



LOUISIANA DEPARTMENT of
AGRICULTURE & FORESTRY

MIKE STRAIN, DVM *Commissioner*

LDAF NONDISCRIMINATION IN FEDERAL FUNDED PROJECTS GRIEVANCE PROCESS

The LDAF adopts the following procedures to allow any person or group to submit a complaint alleging discrimination of any kind by LDAF, including discrimination by LDAF that may constitute a violation of 40 CFR Parts 5 and 7, and in order to assure the prompt and fair resolution of any such discrimination complaints.

Step 1: Submittal of Complaint

To have a complaint submittal considered for investigation under this procedure, the complainant shall file the complaint no later than 60 calendar days after the date(s) of the alleged act(s) of discrimination.

Complaints 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.

The complaint shall specify with as much detail as possible:

- The actions or inactions by LDAF that support an alleged violation.
- The alleged discrimination that did or will result from such actions or inactions.
- The identity of the person(s) harmed or potentially harmed by the alleged discrimination.
- The state or federal statutes or regulation that LDAF allegedly violated (if known).

LDAF may request additional information from the complainant if needed to assist with meeting the complaint requirements listed above.

Appropriate assistance shall be provided to individuals with disabilities and individuals with limited English proficiency. Also, complaints in alternate formats shall be accepted from individuals with disabilities, for example, complaints filed on computer disks, on audio tape, or in Braille. All complaint submittals should be mailed (or e-mailed) to the NCC at the following address:

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

Step 2: Logging of Complaint Submittals 5825 Florida Blvd, Baton Rouge, Louisiana 70806 Telephone: (225) 922-1234 Fax: (225) 922-1253 **LDAF.LA.GOV**

**Agricultural &
Environmental
Sciences**
Suite 3000
(225) 925-3770
Fax: 925-3760

**Agro-Consumer
Services**
Suite 5000
(225) 925-3780
Fax: 923-4877

**Animal Health
& Food Safety**
Suite 4000
(225) 925-3962
Fax: 923-4900

Forestry
Suite 6000
(225) 925-4500
Fax: 922-1356

**Management
& Finance**
Suite 1000
(225) 952-8143

**Soil & Water
Conservation**
Suite 7000
(225) 922-1269

All complaint submittals meeting the requirements in Step 1 are to be logged. The NCC shall retain a copy of all documents on file in accordance with the records retention schedule. The NCC shall also notify the relevant program manager(s). All logged complaints will receive an appropriate, prompt, and unbiased investigation.

The following are examples of what will not be logged as a complaint submittal:

- Anonymous submittals.
- Submittals too vague to reasonably determine the allegations of discriminatory conduct.
- Submittals not sufficiently identifying the person(s) harmed or potentially harmed by the alleged discrimination.
- Inquiries seeking advice or information.
- Courtesy copies of court pleadings.
- Newspaper articles.
- Web-based media sources such as YouTube videos, e-mail strings, blogposts, comments strings, or web pages. • Courtesy copies of internal grievances.
- Voice mail messages, telephone calls, or in-person conversations.

Step 3: Initial Review of a complaint submittal; informal resolution process

Upon receipt of a complaint and any additional information supporting or otherwise associated with the complaint, a case file shall be established containing all documents and information pertaining to the complaint and an initial review of the case shall be conducted. At this stage, the NCC shall determine if an informal resolution process should be engaged and, if so, shall inform the complainant how to engage the available options for the informal resolution process.

Step 4: Determination if Complaint Warrants Further Investigation

The NCC, based on information in the complaint submittal and other information available, shall determine if:

- LDAF has jurisdiction to pursue the matter.
- The complaint submittal contains sufficient merit to warrant further investigation. A complaint shall warrant further investigation unless:
 - It lacks an identifiable path to resolution or does not provide enough clarity to warrant next steps.
 - Within the time allotted for making the determination of jurisdiction and investigative merit, LDAF reaches an agreed resolution with the complainant.

- Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint.
- The complaint was not submitted within the time limits established in Step 1.

Within 14 calendar days of receipt of the complaint submittal, the NCC shall inform the complainant if the complaint has or has not been accepted for further investigation. If it is determined that further investigation is not warranted, the reason for such determination shall be recorded in the case file.

Step 5: Further Investigation of Complaint

If the NCC determines the complaint submittal warrants further investigation, the NCC shall review the alleged facts to determine the course of the investigation. The investigation may include interviews of LDAF employees, other relevant witnesses, or others named in the complaint. Relevant LDAF employees shall make themselves available as necessary. The preponderance of the evidence standard will be applied during the analysis of the complaint.

Step 6: Report and Determination

The NCC shall issue a report and determination on whether LDAF violated 40 CFR Parts 5 and 7. The NCC shall prepare a written report of the investigation that shall include a narrative of the incident, identification of individuals interviewed, and evidence reviewed, and shall contain findings and a determination. The report and determination shall be placed in the complaint file. Within 60 calendar days of receiving the complaint that warranted investigation, the NCC shall notify the complainant in writing of the findings of the investigation and the recommendations for resolution.

RETALIATION

To ensure individuals can invoke these grievance procedures without fear of reprisal, LDAF explicitly prohibits retaliation against any individual for any purpose, including for the purpose of interfering with any right or privilege guaranteed under any 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 of any kind or has opposed any practice made unlawful under any state or federal statutes or regulations. Prohibited retaliatory acts include intimidation, threats, coercion, or discrimination against any such individual or group. Any concern regarding retaliation should be reported to the NCC.