Civil Rights Training for Volunteers Who Assist with USDA / Ohio TEFAP (The Emergency Food Assistance Program)

- Goals of civil rights:
  - Provide fair and equal treatment of participants and benefit delivery

- Legal prohibitions:
  - Discrimination is prohibited on the basis of race, color, national origin, age, sex, and disability in special nutrition programs funded by the USDA, Food and Nutrition Service. (The Food Stamp Program and Food Distribution Program on Indian Reservations also prohibits discrimination based on religion and political beliefs in addition to the bases listed above.)

- Types of Discrimination:
  - Disparate Treatment (intentional)
  - Disparate Impact (neutral rule impacts disproportionately on a group)
  - Reprisal/Retaliation (actions or statements against complainant or his/her family, associates or others involved in complaint process or exercising civil rights)

- Exceptions:
  - Congress can establish a program that is intended for certain groups of people, and it is not discrimination to exclude those who do not meet eligibility requirements. For example, Congress can set age limits, and this is not age discrimination or disability discrimination for those who do not meet the age limits.

- When do civil rights rules apply?
  - Civil rights rules apply any time there is any federal financial assistance. Federal financial assistance is receiving anything of value from the federal government – not just cash. It can include commodities, training, equipment, and other goods and services.

- Special circumstances:
  - Make sure to accommodate people with disabilities. Sites should be accessible to people with all types of disabilities (e.g. mobility, sight, hearing, other) or alternate means of service delivery should be advertised and provided.
  - Provide other language assistance to persons with limited English proficiency who could not gain meaningful access to the program without other language assistance. LEP households must always have assistance provided. However, the level or type of assistance can vary based on circumstances.

- Other requirements:
  - Treat all people with dignity and respect.
  - Display the USDA "And Justice for All..." non-discrimination poster in a place where it can be seen by all who visit the premises.
  - Include the USDA non-discrimination statement on all materials that mention USDA funded programs and make sure the statement is also on web sites that mention USDA funded programs.

- Conduct outreach to ensure that potentially eligible persons and households are aware of the program and have information on how to apply. Provide suggestions about how to make more people aware of the program and how to receive benefits.
- Maintain confidentiality. It is not appropriate to talk about who is receiving benefits and to make remarks about them. Never share information with others regardless of an expression of good intentions. Refer all requests for information to managers. What happens at the site stays at the site. The exception, of course, is any illegal or inappropriate behavior that should be reported to state or federal officials.
- Collect racial/ethnic data (except TEFAP) and use it to target outreach and to assess participation. Keep individual data confidential. If people refuse to provide, you must code for them based on perception.
- Cooperate with State and Federal reviewers. They are required to conduct periodic compliance reviews to help ensure that program and civil rights rules are being obeyed.
- If there is non-compliance, correction of problems and voluntary compliance is sought. Failure to abide by civil rights rules can lead to loss of Federal financial assistance.
- Sexual harassment is prohibited. Do not engage in or tolerate unwanted or unwelcome sexual behavior including jokes, touching, requests for sexual favors, etc. Please report violations to management or to state or federal officials as soon as possible.
- Advise people who allege discrimination how to file a complaint. They may write to:

USDA
Director
Office of Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410

OR

Call toll free: (800) 795-3272 or
(202) 720-6382 (TTY)

In the Midwest Region they may also write to:

Regional Director
Civil Rights/EEO
77 W. Jackson Blvd., FL 20
Chicago, IL 60604-3591

OR

Call: (312) 353-3353

Almost all complaints are referred to the Chicago office for investigation and are actually investigated by staff from FNS field offices located in the state where the complaint originated.

- If a conflict occurs, remain calm. Call for assistance immediately if you feel threatened. Consider mediation or a third party to help resolve the situation.

- Follow the platinum rule – treat people the way they would like to be treated (or be aware of what that is).