

SOUTH CENTRAL HUMAN RESOURCE AGENCY
TITLE VI
REGULATIONS AND AGENCY PLAN

Limited English Proficiency (LEP) context

In order to ensure compliance with Title VI, South Central Human Resource Agency will take steps to ensure that LEP persons who are eligible for our programs or services have meaningful access to the health and social service benefits that we provide. South Central Human Resource Agency will meet its obligation to provide the language assistance necessary to ensure such access, at no cost to the LEP person.

The type of language assistance that South Central Human Resource Agency shall provide will depend on a variety of factors. The size of the eligible LEP population it serves within each of our thirteen (13) counties, the nature of the program or service, the total resources available, the frequency with which particular languages are encountered, and the frequency with which LEP persons come into contact with any Agency program.

South Central Human Resource Agency will ensure that the LEP person effectively communicate the relevant circumstances of his or her situation to our personnel. South Central Human Resource Agency will ensure that the interpreters employed are trained and demonstrate competency as interpreters. South Central Human Resource Agency will ensure that the LEP person is given adequate information and will be able to understand the services and benefits available and is also able to receive those services for which he or she is eligible.

Oral Language Interpretation

South Central Human Resource Agency will have an effective language assistance program providing trained and competent interpreters and other oral language assistance services. This program will be carried out through one of all of the following steps:

- Arranging formally for services of voluntary community interpreters who are trained and competent in the skill on interpreting;
- Arranging or contracting for the use of a telephone language interpreter services;
- Hiring bilingual staff trained and competent in the skill of interpreting.

Interpreters --- Use of Friends, Family and Minor Children as Interpreters

South Central Human Resource Agency will strongly discourage an LEP person from using a family member or friends as interpreters. This could compromise the effectiveness of the service and result in a breach of confidentiality or reluctance on the part of the individuals to reveal personal information critical to their situations. However, if the LEP person refuses the free interpreter service and had rather use a family member without compromising the effectiveness of the services or violate the LEP

person's confidentiality then this can be allowed. South Central Human Resource Agency will document the offer and declination in the LEP person's file.

Competence of Interpreters

South Central Human Resource Agency interpreters will be proficient in both English and the other language. The interpreters training will include the skills and ethics of interpreting, fundamental knowledge in both languages of any specialized terms peculiar to the program and being sensitive to the LEP person's culture.

Translation of Written Materials

South Central Human Resource Agency will provide translated written materials, including vital documents, for each eligible LEP language group that constitutes ten (10%) percent or 3,000, whichever is less, or the county population of persons eligible to be served or likely to be directly affected by the programs offered in the county. The LEP language groups that constitute five (5%) percent or 1,000 whichever is less, of the county population of persons eligible for any programs that South Central Human Resource Agency sponsors within the county will ensure that a minimum of vital documents are translated into the appropriate non-English languages of such LEP persons. South Central Human Resource Agency will provide to LEP persons in a county that has fewer than one (100) hundred in a language group, that are eligible, to be served or likely to be affected written notice in the primary language of the LEP group of the right to receive competent oral translation of written materials.

Methods for Providing Notice to LEP Persons

The South Central Human Resource Agency will use the most effective methods for notifying LEP persons regarding their right to language assistance. This type of assistance will be provided free of charge to eligible LEP persons. The different methods that South Central Human Resource Agency will use but not limited to are:

1. Use of language identification cards which allow LEP persons to identify their language needs to staff and for staff to identify the language needs of the applicants and clients. The identification cards, to be effective, (e.g., "I speak cards") must let the LEP person identify the language he or she speaks. The documentation of this service should be recorded each time in the LEP person's file.
2. Posting and maintaining signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of entry. These signs must inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.
3. Translation of application forms and instructional, informational and other written materials into appropriate non-English languages by competent

translators. For LEP persons whose language does not exist in written form, assistance from an interpreter to explain the contents of the document.

4. Uniform procedures for timely and effective telephone communication between staff and LEP persons. This must include instructions for English speaking employees to obtain assistance from interpreters or bilingual staff when receiving calls from or initiating calls to LEP persons.
5. Inclusion of statements about in services available and the right to free language assistance services, in appropriate non-English languages, in brochures, booklets, outreach and recruitment information and other materials that are routinely disseminated to the public.

