

**INCA Community Services
Equal Opportunity
and
Affirmative Action Plan

2011-2012**

LaQuita Thornley
Executive Director

Brenna Moore
Equal Opportunity Officer

Sarilea Combs
Board Chairman

Date

INCA COMMUNITY SERVICES, INC.

EQUAL OPPORTUNITY POLICY

INCA Community Services, Inc., is concerned that it fulfills its role as an equal opportunity employer and service provider. Civil rights laws of 1964 have been enacted to assure equality of opportunity, and this agency shall strive to meet the requirements of these laws to the extent that equal opportunity for all people is a reality.

It shall be the policy and practice of INCA Community Services to recognize and accept the responsibility to insure that this agency does not discriminate against any employee, applicant for employment, or against any applicant or beneficiary of our services in all phases and levels of the agency's programs and activities because of age, sex, race, color, religion, national origin, physical impairment, or political affiliation.

EQUAL OPPORTUNITY PROCESS

INCA Community Services and its subsidiaries are committed to creating and maintaining services that are free of all forms of discrimination. The agency will take whatever prevention, corrective and disciplinary action necessary for behavior that violates this policy or the rights and privileges it is designed to protect.

To achieve ultimate effectiveness in this matter, there must be total commitment on the part of every employee. All employees shall follow the intent of these guidelines in a manner that reflects agency policies. Each employee's cooperation and support in our Equal Opportunity and Affirmative Action efforts is essential in assuring equal opportunity in all areas of the agency.

An Equal Opportunity Officer, Brenna Moore, has been appointed by the Executive Director, and is responsible to the Executive Director to perform the duties as outlined in her job description, and under the direction of the Executive Director, to implement the Equal Opportunity Policy and Procedures and Affirmative Action Plan of INCA Community Services, Inc.

The Board of Directors Human Rights Committee has been selected and is constituted in such a manner as to insure adequate representation from all sectors and eligible groups.

INCA Community Services shall give preference to those vendors, contractors and suppliers of our area who have instituted and enforced positive programs of affirmative action offering goods and services of comparable quality and value. Also, minority owned business will be given preference over other vendors offering goods and services of comparable quality and value.

Equal Opportunity Due Process Procedures: For information concerning the impartial hearing and review procedures, the Complainant shall contact the Equal Opportunity Officer.

Notice: The Equal Opportunity Officer will notify all employees, members of the public and employees of the name, office and telephone number of each Program Director and this Discrimination Complaint Procedure in writing via INCA's website www.incacaa.org, publications and/or posting.

INCA BOARD OF DIRECTORS HUMAN RIGHTS COMMITTEE

The Human Rights Committee shall consist of three board members composed as follows: One member shall represent public sector, One member shall represent low income sector, One member shall represent the private sector. The committee will select a chairperson.

The Equal Opportunity Officer is advisor to the Human Rights Committee throughout the investigation process to insure prompt, fair, and impartial processing of equal opportunity discrimination complaints.

The Human Rights Committee shall:

- Establish and oversee the process which develops and evaluates the Equal Opportunity Policy and Procedures and Affirmative Action Plan.
- Annually monitor and report to the Board concerning grantee progress in meeting its Affirmative Action goals and timetables.
- Make policy recommendations to the Board concerning all aspects of equal opportunity internally or externally.
- Hear complaints of discrimination in accordance with established complaint procedures as stated in the Equal Opportunity and Affirmative Action Plan of the Agency.
- Shall closely coordinate its functions with those of the Equal Opportunity Officer.

The Human Rights Committee may delegate individual authority for the accomplishment of these various responsibilities to individual members of the Committee, to other Board Members, or to INCA's staff through and with the concurrence of the Executive Director of the Agency.

The Human Rights Committee shall meet on dates set on a definite basis or on a call basis by the Committee Chairman, or by any committee member, or by Equal Opportunity Officer.

**INCA COMMUNITY SERVICES
BOARD OF DIRECTORS
ROSTER OF HUMAN RIGHTS COMMITTEE**

This committee shall review the determination of the Equal Opportunity Officer regarding complaints of discrimination and shall oversee the enforcement of the grantee's civil rights and equal opportunity program.

Phillip Culbreath	Atoka County	Elected Public
Stella Black	Murray County	Selected Private
Patricia Fields	Marshall County	Low Income
Maren Turner	Johnston County	Low Income
Brenna Moore	Johnston County	Equal Opportunity Officer

*Meet when needed

ADMINISTRATION OF EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION PROGRAM

The Executive Director shall exercise the personal leadership in establishing, maintaining, and carrying out the implementation of the Civil Rights and Affirmative Action Plan to insure equal opportunity for participation in all phases and levels of INCA's programs and activities.

The Equal Opportunity Officer shall assist the Executive Director in her efforts toward equal opportunity and affirmative action by assuming the responsibility for insuring the success of the Civil Rights and Affirmative Action Program. To achieve this, a Human Rights Committee has been appointed to oversee all operations of the Equal Opportunity and Affirmative Action Program, by the Board Chairman.

