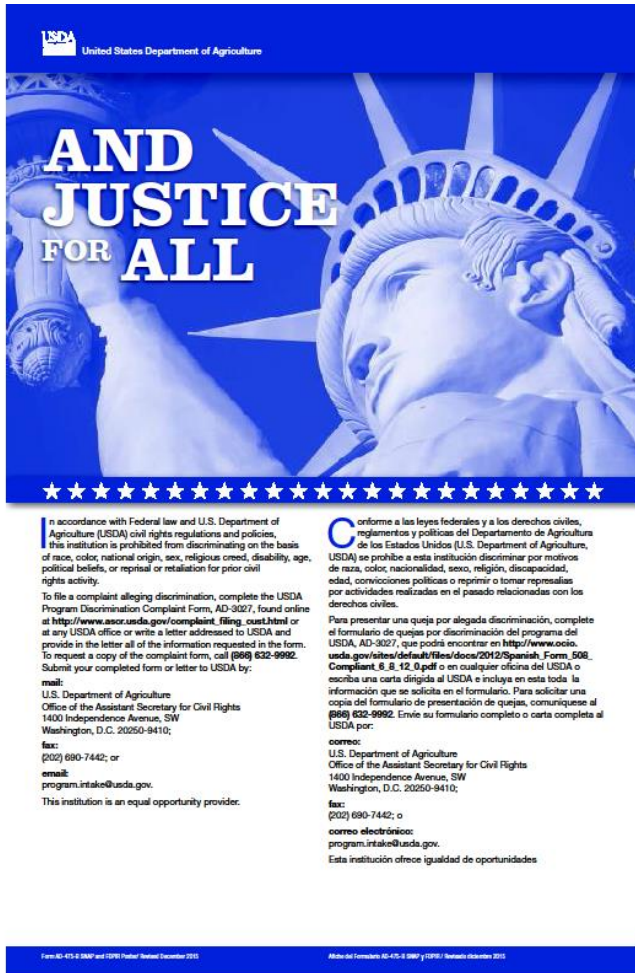
PUBLIC NOTIFICATION Program Availability



- Display the “And Justice for All” poster.
- Tell applicants, participants, potentially eligible persons, and grassroots organizations of program rights and responsibilities or changes in programs.
- Provide information in other formats for persons with disabilities.
- Other languages available.



POSTERS



USDA United States Department of Agriculture

AND JUSTICE FOR ALL

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity.

To file a complaint alleging discrimination, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.asor.usda.gov/complaint_filing_cust.html or 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:

mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

fax:
(202) 690-7442; or

email:
program.intake@usda.gov.

This institution is an equal opportunity provider.

Conforme a las leyes federales y a los derechos civiles, reglamentos y políticas del Departamento de Agricultura, USDA) se prohíbe a esta institución discriminar por motivos de raza, color, nacionalidad, sexo, religión, discapacidad, edad, convicciones políticas o represalias o tomar represalias por actividades realizadas en el pasado relacionadas con los derechos civiles.

Para presentar una queja por alegada discriminación, complete el formulario de quejas por discriminación del programa del USDA, AD-3027, que podrá encontrar en http://www.oocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Complaint_8_8_12_0.pdf o en cualquier oficina del USDA o escriba una carta dirigida al USDA e incluya en esta toda la información que se solicita en el formulario. Para solicitar una copia del formulario de presentación de quejas, comuníquese al (866) 632-9992. Envíe su formulario completo o carta completa al USDA por:

correo:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

fax:
(202) 690-7442; o

correo electrónico:
program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades

Form 802-632-9992 and 10/01 Public Notice Revised December 2011

8/10/14/16 Form 802-632-9992 y 10/01/16 Revised December 2011



Federal Relay Services
www.gsa.gov/fedrelay

PUBLIC NOTIFICATION

Complaint Information

Let applicants and participants at your site know:

- Their right to file a complaint
- How to file a complaint
- The complaint procedures



Complaints

- ✓ Never discourage groups or individuals from filing complaints or from telling about situation of discrimination

- ✓ Complaints may be filed based on:
 - ✓ Race
 - ✓ Color
 - ✓ National origin
 - ✓ Age
 - ✓ Sex
 - ✓ Disability

How to File a Complaint

To file a program discrimination complaint, please complete the [USDA Program Discrimination Complaint Form](#). You or your authorized representative must sign the complaint form. You are not required to use the complaint form. You may also file a program discrimination complaint by writing a letter to the Office of Adjudication at the address that follows:

