

April 2022
VOCA Subgrantee Training

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OCVS Common Monitoring Findings

- Seatbelt & Texting policies
- EEOC
- Civil rights trainings
- Suitability to interact with minors
- Board Investigation Policy



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Required Federal Policies

- **Policies and Procedures**
 - ✓ Federal - Seatbelt Policy
 - ✓ Federal - Texting Policy
 - ✓ Federal - Suitability to Interact with Minors Policy
 - ✓ Board Conflict of Interest Policy
 - ✓ Board Investigation Policy

Equal Employment Opportunity Commission (EEOC)
Office of Civil Rights (OCR) at the Office of Justice Programs (OJP)
Civil Rights Trainings
Staff Information & Understanding of Funding Source(s)

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Required Federal Policies

Seatbelt Policy

– All occupants must wear their seatbelt (driver and passengers). Including agency vehicle and private vehicle while fulfilling work duties.

No Texting While Driving Policy

- Pull over to the side of the road to text

Suitability to Interact with Minors Policy and Procedures

– See handout with sample policies from WCASA

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Conflict of Interest Policy (Board & Staff)

Conflict of Interest Policy

The **Conflict of Interest Policy** governs the activities of the board and staff of _____. This policy provides guidelines for identifying conflicts, disclosing conflicts and procedures to be followed to assist (Name of Organization) manage conflicts of interest and situations that may result in the appearance of a conflict.

1. What is a conflict of interest? A conflict of interest arises when a board member or staff member has a personal interest that conflicts with the interests of (Name of Organization) or arise in situations where a board/staff member has divided loyalties (also known as a "duality of interest"). The former can result in situations that result in inappropriate financial gain to persons in authority at (Name of Organization) which can lead to financial penalties and violations of IRS regulations. Similarly, situations or transactions arising out of a conflict of interest can result in either inappropriate financial gain or the appearance of a lack of integrity in (Name of Organization)'s decision-making process. Both results are damaging to (Name of Organization) and are to be avoided.

- Example #1: a person in a position of authority over the Organization may benefit financially from a transaction between the Organization and the board/staff member; or others closely associated with the board/staff member may be affected financially. Family members, or their businesses, or other persons or the businesses of persons with whom the board/staff member is closely associated, could benefit from similar transactions.
- Example #2: A conflict of interest could be a direct or indirect financial interest such as those described above, or a personal interest such as the situation where a board member of (Name of Organization) is also a board member of another nonprofit or for-profit entity in the community with which (Name of Organization) collaborates or conducts business.

2. Who might be affected by this policy? Typically, persons who are affected by a conflict of interest policy are the Organization's board members, officers, and senior staff. In some cases, a major donor could also be in a conflict situation. (Name of Organization) takes a broad view of conflicts and board/staff are urged to think of how a situation/transaction would appear to outside parties when identifying conflicts or possible conflicts of interest.

3. Disclosure of Conflicts. Board members and senior staff will annually disclose Conflict of Interest.

4. Procedures to manage conflicts. For each interest disclosed, the full board, or the Executive Director or the Chairperson of the board, as appropriate, will determine whether the organization should: (a) take no action or (b) disclose the situation more broadly and invite discussion/resolution by the full board of what action to take, or (c) refrain from taking action and otherwise avoid the conflict. In most cases the broadest disclosure possible is advisable so that decision-makers can make informed decisions that are in the best interests of the _____.

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Conflict of Interest Policy Example

The standard of behavior at the _____ Organization is that all staff, volunteers, and board members scrupulously avoid conflicts of interest between the interests of the _____ Organization on one hand, and personal, professional, and business interests on the other. **This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest.**

I understand that the purposes of this policy are **to protect the integrity of the _____ Organization's decision-making process, to enable our constituencies to have confidence in our integrity, and to protect the integrity and reputations of volunteers, staff, and board members.**

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Conflict of Interest Policy Continued



1. Financial Gain

2. Family Members

3. Business Partners

4. Suppliers

5. Other Jobs

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Conflict of Interest Policy Continued

6. Board Member on Multiple Agency Board of Directors

☐ Conflict of loyalties

☐ Privy to all the Secrets - Unfair Advantages

☐ Competition for Funding

During meetings or activities, I will disclose any interests in a transaction or decision where I **(including my business or other nonprofit affiliations)**, my family, and/or my significant other, employer, or close associates will receive a benefit or gain. **After disclosure, I understand that I will be asked to leave the room for the discussion and will not be permitted to vote on the question.**

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Board Investigation Policy Example

This organization is committed to ensuring that all company-initiated investigations are conducted in a fair, impartial, thorough, thoughtful manner and in compliance with all applicable laws within the United States.