Awareness: The Equal Opportunity Officer will develop an awareness program for the dissemination of information regarding civil rights legislation, policies and regulations. This will be accomplished by:

- making each employee aware of the Equal Opportunity and Affirmative Action Plan at the time of employment.
- providing training annually on Equal Employment Opportunity including Harassment.
- Upon request provide training to potential program recipients and participants, Board of Directors, Policy Councils and Advisory Committees as requested.

Access to Services by Persons with Limited English Proficient (LEP): INCA Community Services will take "reasonable steps" to remove the barriers for LEP individuals. The needs of individuals with limited English proficiency will be determined on a case by case basis at the local level. Any LEP individual directly impacted or benefiting from INCA Community Services shall be offered translation proactively as a rule. INCA's website currently translates into 22 different languages. Many of the agency applications, schedules and brochures have been provided in Spanish.

Record Keeping: The Equal Opportunity Officer will maintain a list of any active investigations conducted by entities, lawsuits, or complaints naming INCA Community Services that allege discrimination on the basis of age, sex, race, color, religion, national origin, physical impairment, or political affiliation that includes the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by INCA Community Services in response to the investigations.

Complaint records will remain confidential, to the extent allowed by law, unless permission is given by the parties involved to release such information. All complaint

records will be kept separate from any other records of the Agency. No complaint record shall be entered in any personnel file unless adverse employment action is taken against an employee. Complaint records shall be maintained on file for three years after complaint resolution.

Notification to Beneficiaries: The Equal Opportunity Officer shall be responsible for the postings and providing information to the public regarding their rights and protection against discrimination. Information shall be disseminated to the public through measures that include but shall not be limited to a posting on the agency's website. Information will be posted at all facilities, transportation and appropriate agency documents.

AUTHORITY:

This agency will abide by the following authorities in implementation and operation of the Equal Opportunity and Affirmative Action Program. Listed authorities will be kept in a current file by the Equal Opportunity Officer. The Equal Opportunity Officer will keep the Executive Director and Human Rights Committee updated.

- Economic Opportunity Act of 1964, as amended.
- Public Law 88-352, Title VI, Civil Rights Act of 1964 (42 U.S.C. Section 2000d).
- Title 45, Chapter X, Part 1010, Code of Regulations, Non-Discrimination in Federally Assisted Programs of Community Services Administration.
- OEO Instruction 6710-1 Change 6, Form 395, Grantee Refunding Certification. (See III)
- OEO Notice 6004-1, Requirement for Active Civil Rights Program.
- Public Law 92-261, The Equal Employment.
- Federal Transit Circular 4702.1A – Title VI and Title VI-Dependent Guidelines - Title VI Regulations at 49 CFR Part 21. DOT’s Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (“LEP”) Persons (70 FR 74087, December 15, 2005)
- Any future equal employment opportunity legislation and/or directives.

MAJOR AREAS OF EQUAL OPPORTUNITY and AFFIRMATIVE ACTION

Insure equal opportunity for participation in all phases and levels of INCA's programs and activities.

Racial and Ethnic Groups: It will be the policy of the agency to insure fair participation to all racial and ethnic groups represented in the geographic area served by INCA Community Services. Furthermore, it shall be the policy that this Agency will actively solicit this participation in all phases of the program, policy making, program staffing, and program participation. Members of all ethnic groups in the area will be drawn into participation in all services offered by the Agency. The following activities will be emphasized in obtaining the involvement of members of ethnic groups in Agency programs. **(Attachment #9)**

- Information and Outreach Program: The agency has four counties and each county has a Community Specialist to develop the Agency programs at the grass roots level.
- Inclusion of all ethnic groups in policy-making groups, governing boards, and advisory committees. Attached find analysis of ethnic participation in INCA Boards and Committees. **(Attachment #1).**
- Location of program facilities for equal access to all ethnic groups. Each center is in the heart of the target area. Find enclosed map which denotes center locations. **(See Attachment #2).**
- Community Surveys are conducted every other year in each of the four counties served by the Agency where the target area community voices their problems and needs. On-going programs and new programs are explained, and participants are recruited.
- Board Meetings: Board Meetings are held each month and serves a dual purpose of information meetings to the sections of the community they represent. Public agencies, private interest groups, and the low-income groups, and the regular duty of conducting agency business.

Service Recipients/ Clients: Inca's policy has been to provide programs to fit needs and problems in our small rural areas and to attain an equitable balance of all eligible persons. The Client Characteristics Report **(Attachment #3)** indicates a balance of ethnic groups in the total program.

Participation in INCA Committees: Strive to have participation of all eligible groups, on all INCA Committees in program planning, development and evaluation provides an equal representation in order to obtain concerned efforts to involve all eligible groups in program participation.

EQUAL OPPORTUNITY DISCRIMINATION COMPLAINT PROCEDURES

Equal Opportunity Discrimination (external): Any act or omission of an act which would prevent the use or exclude a person access to agency's programs, activities or services based on age, sex, race, color, religion, national origin, physical impairment, or political affiliation.

Definitions

Discrimination Complaint: A written complaint alleging any action, policy, procedure or practice that discriminates on the basis of race, color, national origin, sex, religion, age or disability. Person filing written complaint with agency should be within ten (10) days of act wherein complaint originates.

