

United States Department of Agriculture

USDA Civil Rights Training

- Purpose: USDA Civil Rights Training
- Date: 2024

Every USDA agency **AND their staff/volunteers** must participate in this annual training to ensure they are aware of civil rights issues associated with a food program.

Civil Rights Training

Civil Rights Training Topics

Specific subject matter required, but not limited to;

- Assurances
- Purpose
- Civil Rights Mission Policy
- Requirements
- What are Civil Rights
- Concepts
- Protected classes
- Public notification
- Nondiscrimination statement
- Language assistance
- Reasonable accommodations for persons with a disability
- Complaint procedures
- Reprisal/Retaliation
- Conflict resolution
- Customer service

Civil Rights Training

- All levels of TEFAP administration must receive Civil Rights training, both staff and volunteers
- USDA representatives will train the food bank. The food bank must train the recipient/partner agencies and other “front-line” staff who interact with program applicants or recipients annually
- Maintain documents after training is performed (i.e. sign-in sheets of attendees, agenda, etc.)

Civil Rights Training

ASSURANCES

Agency Partners

To be accepted as a distributor of USDA (TEFAP)/CSFP, Agency Partners must have completed an application, accompanied by a written assurance that the Agency Partner's Distributions will be operated in compliance with all non-discrimination laws, regulations, instructions, policies, and guidelines.

These assurances are binding on the program applicant and its successors, transferees, and assignees, if they receive assistance or retain possession of any assistance from USDA.

All current USDA/CSFP Agency Partners have already signed agreements committing to uphold ALL NON-DISCRIMINATION laws, regulations, instructions, policies, and guidelines outlined in this training.

Civil Rights Training

PURPOSE

- Training is required so that individuals involved in all levels of administration of programs understand federal laws, regulations, instructions, policies and other guidance

CIVIL RIGHTS MISSION POLICY

- To provide guidance and direction for comprehensive immunity against discrimination in employment practices and administration of public programs
- To ensure that all eligible individuals who participate in TEFAP (USDA) or CSFP **are treated with dignity and respect**

Civil Rights Training

The Food Bank of East Alabama is responsible for compiling and distributing the Civil Rights training to all of our USDA/CSFP partners. This training is ongoing and should be used all year.

REQUIREMENTS

- Agency Partners are responsible for training ALL staff/volunteers on an annual basis
 - Includes “frontline staff” and those who supervise frontline staff
- New employees must receive Civil Rights training **before** participating in program activities
- Volunteers (if any) must also receive training appropriate for their roles and responsibilities

Civil Rights Training

What are Civil Rights?

- The rights of personal liberty **guaranteed** by the 13th and 14th Amendments of the Constitution and Acts of Congress
- Important:
 - Terms “**civil rights**” and “**equal employment opportunity (EEO)**” are **NOT** interchangeable

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CONCEPTS

Discrimination

- Different treatment which makes a distinction of one person or a group of persons from others, either intentionally, by neglect, or by action or lack of actions based on a **protected class**

Prejudice

- A set of rigid and unfavorable attitudes toward a particular group that is formed without considering facts

Stereotyping

- Preconceived beliefs or over simplified generalizations about a particular group

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Protected Classes

- Race
- Color
- National Origin
- Age
- Disability
- Sex
 - Including gender identity and sexual orientation

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Public Notification:

Elements

All agencies must include a public notification system to inform applicants, participants, and potentially-eligible persons of:

- **Program Availability**
 - Inform applicants, participants, and potentially eligible persons of their program rights and responsibilities and the steps necessary for participation
- **Complaint Information**
 - Advise applicants and participants at the service delivery point of their right to file a complaint, and the complaint procedures
- **Nondiscrimination Statement**

Agencies must make program information available to the public upon request.

