

# **RACINE KENOSHA COMMUNITY ACTION AGENCY, INC.**

2113 North Wisconsin Street, Racine, WI 53402  
Phone: (262) 637-8377

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Phone: (262) 657-0840

[www.rkcaa.org](http://www.rkcaa.org)

## Racine Kenosha Community Action Agency, Inc. AA Plan Dissemination

The Racine Kenosha Community Action Agency, Inc. Affirmative Action Plan will be made known by the following:

- Copies of the Affirmative Action Plan are posted at each location, where is accessible to all employees and program participants
- Equal Opportunity and affirmative action issues will be addressed at our bi-weekly manager meeting, should any arise. The EEO Coordinator will address issues sooner if needed.
- All postings for employment will include the statement, "RKCAA is an EO/AA Employer."
- All employees will have access to the Affirmative Action Plan for review through our agency Intranet. However, a copy of the plan may be obtained on request from the Equal Employment Opportunity Coordinator, Gary Cotton



## **RACINE/KENOSHA COMMUNITY ACTION AGENCY**

### **EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATION ACTION**

The Racine/Kenosha Community Action Agency, Inc. (R/K CAA) is in compliance with the Civil Rights Policy and all applicable state and federal statutes relating to nondiscrimination in employment and service delivery. No otherwise qualified person shall be excluded from employment in any manner on the basis of race, age, religion, color, sex, national origin or ancestry, disability, physical condition, development disability ( as defined in S.51.01.(5), arrest or conviction received (in keeping with S.111.32), sexual orientation, or marital status. All employees are expected to support our goals and programmatic activities relating to nondiscrimination.

### **EQUAL OPPORTUNITY IN SERVICE DELIVERY**

#### POLICY

The R/K CAA is committed to providing equal opportunity in service delivery. Equal opportunity requires that no otherwise qualified person, based on protected status, shall be excluded from the participation in, or be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from assistance through the R/K CAA. Under civil rights laws, executive orders, rules and regulation, protected status means race, age, religion, color, sex, national origin or ancestry, disability, arrest or conviction records, sexual orientation, or marital status.

We, as a service provider, receiving funds from the Division shall operate each program or activity so that the program or activity, when viewed in its entirety, is accessible to clients regardless of their protected status.

We ensure opportunity in all programs, services, or activities, including, but not limited to, program eligibility, treatment by staff, communication of program information, access to facilities, assignment of clients to staff within a program, outreach, intake and admissions, assignment to facilities or referrals to other services, assessment/diagnosis/evaluation and treatment, disciplinary actions and terminations from programs. Communication of program services include sharing information in the appropriate language for non-English or limited English-speaking persons and the appropriate medium for persons with hearing or vision impediments (Note: Program accessibility may be require physical accessibility.)



## **DISSEMINATION OF THE EQUAL EMPLOYMENT OPPORTUNITY POLICY**

The R/K CAA disseminates its Equal Opportunity Policy by the following means:

### INTERNAL

1. The Policy is included in our operating policy manual and permanently posted on major bulletin boards where it may be viewed by both employees and applicants.
2. Periodically, the Policy is reviewed with executive, managerial and supervisory personnel, along with instruction on the laws and regulations concerning Equal Employment Opportunity and Affirmative Action.
3. New employees are informed of the Policy as part of our orientation program.
4. The "Equal Employment Opportunity is the Law" poster is permanently and prominently displayed in a high volume traffic area.
5. The Wisconsin Fair Employment Act poster is permanently and prominently displayed.
6. The Affirmative Action Program is communicated to all employees in policy statements, which are posted, and annually in employee and client communications.

### EXTERNAL

1. Annually, all recruiting sources are informed verbally and in writing of our request that they actively recruit and refer minorities and women for all positions listed.
2. Other potential recruiting resources such as minority and women's organizations, community agencies, community leaders, Department of Vocational Rehabilitation (DVR), secondary schools, and colleges are, or will be, notified in writing of our Policy when these are used.
3. Prospective employees are made aware of the existence of our Affirmative Action Program and Policy on visual displays located in the applicant reception area.
4. All help-wanted advertising contains the phrase, "Equal Opportunity Employer."

