



CIVIL RIGHTS POLICY and DISCRIMINATION COMPLAINT PROCESS

POLICY STATEMENT

WE ACT for Environmental Justice (WE ACT) provides fair and equal access to the benefits of programs and activities WE ACT administers. WE ACT does not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity WE ACT offers or conducts. Members of the public who believe they were unlawfully denied full and equal access to any WE ACT program or activity may file a nondiscrimination complaint with WE ACT under this policy. This non-discrimination policy also applies to people or entities, including contractors, subcontractors, or grantees that WE ACT utilizes to provide benefits and services to members of the public.

Questions regarding this policy should be directed to WE ACT's Non-Discrimination Coordinator at shanell.reyes@weact.org.

DEFINITIONS

Complainant: Individual(s) or other interested parties filing a non-discrimination complaint under this policy.

Discrimination: The unlawful denial of fair and equal access to a program or activity WE ACT offers, conducts, or administers by based on a protected class. "Denial of Fair and Equal Access" includes:

- a) The denial of any program benefit;
- b) Providing a different level of benefits than provided to other program users;
- c) Restricting the benefit or advantage of any program in a manner dissimilar to restrictions placed on other program users without a protected characteristic;
- d) Subjecting a person to segregation or different treatment related to receiving the benefits of the program;
- e) Denial to any person, or group of people, the opportunity to participate as a member of any planning or advisory body otherwise open to the public in some fashion; and
- f) Using criteria or methods of administering its program with the effect of discriminating against a user, or potential user, of the program WE ACT offers.

Protected Class: A characteristic of a person which cannot be targeted for discrimination including race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability.

RESPONSIBILITY

WE ACT's Executive Director will have final authority and responsibility for compliance with this policy. WE ACT's Non-Discrimination Coordinator, on behalf of the Executive Director, will coordinate this policy's implementation within WE ACT, including work with WE ACT's General Counsel, Director of Communications, and the staff and managers of programs or activities WE ACT offers. The Non-Discrimination Coordinator coordinates compliance efforts, receives inquiries concerning non-discrimination requirements, and ensures WE ACT is complying with state and federal reporting and record retention requirements, including those required by Code of Federal Regulations, title 40, section 7.10 et seq.

COMPLAINT PROCEDURE

A non-discrimination complaint may be filed against WE ACT or other people or entities affiliated with WE ACT, including contractors, subcontractors, or sub grantees that WE ACT utilizes to provide benefits and services to members of the public. The complainant must file a complaint within 180 days of the alleged discrimination. The complaint must provide ALL of the following in writing:

- a) The complainant's current contact information, including telephone number and address. The complainant must inform WE ACT's Non-Discrimination Coordinator of any changes to this information during WE ACT's review process through resolution of the complaint with WE ACT;
- b) A detailed description of the alleged act(s) the complainant believes is discriminatory. WE ACT's Non-Discrimination Coordinator, or a person directed by the Non-Discrimination Coordinator, may need to follow up for additional information;
- c) The protected class of the person, group, or people subjected to the alleged discrimination; and
- d) The identity of the person or people who committed the alleged discriminatory act.

The Non-Discrimination Coordinator, or a person directed by the Non-Discrimination Coordinator, will conduct a prompt, neutral, and thorough investigation into the allegations. WE ACT does not waive any statute of limitations that may apply as WE ACT works with the complainant to resolve the complaint. The complainant may wish to consult with an attorney to ensure any statutory time constraints necessary to pursue any legal remedies available to the complainant outside of WE ACT's process for addressing complaints of discrimination are met.

The Non-Discrimination Coordinator will review the facts presented and collected and reach a determination on the merits of the complaint based on a preponderance of the evidence. The Non-Discrimination Coordinator will inform the complainant in writing when WE ACT has reached a determination on the merits of the discrimination complaint.

Where the complainant has articulated facts that do not appear discriminatory but warrants further review, the Non-Discrimination Coordinator, in their discretion, may forward the complaint to a party within WE ACT for action. The Non-Discrimination Coordinator will inform the complainant, either verbally or in writing, before facilitating the transfer.

The complainant may also file a complaint with relevant federal agencies such as the Department of Justice or the Environmental Protection Agency.

CONFIDENTIALITY

WE ACT strives to protect the confidentiality of the complainant and all participants in the non-discrimination complaint process to the greatest extent possible and as authorized by law. The nature of this process does not permit absolute confidentiality. The Non-Discrimination Coordinator may release information as necessary to resolve the complaint. If a remedial action results in employee discipline, the Non-Discrimination Coordinator may release information provided during the complaint process to appropriate WE ACT personnel.

RETALIATION PROHIBITED

WE ACT does not tolerate retaliation against a complainant or a participant in the complaint process. Anyone who believes that they have been subject to retaliation in violation of this policy may file a complaint of retaliation with WE ACT following the procedures outlined in this policy.

COMPLAINT FORM

To initiate a complaint, the complainant may complete WE ACT's Non-Discrimination Complaint Form (download the PDF [here](#)) and send it to WE ACT's Non-Discrimination Coordinator within the time period described above. Send the complaint form to WE ACT's Non-Discrimination Coordinator located at 1854 Amsterdam, 2nd Floor, New York, NY, 10031 or via email at shanell.reyes@weact.org.

ALTERNATE FORMATS

If you need this document in an alternate format (i.e., Braille, large print, etc.) or another language, please contact WE ACT's Non-Discrimination Coordinator at shanell.reyes@weact.org.

REFERENCE

Code of Federal Regulations Title 40 section 7.10 et seq; Title VI of the Civil Rights of 1964; Section 13 of 1972 Amendments to the Federal Water Pollution Control Act; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972.