United States
Department of
Agriculture

Office of the
Assistant Secretary
for Civil Rights

Center for Civil
Rights Enforcement

1400 Independence
Avenue SW

Washington, DC
20250

NOV 0 1 2018

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy
[redacted]
Stacy, Minnesota 55079

AMENDED

RE: USDA Correspondence Number: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy [redacted]
Complaint Number: (b) (6) Privacy, (b) (7)(C) [redacted]

Dear (b) (6) Privacy, (b) (7)(C) Enforc [redacted]

On September 28, 2018, the United States Department of Agriculture (USDA), Office of the Assistant Secretary for Civil Rights (OASCR), Center for Civil Rights Enforcement (CCRE), Program Complaints Division, received your complaint dated August 14, 2018, alleging discrimination in a program administered by USDA.

This letter will replace our letter dated October 11, 2018, to include your complaint number.

In your complaint, you alleged you were discriminated against on the basis of disability (mental) when the Minnesota Department of Agriculture denied your request for reasonable accommodation during a pesticide exam.

Your letter raises concerns which our office has jurisdiction jointly with the Environmental Protection Agency (EPA). Therefore, we are forwarding your complaint to their office for further processing. Our office will monitor your complaint. If you desire further information on the processing of your complaint, you should contact the agency at the address listed below.

Lillian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel, EPA
1200 Pennsylvania Avenue, N.W.
Mail Code 1210 A
Washington, D.C. 20460
Telephone: (202) 564-8040

We will keep our case file open while this complaint is being processed by EPA. Once the decision regarding the case is completed, the EPA will forward a copy to CCRE.

In accordance with Federal civil rights law and USDA civil rights regulations and policies, USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

No person shall be subject to reprisal or harassment for filing a discrimination complaint against USDA; participating in or contributing to the identification, investigation, prosecution, or resolution of civil rights violations by an agency of USDA or by a recipient of Federal financial assistance from USDA; or otherwise aiding or supporting the enforcement of civil rights laws, rules, regulations or policies applicable to USDA programs. Any individual alleging such reprisal or harassment may file a complaint with USDA. We will investigate such allegations of reprisal or harassment. If you believe you have been retaliated against, please explain the circumstances, including the protected activity you believe was the basis for the retaliation.

If you have any questions about this matter, please contact our customer service unit, the Information Research Service at (866) 632-9992 (toll free), (202) 260-1026, or (800) 845-6136 (Spanish). Individuals who are deaf, hard of hearing, or have speech disabilities, may contact us through the Federal Relay Service on (800) 877-8339.

Please contact the office identified for further information.

Sincerely,

Archie D. Crawford
Director
Program Complaints Division