The company will promptly initiate an appropriate investigation into all possible violations of law and company policy. The Board of Directors, or an appointed third-party designee will have primary responsibility for investigating complaints relating to employee misconduct.

The following list, while not all-inclusive, provides examples of the types of situations that the company will investigate

- Alleged conduct that potentially deprives a company employee or third party (i.e., client, persons or entities desiring to engage in business or services with the company) of rights because of race, color, religion, sex, sexual orientation, national origin, age, disability, marital status or other characteristics protected by law;
- Alleged verbal or physical conduct that potentially denigrates or shows hostile feelings toward any individual because of race, color, religion, sex, sexual orientation, national origin, age, disability, marital status or other characteristics protected by law;
- Alleged conduct or intentional behavior that potentially violates company policy or affects the safety or well-being of fellow employees, visitors, operations or other company-related activities.
- Claims relating to unfair labor practices;
- Conduct that violates company rules, policies or standards of conduct or the law;
- Claims of mismanagement of agency funds and/or theft.

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Board Investigation Policy

Should include all of the following:

- ❑ What it will investigate
- ❑ Accessibility – Is it easy to access? Or do barriers exist to deter complaints?
- ❑ How it will protect the complainant
- ❑ How it will investigate – Action steps
- ❑ Retaliation prevention
- ❑ Results – allegation founded, unfounded, or undetermined
- ❑ Next steps

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Board Investigation Policy

Closing Words

(See Blue Avocado <https://blueavocado.org/leadership-and-management/nonprofit-conflict-of-interest-a-3-dimensional-view/>)

Perhaps even more than written policies, **board and staff leadership must establish by example and attitude an atmosphere of personal integrity.** Some situations may need only a brief, informal comment to maintain that climate (example: “I know it’s only \$24 but it’s important to keep our finances straight”). In others, a decision may be delayed because of the need to ensure that the decision has been made in the organization’s best interests. **Each of us, by our daily words and actions, contributes to a culture of integrity and responsibility.**

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Equal Employment Opportunity Program (EEOP) Certification Form

EEO Reporting Tool:
https://ocr-eeop.ncjrs.gov/_layouts/15/eeopLogin2/customLogin.aspx?ReturnUrl=%2f_layouts%2f15%2fAuthenticate.aspx%3fSource%3d%252F&Source=%2F

EEO Reporting Tool Job Aid:
https://ojp.gov/about/ocr/info-pdfs/EEOReportTool_JobAid.pdf

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Equal Employment Opportunity Program (EEOP) Certification Form

If	Then	Does the recipient need to submit a Certification Form to OCR?	Does the recipient need to develop an EEOP?	Must the recipient submit an EEOP Utilization Report to OCR?
Recipient is a Medical or Educational Institution, Indian Tribe, or Nonprofit		YES	NO	NO
Largest individual grant received is less than \$25,000		YES	NO	NO
Recipient has less than 50 employees		YES	NO	NO
None of the above		YES	YES	YES

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EEO and EEOC

☐ Equal Employment Opportunity (EEO)- Rights that are guaranteed by federal and state fair employment laws


☐ These rights are enforced by the Equal Employment Opportunity Commission (EEOC).

EEO is important because **it sets the baseline for how people should treat each other at work. However, it is up to each employer to create a culture that doesn't accept any kind of discriminatory behavior,**

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The Office for Civil Rights at the Office of Justice Programs

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

The Office for Civil Rights at the Office of Justice Programs ensures that recipients of financial assistance from OJP:

- Victims of Crime Act (VOCA)
- Violence Against Women Act (VAWA)

comply with federal laws that prohibit discrimination in employment and the delivery of services or benefits based on race, color, national origin, sex, religion, age, and disability.