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Public Notification:

Methods

- The **“And Justice for All”** poster **MUST** be prominently displayed at service delivery points (where easily seen by food recipients)
- Infrom applicants or participants of programs or changes in programs
- Directors/Main Points of Contact: If you do not have a copy of this poster, or need a new one, please contact the Food Bank. A new version with the updated verbiage will be released this year



All USDA Agencies will be provided with one after it has been received

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Public Notification:

Methods

- Provide information in alternative formats and languages as necessary
- Convey a message of equal opportunity in all photographic or pictorial program information
- Notify persons with disabilities about the availability of reasonable modifications and auxiliary aids and services
- Notify persons with limited English proficiency (LEP) of their right to free language assistance services
 - Assistance Tagline Translation | Food and Nutrition Service (usda.gov)

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Nondiscrimination Statement:

All new USDA Agencies established within the past year will already have the NDS information. **Those prior to 2023 should ensure they did indeed update to the NEW guidelines.**

You can find additional NDS translations here:

<https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>

Requirements

- *At a minimum*, the **FULL** version of the Nondiscrimination Statement must be on:
 - Application form(s)
 - Notification of eligibility or ineligibility
 - Notice of adverse action form
 - Program (home) webpage
 - Public information, including program literature
 - Complaint forms

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Nondiscrimination Statement

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, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at **(202) 720-2600 (voice and TTY)** or contact USDA through the Federal Relay Service at **(800) 877-8339**.

To file a program discrimination complaint, a complainant should complete a [Form AD 3027, USDA Program Discrimination Complaint Form](#) which can be obtained online at www.usda.gov/sites/default/files/documents/ad-3027.pdf or from any USDA office, by calling **(866) 632-9992**, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed [AD-3027](#) (PDF, 293 KB) form or letter must be submitted 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; or

fax: (833) 256-1665

email: program.intake@usda.gov

This institution is an equal opportunity provider.

Civil Rights Training

Nondiscrimination Statement—Spanish

Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo, edad, discapacidad, venganza o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles (no todos los principios de prohibición aplican a todos los programas).

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieran medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center del USDA al **(202) 720-2600** (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al **(800) 877-8339**.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario [AD 3027, Formulario de queja por discriminación del programa del USDA](http://www.usda.gov/sites/default/files/documents/ad-3027s.pdf) que se puede obtener en línea, en: www.usda.gov/sites/default/files/documents/ad-3027s.pdf de cualquier oficina del USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR, por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario [AD-3027](#) (PDF, 293 KB) completado debe enviarse al USDA por medio de:

correo postal:

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

fax: (833) 256-1665

correo electrónico: program.intake@usda.gov

Esta institución ofrece igualdad de oportunidades.

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Public Notification Nondiscrimination Statement:

Websites

- All information materials and sources, **including websites**, must contain a nondiscrimination statement
 - The statement is not required to be included on every page of the program website
 - At a minimum, **the nondiscrimination statement must be included on the home page** of the program information

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Nondiscrimination Statement:

Requirements

- **Shortened version of NDS can only be used in special circumstances:**
 - **English Version:**
 - “This institution is an equal opportunity provider”
 - **Spanish Version:**
 - “Esta institución es un proveedor de igualdad de oportunidades”

Prior approval is not necessary but recommended if not sure if it is appropriate to use the short statement.

Requests will be sent to the Regional FNS Civil Rights Officer for approval.

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Nondiscrimination Statement:

Requirements

- **The short form maybe used when only general information is being conveyed, such as:**
 - A document with only recipes that might be prepared with what the food bank provides
 - If you are advertising a special event that is not directly related to USDA benefits in any way

Prior approval is not necessary, but recommended if not sure if it is appropriate to use the short statement.

Requests will be sent to the Regional FNS Civil Rights Officer.