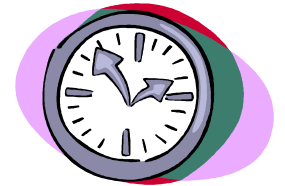
U.S. Department of Agriculture
Director, Office of Adjudication
1400 Independence Avenue, SW
Washington, DC 20250-9410

Individuals who are deaf, hard of hearing, or have speech disabilities, may contact us through the Federal Relay Service on (800) 877-8339 or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

What to do if a complaint is made:

- Immediately notify the Department of Human Services
- Provide forms for written complaints
 - Written complaints will be accepted and forwarded upon receipt.
- Take detailed notes of complaints
 - If someone is complaining in a telephone conversation and refuses or is not putting it in writing, the staff person on the call will need to write up the details of the complaint. These complaints will be accepted and forwarded immediately upon receipt.



Complaint Form

Civil Rights Complaints Form basic components

- Full name of person filing complaint: _____
First Middle Last
- Address of person filing complaint: _____
Street / P.O. Box City State Zip
- Daytime phone number of person filing complaint: (____) _____
- Name and location of the agency / entity delivering the service or benefit: _____

- Describe the nature of the incident or action that led to the complaint or provide an example of the method of administration which is having a disparate effect on the public, potential participants, or participant _____

- On what basis does the complainant feel discrimination exist? (race, color, national origin, sex, age, or disability):

- Provide the name(s), title(s) and business address(es) of persons who may have knowledge of the discriminatory action: _____

- Indicate the date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions:

- _____
Name of person completing the report Title of person completing the report Date

Information needed:

- Who is complaining
 - Name
 - Address
 - Telephone number
- Where it happened
 - What agency
 - What address
- What happened
- Basis for the claim
 - Race
 - Age
 - Disability, etc.
- Name of anyone who saw or heard what happened
- When it happened
 - Date
 - Time



PUBLIC NOTIFICATION

Nondiscrimination Statement

- Nondiscrimination statement is required on all agency publications, posters, websites, and informational materials. At a minimum, the website must have the nondiscrimination statement or a link to it on the home page.
- Must show the message of equal opportunity in all photos and other graphics that are used in publications.
- Make sure font size of the non-discrimination statement is the same size font as the rest of the information in the publication.

NON-DISCRIMINATION 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, audiotape, 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.

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NON-DISCRIMINATION STATEMENT.. continued



To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: 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;

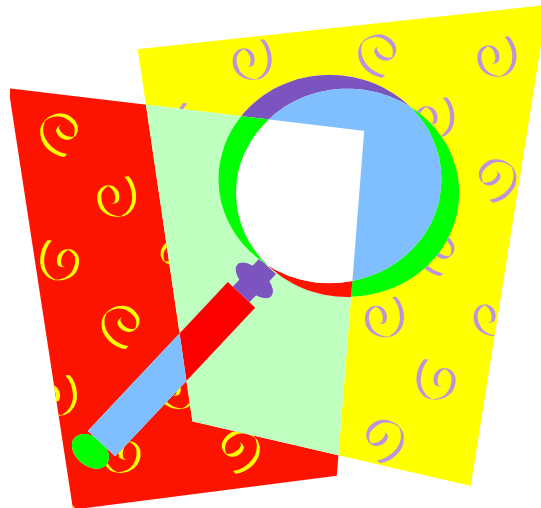
(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

COMPLIANCE REVIEWS

- Pre-award, post-award, and special
- Check for non-discrimination and ensure civil rights requirements are being followed



Examples of Noncompliance

Not allowing someone or a household to apply for the program on the basis of a protected class.

Example: All people should receive an application for the food nutrition program when they ask for it, regardless of where they live or their nationality.



Examples of Noncompliance

- Selecting members for planning and advisory committees in a way excluding persons from membership on the basis of a protected class.
 - Example: Be sure appropriate measures are taken to include members from all race, age and sex categories
- Overtly identifying a participant on the basis of a protected class.
 - Don't assume people who are "handicapped" are eligible for the FNS programs.

RESOLUTION OF NONCOMPLIANCE

- CORRECTIVE ACTIONS:
 - Stop inappropriate actions
 - Start appropriate procedures
- FAILURE OR REFUSAL TO PUT CORRECTIVE ACTIONS IN PLACE CAN RESULT IN LOSS OF FEDERAL ASSISTANCE!



