

United Way of South Central Indiana

Non-discrimination Policy

United Way of South Central Indiana (UWSCI) maintains a policy of non-discrimination for all persons seeking access to services, employment, or volunteer opportunities at UWSCI or partner agencies' funded programs. UWSCI and its funded partner agencies' programs shall not discriminate against a current or potential client, applicant, employee, member, volunteer or participant on the basis of race, religion, color, sex, national origin, ancestry, sexual orientation, gender identity, disability, housing status, or status as a veteran¹.

UWSCI is firmly committed to the policy of affording equal participation to all persons in the services funded by UWSCI and to equal opportunities for employees, volunteers, and applicants for employment and volunteer positions within UWSCI and the programs it funds. Waivers to this policy of non-discrimination must be requested in writing, conform to the current compliance criteria, and be reviewed and accepted by UWSCI's Board of Directors. Funding by UWSCI is contingent upon continual compliance with the non-discrimination policy.

Compliance Process

Partner agencies will be required annually to sign and submit the UWSCI Non-discrimination Policy for its UWSCI funded programs. Agency leaders should carefully review the UWSCI non-discrimination policy to determine if the agency or UWSCI-funded programs are in compliance. Waivers may be requested according to the procedure below.

Waiver Process

1. The agency sends UWSCI's President & CEO a written statement identifying the exact type of waiver requested and the reason for their request, along with supporting documentation (preferably based on independent research).

We expect that most waivers will fall into the following categories:

a. *Legally Restricted Funds*

Certain agencies receive a majority of their total funding from sources that are obligated by federal or state funding law to support programs restricted to a particular targeted population. The agency must provide a copy of the funding source's documentation

¹ Protected class list congruent with local ordinances from BMC 2.23.100 and Indiana Civil Rights (IC 22-9)

(Ord. No. 23-02, § 2, 2-1-2023; Ord. No. 23-09, § 1(App. 1), 5-3-2023)

1. <https://www.in.gov/counties/monroe/government/legal/title-5/>

2. <https://www.in.gov/icrc/about-icrc/indiana-civil-rights-laws-and-regulations/>

explaining the specific restriction.

b. Age, Gender or Target Population Restrictions

Certain agencies are restricted to a particular age group, gender or target population.

The basis for restrictions is that persons outside the age, gender and target population cannot receive significant benefits from the program and/or services designed to meet the underserved needs of a specific population. The agency must reasonably demonstrate that services could not be effectively provided if the excluded portion of the community were included.

c. Agency Personnel and Volunteers

It may be appropriate for staff, volunteers, and members of the agency's governing body to reflect the targeted population. However, good cause as determined by the UWSCI Board must be shown as to why a restrictive policy for these positions is required. The agency must have a committee of unrestricted membership to make recommendations to the agency on the use of funds provided by UWSCI.

d. Special Circumstances

Agencies may submit specific waivers for special circumstances, as determined by the UWSCI Board.

2. UWSCI staff reviews the agency's request for waivers to the Non-discrimination Policy. Staff will forward their recommendations to the United Way Executive Committee.
3. The agency will receive written notice within two weeks after the Executive Committee meeting as to whether or not the application for a waiver is approved. Approved waivers will be kept on file for use in subsequent years by agencies that have not changed their program services and/or membership, volunteer or employment policies.
4. If the waiver is not approved, the agency has ten working days from the date on the written notice of denial to submit a request for an appeal hearing before the UWSCI Board or a committee appointed by the Board. UWSCI will schedule a hearing within thirty days and will notify the agency of the date and time of the hearing. The agency may be represented by up to five persons, which must include the agency's Board Chair/Chief Volunteer Officer (CVO) and Executive Director/Chief Professional Officer (CPO). The UWSCI Board will notify the agency in writing of its ruling on the appeal within ten working days of the hearing.

Policy Noncompliance

If a partner agency's UWSCI-funded program appears, whether through a complaint or other means, to be in noncompliance with its signed Non-discrimination Policy, the matter may be investigated in the following manner:

1. All complaints concerning partner agencies in noncompliance with the non-discrimination policy,

whether verbal or in writing, must be directed initially to the UWSCI President & CEO for intake and assessment.

2. UWSCI staff will document the complaint and inform the complainant that the matter will be reviewed. The complainant will also be informed that they may be offered the opportunity to appear before the United Way Executive Committee, if necessary, to address the issues related to the complaint.
3. If warranted, staff will notify the agency in question within one week after receipt of the complaint that a complaint has been received and will request a written response. The agency's written response will be filed with the complaint. The agency will be informed that its response is being forwarded to the Executive Committee for review and action.
4. Staff will submit a written assessment of the complaint and forward it to the Executive Committee.
5. The Executive Committee may schedule a meeting with the agency. The agency may be represented by up to five persons, which must include its Board Chair/CVO and Executive Director/CPO.
6. The Executive Committee will review and act in accordance with the UWSCI bylaws, which could include, but is not limited to, recommending:
 - a. Dropping the matter because the agency is in compliance with the policy; the complaint is not valid;
 - b. Accepting the agency's proposed action plan to comply with the policy;
 - c. Withholding UWSCI funds until the agency makes the proposed operational/policy changes; or
 - d. Terminating funding to the agency immediately or at a specified time in the future. (The agency will no longer receive undesignated Grant Funds but will still receive funds designated by donors)
7. The Executive Committee will forward a recommendation to the Board for final action. The agency will be notified within ten days of the Board's decision.

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___ Our agency already has a waiver on file with UWSCI.

___ Our agency is requesting waivers as follows:

I certify that the practices of _____ (organization/program), with any waivers requested above, conform to the Non-discrimination Policy.

Date

Executive Director/CPO

Board Chair/CVO