Complainant: Any applicant or beneficiary of services in all phases and levels of the agency's programs, activities or services; or member of the public who submits a complaint alleging discrimination because of age, sex, race, color, religion, national origin, physical impairment, or political affiliation.

Respondent: The person alleged to be responsible for the alleged discrimination contained in the complaint. The term may be used to designate persons with the responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

Equal Opportunity Officer: The Equal Opportunity Officer shall work with the Complainant, Respondent, applicable Program Director, Executive Director, and the Board of Director's Human Rights throughout the investigation process to insure a prompt, fair, and impartial processing of formal and informal complaints of discrimination.

Day: Day means a working day when the agency's main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

Pre-Filing Procedures

Prior to the filing of a written complaint, the Complainant is encouraged to visit with the Program Director or designated manager, as applicable, and reasonable effort should be made by the Agency at this level to resolve the problem or complaint.

Person should file the complaint with agency within ten (10) days of act wherein complaint originates.

Filing, Investigation, Hearing and Review Procedures

Filing: The Complainant submits a written complaint to the program director or

assigned manager, as applicable, stating the basis, nature and date of the alleged discrimination, the names of persons responsible (where known) and requested action. If the applicable staff person is the person alleged to have committed the discriminatory act(s), then the complaint should be submitted to the Equal Opportunity Officer. Complaint forms (**Attachment # 6**) are available on INCA's website www.incacao.org under the Human Resource Tab, Equal Opportunity or from INCA's County Offices.

Within two days of the written complaint the Equal Opportunity Officer will send a copy of complaint to the Executive Director.

Confidentiality: On complaints of discrimination the Program Director or assigned manager and Equal Opportunity Officer will disclose the complaint, the identity of the Complainant and information regarding the person who allegedly committed the discriminatory act only to the extent necessary to fully investigate the complaint and only when the disclosure is required or permitted by law.

If a Complainant wished to remain anonymous, the Equal Opportunity Officer or Program Director or assigned manager will advise him or her that such confidentiality may limit the Agency's ability to fully respond to the complaint. If the Complainant asks to remain anonymous, the Program Director or assigned manager and Equal Opportunity Officer will proceed with the investigation.

Investigation: Upon receipt of the written complaint the applicable Program Director or assigned manager and the Equal Opportunity Officer together will conduct a complete and impartial investigation within 10 days of receiving the complaint, the extent reasonably possible, which shall include but not be limited to, interviewing the Complainant and any witnesses, review of documents and interviewing the Respondent.

The Program director or assigned manager will ask the Respondent to (a) confirm or deny facts; (b) indicate acceptance or rejection of the Complainant's requested action; and (c) outline alternatives.

Response: Within 5 days after completing the investigation, the applicable program director or assigned manager and Equal Opportunity Officer will issue a written decision to the Complainant and Respondent.

Appeal: If the Complainant or Respondent is not satisfied with the decision, he or she must notify the applicable program director or assigned manager within 5 days and request, in writing, an appeal to the Executive Director. The written appeal shall contain a specific statement of the basis of the appeal.

With in 5 days after receiving the appeal, the applicable Program Director or assigned manager and Equal Opportunity Officer will refer the appeal and the evidentiary record to the Executive Director. The Equal Opportunity Officer will schedule a hearing with the Complainant, Respondent, applicable program director or assigned manager, within 10 days of receiving the appeal.

The Executive Director will act as an intermediate level of appeal by reviewing the principal or designee's decision and the oral and written evidence presented below and making a decision. At the hearing, the Executive Director may ask for additional oral or written evidence from the parties and any other individual he or she deems relevant.

The Equal Opportunity Officer will make arrangements to audiotape any oral evidence presented.

Within 5 days after the hearing, the Executive Director will issue a final decision in writing to all parties involved.

Second Appeal: If the Complainant or Respondent is not satisfied with the decision, he or she must notify the Equal Opportunity Officer, in writing, within 5 days and request an appeal to INCA Board of Directors Human Rights Committee. The written appeal shall contain a specific statement explaining the basis for the appeal.

The Equal Opportunity Officer will notify the Board of Directors Human Rights Committee, in writing, within 5 days after receiving the appeal. The Equal Opportunity Officer will arrange for a hearing concerning appeal within 10 days from the date of notification to the Human Rights Committee.

The Human's Right Committee will act as an appellate body by reviewing the decision and the oral and written evidence and making a decision. At the hearing, the Human's Rights Committee may ask for oral or written evidence from the parties and any other individual it deems relevant. The Equal Opportunity Office will make arrangements to audiotape any oral evidence presented. Within 5 days of the hearing, the Human's Right Committee will issue a final decision in writing to all parties involved.

General Provisions

Extension of time: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date of the complaint is filed until the Board of Director's Human Rights Committee issues a final decision shall be no more than 120 days.

Access to Regulations: Upon request, the Equal Opportunity Officer shall provide copies of any regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age or disability.

Confidentiality of Records: Complaint records will remain confidential, to the extent allowed by law, unless permission is given by the parties involved to release such information. All complaint records will be kept separate from any other records of the Agency. No complaint record shall be entered in any personnel file unless adverse employment action is taken against an employee. Complaint records shall be maintained on file for three years after complaint resolution.

