



# The Basics of Civil Rights



Volunteers and staff will work with a wide variety of people from different backgrounds. We ask you to treat each individual with the same dignity, kindness and respect that you would expect if you were in their shoes.

## Client confidentiality

Volunteers will have access to client records and stories. To protect the privacy and dignity of the people we serve, all information about a client is strictly confidential. Staff and volunteers should not share information they know about a client's situation with others, including other volunteers or authorities, unless provided with a court order or a subpoena signed by a judge.

As a staff person or volunteer of a program supported by the Oregon Food Bank Network, you must agree to provide equal and consistent treatment to all potentially eligible persons, applicants and beneficiaries (clients).

## Protection against discrimination:

Race	Age
Sex	Disability
National origin	Religion
Political affiliation	Military status
Familial status	Marital status
Sexual orientation/gender identity	

Discrimination based on any of these federal and state protected bases is prohibited. Types of discrimination include, but are not limited to:

### Differential Treatment:

I.e., refusal of service, using different eligibility criteria for certain clients, treating applicants differently based on protected class.

### Disparate Impact:

Discrimination that is not intentional, but has that effect. A rule, policy or practice may be neutral on its surface, but it may impact a protected class disproportionately.

## Best Practices

- Be aware of personal assumptions and do your best to keep them to yourself when working with clients.
- In general, try to accommodate special dietary needs (diabetes, food allergies, etc.) and religious requirements (Kosher or Halal foods).

- Be prepared to provide program information in alternate formats for people with disabilities (i.e., reading materials out loud for visually impaired, etc.).

### **Tips for Faith-based Organizations:**

- Proselytizing is not allowed.
- Be aware of actions/comments that could have a negative effect or create a barrier to service.
- Sharing information about religious programs is fine, but make sure the client understands they won't be excluded from food service if they don't participate (i.e. prayer service before meals).

### **Civil Rights Complaints**

Civil Rights complaints are characterized by the complainant verbalizing or submitting, in writing, a complaint that alleges they have been treated unfairly on the basis of a protected class.

- Everyone has the legal right to file a discrimination complaint without retaliation—agency staff cannot refuse to assist with a complaint or create barriers.
- Agency staff must be willing to assist in complaint resolution.
- Agencies must keep records of all complaints for a period of three years from the date of the resolution of the complaint
- Complainants have 180 days from the alleged discriminatory action to file a complaint.

### **Complaint Process**

Persons who wishes to make a complaint can call Oregon Department of Human Services (DHS) Hotline 1-800-442-5238 or complete a complaint form. Send completed complaint forms to DHS. Agencies must post Hotline tear-off sheets with their "And Justice For All" poster. Contact your RFB for additional tear-off sheets.

Once a complaint is made, DHS, or, if appropriate, the USDA Office of Civil Rights, will investigate the complaint, which will include a review and evaluation of the facts. All parties will be informed of the decision or action required for resolution. Complainants have the right to appeal the decision if they choose.

### **Complaint Form**

Every complaint should include the following:

- Name, address, and phone number (or other means of contact) of the person alleging discrimination;
- Location and name of organization accused of discrimination;
- Basis of alleged discrimination (age, race, etc.);  
Nature of incident that led person to allege discrimination.

*These are your legal responsibilities.* A complaint could become a lawsuit based on a claim of the violation of a person's civil rights.

### **Limited English Proficiency (LEP)**

Your program must have a plan to serve those with limited English proficiency. Primary factors to consider are:

- Number of LEP persons in your service area;
- Frequency with which LEP persons come in contact with the program;
- Importance of service provided by the program;
- Resources available to the recipient.

### **Develop an LEP Plan:**

Your plan should include strategies for providing translation of critical documents and interpretation through:

- Staff or volunteers;
- Contracts or informal community relationships;
- Language line.

All staff and volunteers need to be trained in the LEP plan and prepared to implement it. You must keep your plan on file: evaluate and update your plan periodically.

If you need assistance in creating an LEP plan you can contact your RFB for more information and/or visit [www.lep.gov](http://www.lep.gov).

### **Public Notification: Outreach**

All programs must have a public outreach plan to inform participants and potentially eligible persons of the program availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint. Outreach needs to reach all populations in your service area.

- Forms of communication: Brochures, bulletins, leaflets, letters, newspapers, radio/television announcements.
- All forms of communication must include the nondiscrimination statement (see back of this brochure).
- Provide appropriate translation of information in accordance with the program LEP Plan.
- Advise the public in the service area of program availability and eligibility standards.
- Display “And Justice For All” poster (form AD-475A) and Eligibility Questions poster in prominent areas.



### **Summary of Partner Agency requirements:**

#### **Your program must:**

1. Participate in mandatory annual civil rights training;
2. Have an outreach strategy in place that reaches all populations in your service area;
3. Maintain a file with samples of all outreach materials containing the nondiscrimination statement;
4. Have a Limited English Plan (LEP) in place that all staff and volunteers know about.
5. Post “And Justice For All” poster (form AD-475A) and information on how to make a complaint;
6. Forward all discrimination complaints to DHS complaint hotline and assist in follow-up;
7. Address/Acknowledge all complaints and assist complainant if necessary;
8. Maintain a file of all complaints received.