

# **POLICY AND NOTICE OF NON-DISCRIMINATION**

## **Equal Opportunity and Commitment to Diversity**

**The Center for Rural Development (The Center), all Center Programs, and subsidiaries of The Center** provide equal opportunities to all employees and applicants for employment and all external-facing programs and activities (non-employment) without regard to race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Equal opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training for all outward facing programs.

As a recipient of federal financial assistance The Center is committed to ensuring persons of all protected classes have access to our programs, facilities, and employment. The Center strives to be in compliance with the civil rights laws prohibiting discrimination within the workplace (employment) and extends the effort to recipients of external-facing programs and activities (non-employment).

This notice and our related policies are in accordance with federal and state laws and regulations **prohibiting discrimination and harassment**. Laws include, but are not limited to:

- Title VII of the Civil Rights act of 1964 as amended by the Equal Employment Opportunity Act of 1972, makes it illegal to discriminate against someone because of race, color, religion, national origin including Limited English Proficiency (LEP), or sex. This law also protects employees against retaliation for going forward with a claim regarding discrimination in the workplace.
- The Pregnancy Discrimination Act. This amendment to Title VII expands the protections regarding “sex” to include prohibiting sex discrimination on the basis of pregnancy, childbirth and/or a medical condition related to pregnancy or childbirth.
- The Equal Pay Act of 1963 (EPA), prohibits sex-based wage discrimination between men and women who perform equal work in the same workplace.
- Title IX of the Education Amendments of 1972, prohibits discrimination based on sex in education programs or activities.
- Section 503 and 504 of the Rehabilitation Act of 1973, prohibits discrimination based on disability.
- Age Discrimination Act of 1975 and its amendments provided in the Older Workers Benefit Protection Act of 1990, prohibits discrimination based on age.
- Title I of the Americans with Disabilities Act of 1990 (AD), makes it illegal to discriminate against a qualified person with a disability from employment or during employment.
- Vietnam Era Veterans Readjustment Assistance Act of 1974.
- U.S. Department of Homeland Security regulation 6 C.F.R. Part 19 prohibits discrimination based on religion in social service programs.

These laws are also the basis of how the Equal Employment Opportunity Commission (EEOC) enforces discrimination in the workplace. Court law interpretation and amendments to these laws are evolving.

Many of the state laws currently in place are similar in nature to federal civil rights laws, but may offer additional protections against employment-related discrimination. Almost all states have adopted discrimination laws related to employment, with protection against discrimination based on various factors, such as race, gender, age, marital status, national origin, religion, or disability. If a state does not explicitly state their employment protections against discrimination, the individual who is reporting the discrimination would refer to federal law regarding the type of discrimination in question.

The Center expressly prohibits any form of unlawful harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties and/or students of programs presented by The Center and subsidiaries to actively participate is not tolerated. Programs of subsidiaries include, but are not limited to, The Rural Domestic Preparedness Consortium (RDPC).

The Center will endeavor to make a reasonable accommodation of an otherwise qualified applicant, employee, or student related to an individual's physical or mental disability, sincerely held religious beliefs and practices, and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon The Center's business operations.

**Employees, students, applicants, and other members of The Center's communities (including but not limited to vendors, visitors, and guests) may not be harassed or subjected to any discrimination that is prohibited by law or retaliated against (collectively called "prohibited conduct") based upon a protected characteristic listed within this notice.**

Any persons with questions or concerns about equal opportunities provided by The Center and subsidiaries are encouraged to bring these issues to the **attention of the assigned Center Staff listed in the Contact Section of this Document as well as the following Documents:**

- **Discrimination/Harassment Complaint Procedure**
- **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

*The Center's Notices, Policies and Forms are posted in Program Materials, The Center for Rural Development's main office, and on The Center's Website [www.centertech.com](http://www.centertech.com)*

The organization will not allow any form of retaliation against individuals who raise issues of equal opportunity throughout the community The Center serves.

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes, but is not limited to:

- (1) Shunning and avoiding an individual who reports harassment, discrimination, or retaliation.

- (2) Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; *or*
- (3) Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demotion, denial of promotion, unjustified negative evaluations, increased surveillance, harassment, and assault.

In the event any individual is subjected to such retaliation, that individual should bring it to the **attention of the President and CEO who will then take all appropriate measures.**

### **NON-DISCRIMINATION STATEMENT**

No individual will be excluded from participation in, be denied the benefit of, or be discriminated against under any system-wide program or activity.

