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# The Emergency Food Assistance Program Annual Civil Rights Training (TEFAP)



# Topics to be covered

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- Civil Rights Compliance
- Non Discrimination Statements
- Public Notification Systems
- Compliant Procedures
- Compliance Review Techniques
- Resolution of Noncompliance
- Reasonable Accommodations for persons with disabilities
- Requirements for Language Assistance
- Conflict Resolution
- Customer Service

# Civil Rights Compliance



## **\*Staff and Volunteers at all TEFAP eligible sites MUST receive Civil Rights Training\***

- All persons that directly deal with guests and/or handles confidential information is required to receive this training annually
- The Training Must Include the following topics:
  - “And Justice For All” Poster
  - Complaint Procedures
  - Limited English Proficiency (LEP)
  - Reasonable Accommodations for Disabled Persons
- Acceptance of “Federal financial assistance,” no matter how minimal, requires the recipient agency to assure compliance with Federal civil rights laws and requirements
  - This includes TEFAP – USDA Foods, funding and equipment

# What is Discrimination?



**Discrimination is defined as:  
Different treatment which makes a  
distinction of one person or group of persons  
from others; either intentionally, by neglect,  
or by the actions or lack of actions based  
on...**

## The 6 federally Protected Classes for TEFAP:

- ✓ Race
- ✓ Sex
- ✓ Color
- ✓ Age
- ✓ National Origin
- ✓ Disability

# Nondiscrimination Statement



- In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.
- Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.
- To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;

**Fax:** (202) 690-7442; or  
**E-mail:** [program.intake@usda.gov](mailto:program.intake@usda.gov)  
\*\*This institution is an equal opportunity provider.

# Elements of Public Notification



## State agencies and their sub-recipients must:

- Make program information available to the public upon request;
- Prominently display the “And Justice for All” poster;
- Inform potentially eligible persons, applicants, participants and grassroots organizations of programs or changes in programs;
- Convey the message of equal opportunity in all photos and other graphics that are used to provide program or program-related information;
- Provide appropriate information in alternative formats for persons with disabilities and in the appropriate language(s) for LEP persons.

# “And Justice For All” Poster



**\*\*Agencies MUST display in a prominent location for all to view**

**Poster reflects current Nondiscrimination Statement, new graphic, and updated complaint contact information.**

**It must be displayed when/where distributing TEFAP/USDA Foods.**

**Current copies are available by contacting your respective Agency Relations Coordinator.**

# Complaint Procedures



- Any person has the right to file a complaint within 180 days of the alleged discriminatory action.
- Ask the client or participant, if they need assistance in completing the form.
- Every effort should be made to have the complainant provide information found on the complaint form.
- Complaints may be written, verbal, or anonymous.
- If the person making the complaint does not want to put it in writing, the person receiving the complaint must complete a written report for them to the best of their ability.
- A Civil Rights Complaint Form is available in the FNS Instruction 113-1 of from the USDA website:  
[https://www.ascr.usda.gov/sites/default/files/Complain\\_combined\\_6\\_8\\_12\\_5\\_08\\_0.pdf](https://www.ascr.usda.gov/sites/default/files/Complain_combined_6_8_12_5_08_0.pdf)



# Complaint Procedures (cont.)



**Complaints may be sent directly to:**

**U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Ave. SW  
Washington, DC 20250-9410  
Toll Free (866) 632-9992 (Voice)**

**Individuals who are hearing impaired or have speech disabilities  
may contact USDA through the Federal Relay Service at: (800)  
877-8339**

# Complaints Process

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Complaints should include:

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

# Compliance Review



State Agency and Food Bank must conduct compliance reviews and ensure civil rights requirements are followed.



This may include observation, interviews, documentation review and other techniques



If agency is found to be non-compliant:

Agency must complete corrective action

Cease inappropriate actions

Institute appropriate procedures to ensure compliance



Failure or refusal to comply will result in loss of Federal assistance from all Federal sources

# Limited English Proficiency (LEP)



- Clients that speak little or no English must receive the same service as English speaking clients regardless of language or cultural barriers.
- People with Limited English Proficiency (LEP) need to be served in their language or provided free interpretation services
- Contact TEFAP Coordinator if interpretation services (CTS Language Link) are needed
- Volunteers may be used, if the volunteer can maintain the participant's confidentiality!
- When a guest brings a friend or relative for interpretation, the interpreter should be at least 18 years of age
- See [www.lep.gov](http://www.lep.gov) for resources and information

# American Disabilities Act (ADA)

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Public accommodations (businesses and non-profit organizations) must provide goods and services to people with disabilities on an equal basis with the rest of the public.

