

Civil Rights Training for those who assist with USDA/Ohio TEFAP Programs

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Agency Responsibilities



- ✓ Train staff and volunteers in civil rights requirements annually.
- ✓ Comply with civil rights laws, regulations and requirements.
- ✓ Take “responsible steps” to ensure adequate access to your programs and activities by persons with Limited English Proficiency (LEP).
- ✓ Provide equal treatment for religious organizations.
- ✓ Provide public notification and follow-up that may include: Compliance Reviews; Complaint Process; Accommodating Persons with Disabilities; Resolving Conflict and Customer Service.

Training



All front-line workers, including volunteers and supervisors, must receive annual training. Methods include formal presentation, staff meeting, online, or one-on-one review of material. Training should cover:

- Goals of Civil Rights
- Federal Financial Assistance
- Agency Responsibilities
- Discrimination
- Complaints
- Limited English Proficiency
- Equal Opportunity for Religious Organizations
- Public Notification
- Non-Discrimination Statement
- Data Collection and Reporting
- Compliance and Disability Accommodations
- Customer Service and Conflict Resolution

Goals of Civil Rights Training



- Equal treatment for all applicants and beneficiaries under the law.
- Provide knowledge of rights and responsibilities to recipients and program staff.
- Elimination of illegal barriers that prevent or deter people from receiving benefits.
- Provide a baseline of dignity and respect for all.

Federal Financial Assistance



TEFAP

The Emergency Food Assistance Program (TEFAP) is a Federal program that helps supplement the diets of low-income Americans, including elderly people, by providing them with emergency food and nutrition assistance at no cost. It provides food and administrative funds to States to supplement the diets of these groups. www.fns.usda.gov/tefap/emergency-food-assistance-program-tefap

CSFP

The Commodity Supplemental Food Program (CSFP) works to improve the health of low-income elderly persons at least 60 years of age by supplementing their diets with nutritious USDA Foods. www.fns.usda.gov/csfp/commodity-supplemental-food-program-csfp

Federal Financial Assistance



A large public agency that accepts federal funding and commodities to run its CSFP, that also operates food pantries that are stocked and funded entirely by community donations or other funding, has to adhere to federal civil rights requirements.

Data Collection and Reporting



- All data collected must be kept secure and confidential and maintain all records for three years.
- CSFP regulations require annual reporting of participants' racial and ethnic data. Participants may self-declare racial/ethnic data. If a participant refuses to provide data they are to be advised that the information will be collected based on observation.
- Outreach efforts can be targeted to groups not adequately represented in program participation.

Civil Right Laws



Federal Law prohibits discrimination on the basis of protected classes:

- Race
- Color
- National origin
- Age
- Sex
- Disability
- Veterans Status



Civil Right Laws



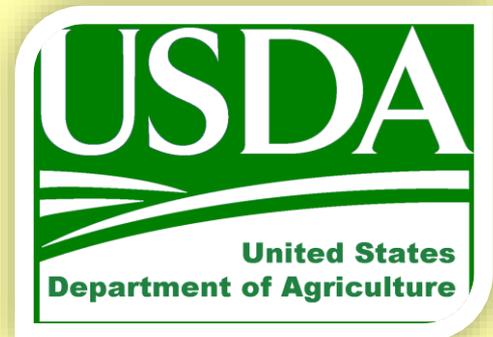
- Title VI –Civil Rights Act of 1964 (*Race, color, national origin*)
- Title IX of the Education Amendments of 1972 (*Sex*)
- Section 504 of the Rehabilitation Act of 1973 (*Disability*)
- Americans with Disabilities Act (*Disability*)
- Age Discrimination Act of 1975 (*Age*)
- Civil Rights Restoration Act of 1987 (*Race, color & national origin*)

Civil Rights Laws



The USDA prohibits discrimination in all programs & activities on the basis of :

- Race
- Color
- National origin
- Age
- Sex
- Disability
- Veterans
- Marital Status
- Family Status
- Parental Status
- Religion
- Sexual Orientation
- Genetic Information
- Political Beliefs
- Reprisal
- Income



Discrimination



Discrimination: “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 the protected classes.”

