

CYFD Contractor/Subgrantees:

All CYFD Contractors/subgrantees must report any complaint of discrimination from employees, applicants or clients to the CYFD Grant Management Unit manager within five (5) working days of receiving such complaint using a standard form available on CYFD's website. The program manager shall refer such complaints to the Discrimination Complaint Coordinator (DCC) for processing in accordance with the current procedure within five (5) working days.

Other contractors/subgrantees may report discrimination complaints from the contractor itself, employees, applicants and clients to contract program managers or directly to the DCC. Such complaints shall be reported using the standard form.

CYFD's DCC will forward any discrimination complaints from non-Department of Justice funded contractors, their employees, applicants or clients to the federal Equal Employment Opportunity Commission (EEOC) or NM Department of Workforce Solutions, Human Rights Bureau for investigation and processing, and request a copy of the final determination. Within five (5) working days, the DCC shall notify the complainant of the referral.

For complaints reported by or received regarding contractors receiving funds from the Department of Justice the DCC shall refer the complaint to the Office of Justice Programs, Office for Civil Rights, and inform the complainant of such referral.

Contractor/Subgrantee Civil Rights Requirements:

- **ARTICLE XVII. Equal Opportunity Compliance**

The Contractor agrees to abide by all federal and state laws, rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement.

If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

- **Non-Discrimination Federal Law**

The Contractor will also comply (and will require any subcontractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include

- the Omnibus Crime Control and Safe Streets Act of 1968 (42 USC § 3789d);
- the Victims of Crime Act (42 USC § 10604(e));
- the Juvenile Justice and Delinquency Prevention Act of 2002 (42 USC § 5672(b));
- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d);
- the Rehabilitation Act of 1973 (29 USC § 794);

- the Americans with Disabilities Act of 1990 (42 USC §§ 12131-34);
- the Education Amendments of 1972 (20 USC §§ 1681, 1683, 1685-86);
- the Age Discrimination Act of 1975 (42 USC §§ 6101-07); and
- DOJ's Regulations on the Equal Treatment for Faith-Based Organizations, 28 CFR Part 38, See also Executive Order 13279 (equal protection of the laws for faith-based and community organizations).

The Contractor shall ensure that any subcontracts it issues include a similar provision requiring the subcontractor to comply with these statutorily imposed nondiscrimination requirements.

- Non Retaliation

In accordance with state and federal Civil Rights laws, the Contractor shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws. The Contractor shall ensure that any subcontracts it issues includes a similar provision prohibiting the subcontractor from engaging in retaliation against individuals who take action or participate in action to secure rights protected by these laws.

Referral of Discrimination Complaints to CYFD in addition to any other procedures or policies the Contractor may have for addressing discrimination complaints, the Contractor shall also establish a policy requiring that complaints of discrimination or violation of state or federal nondiscrimination statutes against the Contractor or its subcontractors from clients, beneficiaries, employees or applicants for employment are reported to the CYFD Grant Management Unit's Manager for this contract, no later than five (5) days after receipt of such discrimination complaint.

Training Requirements:

- Online Training

Contractors/Subgrantees must comply with federal statutes and regulations that prohibit discrimination. Recipients may not discriminate on the basis of race, color, national origin, religion, sex, disability or age.

OCR offers civil rights offers online training to recipients to assist in meeting their federal civil rights obligations. The online training, which consists of six segments and self-tests, provides an overview of applicable nondiscrimination laws and the general civil rights obligations that are tied to grants awarded by the Justice Department. OCR offers this online training program for those who are unable to attend in-person training.

The six training programs are:

1. What is the Office for Civil Rights and What Laws Does It Enforce?
2. What are the Standard Assurances and How Does the Office for Civil Rights Enforce Civil Rights Laws?

3. What are the Civil Rights Obligations of State Administering Agencies?
4. What Obligations Do Recipients of Justice Department Funding Have to Provide Services to Limited English Proficient Persons?
5. What are the Civil Rights Laws that Affect Funded Faith-Based Organizations?
6. What Civil Rights Protections Do American Indians Have in Programs Funded by the Justice Department? What are the Obligations of Funded Indian Tribes?

For online OCR training click here: <https://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm>