United Way of Monroe County
Nondiscrimination Policy
Approved April 16, 2019

United Way of Monroe County [UWMC] maintains a policy of nondiscrimination for all persons seeking access to services, employment, or volunteer opportunities at UWMC or member agencies' funded programs. UWMC and its member 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, age, national origin, ancestry, sexual orientation, gender identity, disability, housing status or status as a veteran[1].

UWMCMC is firmly committed to the policy of affording equal participation to all persons in the services funded by UWMC and to equal opportunities for employees, volunteers, and applicants for employment and volunteer positions within UWMC and the programs it funds. Waivers to this policy of nondiscrimination must be requested in writing, conform to the current compliance criteria, and be reviewed and accepted by UWMC's Board of Directors. Member agency status and/or funding by UWMC is contingent upon continual compliance with the nondiscrimination policy.

Compliance Process

Member agencies will be required annually to sign and submit the UWMC Statement of Nondiscrimination for either its agency or its UWMC funded programs. Agency leaders should carefully review the UWMC nondiscrimination policy to determine if the agency or UWMC-funded programs are in compliance. Waivers may be requested according to the procedure below. If the agency/program is be certified, the Statement of Nondiscrimination, with any waiver requests, must be filed by deadlines in accordance with the certification process.

Waiver Process

1. The agency sends the UWMC Executive Director 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 explaining the specific restriction.

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[1] Protected class list congruent with local ordinances from BMC 2.21.020 AND Monroe County 522-2.

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 UWMC 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 UWMC.

d. *Special Circumstances*

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

2. UWMC staff reviews the agency's request for waivers to the Statement of Nondiscrimination. Staff will forward its 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 UWMC Board or a committee appointed by the Board. UWMC 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 UWMC Board will notify the agency in writing of its ruling on the appeal within ten working days of the hearing.

Policy Noncompliance

If a member agency's UWMC-funded program appears, whether through a complaint or other means, to be in noncompliance with its signed Statement of Nondiscrimination, the matter may be investigated in the following manner:

1. All complaints concerning member agencies in noncompliance with the nondiscrimination policy, whether verbal or in writing, must be directed initially to the UWMC Executive Director for intake and assessment.
2. UWMC staff will document the complaint and inform the complainant that the matter will be reviewed. The complainant will also be informed that he/she 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 forward 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 take action in accordance with the UWMC 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 UWMC 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, but allowing the agency to remain a member of UWMC.
   e. Decertifying and defunding the agency immediately or at a specified time in the future. ("Defunding" means that the agency will no longer receive Undesignated 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.

United Way of Monroe County

Statement of Nondiscrimination

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_____ Our agency already has a waiver on file with UWMC.

_____ Our agency is requesting waivers as follows:

I certify that the practices of _____ (organization/program), with any waivers requested above, conform to the Statement of Nondiscrimination.

_____
Date

_____
Executive Director/CPO

_____
Board Chair/CVO

For office use only:

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[2] Protected class list congruent with local ordinances from BMC 2.21.020 (https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT2ADPE_CH2.21DELA_2.21.020 PUPOPU) AND Monroe County 522-2 (https://www.co.monroe.in.us/egov/documents/1545075634_03553.pdf).