### GENERAL

Our policy is publicized in English and a reader will be furnished to persons who are visually impaired, or who speak a language other than English, when feasible.

## **IDENTIFICATION OF PROGRAM RESPONSIBILITIES**

Gary Cotton, Human Resource Director, has overall responsibility for the implementation of the Affirmative Action/Equal Employment Opportunity Program.

### EEO COORDINATOR'S RESPONSIBILITIES

Gary Cotton, Human Resource Director, serves as the EEO Coordinator with responsibility for the following:

1. Preparation and presentation of the Affirmative Action/Equal Employment Opportunity Program;
2. Developing policy statements and recommending policies and programs to execute the Program;
3. Dissemination of Equal Opportunity information to agency staff, grantees/vendors, beneficiaries and interested parties;
4. Resolving complaints and discrimination;
5. Identifying problems and assisting management in problem resolution;
6. Implementing all audit and reporting systems designed to measure the effectiveness of the Program and reviewing program results with management (i.e., work force analysis);
7. Serving as liaison between the organization and compliance agencies and other relevant community organizations as necessary;
8. Keeping management informed of the latest developments in Equal Employment Opportunity; and
9. Ensuring that all technical phases of compliance are met.

### MANAGEMENT RESPONSIBILITIES

The responsibilities of management include assisting in the development and implementation of the Affirmative Action/Equal Employment Opportunity Program in order to meet the Program's goals and objectives. Managers are responsible for ensuring that all selection decisions and the application of personnel policies and practices are consistent with the Equal Employment Opportunity Policy.

Supervisors understand that they are to implement the objectives of the Affirmative Action/ Equal Employment Opportunity Program and prohibit the harassment of any employee placed through Affirmative Action efforts.



## HUMAN RESOURCE DEPARTMENT RESPONSIBILITIES

1. The Human Resource Department will work closely with recruiting contacts which include minority and female organizations to identify and secure a representative mix of applicants for all positions. Assistance will also be sought from organizations which serve persons with disabilities.
2. Furthermore, the Human Resource Department will maintain all relevant personnel data necessary to monitor the Affirmative Action Program including, but not limited to, applicant flow, offers, hires, promotions, transfers, demotions, training program participation, terminations, layoffs, and recalls.
3. The Human Resource Department will review all existing job descriptions and specifications for job-relatedness and consistency with the applicable EEO regulations.

## STAFF RESPONSIBILITIES

All staff, who have direct contact with clients or potential clients, have a responsibility to apply all agency rules equitably and to treat each individual fairly with regard to his/her protected status.

The responsibilities of management and supervisors also include assisting in the development and implementation of the Equal Opportunity in Service Delivery Program in order to meet the Program's goal and objectives.

Managers and supervisors are responsible for the ongoing monitoring of services delivered to ensure equal opportunity in service delivery.

## **POLICY/PROCEDURE ON INTERPRETERS OR TRANSLATORS**

It is the policy of the R/K CAA to provide services and information on services to the public in a medium that assists individuals in accessing, participating in, and benefiting for the services.

This policy means:

- a. Information on each program service shall be available in writing, including large print. Information shall also be available in languages other than English. In our service area, we will translate Program information, such as Program brochures or flyers, into Spanish. This is the major non-English language spoken in the service area. Periodically, we will assess the need for materials in other languages.
- b. An individual is entitled to a qualified interpreter or qualified translator at the time of applying for service, in the receipt of the service, or in processing a complaint or appeal.

Interpreters or translators used by a client in applying for services, in the receipt of the service, or in the processing of a complaint or appeal, can be qualified staff, qualified audit volunteers, or qualified contracted personnel.

Translators used in the actual provision of services or in client complaint conference or hearing must be staff, volunteers or contracted personnel, who are qualified and sensitive to the linguistic and cultural perspectives of the client, interpreters for the hearing-impaired must be OHI or RID certified sign language interpreters.