### **NOTICE OF NON-DISCRIMINATION**

The Center's Notice of Non-discrimination is posted in The Center for Rural Development's main office, on The Center's Website and on The Center for Rural Development's Subsidiary Websites (e.g. Rural Domestic Preparedness Consortium).

### **ACCOMMODATIONS**

The Center will endeavor to make a reasonable accommodation of an otherwise qualified applicant, employee, student, or participant of Center Programs related to an individual's physical or mental disability, sincerely held religious beliefs and practices, and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon The Center's business operations.

### **LIMITED ENGLISH PROFICIENCY (LEP)**

The Center makes every effort to take reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful and equal access to their services. A person who has LEP is a person who does not speak English as their primary language and has a limited ability to read, write, speak, or understand English. Even if a person speaks or understands some English, they can still be considered LEP and should not experience discrimination. Under the Americans with Disabilities Act (ADA) people who are Deaf or hearing impaired are also entitled to be provided with language assistance to ensure effective communication and equal access to services.

As a recipient of Federal Financial Assistance, The Center follows the comprehensive Department of Homeland Security (DHS) Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons.

As part of the orientation, training for outward facing programs focus on language access requirements including LEP policies and procedures (e.g. "I Speak" language Identification Guides) and how to work effectively with contractual third-party assistance for in-person and telephone interpreters. Ongoing training include studies of the U.S. Department of Justice series of videos that focus on communicating effectively with individuals with limited English proficiency in various contexts.

The Center and subsidiaries select the type of language services that make the most sense for the programs, given the following considerations:

- The proportion of their clients who may be considered LEP
- The likely frequency of contact with people who are LEP
- The nature, importance and urgency of the programs or services
- The language resource available in the area and related costs.

Based on careful consideration of these four factors, The Center seeks to strike a balance between providing effective and timely access to their programs or services and respecting the choices of LEP persons. Generally, the most common choice is to seek a third-party interpreter service when necessary.

## **508 COMPLIANCE**

Section 508 is an amendment to the United States Workforce Rehabilitation Act of 1973, a federal law mandating that all electronic and information technology developed, procured, maintained, or used by the federal government be accessible to people with disabilities. This amendment applies, but is not limited to the development and maintenance of websites and web-based training courses, as well as instructor-led, mobile, and virtual courses.

## **CONTACTS**

### **COMPLAINTS FOR EMPLOYEES (EMPLOYMENT)**

Employees of The Center may file a complaint directly to their immediate supervisor, department manager, the HR department, or the President and CEO.

### **COMPLAINTS FOR EXTERNAL FACING PROGRAMS (NON-EMPLOYMENT)**

The following persons have been designated to process inquiries and complaints for The Center's external-facing programs.

Debbie Quillen, Controller [dquillen@centertech.com](mailto:dquillen@centertech.com)  
(606) 677-6000

Lonnie Lawson, President & CEO [llawson@centertech.com](mailto:llawson@centertech.com)  
(606) 677-6000

The Center for Rural Development  
2292 South Highway 27  
Suite 300  
Somerset, KY 42501

Telephone: (606) 677-6000  
Website: [Centertech.com](http://Centertech.com)

Both the Controller and President and CEO of The Center for Rural Development are responsible for ensuring that programs and services comply with federal nondiscrimination laws.

Directors of programs as subsidiaries of The Center are aware of the responsibilities held with individual programs (e.g. Director of RDPC ruraltraining.com).

Individuals who believe they have suffered discrimination under The Center's programs, may contact **Debbie Quillen, Controller**, [dquillen@centertech.com](mailto:dquillen@centertech.com) or (606) 677-6000. **or fill out the online complaint form.**

**U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES (CRCL):**

If you believe your rights or the rights of someone else have been violated, you can also file a civil rights complaint with the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL):

E-mail: CRCL Compliance [@hq.dhs.gov](mailto:@hq.dhs.gov) (fastest method to submit your complaint).

Fax: (202)-401-4708

U.S. Mail:

U.S. Department of Homeland Security  
Office for Civil Rights and Civil Liberties Compliance Branch,  
Mail Stop #0190  
2707 Martin Luther King, Jr. Ave., SE  
Washington, D.C. 20528

For additional information: [www.dhs.gov/crcl](http://www.dhs.gov/crcl)

Phone: (202)-401-1474 Toll Free: 1-866-644-8360

Complaints may also be filed with the U.S. Department of Education Office for Civil Rights or the Equal Employment Opportunity Commission.