

# Civil Rights in Review

Module 1



Commentary

Key  
Words

State Laws

Federal  
Laws and  
Issues

## Content

Policies

Forms

Notices

## Best Practices

- ADA

- Language  
Translation

Frequently  
Asked  
Questions

# Objectives

- *Understand your role in providing workplace and service areas that are free from discriminatory practices*
- *Recognize and understand civil rights laws affecting workplace and service provisions*

# Overview

- **Federal and State funding partnership**
- **State agency compliance**
- **Laws, instructions, policies, guidelines**

# Aim

- **Absence of discriminatory practices in program/service delivery and employment**
- **Meaningful and reasonable ACCESS to programs, services, activities, buildings, employment**

# Legal Authority

- Civil Rights Act of 1964, Title VI
- Age Discrimination Act of 1975
- Rehabilitation Act of 1973, Section 502-4
- Americans with Disabilities Act of 1990
- Civil Rights Restoration Act, 1987
- Hawaii Revised Statutes, 368 and 371

# How does discrimination happen?

- Denial of services or benefits
- Services not equally provided
- Individuals treated differently

# Limited English Proficiency (LEP)

- State agencies must provide equal services to persons with limited English proficiency
- Applicants/recipients must be notified that interpreters may be provided by DHS free of charge to the applicant
- Forms, applications, brochures and adverse impact documents need to be translated to inform persons of their rights and responsibilities in their primary language

# Reasonable Accommodations

- **Individuals with disabilities must be afforded both facility and program access**
- **Facility access includes and is not limited to the ability to enter and move through the offices where program services are delivered**
- **Program access includes the ability to understand the information shared during the service delivery process**
- **Accommodations may be necessary to ensure equal access to services and employment**

# What does providing a reasonable accommodation involve?

- Making facilities accessible
- Job restructuring, modifying work/service schedules/assignments
- Acquiring or modifying equipment or devices
- Adjusting examinations, training materials or policies
- Providing qualified readers or interpreters



# How to request a reasonable accommodation:

- Employee or Applicant completes RA-1
- Immediate supervisor recommends
- Division Administrator reviews
- Departmental Personnel Officer approves
- Division/supervisor makes purchase
- Supervisor notifies CRCS when accommodation is complete

# Examples of Reasonable Accommodations

- Assistive devices, such as audio/video
- Readers
- Laptops
- Braille and other notebooks
- Interpreter/translator
- Chairs
- Lifts
- Others, as justified

# Everyone's Responsibility

- Know and understand civil rights laws governing service delivery and employment
- Apply tools effectively to prevent and eliminate discriminatory practices
- Ensure all persons have an opportunity to participate in programs, services and activities

# Discrimination Complaint

- Right to file discrimination complaints concurrently (4.10.1) DHS Forms 9004 & 9006
- Applicants/recipients and employees must be informed of their right and the process for filing a discrimination complaint
- Notification can include: posters, forms, brochures (ACCESS HAWAII) and verbally during application and other interviews

# Compliance Reviews

- **Purpose: To establish compliance**
- **Areas to be reviewed:**
  - ❖ **Public notices**
  - ❖ **Facility and program access**
  - ❖ **Civil rights training**
  - ❖ **Data collection and analysis**
  - ❖ **Complaint procedures**
  - ❖ **Reporting**
  - ❖ **Monitoring**

# Language Access Breaking Down Barriers



<http://www.lep.gov>  
(Click for link)