Representation: The Complainant the Respondent may have a representative assist them through the grievance process and accompany them to any hearing.

Retaliation: The Agency prohibits retaliation, intimidation, threats, or coercion of any person for opposing discrimination or for participating in the Agency's discrimination complaint process or making a complaint, testifying, assisting, appealing, or participating in any other discrimination complaint proceeding or hearing. The Agency will take steps to prevent the alleged perpetrator or anyone else at the Agency from retaliating against the alleged victim or any person who acts to oppose discrimination or participates in the complaint process. These steps include notifying employees that

they are protected from retaliation, making sure that victims know how to report future problems and making follow-up inquiries to see if there have been any new incidents. If retaliation occurs, the Agency will take strong responsive action.

Basis of Decision: At each step in the discrimination complaint procedure, the decision maker will take or recommend the taking of appropriate measures based on the facts, as revealed by the investigation and hearing, taken as a whole, and the totality of the circumstances, such as the nature, extent and gravity of the activities or incidents.

EQUAL EMPLOYMENT and AFFIRMATIVE ACTION PRACTICES AND PROCEDURES:

It is the policy and practice of INCA Community Services to provide equal employment opportunity for all employees and applicants for employment. No person in the service of this agency or person seeking admission to its service, shall be appointed, promoted, demoted, or in any way favored or discriminated against because of race, religion, color, sex, age, national origin, physical handicap, or political affiliation. Moreover, this agency shall take steps to remove any desperate effects of past discrimination, and to insure the full realization of equal employment opportunity through a continuing program of Affirmative Action.

Ethnic Composition of staff: It is a policy of INCA Community Services that the ethnic composition of staff reflects the ethnic composition of the total population in the area served by the agency, and that the percentage of females on the grantee staff reflects at a minimum the percentage of females in the labor force of the area served by the grantee.

Equal Opportunity Employer: INCA Community Services states in its Personnel Policies that it is an equal opportunity employer. All advertisements of vacancies shall specify that the agency is an Equal Opportunity Employer. Staff vacancy notices for all positions will be advertised in newspapers within the area served by the agency and/or taken from applicants registering with INCA Community Services.

Applications: Applications will be accepted by the Central Administrative Office and/or Community Center Offices. Consideration will be given to the employment of the poor who have been denied the benefit of formal education and who are willing to learn to perform new functions. The agency will make a reasonable effort to increase minority staff where possible as openings or advancement in position becomes available.

Education Requirements: Formal education qualifications, unless required by Federal, State or Local Law, or funding agency shall not be made a requirement for employment or advancement in either professional or non-professional capacities if a candidate has the ability to perform the duties of the position.

Continuing Formal Education: Attendance at formal educational institutions, where such contributes to increased job capability, may be arranged by an employee at his expense during regular working hours. Provided that the time from work does not exceed four hours per week and is covered by rescheduled work hours or leave without pay. The time off can not effect the timely manner or quality of service given to program participants. The Program Director and Executive Director must approve all such arrangements.

Head Start employees must pursue their CDA credential, Associates Degree, Bachelor Degree or paraprofessional certification through a separate plan for employees of the Head Start program. The Head Start Director and Executive Director must approve all such arrangements.

Employee Training: Training has been and will be provided for staff in an effort to promote program goals and to provide more effective staff. This is accomplished by regular staff trainings and meetings which deals with all facets of agency's programs and the interrelations of staff. Employees are given opportunities to travel to area, regional, and state training meetings whenever those meetings can benefit the employees to better perform their jobs.

Qualified Supervision: The responsibility at the agency level is to provide qualified supervision to employees. All personnel are given job descriptions and training within the agency to better meet the challenge of their job. Training includes supervision by trained staff.

All State, Regional, and Federal Publications which apply to a given job are given to the Program director or assigned manager and in turn passed down to the employee. It is the responsibility of the Supervisor to clarify, explain, and assemble the material in such a manner that the employee will have a better understanding of his/her job.

Employee Evaluation: Each Supervisor performs an annual evaluation of the employees of whom he/she is given supervisory responsibility. The evaluation will bring to the attention of the employee status, improvements made and areas where more improvement is needed. This evaluation becomes an important part of the agency's personnel records. Any recommendations when there are openings for new employment should come after a thorough investigation of the employee's work records.

Employee Grievances: It is the policy of INCA Community Services to discuss and seek resolution to employee grievances. To accomplish this, the personnel policies provide a procedure where by employees may present job-related problems and grievances for prompt investigation and resolution in a friendly and impartial manner without being subject to criticism or adverse reaction. **(See, Grievance Procedures in Agency's Personnel Policies and Procedures - Attachment #8).**

Posting and Publicity of Equal Employment Opportunity: The Equal Opportunity Officer shall be responsible for the postings and publicity to insure that all applicants are knowledgeable concerning the agency's Equal Employment Opportunity Program in the county community centers, central administrative office of the Agency and website.

EQUAL EMPLOYMENT OPPORTUNITY DISCRIMINATION COMPLAINT PROCEDURES

Equal Employment Opportunity Discrimination (internal): Any act or omission of an act which a person in the employment of this agency or person seeking admission to its employment, was appointed, promoted, demoted, or in any way favored or discriminated against because on age, sex, race, color, religion, national origin, physical impairment, or political affiliation.

