

.01 Discrimination Complaint



This policy details applicants' and participants' rights to file a discrimination complaint.

Policy

All applicants and participants have the right to nondiscrimination. Anyone who feels discriminated against has the right to file a complaint.

It is a violation of the law to discriminate against anyone for **any** of the following reasons:

- Age
- Color
- Genetics
- Having a disability
- Marital status
- National origin
- Political beliefs or affiliations
- Previous civil rights complaints
- Race
- Religious creed
- Sex (Including gender identity, sexual stereotypes, and sexual orientation)
- Veteran Status

How to File a Discrimination Complaint

Applicants and participants can file a discrimination complaint in writing, verbally, or anonymously with any FAA office. The complaint is required to be filed within 180 [calendar days\(g\)](#) of the alleged act.

Each FAA office has an appointed specialist who acts on behalf of the DES Director's Office of Equal Opportunity (DOEO) to help file a discrimination complaint.

Applicants or participants filing a discrimination complaint are encouraged to complete the Discrimination Complaint (J-020) form found in the Documents Center located at <https://des.az.gov/documents-center>.

NOTE When the complainant is filing a discrimination complaint verbally or cannot or does not want to put the complaint in writing, the DOEO specialist or designated staff assists with completing the discrimination complaint form.

All discussions regarding a discrimination complaint are kept confidential. Conferences are required to be held in a private location.

FAA cannot deny or delay services or benefits to any participant because they filed a

discrimination complaint against FAA, its providers, or employees.

Unless the complaint is done anonymously, the DOEO notifies the complainant in writing of **all** of the following within 60 calendar days of the discrimination complaint:

- The completion of the investigation.
- The findings of the investigation.
- The complainant can file directly with the correct federal office when the DOEO procedure does not affect a resolution.

Applicants and participants can file a complaint through the Office of Equal Opportunity (OEO). For more information about filing a complaint through the OEO, see <https://des.az.gov/how-do-i/file-discrimination-complaint>.

NA applicants and participants can file a discrimination complaint with the United States Department of Agriculture (USDA) through the Food and Nutrition Service (FNS).

Complaints sent to USDA are required to contain **all** of the following:

- The name, address, and telephone number (when known) of the person filing the complaint
- The name and location of the staff or office accused of the claimed discrimination
- A statement describing what happened to lead up to the claim of discrimination
- A statement describing the discrimination being claimed (age, sex, color, etc.)
- Names and addresses of anyone who has knowledge of the claimed discrimination
- The date of the claimed discrimination

NOTE The Secretary of USDA may extend the 180-day filing period.

For more information about filing a complaint through USDA, see <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>.

NA USDA Nondiscrimination Statement

To ensure everyone has the instructions to file a discrimination complaint, a version of the USDA nondiscrimination statement is included on all materials produced for public information, public education, or public distribution of NA information.

These materials include, and are not limited to, **any** of the following:

- Electronic Benefit Transfer (EBT) cards
- Forms
- Posters
- Pamphlets
- Websites

The long version of the USDA nondiscrimination statement is as follows:

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), religious creed, disability, age, political beliefs, 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, audiotope, American Sign Language), should contact the agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may 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/ad-3027.pdf>, from any USDA office, by calling (833) 620-1071, 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:

1. mail:

Food and Nutrition Service, USDA
1320 Braddock Place, Room 334
Alexandria, VA 22314; or

2. fax:

(833) 256-1665 or (202) 690-7442; or

3. email:

FNSCivilRightsComplaints@usda.gov

This institution is an equal opportunity provider.

Procedures

Each FAA office must appoint a staff member to act as a specialist for the DES Director's Office of Equal Opportunity (DOEO).

When any person expresses an interest in filing a written discrimination complaint, the DOEO specialist or designated staff must complete **all** of the following:

- Explain the discrimination complaint process.
- Inform the complainant that they have the option to file a complaint directly with the United States Department of Agriculture (USDA).

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- Provide the complainant with the Client Discrimination Complaint (J-020) form, and request that the complainant complete the J-020.
- Document the discrimination complaint on the Discrimination Complaint Log (FAA-1280A). FAA management maintains the FAA-1280A. The FAA-1280A form must be kept in a secure location that only the DOEO specialist, designated staff, and FAA management can access.
- Send the J-020 to the DOEO by **one** of the following:
 - Fax
NOTE The Fax Cover Sheet (DES-1078A) form must be used.
 - Interoffice mail
 - Scan the J-020 and include it as an email attachment

See the [Document Center](#) for the J-020 and FAA-1280A forms.

All discussions regarding the discrimination complaint must be kept confidential. Conferences must be held in private. Consider **all** of the following:

- Do not place copies of the J-020 in the [case file\(g\)](#).
- Do not document anything about the complaint in the case file.
- Do not deny or delay services or benefits to anyone because they filed a complaint against FAA, its providers, or their employees.

When the complainant makes a complaint verbally and cannot or does not want to put the complaint in writing, complete **all** of the following:

- Document the complaint using the J-020. Documentation must include all information regarding the right to file a complaint.
- Document the discrimination complaint on the FAA-1280A. The FAA-1280A must be kept in a secure location that only the DOEO specialist, designated staff, and management can access.
- Fax or interoffice mail the J-020 to the DOEO. (See [Discrimination Complaint Offices](#) for contact information.)

Legal Authorities

CFR 7 273.2(b)(viii)

Title VI - Civil Rights Act of 1964

CFR 7 272.6

CFR 45 704.2

[Prior Policy](#)

last revised 04/01/2024