EQUAL EMPLOYMENT OPPORTUNITY
AND
AFFIRMATIVE ACTION PROGRAM

SOUTH CENTRAL HUMAN RESOURCE AGENCY
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REVISED
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A. Introduction

It is the intent of South Central Human Resource Agency to fully comply with all parts of Executive Order 11246 dated September 25, 1965, and Executive order amending such order, and any other Executive order superseding such order. It is also the intent of the South Central Human Resource Agency to comply with Titles VI and VII of the Civil Rights Act of 1964 as amended and other Federal and State anti-discrimination statutes.

This document shall serve as the overall plan for the plan for the equal employment opportunity and the affirmative action program of the South Central Human Resource Agency and will be updated as necessary to incorporate those changes that are appropriate to insure an effective plan.

B. Policy of Equal Opportunity and Affirmative Action

The South Central Human Resource Agency is fully committed to the development and implementation of, and adherence to, an effective plan that will insure equal employment opportunity and affirmative action to identify and eliminate any effects of past discrimination. To meet this commitment the Policy Council Board has declared the following as the Agency's policies regarding equal employment opportunity:

- a. It is the policy of the South Central Human Resource Agency that a qualified individual will be assigned overall responsibility for equal employment opportunity and affirmative action and that accurate and efficient reporting and monitoring procedures are the responsibility of this person. This responsibility is currently assigned to the Executive Director.
- b. All decisions to recruit, hire, train, and promote persons in all job classifications will be made without regard to age (over 40), race, color, religion, sex, national origin, disability, veteran status or other impermissible grounds.
- c. All decisions on employment will be based upon a policy to further the principle of equal employment opportunity.
- d. Only valid requirements will be imposed for promotional opportunities to insure that promotion decisions are in accord with principles of equal employment opportunity.
- e. All personnel actions such as compensation, benefits, transfer, layoffs, returns from layoff, institution sponsored training, education, tuition assistance, social and recreation programs, will be administered without regard to race, color, religion, sex, national origin, age (over 40), disability, or veteran status.

It is furthermore the policy of the South Central Human Resource Agency that these policies will be appropriately disseminated so that it will be known that the Agency is committed to equal employment opportunity policies and practices.

C. Dissemination of Equal Opportunity and Affirmative Action Policies

To insure distribution of Agency policies related to equal employment opportunity, the following outlines those techniques that will be utilized in making the policies of section B public.

a. Internal Dissemination of Policy

1. Inclusion in the South Central Human Resource Agency policy manual.
2. Publication in South Central Human Resource Agency letters, annual reports, etc.
3. Meetings with executive management and supervisory personnel to explain intent of policy and individual responsibility for implementation.
4. Meetings with non-management employees to discuss policy.
5. Discussion of policy in both employee orientation and management training programs.
6. Posting of policy on bulletin boards including official posters as furnished by the Department of Labor.
7. Communication to employees the existence of the program, and making available such portions of the program as will enable employees to understand its purpose and procedures for employee utilization.

b. External Dissemination of Policy

1. Informing all recruiting sources of the policy, stipulating that these sources actively recruit and refer minorities, females, and other under-represented minorities.
2. Incorporation of the Equal Opportunity Clause in all purchase orders, leases, contracts, etc., covered by Executive Order 11246.
3. It is the policy of the South Central Human Resource Agency to advertise all job openings for staff as well as participants of Federal Funded programs through the local office of the State Department of Employment Security. All applicants are referred by this department with certification of their qualification and eligibility for each specific Federal Program.
4. Sending written notification of the policy to all contractors, vendors, and suppliers requesting their compliance.

c. Recruitment

1. Recruitment literature and vacancy announcements shall carry clear statements that the South Central Human Resource Agency is an equal opportunity employer and that the position is open to all qualified persons.
2. Recruitment literature and vacancy announcements shall be sent to the local offices of the State Department of Employment security and all practical sources of candidates according to the type of position and in ways designed to solicit and encourage applications from qualified minorities, females, and other under-represented groups.
3. Each applicant's qualifications shall be evaluated by comparing them with realistic job standards developed on the basis of work requirements.
4. The establishment of recruitment goals and objectives will be based on the results of the utilization analysis.
5. The receipt and disposition of all applications shall be recorded, and retained for one (1) year.
6. A centralized file will be maintained in the Executive Office which documents all communication regarding policy dissemination.

d. Assignment, Transfer and Promotion

1. Present employee will be given first consideration for open jobs that will upgrade their earnings and job responsibilities.
2. Employee qualifications shall be evaluated against position requirements. Consideration shall be given to past performance and recommendations of colleagues and others in a position to evaluate potential performance.
3. If the use of any test other than skills tests is contemplated in evaluating applicants or employees, they must be validated by a professional psychometrics prior to use as a screening device.

