

OSEE DISCRIMINATION AND FEDERAL FUNDING POLICY

The Office of the Secretary of Energy & Environment (OSEE) serves as the recipient for grant(s) including the Federal Clean Water Act funding. As such, OSEE must ensure that the civil rights of persons who receive services from OSEE, as well as from any recipient of federal grant funding received from OSEE (sub-recipient), are protected.

The purpose of this policy is to establish written procedures for OSEE to follow when it receives a complaint alleging discrimination or retaliation in the delivery of services from clients, customers, program participants, or consumers of the OSEE or a sub-recipient of the OSEE.

POLICY

In receiving or administering federal grant funds, neither the OSEE or any sub-recipient may discriminate against any person on the basis of the person's race, color, national origin, sex, religion, disability, or age, or retaliate against any person for having engaged in protected activity.

By virtue of receiving federal grant funding, the OSEE, including its employees, contractors, and sub-recipients must comply with the following civil rights laws and regulations:

- Title VI of the Civil Rights Act of 1964 as amended (prohibiting discrimination in federally assisted programs on the basis of race, color, or national origin in the delivery of services or benefits);
- Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act (prohibiting discrimination on the basis of sex in the delivery of services or benefits under the Federal Water Pollution Control Act as amended);
- Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination in federally assisted programs on the basis of disability, both in employment and in the delivery of services and benefits);
- Age Discrimination Act of 1975 (prohibiting discrimination in federally assisted programs on the basis of age in the delivery of services or benefits);
- Title IX of the Education Amendments of 1972 (prohibiting discrimination in federally assisted programs, both in employment and in delivery of services or benefits. Note: an education program or activity is not limited to only those conducted by a formal institution.);
- Executive Order 13166 entitled "Improving Access to Services for Persons with Limited English Proficiency" (requiring federally assisted recipients to provide meaningful access to clients, customers, program participants, or consumers with Limited English Proficiency (LEP));
- 40 C.F.R. Part 5, which implements Title IX of the Education Amendments of 1972;
- 40 C.F.R. Part 7, which implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of the Rehabilitation Act of 1973.

LIMITED ENGLISH PROFICIENCY (LEP)

OSEE will take reasonable steps to ensure that persons of limited-English proficiency (LEP) have meaningful access to and an equal opportunity to participate in the services and benefits provided by the OSEE.

Translation services will be made available as needed.

FILING A COMPLAINT

1. A person who thinks he or she has been discriminated against by an employee, contractor, or sub-recipient of OSEE on the basis of race, color, national origin, sex, age, religion, or physical or mental disability, or thinks he or she has been retaliated against for having engaged in protected activity, is encouraged to file a complaint with the Grievance Manager, which is administered through OSEE's state agency of the Department of Environmental Quality (DEQ).

2. Contact Information to the Grievance Manager is:

Karla Addington, Human Resources Administrator
Administrative Services Division
707 N. Robinson, P.O. Box 1677
Oklahoma City, OK 73101-1677
Email: Karla.Addington@deq.ok.gov
Phone: (405) 702-0197

RESPONSE

1. An employee, contractor, or sub-recipient of the OSEE who receives a complaint that an employee, contractor, or sub-recipient of the OSEE has allegedly participated in discriminatory or retaliatory conduct shall notify the Grievance Manager as soon as practical.
2. Upon receipt of a complaint, the Grievance Manager shall determine whether the complaint should be investigated and if so, by whom.
3. Investigations of complaints shall be completed in a reasonable time.
4. All investigations will comply with applicable state and federal laws.

EXTERNAL AGENCIES

OSEE encourages individuals to file complaints of the kind discussed in this policy with the Grievance Manager. However, this policy is not intended to prevent individuals from seeking remedy under state or federal law.

If an individual feels he or she has been discriminated against on the basis of race, color, national origin (including limited-English proficiency), sex, age, religion, or physical or mental disability, or alleges retaliation for having engaged in protected activity, a complaint may be submitted to:

U.S. EPA External Civil Rights
Compliance Office (2310A)
1200 Pennsylvania Ave, NW
Washington, D.C. 20460
Email: Title_VI_Complaints@epa.gov
<https://www.epa.gov/ogc/external-civil-rights-compliance-office-title-vi>

Individuals may also submit a complaint to:

Oklahoma Office of the Attorney General
Office of Civil Rights Enforcement
313 NE 21st Street
Oklahoma City, OK 73105
Email: ocre.complaints@oag.ok.gov
<http://oag.publishpath.com/civil-rights-enforcement-unit>

CONTRACTS

OSEE will not enter into contracts nor continue existing contracts with any organization that knowingly discriminates against any person on the basis of race, color, national origin, sex, age, religion, or physical or mental disability or that retaliates against any person for having engaged in protected activity.

DISTRIBUTION

A copy of this policy will be made available to OSEE, contractors, and sub-recipients. A copy will also be provided in orientation materials provided to new employees of OSEE. The policy will also be posted on OSEE's website, www.ee.ok.gov.