Check US Dept. of Justice, ADA Homepage for guidelines and specifics [www.ada.gov](http://www.ada.gov)

# Access for People with Disabilities

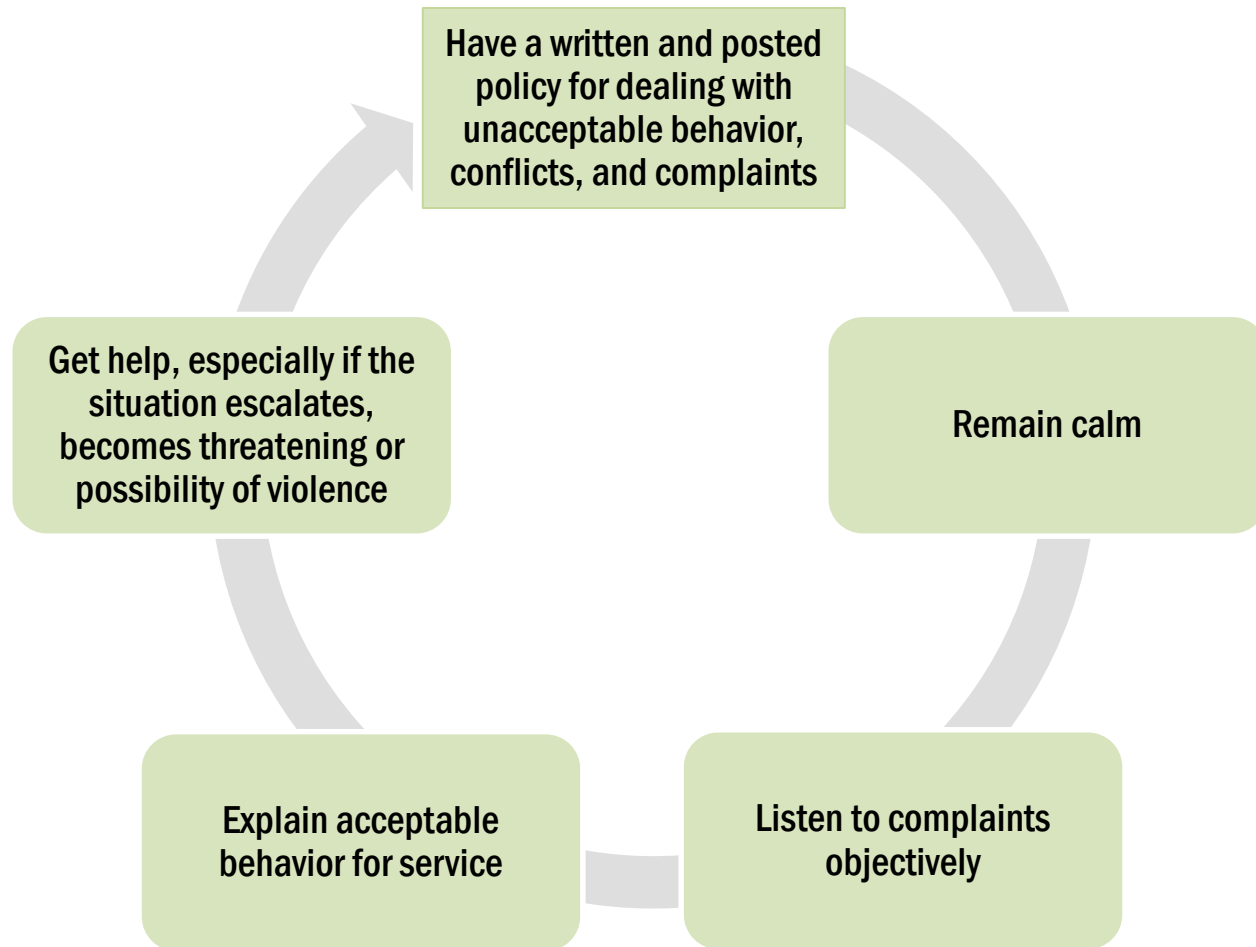
**Have ADA  
plan in place  
(or plan to  
assist)**

**Parking lot, entrances and  
exits, halls, elevators,  
restrooms, etc.**

**Sign language, interpreters,  
Braille signage, service  
animals**

**Alternative arrangements for  
service**

# Conflict Resolution



# Customer Service



## Remember the Golden Rule

- Be patient & polite
- Smile when appropriate – make people feel welcome and valued
- Be empathetic. Understand that people may not know the ‘rules’. They may feel uncomfortable asking for help.
- Avoid sarcasm
- Explain program policies and procedures
- An apology can go a long way, even if you don’t feel you’re at fault
- Avoid ‘having the last word’



# Contact Information

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New York State Office of General Services Food  
Distribution Empire State Plaza, Room  
120Albany, NY 12242

Phone: 518-474-5122

Fax: 518-486-5660

Email: [ogsdonatedfoods@ogs.ny.gov](mailto:ogsdonatedfoods@ogs.ny.gov)

Website: [www.ogs.ny.gov/BU/SS/GDF](http://www.ogs.ny.gov/BU/SS/GDF)

# Additional Resources

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- **General TEFAP Information:**  
[www.fns.usda.gov/fdd/programs/tefap](http://www.fns.usda.gov/fdd/programs/tefap)
- **Civil Rights Compliance Requirements**  
<http://www.fns.usda.gov/sites/default/files/113-1.pdf>
- **Limited English Proficiency (LEP):** [www.lep.gov](http://www.lep.gov)
- **ADA:** [www.ada.gov](http://www.ada.gov)

# Questions or Concerns

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