



October 11, 2017

TO: TEFAP Participating Agencies

FROM: Elizabeth Cervantes, Director of Agency Relations &
Product Acquisitions

SUBJECT: MANDATORY Civil Rights Training

The TEFAP Program now requires all TEFAP distributing agencies' frontline and non-frontline staff to be trained in Civil Rights before 12/1/17. **Signed documents need to be returned to the Food Bank by 12/1/17.**

TEFAP Regulation:

Each TEFAP distributing agency must have a notification system that includes informing applicants and clients, at the service delivery point, of their right to file or make a verbal complaint including an anonymous complaint. **At a minimum, this can be accomplished by posting the USDA Title VI "And Justice for All" non-discrimination poster displayed in a conspicuous location at all food pantries and meal programs. Please make sure you post the green "And Justice for All" poster during every TEFAP distribution in a location where clients can easily view the poster.** If you need a new "And Justice for All" poster, please visit the Agency Relations department.

Frontline Staff Definition: Staff and volunteers who regularly interact with TEFAP program applicants and participants, determine eligibility or handle personal client information. Staff or volunteers with management responsibilities for the administration of TEFAP are considered frontline staff even if they have minimal client contact.

Non-Frontline Staff Definition – Staff and volunteers, including minors, who do not handle personal information and who infrequently interact with program applicants, participants, or frontline staff.

Please note this means ALL frontline and non-frontlines staff regardless if they are a one-time volunteer or a regular volunteer must be trained in Civil Rights. The training is a checklist; see attached. Training for your staff and volunteers should occur during each individual's orientation prior to any contact with clients or their personal information and then be **repeated annually**. You must keep a copy of the signed training checklist on file for each person as proof of compliance. In accordance with TEFAP document retention regulations, all program related paperwork must be maintained for a minimum of three years plus the current year. **YOU MUST SEND COPIES OF YOUR SIGNED CIVIL RIGHTS TRAINING CHECKLISTS VIA EMAIL; SEE EMAIL**

ADDRESS BELOW. You may keep electronic copies of the Civil Rights checklists. Paper files not required. Please note that paper files of TEFAP reports, and sign-sheets are still required.

Completed Civil Rights Checklists should be sent to:

TEFAPcivilrights@lafoodbank.org

Checklist Instructions:

Each person is to indicate, with their initials, to the left of each bullet that they have read and understood the content. Upon completing the training, all frontline staff and volunteers must sign and date the bottom of the form.

The checklist is available in English, Spanish, Armenian, Korean, Vietnamese, and Traditional Chinese on the Food Bank's website. Attached find checklists in English.

<https://www.lafoodbank.org/agency-resources/agency-forms/efap-formsreports/>

The Food Bank HIGHLY ENCOURAGES you to submit your checklists before 11/3/17 due to the busy holiday season. The Food Bank must be in TEFAP compliance with this new TEFAP requirement by 12/31/17. This means all checklists must be submitted to the Food Bank by 12/1/17 for processing. If we do not receive your checklists by 12/1/17 your account will be placed on hold until the forms are received.

Enclosed also find information you may find helpful when reviewing the checklists with your team members.

A new TEFAP Agreement will be sent to you shortly for your review and signature.

Please contact Betty Jimenez, TEFAP Specialist, ASAP with questions. Betty can be reached at (323) 234-3030 ext. 133, ***bjimenez@lafoodbank.org***

Clarification on Frontline and Non-Frontline Staff/Volunteers Civil Rights Training Checklist

Goals of Civil Rights – Self Explanatory

Types of discrimination – Self Explanatory

Exceptions – Self Explanatory

When do Civil Rights Apply? – Applies to the Los Angeles Regional Food Bank and all TEFAP participating agencies since we receive federal financial assistance in the form of TEFAP commodities.

Legal Prohibitions – An ERA refers to the Food Bank. A sub site refers to a Food Bank partner agency that distributes TEFAP commodities.

Federal Protected Class – Self Explanatory

Filing a Federal Civil Rights Complaint – If a food recipient states that they feel they have been discriminated against based on one or more federal protected classes, refer the person to the website listed on the checklist for further information and to obtain a complaint form. Advise them that they can also submit a letter and send via email, fax or regular U.S. mail. Reference information is listed including a telephone number.

Maintain Confidentiality – Self Explanatory

Cooperate with State and Federal Reviewers – Self Explanatory

Eligible Recipient Agencies must take Action – Agencies should contact the Food Bank if they receive a complaint regarding a program, a vendor or a civil rights complaint. The Food Bank will process the complaint according to FNS 113-1 regulations. A copy of the FNS 113-1 document is available on the food bank's website, see link below. When contacting the Food Bank with a complaint please have the following information available.

- 1) Name, address, and telephone number or other means of contacting the complainant,
- 2) The specific location and name of the State agency, local agency, or other subrecipient delivering the service or benefit,
- 3) The nature of the incident or action that led the complainant to feel discrimination was a factor, and an example of the method of administration that is having a disparate effect on the public, potential eligible persons, applicants, or participants,

- 4) The basis on which the complainant believes discrimination exists. The bases for nondiscrimination are race, color, national origin, age, disability or sex. The FSP and FDPIR also prohibit discrimination on the basis of religion and political beliefs,
- 5) The names, telephone numbers, titles, and business or personal addresses of persons who may have knowledge of the alleged discriminatory action, and
- 6) The date(s) during which the alleged discriminatory actions occurred or, if continuing, the duration of such actions.

FNS 113-1 can be found at:

<https://www.lafoodbank.org/agency-resources/agency-forms/efap-formsreports/>

Corrective Action for Non-Complying Agencies – Self Explanatory

People with Disabilities – The ADA defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity. This includes people who have a record of such an impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded as having a disability. Agencies should make reasonable accommodations for persons with disabilities whenever possible.

Rights for People with Disabilities – Provide/Use the telephone number listed to assist persons who are deaf, hard of hearing or have speech disabilities.

Limited English Proficiency – When possible have volunteers or staff persons who can interpret for persons with limited English proficiency. You may also use Google Translate to assist with translations <https://translate.google.com/> The TEFAP forms are available on the Food Bank's website in five languages for your use.

Sexual harassment is prohibited – Self Explanatory

Response to Conflict/Emergencies – Self Explanatory