

# Volunteer Civil Rights Training for TEFAP Distribution Sites in Vermont

Discrimination occurs when an individual's civil rights are denied or interfered with because of their membership in a particular group or class. **Federal law prohibits agencies distributing TEFAP from discriminating against any person based on race, color, national origin, sex (including gender identity and sexual orientation), age or disability. Vermont law prohibits discrimination based on all the previously listed federally protected bases, religion, and marital/civil union status.**

## These are all prohibited forms of discrimination:

• **Disparate Treatment** is when a person is intentionally discriminated against as a member of a protected class.

*Example: Members of religious groups are denied service because their beliefs do not match the religious teachings of the organization that is distributing food.*

• **Disparate Impact** is when actions that appear neutral have a negative impact on a protected class.

*Example: A distribution site makes the Russian-speaking clients wait until the end of the day for food because interpreters are not available until late after noon. This creates a situation where coveted food items may be unavailable to a specific group.*

• **Retaliation** is the 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.

*Example: Family and friends of a client are denied food after the client filed a complaint against the agency.*

## When Someone Files a Complaint:

Everyone has a right to file a complaint of discrimination. A person filing a complaint may complain directly to the USDA using the contact information found on the USDA Nondiscrimination statement (see reverse). However, a person might also complain directly to your agency. If this occurs, your agency should do the following:

1. Document the complaint;
2. Attempt to resolve the issue;
3. Provide the person filing the complaint with the USDA contact information so that they can elevate the complaint if they feel that it was not resolved in a satisfactory way.

Complaints related to the state-protected bases of religion and marital/civil union status should be sent to the Vermont Agency of Education's legal team.

Applicants and recipients may also choose to send their complaints to the Vermont Foodbank by emailing [csugarman@vtfoodbank.org](mailto:csugarman@vtfoodbank.org) or calling 802-477-4106.

In order to minimize the risk of a civil rights discrimination complaint, ask yourself the following questions each time an applicant and/or participant comes to your program:

- Am I treating this person in the same manner as I treat others?
- Have I informed this person exactly what information I need to make a determination on the application?
- Have I given this person the opportunity to clarify all relevant factors or inconsistencies?
- Have I provided this person with the information he or she needs to make necessary decisions?
- Am I treating others as I would wish to be treated?

### Equal Access

Accommodations must be made to persons with disabilities. Please assist clients with disabilities to ensure that they are able to access food. Proxies are allowed to pickup for clients that are unable to come in themselves.

### Language Assistance:

If a client speaks only a language other than English, please work with them as much as possible to convey your message. Language is a subset of national origin, which is a protected base. The Vermont TEFAP statement of eligibility is available in English and Spanish.

You may use the USDA "I speak..." handout to help the client communicate which language(s) they speak. If you need assistance helping a client who does not speak English, please the Vermont Foodbank at 1-800-585-2265.

*The following text is the USDA nondiscrimination statement, which must appear on all printed program materials. This statement advises applicants and participants of their rights, and advises them on how to file a claim if they feel they have been discriminated against.*

### USDA Nondiscrimination Statement

In accordance with federal civil rights 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 (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, 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: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, 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 form or letter must be submitted to USDA by:

1. mail:  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
2. fax:  
(833) 256-1665 or (202) 690-7442; or
3. email:  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.