Types of Discrimination



- **Disparate Treatment**
- **Disparate Impact**
- **Retaliation**



Disparate Treatment



Disparate Treatment-
Intentionally treating someone differently because they belong to a protected class.



Disparate Treatment Example



The leader of a charitable organization, that makes large donations to the operation of a food pantry, requests the names of a food pantry's Somali participants so that they can be given special holiday baskets.



Disparate Impact



Disparate Impact-
Unfair practices and procedures that are unintentional.



Disparate Impact Example



In order to insure that there are interpreters available, a food pantry wants to mandate that all Russian speaking participants be served on the second Friday of each month.



Retaliation



Retaliation-

Negative treatment of an individual due to their prior civil rights activity or for cooperating with an investigation.



Retaliation Example



A participant receiving services has recently filed a discrimination claim against your program. Upon their arrival for their next scheduled appointment they are told that they are no longer allowed to receive services.



Public Notification



Public notification (also called “Outreach”) should:

- Not discrimination based on Federal Laws that protect Protected Classes.
- Reach underserved groups who may qualify for services using appropriate media.
- Provide information in different formats and languages to meet all levels of ability.
- Have materials, including websites, that contain the USDA non-discrimination statement.
- Messaging that conveys equal opportunity through photos and graphics in program-related information.

Non-Discrimination Statements



Full Statement

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write:

USDA, Director, Office SW, Washington, D.C. 20250-9410 or call (800)795-3272 or call (202)720-6382(TTY).USDA is an equal opportunity provider and employer."

Short Statement:

"This institution is an equal opportunity provider"

Mandatory Public Notification



The “And Justice for All” poster is available through the U.S.D.A. website. It details a person’s civil rights and how a person can file a civil rights complaint. It must be posted in a visible area of any agency that receives TEFAP or CSFP sponsored programs. For more information or copies in major primary languages go to: www.fns.usda.gov/cr/and-justice-all-posters

Equal Opportunity for Religious Organizations



Faith Based Organizations **CAN**:

- Receive federal funds to operate emergency feeding programs.
- Use space in their facilities without removing religious art or symbols.

Faith Based Organizations **CAN'T**:

- Discriminate against individuals on the basis of religion or religious beliefs.
- Use USDA funds or product for religious activities.
- Distribute religious information to clients.
- Make clients participate in a religious activity to receive assistance.

Equal Opportunity for Religious Organizations Discrimination Example



*As part of its meal service,
a soup kitchen requires a
prayer before the meal.*

Solutions



All programs that distribute TEFAP or CSFP are required to address needs related to:



Accessibility



Customer Services



Conflict Resolution



LEP

Accessibility



- Completing the intake and distribution in another area of the building that is accessible.
- Having an authorized representative/proxy pick up commodities for the person.
- Making home deliveries, or providing other accommodations.
- Talk with the client to see what might work best for their situation.



L.E.P

Limited English Proficiency



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

- All efforts must be made to service LEP individuals.
- Agencies can not require LEP individuals to provide their own interpreter to receive services.
- Children should not be used as interpreters.
- For more information or “I Speak Cards” go to:
www.lep.gov/ISpeakCards2004.pdf
- Contact your Monitoring Specialist at 614-317-9426 to receive our language translation services access phone number.



L.E.P Example



Some people come to the pantry and do not speak English. You cannot understand them and have no idea what language they are speaking.

You write a note to give to someone saying that they need to return with an interpreter.

Customer Service



- Welcome with a smile
- Explain policies
- Don't be afraid to apologize
- Don't feel you need to have the last word
- Be patient
- Be polite
- Avoid Sarcasm
- Be empathetic



Conflict Resolution



Have a written and posted policy for dealing with unacceptable behavior and conflicts.

Three Simple Rules

1. Remain calm with your posture and tone.
2. Try to explain your understanding of the situation.
3. Get help, especially if threats are made or if violence is possible.



Resources



Ohio Department of Job and Family Services
<http://jfs.ohio.gov/civilrights/index.stm>

“And Justice for All” poster
<http://www.fns.usda.gov/cr/and-justice-all-posters>

“I Speak Cards”
www.lep.gov/ISpeakCards2004.pdf