Procedures for Filing, Processing and Resolving Complaints alleging Discrimination: If a complaint concerns employment with INCA Community Services, the individual must contact the agency within 10 days of the action believed to be discriminatory. Complaint forms (**Attachment # 7**) are available on INCA's website www.incacaa.org under the Human Resource Tab, Equal Employment Opportunity or from INCA's County Offices.

DEFINITIONS:

Discrimination Complaint: A written complaint alleging any action, policy, procedure or practice that discriminates on the basis of race, color, national origin, sex, religion, age or disability. Person filing written complaint with agency should be within ten (10) days of act wherein complaint originates.

Complainant: Any person in the employment of this agency or person seeking admission to employment who submits a complaint alleging discrimination because of age, sex, race, color, religion, national origin, physical impairment, or political affiliation.

Respondent: The person alleged to be responsible for the alleged discrimination contained in the complaint. The term may be used to designate persons with the responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

Equal Opportunity Officer: The Equal Opportunity Officer shall work with the Complainant, Respondent, applicable Program Director, Executive Director, and the Board of Director's Human Rights throughout the investigation process to insure a prompt, fair, and impartial processing of formal and informal complaints of discrimination.

Day: Day means a working day when the agency's main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

Pre-Filing Procedures

Prior to the filing of a written complaint, the Complainant is encouraged to visit with the Program Director or designated manager, as applicable, and reasonable effort should be made by the Agency at this level to resolve the problem or complaint.

Filing, Investigation, Hearing and Review Procedures:

Filing: The Complainant submits a written complaint to the program director or assigned manager, as applicable, stating the basis, nature and date of the alleged discrimination, the names of persons responsible (where known) and requested action. If the applicable staff person is the person alleged to have committed the discriminatory act(s), then the complaint should be submitted to the Equal Opportunity Officer. Complaint forms are available on INCA's website www.incacaa.org under the Human Resource Tab, Equal Employment Opportunity or from INCA's County Offices.

Within two days of the written complaint the Equal Opportunity Officer will send a copy of complaint to the Executive Director.

The Equal Opportunity Officer will advise complainant of his or her rights under the Equal Opportunity Act.

Confidentiality: Complaints of discrimination the Program director or assigned manager and Equal Opportunity Officer will disclose the complaint, the identity of the Complainant and information regarding the person who allegedly committed the discriminatory act only to the extent necessary to fully investigate the complaint and only when the disclosure is required or permitted by law. If a Complainant wished to remain anonymous, the Equal Opportunity Officer or Program director or assigned manager will advise him or her that such confidentiality may limit the Agency's ability to fully respond to the complaint. If the Complainant asks to remain anonymous, the Program director or assigned manager and Equal Opportunity Officer will proceed with the investigation.

Investigation: Upon receipt of the written complaint the applicable Program Director or assigned manager and the Equal Opportunity Officer together will conduct a complete and impartial investigation within 10 days of receiving the complaint, the extent reasonably possible, which shall include but not be limited to, interviewing the Complainant and any witnesses, review of documents and interviewing the Respondent.

The Program Director or assigned manager will ask the Respondent to (a) confirm or deny facts; (b) indicate acceptance or rejection of the Complainant's requested action; and (c) outline alternatives.

Response: Within 5 days after completing the investigation, the applicable program director or assigned manager and Equal Opportunity Officer will issue a written decision to the Complainant and Respondent.

Appeal: If the Complainant or Respondent is not satisfied with the decision, he or she must notify the applicable program director or assigned manager within 5 days and request, in writing, an appeal to the Executive Director. The written appeal shall contain a specific statement of the basis of the appeal.

Within 5 days after receiving the appeal, the applicable Program Director or assigned manager and Equal Opportunity Officer will refer the appeal and the evidentiary record to the Executive Director. The Equal Opportunity Officer will schedule a hearing with the Complainant, Respondent, applicable program director or assigned manager, within 10 days of receiving the appeal.

The Executive Director will act as an intermediate level of appeal by reviewing the principal or designee's decision and the oral and written evidence presented below and making a decision. At the hearing, the Executive Director may ask for additional oral or written evidence from the parties and any other individual he or she deems relevant. The Equal Opportunity Officer will make arrangements to audiotape any oral evidence presented.

Within 5 days after the hearing, the Executive Director will issue a final decision in writing to all parties involved.

Second Appeal: If the Complainant or Respondent is not satisfied with the decision, he or she must notify the Equal Opportunity Officer, in writing, within 5 days and request an appeal to INCA Board of Directors Human Rights Committee. The written appeal shall contain a specific statement explaining the basis for the appeal.

The Equal Opportunity Officer will notify the Board of Directors Human Rights Committee, in writing, within 5 days after receiving the appeal. The Equal Opportunity Officer will arrange for a hearing concerning appeal within 10 days from the date of notification to the Human Rights Committee.