CUSTOMER SERVICE

PLATINUM RULE

“Treat others the way they want to be treated
(or at least be aware of what that is).”



The Customer and Customer Service

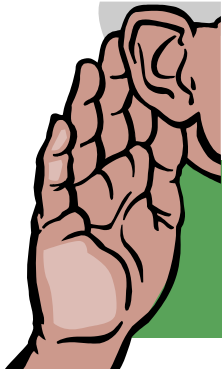
- The term customer is described as anyone you work with.
- Anyone you work with outside your immediate organization or team is your external customer.
- Persons within your organization are internal customers.
- Treat all well and in good faith and honesty

SERVICE EXCELLENCE

How you can make a difference!



- Treat all people with dignity and respect
- Answer questions in a voice that is non-threatening
- Clearly tell everyone the rules and rights and responsibilities
- Find and use tools and techniques to improve customer service.
- Recognize when stress creates a problem in giving service excellence.



Making a Difference!

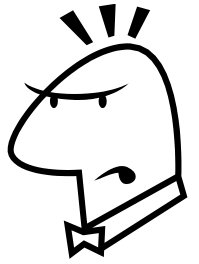
Recognize and appreciate the fact customers have many different needs and few places to get assistance from.

- Notice when a person feels they have been treated in a rude manner.
- Learn to put yourself in their place when necessary.
- Develop good listening skills.
- Learn to deal with dissatisfied customers.
- Improve customer satisfaction.

CONFLICT RESOLUTION

- Remain calm
- Explain the situation
- Get help, especially if threats or if violence is possible





Dealing with the Angry Customer

- **What is the problem?** Using information given you – determine what is wrong.
- **Determine a solution.** Know your organizations policy on handing situations and information needed to offer a solution.
- **Gain approval from the customer.** Check with the customer for their approval on a solution.
- **Make an agreement.** You and the customer should determine what is to be done, when it is to be done, and by whom and alternatives if needed.
- **Follow up.** Personally make sure that the customer has been satisfied; and provide feedback.

Develop a Customer Service Checklist

Consider making a list of customer service techniques, attitudes and behaviors for staff working with participants and callers to your site for information and USDA foods.

The checklist should be job related in order to provide good customer service and to lower complaints and improve customer satisfaction.

RESOURCES

- <http://www.fns.usda.gov/cr>
- <http://www.ascr.usda.gov>
- http://www.ascr.usda.gov/complaint_filing_cust.html#processing
- <http://www.fns.usda.gov/cr/Documents/113-1.pdf>

Thank you!

If you have any questions concerning civil rights, please contact Cindy O'Brien, Iowa Dept of Human Services
cobrien@dhs.state.ia.us
515-281-5410

WAIT!!! There may be more....
If your agency is a religious organization,
continue on!!

Written Notice/Referral Requirements for Religious Organizations

- TEFAP providers must:
 - Post written notice in a prominent place
 - Obtain the notice from your local food bank

Referrals

- If a participant or prospective participant objects to the religious character of your organization, you must make reasonable efforts to:
 - Refer a participant to an alternate provider if available
 - Ensure the participant has no objection to the alternate provider

- Referral must be to an alternate provider (if available) that:
 - Is in reasonable geographic proximity
 - Offers similar substance and quality of service
 - Has capacity to accept other participants
- Obtain local area options from your food bank
- Promptly notify your food bank if you are unable to identify an alternative provider

Explicitly Religious Activities

- May not require participation in a religious activity to receive TEFAP.
- May not hold a religious activity at the same time or location as distribution
- Must make clear USDA does not endorse explicitly religious activities.

Examples

It is acceptable to.....	It is unacceptable too...
Have a cross hanging on the wall at the distribution facility	Require participants to stand by the cross and recite a prayer to receive USDA foods
During holidays to have a menorah on the table at the food distribution facility	Refuse USDA foods to participants who do not practice the Jewish faith
Have a display stand of faith based pamphlets available to anyone interested	Insert faith based pamphlets in bags or boxes when distributing USDA foods
Have a pastor or other religious official assist with USDA foods distribution	Encourage or force participants to have a religious conversation with a pastor or official prior to receiving USDA foods.

- Contact your food bank if you have a question related to “explicitly religious activities”.

Thank you!