e. Compensation

1. The average salaries of males and females within the same job classification shall be compared, and any noticeable discrepancies shall be analyzed to determine the reasons therefore. If differences cannot be accounted for in terms of relative merit and/or seniority, immediate action shall be instigated to correct the discrepancy.

f. Training

1. When appropriate, training shall be provided to enable personnel to increase their skill levels for advancement.

D. Responsibility for Implementation of the Program

As indicated in section B, the South Central Human Resource agency is fully committed to the development, implementation, and adherence to an effective plan that will insure equal employment opportunity and assumes overall responsibility for an effective program. The authority to administer this program has been delegated to the Executive Director, and the Agency Executive Office is designated as the Equal Employment Opportunity/Affirmative Action Office.

The specific duties that have been assigned to this office are as follows:

- a. Development and implementation of an effective Equal Employment Opportunity/Affirmative Action Plan which will outline procedures to be followed so that current personnel practices are non-discriminatory and identifiable effects of past discrimination are eliminated.
- b. Monitoring the progress of the plan and maintaining adequate documentation and records that will accurately reflect current practices and insure data is available for reporting purposes.
- c. Development and maintenance of grievance procedures related to equal employment opportunity.
- d. Announcement of position vacancies, processing all inquiries regarding employment, and employee contract preparation.
- e. Preparation and maintenance of job classifications.
- f. Recruitment of employees.
- g. Preparation and submission of all forms regarding equal employment opportunity and affirmative action and all other reports related to employees of the Agency.
- h. Maintenance of liaison with administrative staff through meetings and internal correspondence to keep management informed of equal employment opportunity and affirmative action.
- i. Performance of statistical studies to determine validity of selection procedures.

The Affirmative Action Office is the only office which has direct responsibilities for the administration of equal employment opportunity and affirmative action procedures, but is the responsibility of all Management Personnel of the Agency to insure that non-discriminatory criteria are utilized in all personnel decisions.

E. Utilization Analysis

- a. An analysis of the utilization of minorities and women will be performed on a periodic basis. These analyses shall include, but not be limited to, the following:
 1. Consideration of the number of women and minorities employed within the job categories.
 2. Consideration of the number of women and minorities employed by job classification and the reasons for any under utilization within any of them.
 3. A comparison of the salaries and wages of men and women by job classification.

- b. The following factors listed will be considered in analyzing the utilization of minorities.
 - 1. The minority population of the immediate labor area.
 - 2. The size of the minority unemployment force in the immediate labor area.
 - 3. The percentage of the minority work force as compared with the total work force in the immediate labor area.
 - 4. The general availability of minorities having requisite skills in the immediate labor area.
 - 5. The availability of women seeking employment in the labor or immediate recruitment area.
 - 6. The availability of promotable and transferable female employees within the Agency.
- F. Procedures for Grievance of Discriminatory Practices

The Executive Director shall establish procedures for the expeditious processing of complaints which may arise concerning equal employment opportunities. These procedures shall include the following:

- a. A complaint may be filed by my present employee, former employee, or an applicant for employment at the Agency who believes he or she has been denied an employment opportunity in violation of any employment discrimination statute, or that employment practices at the Agency have or will result in discrimination in employment against him or her.
- b. In the event a complaint cannot be resolved between an employee and his immediate supervisor or when an applicant for employment has a complaint, the complaint and the basis for it should be submitted in writing to the Executive Director. All complaints must be signed by the complainant and filed within 15 calendar days after the alleged discriminatory act.
- c. The Executive Director will conduct an investigation and present his findings with recommendations in writing to the complainant within ten (10) working days, unless an extension is mutually agreed to.
- d. If a complainant is not satisfied with the findings of the Executive Director and desires further consideration of the complaint, he may file an appeal in writing with the Grievance Committee of the South Central Human Resource Agency. The Grievance Committee will hear and review all evidence presented by the grievant, the supervisor involved, the Equal Opportunity Officer and the Executive Director. After careful consideration, the Grievance Committee will make an action recommendation to the Executive Director. The decision by the Committee will be final.

G. Records and Reports

- 1. Records of personnel actions are to be kept for one (3) year. Records pertaining to the administration of this policy will be kept for three (3) years.

2. Reports of progress in meeting established affirmative action goals shall be made semiannually. Success must relate to actual results in terms of the employment and utilization of women and minorities and the treatment of employees without regard of race, creed, color, national origin, sex, age (over 40), disability, veteran status, or other impermissible grounds.