



LOUISIANA DEPARTMENT of
AGRICULTURE & FORESTRY

MIKE STRAIN, DVM *Commissioner*

NONDISCRIMINATION IN FEDERAL FUNDED PROJECTS

Policy Number: LDAF -
Effective Date: March 1, 2025
Authorization: Commissioner Mike Strain, DVM
Deputy Commissioner Brent Robbins, DVM

III. POLICY

The Louisiana Department of Agriculture and Forestry (LDAF) does not discriminate on the basis of race, color, national origin, disability, age, sex, or as an individual with limited-English proficiency (LEP) in administration of our programs or activities, and the LDAF does not intimidate or retaliate against any individual because they have exercised their rights to participate in actions protected by, or oppose actions prohibited by, 40.C.F.R.. Parts 5 and 7 or for the purpose of interfering with such rights.

II. PURPOSE

The purpose of this policy is to affirm the commitment of the LDAF to comply with the Title 40 of the Code of Federal Regulations (C.F.R.) Parts 5 and 7 - Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency (EPA) and ensure that all individuals, regardless of their race, color, national origin, disability, age, sex, or as an individual with limited-English proficiency (LEP) are treated equally and fairly in all aspects of projects, programs, services or activities funded with Federal assistance from the United States Environmental Protection Agency (EPA).

III. APPLICABILITY

This policy applies to all recipients of EPA funding, including contractors, sub-recipients, grantees, and any other entities engaged in projects or activities funded by the EPA, and to all individuals participating in or benefiting from EPA-funded projects, programs, or services.

IV. PROCEDURE

40 C.F.R., Parts 5 and 7 require the LDAF to:

- A. Collect, maintain, and at the request of the U.S. EPA Office of Civil Rights (OCR), provide certain information to show compliance with 40 C.F.R., Parts 5 and 7;
- B. Designate a LDAF employee to be the Nondiscrimination Compliance Coordinator (NCC) who will manage the Department's efforts to comply with 40 C.F.R., Parts 5 and 7;
- C. Adopt grievance procedures that assures the prompt and fair resolution of discrimination complaints alleging violations of 40 C.F.R., Parts 5 and 7; and
- D. Provide continuing and prominent public notice of nondiscrimination on the basis of race, color, national origin, age, sex, sexual orientation, or disability.

The LDAF shall collect, maintain, and on request of the U.S. EPA, Office of Civil Rights (OCR), provide the following information to show compliance with 40 C.F.R., Parts 5 and 7:

- A. A brief description of any lawsuits pending against the recipient that allege discrimination as prohibited in 40 C.F.R., Parts 5 and 7;
- B. Racial/ethnic, national origin, age, sex and handicap data, as set forth in 40 C.F.R. Section 7.25, or that information as outlined on EPA Form 4700-4;
- C. A log of discrimination complaints which identifies the complaint, the date it was filed, the date the recipient's investigation was completed, the disposition, and the date of disposition; and
- D. Reports of any compliance reviews conducted by any other agencies.
- E. Additional relevant compliance information as requested by the U.S. EPA, Office of Civil Rights (OCR) where there is reason to believe that discrimination may exist in order to investigate a complaint alleging discrimination in a related program or activity.

All compliance information as listed above will be maintained for three (3) years after completion of any U.S. EPA funded project, or until any pending complaints are resolved. The LDAF shall give the U.S. EPA Office of Civil Rights access during normal business hours to its books, records, accounts, and other sources of information including facilities as may be pertinent to ascertain compliance with 40 C.F.R., Parts 5 and 7.

When preparing related reports under EPA grant funded programs, the LDAF shall use the racial classifications as set forth in 40 C.F.R., section 7.25. The LDAF will make compliance information available to the public upon request.

As required under 40 C.F.R., Parts 5 and 7, the LDAF formally recognizes the following employee as the Nondiscrimination Compliance Coordinator (NCC):

Melissa Hidalgo
Director of Personnel & Policy
5825 Florida Blvd., Ste 2000
Baton Rouge, LA 70806
mhidalgo@ldaf.la.gov
225-952-8112

VIII. DISCRIMINATION COMPLAINT PROCESS

To ensure prompt and fair resolution of complaints that allege violations of 40 C.F.R., Parts 5 and 7:

- A. The complaint shall be filed within 60 calendar days after the alleged discriminatory acts.
- B. The complaint shall be in writing and signed by the complainant or the complainant's representative and shall include contact information for the complainant or their representative.
- C. The complainant shall file a copy of the complaint with the LDAF Nondiscrimination Compliance Coordinator (NCC contact information listed above).

The complaint shall be in writing, and shall specify with as much detail as possible:

- A. The actions or inactions by the LDAF that support an alleged violation of 40 C.F.R., Part 5 and 7;
- B. The alleged discrimination that did or will result from such actions or inactions;
- C. The identity of the person(s) harmed or potentially harmed by the alleged discrimination;
- D. The identity of any witnesses to the alleged action;
- E. The section of 40 C.F.R., Parts 5 and 7, that the LDAF allegedly violated.

Complaints meeting the above criteria shall be logged. The LDAF may request additional information from the complainant if needed to assist with meeting the complaint requirements listed above. The Nondiscrimination Compliance Coordinator (NCC) shall determine if an informal resolution process should be engaged in, and if so, shall inform the complainant how to engage the available options for the informal resolution process. If the NCC determines that the complaint warrants further investigation, the NCC will contact the complainant, investigate the matter, and provide a determination. The complainant may appeal the decision by the NCC within 30 days of receiving the NCC's decision.

The LDAF explicitly prohibits retaliation against any individual for any purpose, including for the purpose of interfering with any right or privilege guaranteed under state or Federal statutes or regulations because that individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing under 40 C.F.R., Parts 5 and 7. Prohibited retaliatory acts include intimidation, threats, coercion, or discrimination against any such individual or group.

The LDAF is committed to taking reasonable steps to provide meaningful access to this grievance process for individuals with limited English proficiency. Individuals with disabilities may request reasonable modifications or auxiliary aids or services needed to obtain equal access to and enable participation in the LDAF's grievance process. Auxiliary aids or services may include qualified interpreters to individuals who are deaf or hard of hearing. Complaints in alternate formats shall be accepted from individuals with disabilities, for example, complaints filed on audio tape or in Braille.

The LDAF shall provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, age, sex, or disability in a program or activity receiving EPA assistance. Where appropriate, notice may be provided in a language or languages other than English.

IX. QUESTIONS

For more information or further assistance, please contact the LDAF's Nondiscrimination Compliance Coordinator.