Civil Rights Training

Language Assistance

- State agencies, local agencies or other sub-recipients are required to provide access to TEFAP services to limited English proficient (LEP) persons and participants
- Take reasonable steps to assure language access is provided



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Language Assistance

- Who are persons with LEP?
Limited English proficient or LEP persons are individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English
- Recipients of Federal financial assistance must take reasonable steps to ensure “meaningful” access to their programs and activities by persons with LEP
- Failure to provide “meaningful” access to individuals with LEP could result in discrimination on the basis of national origin

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Language Assistance

Language services

- Applicants and participants cannot be asked to bring their own interpreters
- Children should not be used as interpreters
- If staff determine that the constituent is LEP, and if qualified bilingual staff are not available, ask the constituent to choose their preferred language assistance service and communicate with the constituent using this language service

Examples of language services:

- Bilingual staff
- Over-the-phone interpretation services
- In-person interpretation services
- Written translation services
- Community organizations

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Reasonable Accommodation/Communication Assistance for Persons with Disabilities

- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act of 1973
- 7CFR part 15b
 - Prohibits discrimination on the basis of disability in all services, programs, activities provided to the public by state and local governments. Reasonable accommodations must be provided that do not cause undue hardships



Civil Rights Training

Reasonable Accommodation/Communication Assistance for Persons with Disabilities

- Staff and volunteers have the responsibility to provide Reasonable Modifications and Communication Assistance to customers with disabilities to ensure equal opportunity to participate in TEFAP programs and activities
- If staff question the reasonability of a request, they must consult with their supervisor
- In all cases, if a request for a specific reasonable modification or auxiliary aid or service is denied, staff still must take steps to ensure the customer has an equal opportunity to participate in TEFAP programs and activities

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Reasonable Accommodation/Communication Assistance for Persons with Disabilities

- When a Reasonable Modification (RM) or Communication Assistance (CA) is requested, staff should consult with the customer to identify the type of modification or assistance that will ensure equal access for the customer
- This consultation is an interactive, collaborative and fact-specific process that involves an individualized analysis of the person's circumstances and request
- For example, if the customer indicates he/she has difficulty remembering information orally, staff can ask if having the oral information provided in a written format would assist the customer's memory

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Complaints are not common when Agencies adhere to guidelines, but can happen. **YOU MUST HAVE THIS INFORMATION POSTED** where it is easily accessible and able to be understood. You must retain FULL records and keep all documentation CONFIDENTIAL.

Civil Rights Complaint Process

- Agencies must visibly post complaint procedures that:
 - Notify participants of the option to file a complaint with the USDA
 - **Complaints may be written, verbal, or anonymous**
- Applicants and participant must file within 180 days of the alleged act of discrimination
 - Must forward complaints to the FNS Civil Rights Division within 5 working days of receipt regardless of complaint procedure utilized
 - Age complains are mediated before investigated
- Develop complaint forms (optional), but the use of such forms cannot be a pre-requisite for acceptance
- Maintain Civil Rights complaints in a log separated from other program complaints
- Confidentiality is extremely important and must be maintained

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Complaint Procedures

Complaints should include:

- Name, address, and telephone number of complainant
- The location and name of the organization or office
- The nature of the incident or action
- The names, titles, and business addresses of persons who may have knowledge of the discriminatory action
- The date(s) during which the alleged discriminatory actions occurred
- The basis for the alleged discrimination

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Civil Rights:

Reprisal/Retaliation

Retaliation/Reprisal means:

The act of intimidating, threatening, coercing, or unlawfully discriminating against any individual for filing a complaint, testifying, assisting, or participating in any manner in an investigating, proceeding or hearing or any other right or privilege secured by the Civil Rights statutes and regulations enforced by FNS.

Retaliation is prohibited under each of the Civil Rights laws that the Office of Civil Rights enforces.

Civil Rights Training

Conflict Resolution

What Steps do you need to take?

- Remain calm
- What is the problem? Using information provided, determine the issue
- Determine a solution. Know your organization's policy on handling situations and information needed to offer a solution
- Gain approval from the client. Check with the client for their approval on a solution
- Make an agreement. You and the client 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 client has been satisfied and provide feedback.

Civil Rights Training

The code of Quality Customer Service

- **Always:**
- Smile and Be Pleasant
- Treat Everyone with Respect and Courtesy
- Be Caring and Understanding
- Be a Good Listener
- Offer Assistance
- Serve Clients in A Timely Manner
- Apologize for Any Inconvenience
- Make Clients Feel Appreciated





IMPORTANT!!!



To GET CREDIT for having reviewed this and met the training requirement, you must return the form that your director received via email to enter your info and get credit for the training!