In order to implement this policy, our organization will take the following steps:

1. Develop a list of individuals who are certified in Sign-Language.
2. We also use the Warshafsky Deck "I Speak" Cards to help us determine the participant's language, when it is in question
3. Advise people, in Program brochures, flyers, and signs at the receptionist's desk of the availability of materials in other media or in languages other than English. Advise new Program applicants or participants of the availability of translators or interpreters.
4. Check the reading level of all Program brochures, flyers, posters, and other materials describing programs. Whenever possible, develop descriptions using 5<sup>th</sup> to 6<sup>th</sup> grade reading levels.

### **UTILIZATION OF PROTECTED GROUP PERSONS IN SERVICE ANALYSIS**

In recognition of the value of consulting with individuals representative of those covered by laws and regulations prohibiting discrimination, we have utilized the following persons in the development and review of our Equal Opportunity in Service Delivery Program:

<u>NAME</u>	<u>PROTECTED GROUP STATUS</u>	<u>ROLE ACTIVITY</u>
Denise Freeman	Minority/Female	Consultant
Margaret Marquez	Minority/Female Bi-Lingual	Consultant
Michael D. Shields	Minority/Male	Consultant



## UTILIZATION OF PROTECTED GROUP PERSONS IN EMPLOYMENT ANALYSES

In recognition of the value of consulting with persons representative of those covered by laws and regulations prohibiting discrimination, we have utilized the following persons in the development and review of our Affirmative Action Program and other employment-related policies and programs:

<u>NAME</u>	<u>PROTECTED GROUP STATUS</u>	<u>ROLE ACTIVITY</u>
Zeke Leo	Minority/Male Bi-Lingual	Analyst
David Johnson, Sr.	Minority/Male	Analyst
Ana Martinez	Minority/Female Bi-Lingual	Analyst

### COMPLAINT PROCESS FOR EMPLOYMENT

Any employee or applicant can file a complaint if the person feels that he/she was discriminated against in employment on the basis of age, race, religion, color, disability, sex, national origin, ancestry, sexual orientation, arrest or conviction record, or marital status.

#### PROCESS FOR FILING A COMPLAINT

1. Dept. of Workforce Development  
Division of Equal Rights & Standards  
1 South Pickney  
P.O. Box 8928  
Madison, WI 53708-8928
  
2. U.S Equal Employment Opportunity Commission  
310 West Wisconsin Avenue, Suite 800  
Milwaukee, WI 53203-2292
  
3. Department of Administration  
Office of Contract Compliance  
101 E. Wilson Street, 6<sup>th</sup> Floor  
P.O. Box 7867  
Madison, WI 53707-7867
  
4. U.S Department of Labor  
Office of Contract Compliance  
310 West Wisconsin Avenue, Suite 1115  
Milwaukee, WI 53203

A complaint may also be filed for investigation within or internal complaint procedures. Our procedure is described in this document.

## COMPLAINT PROCESS FOR SERVICE DELIVERY

Any client or potential client (one who sought the services and was denied) can file a complaint if the client feels that he/she was discriminated against on the basis of protected status. Protected status means age, race color, disability, sex creed, national origin, ancestry, sexual orientation, arrest or conviction status, marital status, or religion. Other procedures are available for complaints of other types regarding eligibility or other aspects of service delivery.

### OPTIONS FOR FILING A COMPLAINT

Complaints may be filed directly with the Department of Health and Social Services and/or with the Office for Civil Rights, U.S. Department of Health and Human Services. Complaints filed with either of these agencies MUST be filed within 180 days of the event or incidence or perceived discrimination. The addresses of these agencies may be found in the section of "Right of Appeal" on page 15.

This procedure governs the filing of a complaint with this agency with assurance that the complaint will be handled fairly and expeditiously. Complaints may avail themselves of our internal complaint procedure or go directly to state or federal agencies referenced. We encourage you to utilize our internal complaint procedure.