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STATUTE	Covers EMPLOYMENT PRACTICES ?	Covers PROGRAM BENEFICIARIES ?	PROTECTED CLASS(ES)
1.Title VI of the Civil Rights Act of 1964	NO	YES	Race, Color, and National Origin for all sources of federal funding.
2.Section 504 of the Rehabilitation Act of 1973	YES	YES	Disability for all sources of federal funding.
3.Title II of the Americans with Disabilities Act of 1990	YES	YES	Disability in all public entities whether or not federal funds are involved.
4.Age Discrimination Act of 1975	NO	YES	Age for all sources of federal funding
5.Title IX of the Education Amendments of 1972	NO	YES	Sex Discrimination in Educational Programs.
6.The Omnibus Crime Control & Safe Streets Act of 1968 *Juvenile Justice and Delinquency Prevention Act of 1974 adopts the civil rights obligations of the Safe Streets Act.	YES	YES	Race, Color, Religion, National Origin, and Sex for all Dept. of Justice federal funding.
7.Victims of Crime Act	YES	YES	Race, Color, Religion, National Origin, Sex, and Disability for all Dept. of Justice federal funding.
8. Violence Against Women Act (VAWA)	YES	YES	Race, Color, Religion, National Origin, Sex, Sexual Orientation, Gender Identity, and Disability for all Dept. of Justice – Office on Violence Against Women (OVW) federal funding.

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The Office for Civil Rights at the
Office of Justice Programs (OCR)



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Employees, beneficiaries and applicants for employment or services of any of the above who believe that they have experienced unlawful discrimination may [file a complaint](#).

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Affidavit of Receipt Grievance Procedure to
File a Complaint With DOJ and OCR

**AFFIDAVIT OF RECEIPT
GRIEVANCE PROCEDURE**
PROGRAM NAME

Employees, volunteers, and program beneficiaries (survivors), must sign the Affidavit of Receipt for Grievance Procedure on how to file a complaint with DOJ and OCR.

Program Name is committed to providing you with quality service. If you are not satisfied with the services provided, or if you wish to make a complaint, we ask that you follow these guidelines:

You resolve the issue with the staff person, giving specific information about your complaint. If this is not possible, or if the issue is not resolved, please contact Program Name's Executive Director. Your complaint may be made in person, in writing, or by phone (Program Name).

It may be necessary to request a meeting with you and it may be necessary to seek additional information from a staff person. The Executive Director will respond to your concern within business days.

If you are not satisfied with the response you receive from the Executive Director, you may express your concerns in a letter to the President of the Board of Directors. Your letter should be sent to the Board President at Address.

Again, it may be necessary to request a meeting with you. The Board President will give you a final response within 30 business days.

If you believe you have been treated differently because of race, color, national origin, religion, sexual orientation, disability or age, you may file a discrimination complaint with the following agencies:

Wisconsin Department of Justice
Office of Civil Rights Services
P.O. Box 7961
Madison, WI 53702-7961

Wisconsin Department of Justice
Central Compliance Officer
P.O. Box 7962
Madison, WI 53702-7962

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
830 7th Street, NW
Washington, DC 20531

My signature below indicates I have read, understood, and received a copy of this form.

Signature of Services Recipient

Date

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How to stay compliant with EEO laws?

- ❑ Train all staff and volunteers on EEO laws. Including managers/supervisors
- ❑ Implement a strong EEP Policy that is embraced by leadership & Board of Directors
- ❑ Promote an inclusive culture
- ❑ Foster open communication
- ❑ Avoid subjective employment decisions based on personal stereotypes or hidden biases
- ❑ Recruit, hire, and promote with EEO principals
- ❑ Monitor for EEO Compliance by conducting a self-analyses to determine whether your current employment practices disadvantage staff of color, treating them differently, or leave the effects of historical discrimination in your organization

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Equal Employment Opportunity is THE LAW - Posters

Posters must be placed in conspicuous locations in the office and in the shelter.

Posters:

- English
- Spanish
- Arabic
- Chinese




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OJP OCR Civil Rights On-Line Training

OCR offers civil rights training to recipients of OJP, OVW funding to meet your federal civil rights obligations.

The online training consists of six segments and self-test of the applicable nondiscrimination laws and the general civil rights obligations that are tied to grants awarded by the Justice Department.



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OJP OCR Civil Rights On-Line Training

OCR Civil Rights Training Videos – Watch All Six.

All Grant Funded Staff are Required to Watch the OJP Civil Rights Training Videos Every New Grant Year

The Six On –Line Civil Rights 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?

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Grant Funding Staff & Funding Source

Inform Staff of their Grant Funded Hours

Grants Hours *Crisis Intervention Manager*

VOCA:	48% - 19 HOURS
SAVS:	9% - 3.5 HOURS <small>Grand Award Only</small>
DCF:	43% - 17.5 HOURS <small>Domestic Violence ONLY</small>

Please utilize the Grant Calendar to reflect time.
For more information, <https://www.doj.state.wi.us/>

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Thank You!

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