The Human's Right Committee will act as an appellate body by reviewing the decision and the oral and written evidence and making a decision. At the hearing, the Human's Rights Committee may ask for oral or written evidence from the parties and any other individual it deems relevant. The Equal Opportunity Officer will make arrangements to audiotape any oral evidence presented. Within 5 days of the hearing, the Human Right Committee will issue a final decision in writing to all parties involved.

General Provisions

Extension of time: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date of the complaint is filed until the Board of Director's Human Rights Committee issues a final decision shall be no more than 120 days.

Access to Regulations: Upon request, the Equal Opportunity Officer shall provide copies of any regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age or disability.

Confidentiality of Records: Complaint records will remain confidential, to the extent allowed by law, unless permission is given by the parties involved to release such information. All complaint records will be kept separate from any other records of the Agency. No complaint record shall be entered in any personnel file unless adverse employment action is taken against an employee. Complaint records shall be maintained on file for three years after complaint resolution.

Representation: The Complainant the Respondent may have a representative assist them through the grievance process and accompany them to any hearing.

Retaliation: The Agency prohibits retaliation, intimidation, threats, or coercion of any person for opposing discrimination or for participating in the Agency's discrimination complaint process or making a complaint, testifying, assisting, appealing, or participating in any other discrimination complaint proceeding or hearing. The Agency will take steps to prevent the alleged perpetrator or anyone else at the Agency from retaliating against the alleged victim or any person who acts to oppose discrimination or participates in the complaint process. These steps include notifying employees that they are protected from retaliation, making sure that victims know how to report future problems and making follow-up inquiries to see if there have been any new incidents. If retaliation occurs, the Agency will take strong responsive action.

Basis of Decision: At each step in the discrimination complaint procedure, the decision maker will take or recommend the taking of appropriate measures based on the facts, as revealed by the investigation and hearing, taken as a whole, and the totality of the circumstances, such as the nature, extent and gravity of the activities or incidents.

**EQUAL OPPORTUNITY THROUGH THE EFFECTIVE USE
OF AGENCY PURCHASING POWER.**

INCA Community Services has a basic policy of purchasing goods and services from vendors, contractors, and suppliers who are in compliance with Federal, State and Local Laws, and regulations governing equal employment practices.

INCA Community Services, has adopted the policy of giving preference to minority owned businesses over other vendors offering goods and services of comparable quality and value.

**POLICY AND PROCEDURE TO CHANGE DISCRIMINATORY
INSTITUTIONAL POLICIES, PRACTICES AND ATTITUDES
WITHIN THE COMMUNITY.**

INCA Community Services on the surface sees no noticeable outright discriminatory policies, practices or voiced attitudes within the communities we serve. INCA serves small rural communities and currently does not have the out-spoken discrimination.

This Agency will file complaints with proper authorities any discrimination brought to the attention of the Equal Opportunity Officer.

This Agency will provide assistance, wherever possible, to public and private institutions in the development of Equal Opportunity and Affirmative Action Plans and Policies upon request.

The Equal Opportunity Officer will assume responsibility of assistance to aggrieved individuals and groups in filing complaints of discrimination with appropriate agencies. He/She shall conduct workshops and/or discussions in areas of Affirmative Action at which local problem relates to human rights upon request.

The agency shall actively participate in local human relations and will lend support to community efforts directed toward realization of Equal Opportunity and Affirmative Action goals and concepts.

**AFFIRMATIVE ACTION GOALS,
TIMETABLE AND EVALUATION PROCESS**

An annual self-evaluation shall be performed by the Human Right's Committee and Equal Opportunity Officer. The Evaluation shall include a summary of public outreach and involvement activities undertaken and a description of steps taken to ensure that minority person had meaningful access to the agency's programs, services and activities.

They shall use as a basis for the evaluation the goals and timetables (**See Attachment #4**) set forth in the Equal Opportunity and Affirmative Action Plan, and the Annual Progress Reports of the Equal Opportunity Officer. The results of this evaluation shall be submitted in the annual up-dated Equal Opportunity and Affirmative Action Plan Evaluation. (**See Attachment # 5**)

REPORTING

EEO Officer Report to Board of Directors:

A report to the Board of Directors on an annual basis shall be made by the Equal Opportunity Officer. He/She shall advise the Board of the Progress made in the area of Affirmative Action based upon the projects and goals contained with the Civil Rights and Affirmative Action Plan.

Title VI Compliance reporting to the Oklahoma Department of Transportation (ODOT) as required by Federal Transit Administration (FTA):

Title VI Complaint Procedures. *Chapter IV, part 2; 49 CFR 21.9 (b)* – INCA Community Services dba JAMM Transit has developed procedures for investigating and tracking Title VI complaints filed against them and makes their procedures for filing a complaint available to members of the public upon request.

Procedure for Investigation, Complaints or Lawsuits. *Chapter IV part 3' 48 CFR 21.9 (b).* INCA Community Services dba JAMM Transit has developed and maintains a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming INCA Community Services dba JAMM Transit that allege discrimination on the basis of race, color, or national origin that includes the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by INCA Community Services dba JAMM Transit in response to the investigations.

