Owyhee Irrigation District (OID) does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs or activities, and, OID does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in actions protected, or oppose action prohibited, by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights.

OID’s General Manager (GM), currently Clancy Flynn, and Office Manager, currently Krista Kinzer are responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (hereinafter referred to collectively as the federal non-discrimination laws).

If you have any questions about this notice or any of OID’ non-discrimination programs, policies or procedures, you may contact:

**Clancy Flynn or Krista Kinzer**422 Thunderegg BLVD
Nyssa, OR 97913
office@owyheeirrigation
(541)372-3540

If you believe that you have been discriminated against with respect to a OID activity, you may contact either CAO identified above, or read below to learn how and where to file a complaint of discrimination.

**Grievance Procedures for Civil Rights or Federal Non-Discrimination Regulations**

**Introduction**

The Code of Federal Regulations (C.F.R.), Title 40, Parts 5 and 7, prohibit discrimination on the basis of sex, race, color, national origin, age, or handicap in programs or activities receiving federal assistance from the U.S. Environmental Protection Agency (EPA). These requirements are consistent with the Owyhee Irrigation District’s (OID) long-standing fair employment policies and Employee Handbook which prohibit discrimination, harassment, retaliation, or improper conduct of any kind.

**Purpose**

To ensure compliance with 40 C.F.R., Parts 5 and 7, Section 7.90(a), OID has established a grievance procedure to ensure prompt and fair resolution of complaints alleging violations of federal civil rights laws and the EPA’s non-discrimination regulations that are alleged to occur in the administration of OID’ programs and activities.

This grievance procedure is intended to address allegations of discrimination on the basis of:

* Race;
* Color;
* National origin;
* Religion;
* Disability;
* Income;
* Age; or
* Gender

This grievance procedure provides a process for filing a timely complaint to OID’s Civil Rights Coordinator. It describes the process that will be used to investigate and resolve the complaint.

**Civil Rights Coordinator**

The Civil Rights Coordinators shall be the person who occupies the role of General Manager (GM). The name and contact information of the current CAO is:

Clancy Flynn, GM and Krista Kinzer

422 Thunderegg BLVD

Nyssa, OR 97913

Email:           office@owyheeirrigation.org
Phone:          (541)372-3540

**Grievance Procedure Steps**

**I. Filing of Complaint**

A person, or their authorized representative, who believes that they or a class of persons have been discriminated against by OID may file a complaint with OID within180 days of the date(s) any alleged discriminatory acts took place.

Complaints should:

* Be in writing via mail or email;
* Specify with as much detail as possible the action(s) undertaken by OID that allegedly resulted in a civil rights violation or some form discrimination in violation of 40 C.F.R. Parts 5 and 7 including, if possible, the specific section(s) of Part 5 or 7 that were allegedly violated;
* Specify with as much detail as possible the discrimination that allegedly occurred or will occur as the result of such action(s); and
* Identify the persons impacted or potentially impacted by the alleged discrimination.

OID may request additional information from the party filing the complaint if this information is needed to meet the requirements described above. Appropriate assistance shall be provided to individuals with limited English proficiency or individuals with disabilities. OID may in its discretion make certain exceptions to the above complaint requirements for certain individuals with disabilities including, but not limited to, accepting an alternate complaint format such as complaints filled in Braille, on audio tape, or on computer disks.

All complaints shall be either mailed or emailed to:

Owyhee Irrigation District
c/o General Manager
422 Thunderegg BLVD

Nyssa, OR 97913

office@owyheeirrigation.org

Within 10 days of receiving a written complaint, OID will provide the party submitting the complaint with written notice of receipt.

**II. Logging of Complaints**

All complaints that meet the requirements for filing a complaint as determined by the Civil Rights Coordinators will by logged by the Civil Rights Coordinator(s), and OID will retain a copy of all documents associated with the complaint in accordance with its record retention policy and Oregon State Law. To the extent the complaint involves a specific OID program or activity, the Civil Rights Coordinator(s) will notify the appropriate manager or supervisor who was in charge of the event and the Board of Directors of OID.

Certain documents will not be logged as a complaint. These documents include, but are not limited to:

* Anonymous submittals;
* Submittals that are too vague to state an allegation of discriminatory conduct;
* Submittals that do not sufficiently identify the persons or groups of persons harmed or potentially harmed by the alleged discrimination;
* Inquiries seeking advice, updates, or other information;
* Web-based media sources like blogposts, email or chat threads, publicly posted videos, or web pages;
* Voice recordings unless otherwise approved by OID as indicated in this document;

**III. Determination of Jurisdiction and Investigative Merit**

All complaints logged will undergo an initial review of the complaint and any other document or information that becomes available to the Civil Rights Coordinator(s). Based on the Civil Rights Coordinators’ review, the Civil Rights Coordinator(s) will determine if OID has jurisdiction to pursue the matter and whether the complaint has sufficient merit to warrant an investigation.

A complaint shall be regarded as meriting investigation unless:

* It clearly appears to on its face to be frivolous or trivial;
* Within the time allotted for making the determination of jurisdiction and investigative merit, OID voluntarily concedes noncompliance and agrees to take appropriate remedial action, or reaches an informal resolution with the party filing the complaint;
* Within the time allotted for making the determination of jurisdiction and investigative merit, the party filing the complaint withdraws the complaint; or
* The complaint was not submitted within the time limit established in Step I and good cause does not exist for waiving the timing requirement.

OID will inform the party who filed the complaint within 10 business days of receiving the complaint whether the complaint has been accepted for further investigation. If further investigation is not warranted, the reason for such determination shall be recorded in the case file.

**IV. When Further Investigation is Necessary**

If the Civil Rights Coordinator(s) determines the complaint warrants further investigation, they will review the alleged facts to determine the appropriate course of the investigation. Investigation activities may include, but are not limited to, interviews of OID employees, parties named in the complaint, and other relevant witnesses. OID employees relevant to the investigation shall make themselves available promptly and as necessary.

**V. Disposition of Complaints**

Any undertaking of further investigation of a complaint as described in Step IV above will result in a written report and determination from the Civil Rights Coordinator(s) on whether OID violated any provisions of 40 C.F.R. Parts 5 and 7. The written report shall include at least the following:

* A narrative of the incident;
* Identification of individuals interviewed;
* A summary of evidence reviewed; and
* The findings and determination of the Civil Rights Coordinator.

Within 120 days of receiving a complaint, OID will respond in writing to the party who submitted the complaint with a resolution.

**VI. Appeal**

The party who submitted the complaint may appeal the determination of the Civil Rights Coordinator(s) to the Board of Directors of OID within 30 calendar days of receiving the Civil Rights Coordinator’s decision. The Board of Directors and GM shall issue a written decision in response to the appeal within 30 days of receipt of such appeal.