Message

From: Lake, Elaine [Elaine.Lake@doh.hawaii.gov]
Sent: 8/28/2019 11:43:34 PM
To: Covington, Jeryl [Covington.Jeryl@epa.gov]; Morita, Janis A. [janis.morita@doh.hawaii.gov]
CC: Dorka, Lilian [Dorka.Lilian@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Brooks, Jennifer [Brooks.Jennifer@epa.gov]
Subject: RE: Form 4700-4 Review for Hawaii Dept of Health

Hello Jeryl,
Thank you for the review and feedback. Is there a sample that I may provide to our executive and resource panel to better determine if the procedures are currently documented or need to be drafted?

Thank you,

Elaine Lake
Acting Environmental Information Manager/Senior Information Technology Specialist | Environmental Information Management Office
State of Hawaii | Department of Health | 2827 Waimano Home Road | Pearl City, HI 96782
p:808.586.4350 | e:elaine.lake@doh.hawaii.gov | https://eha-cloud.doh.hawaii.gov

From: Covington, Jeryl <Covington.Jeryl@epa.gov>
Sent: Tuesday, August 27, 2019 3:06 AM
To: Lake, Elaine <Elaine.Lake@doh.hawaii.gov>; Morita, Janis A. <janis.morita@doh.hawaii.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Brooks, Jennifer <Brooks.Jennifer@epa.gov>
Subject: FW: Form 4700-4 Review for Hawaii Dept of Health

ECRCO is in receipt of the revised Form 4700-4 Form the Hawaii Department of Health and a copy of the Discrimination/Harassment-Free Workplace Policy (rev. November 16, 2016).

Please note that the ECRCO does not approve or disapprove grant applications based on our review of the Form 4700-4.

Question XI: ECRCO reviewed the recipient's Discrimination/Harassment-Free Workplace Policy (Policy no. 601.001, Rev. November 16, 2016) that appears to address employee/employment complaints but not discrimination complaints received from members of the public.

As a condition of receiving federal financial assistance and to comply with the nondiscrimination regulations, if the recipient is:

- an education program or activity, or
- has 15 or more employees.

If the Hawaii Department of Health satisfies the one or more of the conditions lists above, the recipient should provide a copy of or the Internet address to the currently adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7 (40 C.F.R Part 7.90).

Authorization: A copy of the signature of the Deputy Director provides authorization. The date of the signed authorization is August 22, 2019.

From: Lake, Elaine <Elaine.Lake@doh.hawaii.gov>
Sent: Monday, August 26, 2019 1:26 PM
To: Covington, Jeryl <Covington.Jeryl@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt

<Temple.Kurt@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Brooks, Jennifer <Brooks.Jennifer@epa.gov>; Morita, Janis A. <janis.morita@doh.hawaii.gov>
Subject: RE: Form 4700-4 Review for Hawaii Dept of Health

Hello All,
Thank you for your feedback and comments. Attached are a revised Form-4700 and Discrimination/Harassment-Free Workplace Policy. The former includes a correction for question X. and indicates the designated employee responsible for compliance with 40 C.F.R. Parts 5 and 7. The latter includes grievance procedures.

Please let me know if you have any questions.

Regards,

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From: Covington, Jeryl <Covington.Jeryl@epa.gov>
Sent: Monday, August 19, 2019 10:03 AM
To: Morita, Janis A. <janis.morita@doh.hawaii.gov>; Lake, Elaine <Elaine.Lake@doh.hawaii.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Brooks, Jennifer <Brooks.Jennifer@epa.gov>
Subject: FW: Form 4700-4 Review for Hawaii Dept of Health

The following review of the Form 4700-4 from the State of Hawaii's Department of Health is submitted on behalf of Lilian Dorka, Director of the External Civil Rights Compliance Office (ECRCO), and Kurt Temple, Senior Advisor.

The Office of General Counsel's External Civil Rights Compliance Office's (ECRCO) has reviewed the Preaward Form (Form 4700-4) submitted by the State of Hawaii's Department of Health and is pleased to provide the following feedback.

Please note that the ECRCO does not approve or disapprove grant applications based on our review of the Form 4700-4. This review simply identifies areas from the responses provided on the Preaward Compliance Review Report that should be addressed by a recipient respective of their compliance obligations in accepting EPA financial assistance. This review assesses the mechanisms that are currently in place or proposed for development immediately after grant award to address discrimination complaints and to comply with 40 C.F.R. Parts 5 and 7.

Please contact Lilian Dorka, ECRCO Director, and Kurt Temple, Senior Advisor, or Jeryl Covington, Environmental Protection Specialist, if you have any questions and they will be pleased to provide technical assistance.

Feedback:

Question II: The State of Hawaii's Department of Health documents that they are currently receiving EPA financial assistance.

Question X: The recipient responded "Not applicable" to having an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7.

ECRCO reviewed the recipient's website (http://health.hawaii.gov/ddd/website-accessibility-non-discrimination-notice/) and did not identify the identification of a designated employee responsible for the recipient's compliance with 40 C.F>R. Parts 5 and 7.

As a condition of receiving federal financial assistance and to comply with the nondiscrimination regulations, if the recipient is:

- an education program or activity, or
- has 15 or more employees,

It has to designate an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7.

40 CFR Part 7.85 (g) *Coordination of compliance effort.* If the recipient employs fifteen (15) or more employees, it shall designate at least one person to coordinate its efforts to comply with its obligations under this part.

Please confirm whether the State of Hawaii's Department of Health satisfies one or more of the above conditions.

Question XI: The recipient responded "Not applicable" to having grievance procedures that assures the prompt and fair resolution of discrimination complaints that allege a violation of 40 C.F.R. Parts 5 and 7.

As a condition of receiving federal financial assistance and to comply with the nondiscrimination regulations, if the recipient is:

- an education program or activity, or
- has 15 or more employees,

they will need to adopt grievance procedures that assures the prompt and fair resolution of discrimination complaints that allege a violation of 40 C.F.R. Parts 5 and 7 (40 C.F.R Part 7.90).

ECRCO reviewed the recipient's website (http://health.hawaii.gov/ddd/website-accessibility-non-discrimination-notice/) but did not readily identify the recipient's adopted grievance procedures that assures the prompt and fair resolution of discrimination complaints that allege a violation of 40 C.F.R. Parts 5 and 7.

If the State of Hawaii's Department of Health satisfies one or more of the conditions lists above, please provide a copy of or the Internet address to the currently adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7.

Authorization: The typed name of the Deputy Director for Environmental Health provides authorization on the Form 4700-4. The date of authorization is April 8, 2018.

From: Dorka, Lilian <Dorka.Lilian@epa.gov>
Sent: Monday, August 19, 2019 1:39 PM
To: Covington, Jeryl <Covington.Jeryl@epa.gov>; Brooks, Jennifer <Brooks.Jennifer@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: FW: Form 4700-4 Review for Hawaii Dept of Health

Thanks Jennifer. Could you please copy Jeryl on all of these that you send to me – just want to make sure we don't displace any of them if I am ever not available.

Jeryl, could you please review and respond? Thanks!

Lilian Sotolongo Dorka, Director

External Civil Rights Compliance Office
Office of General Counsel
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202-564-9649 - Office
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From: Brooks, Jennifer <Brooks.Jennifer@epa.gov>
Sent: Monday, August 19, 2019 12:32 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: Form 4700-4 Review for Hawaii Dept of Health

Jennifer Brooks
Grants Management Specialist
Environmental Protection Agency
Office of Grants and Debarment
202-564-6374