Civil Rights Training
5 Areas of Civil Rights Compliance

• Complaint Procedures
• Public Notification System
• Resolution of Non-Compliance
• Customer Service
• Assurances
What is Discrimination?

The act of distinguishing one person or group of persons from others, either intentionally, by neglect, or by the effect of actions or lack of actions based on their protected bases.
6 Protected Bases/Classes

- Age
- Race
- Sex
- Color
- Disability
- National Origin
Classes NOT Protected in TEFAP

- Religion
- Political Beliefs
- Marital Status
- Familial Status
- Sexual Orientation/Gender Identity
- Genetic Information
- Income Derived From Public Assistance
Ensure a current copy is posted in your facility at the client or local distributor point of service

- Where the eligibility forms are completed or where the food/meals are being distributed/served.
- Where local distributors are picking up food.
Recognizing a Civil Rights Discrimination Complaint

- Can be verbal or written.
- Must be discrimination based on one or more of the 6 protected classes.
- Can be made to any volunteer or staff member LDA, the CDA, the Florida Department of Agriculture, or USDA.
- Specific complaint process and procedure.
Processing the Civil Rights Complaint

- Immediately forward complaint.
  - CDA notifies FDACS.
  - FDACS notifies USDA.
- FDACS/CDA has 3 days to notify USDA of complaint.
- Complaint investigation and resolution will be determined by the USDA.
Procedures for Handling a Civil Rights Complaint

• Listen to the person making the complaint.
• Practice good customer service.
• Write it down using an established form.
• Immediately move complaint up to person in charge.
Formalize Your Civil Rights Complaint Process

• Write down your agency’s civil rights complaint process.
• Update process when procedures change.
• Distribute and train all staff/volunteers.
Recognizing PROGRAM Complaints

- PROGRAM complaints are not civil rights complaints, although equally important, and are NOT based on one of the 6 protected classes.
- Different complaint process procedure.
- Examples of program complaints:
  - Classes NOT protected by the TEFAP program
  - Food Safety/Quality
  - Customer Service
Conflict Resolution

- Conflict – A disagreement through which the parties involved perceive a threat to their needs, interests or concerns.
  - Conflict can be large or small; originate in one person, between two or more people or between two or more groups.
  - Conflict can resolved depending on how it’s managed

- Define the problem
  - Find the cause. Select an approach to resolve it. Implement it – take action.
Customer Service

- Smile and be pleasant.
- Treat everyone with respect and courtesy.
- Be caring and understanding.
- Be a good listener.
- Offer assistance.
- Serve Recipients in a timely manner.
- Apologize for any inconvenience.
- Make recipients feel appreciated.
LDA’s and CDA/s must have public notification systems containing the following:

- Non-Discrimination Statement
- Complaint Procedure
- Program Availability
- Try to reach underserved groups
Program Availability Notification

- Sign outside pantry listing regular hours of operation.
- Sign outside congregate feeding site listing regular serving hours.
- Flyers/notices in public assistance offices – i.e., SNAP, WIC, Health clinics, etc.
- Press releases, newspaper ads, or signs for household distributions.
Any public program material (handouts, signs, web sites, etc.) must have the non-discrimination statement printed on it.

Web sites must have the statement on the first page only, not on each page of the site.
Additional Public Program Material Requirements

- If the material is too small to permit the full statement, the material will, at a minimum, include the exact statement below, in print size no smaller than the other material text, that:

  “This institution is an equal opportunity provider.”
Limited English Proficiency

• Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

• SDA of TEFAP have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency (LEP)

  Example – a copy of the Certification of Eligibility form available in the individual’s primary language, such as Spanish, as provided by the FDACS.
Factors to Consider in Addressing LEP

- Number or proportion of LEP persons served or encountered in the eligible population
- Frequency with which LEP individuals come in contact with the program
- Nature and importance of the program, activity, or service provided by the program
- Resources available to the recipient and costs.
Civil Rights Training

All staff and volunteers at both the CDA, as well as LDA’s should receive training on all aspects of civil rights compliance on an annual basis. Training should include:

- Effective public notification systems
- Compliant procedures
- Compliance review techniques
- Resolutions of non-compliance
- Requirements for language assistance
- Conflict resolution
- Customer service
Data Collection

- Currently, no specific data collection for TEFAP program.
- Confidentiality of all program information.
- Be mindful of “additional” data collection conducted by sub-distributors and it’s possible impact on civil rights.
Compliance Reviews

- **Pre-award Compliance Reviews**
  - Occurs before you receive any food
  - Happens at all levels

- **Routine Compliance Reviews**
  - Scheduled
  - Part of the regular program review
  - Looks for non-discrimination statement on printed materials, And Justice for All poster, reasonable accommodations for people with disabilities, etc.

- **Special Compliance Reviews**
  - Follow up on previous findings and investigate reports
  - Patterns of non-compliance and complaints
Resolution of Noncompliance

Definition of “Noncompliance”

• A factual finding that any civil rights requirement, as provided by law, regulation, policy, instruction, or guidelines, is not being adhered to by CDA, LDA, or SDA.
A Civil Rights assurance is incorporated in all agreements between the State Agency, Recipient Agency, and all sub-distributors in order to ensure that ALL households have access to TEFAP commodities.
Questions?