

**Civil Rights Training  
For  
TEFAP and CSFP (USDA Food)  
Programs**

**Updated  
September 2013**

# CIVIL RIGHTS and FOOD DISTRIBUTION

Civil Rights are the non-political rights of a citizen and are guaranteed by the 13<sup>th</sup> and 14<sup>th</sup> Amendments of the U.S. Constitution and Acts of Congress.

Organizations that accept Federal financial assistance must obey Federal civil rights laws, regulations, instructions, and guidance. USDA foods are considered Federal financial assistance per Civil Rights Instruction 113-1.

Organizations that receive USDA foods must demonstrate civil rights compliance. This includes an annual training requirement.

[FNS-USDA Civil Rights Regulations](http://www.fns.usda.gov/cr/crregulation.htm)

<http://www.fns.usda.gov/cr/crregulation.htm>

# GOALS OF CIVIL RIGHTS TRAINING

- Equal treatment for all applicants and beneficiaries.
- Provide knowledge of rights and responsibilities
- Elimination of illegal barriers that prevent or deter people from receiving benefits
- Promote dignity and respect for everyone.
- 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.

# ANNUAL TRAINING

- Knowledge of civil rights applies to most areas of food distribution programs.
- All food distribution staff and volunteers need to be aware of civil rights requirements.
- Training must be documented annually.

# CIVIL RIGHTS LAWS and Protected Classes

Title VI – Civil Rights Act of 1964	Race/Language
Civil Rights Restoration Act of 1987	Color
	National Origin
Title IX of the Education Amendments of 1972	Gender
Section 504 of the Rehabilitation Act of 1973	Disability
Americans with Disabilities Act	
Age Discrimination Act of 1975	Age
Title VII CFR 16.3	
Responsibilities of Participating Organizations	Religion
Programs statutes and regulations	All Classes

# TYPES OF DISCRIMINATION

- Disparate treatment - A person is intentionally discriminated against as a member of a protected class.
- Disparate impact – Actions that appears neutral but has an excessive impact on a protected class group.
- Reprisal/Retaliation – Negative treatment of a member of a protected class in response to previous civil rights activity. This includes actions against their family and/or their associates.

# EXAMPLES OF TYPES OF DISCRIMINATION

- Disparate treatment (Intentional): Members of other religious groups are denied service because their beliefs do not match the religious teachings of the organization that is distributing food.
- Disparate impact (Unintentional): A distribution site makes local immigrants wait until the end of the day for food because interpreters are not available until late afternoon. This creates a situation where food may be unavailable to a specific group.
- Reprisal/Retaliation: Family and friends of a participant are denied food after the participant filed a complaint against the agency over civil rights concerns.

# ELIGIBILITY REQUIREMENTS Are Not a Form of Discrimination

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.



# Sexual Harassment

- Sexual harassment is prohibited.
- Do not engage in or tolerate unwanted or unwelcome sexual behaviors, such as jokes, touching, requests for sexual favors, etc.
- Report violations to management, state, or federal officials.

# PUBLIC NOTIFICATION

- Public notification (also called “Outreach”) is a part of Civil Rights compliance.
- Discrimination based on race, color, national origin, age, sex, and disability is prohibited.
- Special efforts should be made to reach underserved groups who may qualify for services using appropriate media.
- Information should be provided in different formats and languages to meet all levels of ability.
- All materials, including websites, must contain the USDA non-discrimination statement.
- Convey the message of equal opportunity through photos and graphics in program-related information.

# NONDISCRIMINATION STATEMENT

- The “USDA Non-Discrimination Statement” must be included on all materials that mention USDA programs.
- There is both a “long’ and “short’ version.
- Font size for the long version can be smaller than the rest of the publication, but must be readable.

# NONDISCRIMINATION STATEMENT LONG VERSION

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

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

USDA is an equal opportunity provider and employer.”

# NONDISCRIMINATION STATEMENT SHORT VERSION

USDA is an equal opportunity provider and employer.”

May be used where the longer statement does not fit.

Must be in font size no smaller than font size used in rest of publication.

May not be used in place of long statement on clients’ rights documents .

# “And Justice for All” Poster

- Prominently display “And Justice For All” poster where participants can see it.
- This poster serves as a trademark indicating the site provides a USDA program without discrimination based on race, color, national origin, age, sex, or disability.
- Agencies can download and print from the FNS CR website [Printable USDA Civil Rights Poster](http://www.fns.usda.gov/cr/justice.htm)
  - <http://www.fns.usda.gov/cr/justice.htm>
- Preferable to print in 11”x 17” format

# COMPLAINTS

Everyone has the right to file a discrimination complaint.

All staff and volunteers need to know what to do if someone wants to file a complaint.

Be aware of the bases for which complaints may be filed: race, color, national origin, age, sex, and disability.

Never discourage anyone from filing a complaint or voicing concerns of discrimination.

# COMPLAINTS

## Part 2

In Michigan, complaints may also be sent to:

Regional Director, Civil Rights/EEO,  
USDA, Food and Nutrition Service,  
Midwest Region,  
77 W. Jackson Blvd., FL 20  
Chicago, IL 60604-3591  
or call 312-353-6657



# REASONABLE ACCOMMODATION OF PEOPLE WITH DISABILITIES

Handicap Accessible Facilities: This should include the parking lot, entrances, exits, hallways, elevators, restrooms, and Braille signage.

Assistance available for people with disabilities

Alternative arrangements available for service

Sign language interpreters

Allowing service animals at facility (required)

# LANGUAGE ASSISTANCE

Language-Based Outreach is important.

Limited English Proficiency (LEP): Lack of sufficient English skills creates a need to be served in another language to gain meaningful access to services.

Potential “National Origin” discrimination

Service must be provided, but there is some flexibility on methods used.

Volunteers may be used as interpreters and must maintain participant confidentiality. Children should not be used as interpreters.

Visit [Limited English Proficiency](http://www.lep.gov/) for more information.

<http://www.lep.gov/>

# FACTORS FOR PROVIDING LANGUAGE ASSISTANCE

Level of service provided is based on the following factors. Shortage of resources does not eliminate requirement except for cases of extreme hardship

Number of LEP persons served

Proportion of persons served or in eligible local population

Frequency of LEP persons' contact with program

Nature of program, activity, or service

Importance of program, activity, or service

Available resources and cost of services

# CONFLICT RESOLUTION

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

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

Try to remain calm.

Listen to concern if possible. Be empathetic.

Try to explain situation (rules, expectations).

Get help, especially if threats or if violence is possible.

Use alternative dispute resolution (ADR) techniques.

# CUSTOMER SERVICE

Treat everyone with dignity and respect and make people feel welcomed. Be patient and polite.

Make sure that the USDA foods participants receive equal treatment and service.

“Equal” does not mean “Identical”. For example, one participant receives corn, another receives green beans.

Do not do special favors for anyone that you are not prepared to provide for everyone.

Disabilities and Language needs are not considered “special favors” since they are required.

# Civil Rights Training Final Steps

Please complete the materials provided.

Be sure to sign the form to show that you received Civil Rights information as required.

Turn in all materials to the agency representative in charge of your training.

Talk to the Program Manager if you have questions about the information included in this presentation

Thank you for completing your Civil Rights training.