Access to Services by Persons with Limited English Proficient (LEP). *Chapter IV, part 4: 49CFR 21.5 (b) and the DOT LEP Guidelines.* INCA Community Services dba JAMM Transit is taking “reasonable steps” to remove the barriers for LEP individuals. INCA Community Service dba as JAMM Transit plan is determined on a case by case basis at the local level. Any LEP individual directly impacted or benefiting from INCA Community Services shall be offered translation proactively as a rule.

Notifying Beneficiaries of their Rights Under Title VI. *Chapter IV, part 5: 49CFR 21.9 (d).* INCA Community Services dba as JAMM Transit has developed a statement for the provision of information to the public regarding their Title VI obligations and to apprise members of the public of the protections against discrimination afforded to them by Title VI.

Inclusive Public Participation. *Chapter IV, part 9, DOT Order 5620.* INCA Community Services dba JAMM Transit annually reviews its Equal Opportunity and Affirmative

Action Plan and completes an evaluation of the steps taken to ensure that minority persons had meaningful access to all services provided.

ATTACHMENT # 1

ANALYSIS OF ETHNIC REPRESENTATION OF INCA BOARDS AND COMMITTEES

GROUP	CAUCASIAN	AFRICAN AMERICAN	AMERICAN INDIAN or HISPANIC or OTHER	TOTAL
Board of Directors	10	1	1	12
Human Rights Committee	4	1	0	5
Transportation Advisory Committee	8	3	0	11
Policy Council (including alternates)	14	0	9	23
Health Advisory Committee (including alternates)	9	0	1	10
Education Advisory Committee (including alternates)	11	0	2	13
RSVP Advisory Committee	10	2	1	13
Career Opportunities Human Rights Committee	2	0	2	4
Totals	68	7	16	91

ANALYSIS OF MALE AND FEMALE REPRESENTATION OF INCA BOARDS AND COMMITTEES

GROUP	MALE	FEMALE	TOTAL
Board of Directors	4	8	12
Human Rights Committee	1	4	5
Transportation Advisory Committee	1	10	11
Policy Council (including alternates)	2	21	23
Health Advisory Committee (including alternates)	0	10	10
Education Advisory Committee (including alternates)	1	12	13
RSVP Advisory Committee	1	12	13
Career Opportunities Human Rights Committee	0	4	4
Totals	10	81	91

ANALYSIS OF ETHNIC COMPOSITION OF INCA BOARD & COMMITTEES AS COMPARED TO ETHNIC COMPOSITION OF THE FOUR-COUNTY POPULATION

ETHNICITY	BOARD/COMMITTEE PERCENTAGE	POPULATION PERCENTAGE
Caucasian	75%	75%
African American	7%	2%
American Indian & Hispanic & Other	18%	23%

ATTACHMENT #2

MAP DENOTING CENTER LOCATIONS



Atoka County

Atoka Community Office

301 W. 10th Street
Atoka, OK 74525
(580)-889-5193

Head Start Centers

Atoka Head Start
301 W. 10th Street
Atoka, OK 724525
(580) 889-5153

Caney Head Start
Caney Public Schools
402 N. Perkins
Caney, OK 74533
(580) 889-6758

INCA Clothing Bank

412 Allen Ave.
Atoka, OK 74525
(580)889-6383

Johnston County

Tishomingo Office

Central Administrative Office
202 S. Capitol
Tishomingo, OK 73460
(580)371- 2352

Head Start Centers

Milburn Head Start
200 N. 7th
Milburn, OK 73450
(580)443-5487

Mill Creek Head Start
Mill Creek Public Schools
603 S Choctaw
Mill Creek, Ok 74856
(580)384-5333

Tishomingo Head Start
809 E. 6th St.
Tishomingo, OK 73460
(580)371-3680

Wapanucka Head Start
Wapanucka Public Schools
502 S. Choctaw
Wapanucka, OK 73461
(580)937-4581

Marshall County

Madill Community Office

401 E. Main
Madill, OK 73525
(580)795-2372

Head Start Centers

Kinston Head Start
Kingston Public Schools
North West & Main
Kingston, OK 73439
(580)584-4171

Madill Head Start
3&4 Classroom
211 N. 2nd
Madill, OK 73446
(580)795-3506

Madill Head Start
1&2 Classroom
Madill Public Schools
701 W. Tishomingo
Madill, OK 73446
(580)677-9022

Oakland Head Start
Hwy 70 and 8th St.
Oakland. OK 73446
(580) 677-9444

Murray County

Sulphur Community Office

112 N. 9th
Sulphur, OK 73086
580)622-5700

Head Start Centers

Davis Head Start
701 E. Benton
Davis, OK 73070
(580)369-3266

Sulphur Head Start
1220 W. 9th St.
Sulphur, OK 73086
(580)6225206

**Attachment # 3
SERVICE RECEIPENTS/CLIENTS CHARACTERISTIC REPORT**

ANALYSIS OF ETHNIC REPRESENTATION OF PROGRAM PARTICIPANT CHARACTERISTICS

All Programs	CAUCASIAN	AFRICAN AMERICAN	AMERICAN INDIAN or HISPANIC or OTHER	TOTAL
HS, JAMM, RX OK, HPRP, Weatherization, & C/O	3726	265	1323	5314
Totals	3726	265	1323	5314

