

BOARD OF DIRECTORS

Mike Bauer  
Jeff Hart  
Cynthia Lara  
Julio Quevedo  
Mike Welter



FOUR CORNERS STATION  
MIDDLE GROVE STATION  
PRATUM STATION  
MACLEAY STATION  
BROOKS STATION  
CLEAR LAKE STATION  
LABISH CENTER STATION  
CHEMEKETA STATION

CHIEF OF DISTRICT

Kyle McMann

## DISCRIMINATION COMPLAINT PROCESS

Marion County Fire District No.1 (MCFD1) is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity, or service that it provides. MCFD1 does not tolerate intimidation, threats, coercion, or discrimination against any individual or group protected by applicable law. MCFD1's policy establishes a framework for taking reasonable steps to ensure access to all services provided by MCFD1 for all community members and establishes procedures for the receipt and investigation of allegations of discrimination by recipients of its services.

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin and language in any program, service, or activity that receives federal assistance. Specifically, Title VI assures that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance." Nondiscrimination prohibitions have been further broadened and supplemented by related statutes, regulations, and executive orders, including:

- Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in any education or training program receiving federal financial assistance, with a limited number of defined exceptions;
- Section 504 of the Rehabilitation Act of 1973 (Section 504), which forbids discrimination on the basis of an individual's disability by all federal agencies and in all federally funded activities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination in federally supported activities on the basis of age.
- U.S. Department of Homeland Security regulations prohibiting discrimination based on religion.

MCFD1 is actively engaged in Title VI activities as a recipient of federal assistance from the U.S. Department of Homeland Security (DHS).

### WHAT DOES THIS MEAN?

MCFD1 does not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under any of its programs, regardless of the funding source for the program. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color or national

300 Cordon Road NE \* Salem, Oregon 97317 \* Phone (503) 588-6526 \* Fax (503) 588-6537

origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, national origin, or other status protected by applicable laws.

MCFD1 does not tolerate intimidation, threats, coercion, or discrimination against any individual or group for the purpose of interfering with any right or privilege guaranteed under law or regulations, or because the individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing or has opposed any MCFD1 action or decision.

MCFD1 takes reasonable measures to provide access to MCFD1 services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities.

**MCFD1's Nondiscrimination Program and Policy may be found at [mcfcd1.com](http://mcfcd1.com)**

## **FILING A COMPLAINT**

IF SOMEONE BELIEVES THEY HAVE SUFFERED FROM DISCRIMINATION UNDER A MCFD1 PROGRAM OR SERVICE, THEY MAY CONTACT MCFD1 AT 503-588-6526 TO SEEK INFORMAL RESOLUTION. IF THE MATTER CANNOT BE RESOLVED INFORMALLY, THE FOLLOWING STEPS MUST BE FOLLOWED:

- Within 180 days of the alleged discrimination, complainants may submit a written or verbal complaint to the Fire Chief at [Kylem@mcfcd1.com](mailto:Kylem@mcfcd1.com) and [info@mcfcd1.com](mailto:info@mcfcd1.com). Complaints may also be submitted by mail or in person at 300 Cordon Rd NE, Salem, OR 97317 or by fax at 503-809-8113. Complaints must include:
  - The complainant's name and contact information
  - The nature of the complaint
  - The dates of the alleged discrimination
  - Requested action, and
  - Whether the complainant has filed the complaint with another agency (such as the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL))
- The Fire Chief or their designee will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case or was filed with another agency such as DHS Civil Rights and Civil Liberties office.
- If the complaint is outside the jurisdiction of MCFD1, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

Note: MCFD1 maintains separate non-discrimination and anti-harassment policies applicable to its employees, interns, volunteers and public officials who perform services on behalf of MCFD1. Such individuals who believe they have been subject to discrimination, harassment, or retaliation related to their employment/service in violation of state or federal law or District policy must use the Reporting Procedures found in the Equal Employment Opportunity Policies of the Personnel Policy Manual, which include different time limitations and reporting requirements. Complaints of employment discrimination, harassment, and/or retaliation are processed and investigated in accordance with MCFD1 Equal Employment Opportunity Policies and applicable laws and not this policy and procedure.

## **COMPLAINT PROCESSING**

If the complaint is within the jurisdiction of MCFD1, or informal resolution was not possible, it will be promptly and impartially investigated by a person designated by MCFD1, which may include a contracted third-party investigator at MCFD1's discretion. MCFD1'S goal is to address complaints within 90 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.

## **PRELIMINARY INQUIRY**

MCFD1 conducts a preliminary inquiry to determine the need for further investigation.

- MCFD1 notifies the complainant, in writing, that a preliminary inquiry is underway to determine the need for and/or scope of further investigation. Notification is generally provided within 10 days after MCFD1 receives the complaint.
- If the preliminary inquiry by MCFD1 indicates that additional investigation is warranted, the complainant is notified in writing and provided additional information on the next steps for the investigation, such as the name/contact information of the designated investigator, additional documents or materials requested, and the process to schedule an interview, etc.
- If the preliminary inquiry indicates an investigation is not warranted, the complainant is notified in writing of the reasons why and factors considered.

## **COMPLAINT INVESTIGATION**

- Complaints warranting further investigation are promptly and impartially investigated by the Fire Chief or their designee, which may include a contracted third-party investigator and MCFD1's discretion. The results of the investigation will be provided to the MCFD1 Board of Directors for review.
- The complainant is also notified in writing of the results of the investigation and what actions will be/have been taken in response as well as a timeline for complainant to request review of investigation and/or remedial actions taken.
- All complain tracking will maintained in a data base by the Fire Chief.

## **ACCESS TO LIMITED ENGLISH PROFICIENT (LEP) AND DISABLED PERSONS**

MCFD1 takes reasonable steps to ensure access to its complaint procedures for all people and that accommodation is available to facilitate participation by LEP and disabled persons.

MCFD1 provides at no cost appropriate auxiliary aids and services including qualified interpreters to LEP persons, to disabled persons who are deaf or hard of hearing, and other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the complaint and investigation process.

For example, as nearly 20.38% of LEP households in the County of Marion are proficient in Spanish (2021 statistic), significant resources are directed at ensuring the availability of key materials and services, including MCFD1's Policy and Notice of Non-Discrimination, in both English and Spanish including:

- Compliance/Enforcement brochures and flyers
- MCFD1 main phone line/voice mail accommodations for Spanish speakers:
- Access to Spanish speaking representatives
- Full Website translation including burn line and Fire/EMS Safety material
- Public Service announcement translation capabilities
- Public Education materials and in-person presentations
- Frequently asked questions
- Resident door hangers
- Newspaper articles and press release capabilities

MCFD1 is also able to accommodate the needs of LEP persons through specialty contact with Professional Interpreters, Inc located in Salem Oregon.

Civil Rights Complaints may also be filled directly with the US Department of Homeland Security for Civil Rights and Civil Liberties (CRCL) at [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov)

Contact information to request additional accommodations is included in MCFD1's Policy and Notice of Non-Discrimination and included ambulance billing documents.

For questions, please contact:

Mark Bjorklund, Battalion Chief/Human Resource Analyst  
300 Cordon Rd NE, Salem Oregon, 97317  
[markb@mcf1.com](mailto:markb@mcf1.com)  
503-588-6526 ext 13