Standard Operating Procedure (SOP) for Handling Civil Rights Complaints for CSFP and TEFAP Partners (Local Agencies and Food Banks) and OKDHS/FDU

This SOP explains the actions required when a Civil Rights-related complaint is made a) at a local CSFP or TEFAP site, b) at or to a partner Food Bank, and/or c) to OKDHS/FDU

First, what is a Civil Rights Complaint?

A person may make a Civil Rights complaint if they believe they were discriminated against (or treated differently than others) based on: *race, color, national origin, religion, sex, 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*.

Complaints may be made verbally or in writing (by phone, email, etc.), and they can be anonymous (anonymous complaints should be handled like any other complaint).

Complaints must be filed within 180 days from the alleged date of discrimination (timeframes must be adhered to), *unless* the allegation is age discrimination, which changes the timeframe to 30 days.

It should be noted that not all complaints are Civil Rights-related. General complaints, such as a pantry guest not liking a food item in their food basket, would not be considered a Civil Rights complaint. However, if a pantry guest alleges they received a smaller amount of food than other households of the same size because they belong to one of the protected classes (see italicized section above), that is a potential discrimination complaint.

SOP for Handling Civil Rights Complaints:

1. If a local CSFP/TEFAP Partner or a Food Bank Staff Member receives a Civil Rights-related complaint, they must inform the complainant how to report the complaint to USDA. Refer the complainant to the USDA Civil Rights Office's contact information (address, fax number, and email address) on the "And Justice for All" poster. This same contact information can be found on the Uniform TEFAP Intake Form and the CSFP Application, as well as on the USDA website

2. Local CSFP/TEFAP agencies should notify their respective Food Bank partner about all Civil Rights complaints.
3. The Food Banks should make OKDHS/FDU aware of any Civil Rights complaints (made at the local level or with the Food Bank).
4. *When a Civil Rights-related complaint is made to either a local partner or to a Food Bank, that entity is responsible for forwarding the complaint to USDA's Office of Civil Rights*. The person submitting the information to USDA's Office of Civil Rights may not have all of the details about the complaint or the alleged incident(s), but the matter should still be forwarded to USDA Office of Civil Rights.
5. OKDHS/FDU will also notify USDA's Office of Civil Rights about the complaint and await further instruction. OKDHS/FDU will notify the OKDHS Office of Civil Rights about the complaint as well.
6. If a formal complaint is made with USDA's Office of Civil Rights, a representative from that office may conduct the investigation, or USDA may ask OKDHS/FDU or OKDHS Office of Civil Rights to investigate.
7. The entity that is the subject of the complaint (a local partner, Food Bank, and/or the FDU) shall cooperate and provide the investigator with any requested documentation or statements regarding the complaint. The investigator may visit the location where the alleged incident(s) took place and may also need to interview witnesses and/or other interested parties.

Things to remember:

- Never discourage groups or individuals from filing a complaint or from reporting a potentially discriminatory situation
- Not all complaints are Civil Rights in nature – general complaints do not need to be reported to USDA's Office of Civil Rights.
- Remain calm, be mindful of body language and tone of voice, and be helpful, even if you do not agree with the person making the complaint – provide them with the information to make the complaint if they so choose to do so, and offer to help them report the complaint if they need assistance
- If a guest is being verbally or physically aggressive towards other guests or to staff/volunteers, a partner agency can ask the guest to leave and the partner agency can call law enforcement if necessary.