ANALYSIS OF MALE AND FEMALE PROGRAM PARTICIPANT CHARACTERISTICS

All Programs	MALE	FEMALE	TOTAL
HS, JAMM, RX OK, HPRP, Weatherization, & C/O	2323	2991	5314
Totals	2323	2991	5314

ANALYSIS OF ETHNIC COMPOSITION OF PROGRAM PARTICIPANT CHARACTERISTICS COMPARED TO ETHNIC COMPOSITION OF THE FOUR-COUNTY POPULATION

ETHNICITY	Program Participants PERCENTAGE	POPULATION PERCENTAGE
Caucasian	70%	75%
African American	5%	2%
American Indian & Hispanic & Other	25%	23%

**ATTACHMENT #4
GOALS**

I. GOALS	RESPONSIBLE PERSON	TARGET DATE FOR COMPLETION
II. 1. Continue to train Managers about equal opportunity legislation, policies, procedures, and best practice.	Equal Opportunity Officer Human Resource Manager Executive Director	On-going
III. 2. Continue to promote staff awareness of harassment and discrimination prevention policies and resolution procedure through information hand-outs and training sessions.	Equal Opportunity Officer Human Resource Manager Executive Director	On-going Training will be provided to all staff on a yearly basis. New staff will be trained in / made aware of our agency's policy and procedures during intake and in the new employee orientation training.
IV. 3. The ethnicity, sex, and age of staff, board, and policy members shall continue to reflect a ratio of minority persons at least proportionate to the poverty population served by the agency as closely as possible, within 5%.	Equal Opportunity Officer Program Directors Human Resource Manager Executive Director	On-going
V. 4. Analysis of ethnicity & gender of persons serving on boards & committees will be completed.	Equal Opportunity Officer	April 2011
VI. 5. The Human Rights Committee will meet and update the agency Civil Rights and Affirmative Action Plan.	Human Rights Committee Equal Opportunity Officer Executive Director	April 2011
VII. 6. The updated Civil Rights and Affirmative Action Plan will be presented to the Board of Directors for approval.	Equal Opportunity Officer Executive Director	April 2011

ATTACHMENT # 5

HUMAN RIGHT'S COMMITTEE EVALUATION

As presented in our 2011-2012 Affirmative Action Plan, INCA Community Services, Inc. has a good diversity of ethnic groups represented within all programs, program participants, boards and committees. The statistics gathered for our agency indicates that we continue to strive in all areas to ensure equal opportunity. (Agency goal is to be within 5%) There will be continued and on-going training with all managers and program directors to promote awareness, ensure proper procedure with hiring practices, and keep management informed of legislation, policies, and best practices.

Attachment # 1, Analysis of Ethnic Representation of INCA Boards and Committees compared to the composition of our four county populations - Our agency is on target with our Caucasian members, we are up 5% in our African American members, and we are down 5% in our Hispanic, Native American & Other members. Women are well represented in this category.

Attachment # 3, Service Recipients/Clients Characteristic Report compared to the composition of our four county populations – Our agency is down 5% in our Caucasian recipients, we are up 3% in our African American recipients, and we are up 2% in our Hispanic, Native American & Other recipients. Women are well represented in this category.

Attachment # 9, Analysis of Ethnic Representation of INCA Employees compared to the composition of our four county populations – Our agency is up 7% in our Caucasian employees, we are up 4% in our African American employees, and we are down 11% in our Hispanic, Native American, and Other employees. Women are well represented in this category

All new employees will receive training on INCA's personnel policy and procedures. New employees will also attend Orientation training on Affirmative Action, Discrimination, and Sexual Harassment.

No sexual harassment or discrimination complaints have been filed in the last year by employees or by our program participants nor has there been any grievances filed by any employees.

A yearly legal notice will run in all four counties stating INCA Community Services, Inc. will give all minority businesses opportunity for all of our programs contracts. (DBE and WBE) All advertisements and job postings will specify that INCA Community Services is an Equal Opportunity Employer and an Equal Opportunity Service Provider.

ATTACHMENT #6

EQUAL OPPORTUNITY DISCRIMINATION COMPLAINT FORM

ATTACHMENT #7

EQUAL EMPLOYMENT DISCRIMINATION COMPLAINT FORM

ATTACHMENT #8
EMPLOYEE GRIEVANCE FORM

ATTACHMENT #9

ANALYSIS OF ETHNIC REPRESENTATION OF INCA EMPLOYEES

GROUP	CAUCASIAN	AFRICAN AMERICAN	AMERICAN INDIAN or HISPANIC or OTHER	TOTAL
All Employees in all programs	146	11	21	178
Totals	146	11	21	178

ANALYSIS OF MALE AND FEMALE REPRESENTATION OF INCA EMPLOYEES

GROUP	MALE	FEMALE	TOTAL
All Employees in all programs	33	145	178
Totals	33	145	178

ANALYSIS OF ETHNIC COMPOSTION OF INCA EMPLOYEES AS COMPARED TO ETHNIC COMPOSITION OF THE FOUR-COUNTY POPULATION

ETHNICITY	INCA EMPLOYEE PERCENTAGE	POPULATION PERCENTAGE
Caucasian	82%	75%
African American	6%	2%
American Indian & Hispanic & Other	12%	23%