### WHEN TO FILE

It is preferable that the complaint be filed as soon as possible after the incident and hopefully by no later than thirty days of the incident. The prompt filing of a complaint will result in a more accurate and effective investigation when required.

### HOW TO FILE

A "Complaint on Equal Employment Opportunity" or "Complaint on Service Delivery form is available upon request to any staff member or to the Equal Employment Opportunity Coordinator who is Gary Cotton, Human Resource Director, during regular operating hours of 7:30am-4:30pm. If you need assistance in completing the form, you may arrange for it through the Equal Employment Opportunity Coordinator whose telephone number is 637-8377.

Complaints may be left with him or mailed to the following:



**R/K CAA  
Gary Cotton,  
Director of Human Resources  
2113 N. Wisconsin Street  
Racine, WI 53402**

INVESTIGATION PROCESS

The Equal Employment Opportunity Coordinator will make an investigation and prepare a full written report with recommendations to the Chief Executive Officer regarding the basis of the complaint. The Chief Executive Officer's findings and resolution of the complaint will be sent to the complainant in writing in a language understandable to the complainant. For visually-impaired persons, the resolution of the complaint will be transmitted by a method which will be understood by the complainant.

The report will include a summary of the complaint, the scope of the investigation, facts which support or refute the complaint, the decision, and reasons for the decision. The report will be rendered within thirty days of the date of the receipt of the complaint.

RIGHT OF APPEAL

If the complainant is not satisfied with the resolution of the complaint, there is a format right of appeal to any of the agencies listed under "Process for Filing a Complaint."

Appeals can also be made to the Board of Directors of the agency upon request to the Equal Employment Opportunity Coordinator.

RETENTION OF RECORDS

The records and reports relating to the complaint, will be retained for two years from the date of final disposition of the complaint by the R/K CAA.

PUBLICATION OF COMPLAINT PROCEDURE

This complaint procedure is provide to all employees. The complaint procedure is posted in the general reception area for applicant review. Complaint forms are available upon request. We provide the following assistance to persons who are visually impaired or have other impairments which prevent them from reading the procedure:

A person is provided to read the complaint procedure and complete the forms with responses from the complainant.

### NON-RETALIATION

No complainant will be intimidated, harassed, or subjected to any other form of adverse action because of the filing of a complaint of discrimination. Staff members who are witnesses or knowledgeable parties are urged to cooperate fully in the complaint investigation process without fear of adverse action or retaliation.

### Whistleblower Policy

Racine/Kenosha Community Action Agency, Inc (R/K CAA) requires directors and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of R/K CAA, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. It is the responsibility of all directors and employees to report ethics violations or suspected violations in accordance with this whistleblower policy. Whistleblower as defined by this policy is any employee or member of the Board of Directors of R/K CAA who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws, billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or Human Resources Director. However, if you are not comfortable talking with your supervisor or Human Resources Director, you are encouraged to speak with anyone in management whom you are comfortable approaching; including the agency's Chief Executive Officer. The individual must exercise sound judgment to avoid baseless allegations. An individual who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.



Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide the accused individuals their legal rights of defense. The Agency will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. Again, if you feel uncomfortable approaching the Human Resources Director, you may report it to the agency's Chief Executive Officer. In the event the situation involves the Chief Executive Officer it should then be brought to the Chairperson of the R/K CAA Board of Director's Human Resources Committee.

All reports of illegal and dishonest activities will be promptly submitted to the Human Resource Director, who is responsible for investigating and coordinating corrective action, unless he or she is the target of the investigation. If that is the case, the investigation would then be conducted by the Chair of the Human Resources Committee.

Employees with any questions regarding this policy should contact the Director of Human Resources.



## CIVIL RIGHTS COMPLIANCE LETTER OF ASSURANCE

Children and Families  
DCF-F-154-E (R. 11/2017)

Health Services  
F-00165

Workforce Development  
DETS-16705-E (R. 12/1/2013)

Racine Kenosha Community Action Agency, Inc. (hereinafter "Recipient") agrees that compliance with this assurance constitutes a condition of receiving Federal financial assistance through the Department of Health Services, the Department of Children and Families, and/or the Department of Workforce Development (the "State Agencies") and that it is binding upon Recipient, its successors, transferees, and assignees throughout the Compliance Period of January 1, 2018, to December 31, 2021, or as long as Federal financial assistance is extended to Recipient, whichever is shorter, and that the State Agency from which the Federal funds will be paid may enforce this Assurance as a condition of receiving such funds.

### **RECIPIENT HEREBY AGREES THAT IT WILL COMPLY WITH ALL APPLICABLE FEDERAL CIVIL RIGHTS LAWS:**

Federal civil rights laws prohibit discrimination of members, applicants, enrollees, and beneficiaries in any programs or activities that receive Federal financial assistance. Those laws include, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, Title IX of the Educational Amendments of 1972, the Age Discrimination Act of 1975, Section 1557 of the Patient Protection and Affordable Care Act of 2010, and their respective implementing regulations, and prohibit recipients and subrecipients of Federal financial assistance from discriminating on the basis of race, color, national origin, sex, age, disability, and, in some programs, religious creed or political affiliation or beliefs, in their programs or activities, and in retaliating or engaging in reprisals against individuals for opposing discrimination protected under these laws. In addition to those Federal civil rights laws, other laws may apply to recipients of specific Federal programs, and the Recipient must comply with all applicable Federal civil rights laws. Civil rights laws may be created or amended during the time of the Compliance Period. Recipient agrees to comply with the current laws throughout the Compliance Period.

In pursuit of compliance with those laws, the Recipient shall, but not exclusively, do the following:

1. Provide training to all staff on civil rights requirements and methods of providing meaningful access to individuals with limited English proficiency (LEP) and effective communication and equal access to individuals with disabilities.
2. Provide language assistance services, including translated documents and oral interpretation, free of charge and in a timely manner, when such services are necessary to provide meaningful access to LEP individuals.
3. Communicate effectively with people who have vision, hearing, or speech disabilities and provide auxiliary aids and services when needed to individuals with communications disabilities at no cost to the person with a disability.
4. Make all programs and activities provided through electronic and information technology accessible to individuals with disabilities and ensure nondiscrimination in providing services and benefits.
5. Ensure that any newly constructed and altered facilities are physically accessible to individuals with disabilities.
6. Have in place a discrimination complaint process and provide notices of its complaint process, translated into the major primary language groups of the LEP individuals in its service area.
7. Post required nondiscrimination statements and notices.



8. Provide accessible programs, facilities and reasonable accommodations to service participants/customers with disabilities.

9. Provide translation of vital documents for each eligible LEP language group that constitutes at least 5 percent or 1,000 individuals, whichever is less, of the population eligible to be served or likely to be encountered in the recipient's service area.

Recipient identifies the following person as the contact to assist in complying with Civil Rights Compliance Requirements:

Name Gary Cotton	Title Director of Human Resource
Telephone Number 262-637-8377x109	Email Address gcotton@rkcaa.org

Recipient identifies the following person to assist in complying with all applicable limited English proficiency requirements (may be the same person):

Name Ezequiel Leo	Title Community Services Coordinator
Telephone Number 262-637-8377x107	Email Address zleo@rkcaa.org

Recipient agrees to comply with civil rights monitoring reviews, including providing access to records and requested files related to membership, enrollment and services in the program or activity maintained by the Recipient and, to the extent within its authority, arranging for interviews with staff, clients and applicants for services, subrecipients, and referral agencies. Recipient agrees to cooperate with the State Agency or State Agencies in developing, implementing, and monitoring corrective action plans that result from substantiated civil rights deficiencies.

**By signing on behalf of Recipient, I state that I am authorized to bind Recipient to the terms of this Assurance and to commit the Recipient to the above provisions.**

  
SIGNATURE - Authorized Representative

Date 1/25/2018

Printed name: Essie Allen

Title: Chief Executive Officer