

4.04 **RIGHTS POLICY**

A fundamental responsibility of the organization is to protect and promote the rights of persons receiving services at all times. Each and every individual served by Job Point has the right to dignity and respect, as well as an environment that promotes health and safety at all times, just as any individual would expect.

Job Point recognizes, upholds, and protects the individual's right to:

- Confidentiality regarding all personal information.
- Privacy.
- Receive services in an environment that is free from abuse, financial or other exploitation, retaliation, humiliation, or neglect.
- Have access to information about oneself in order to make decisions in a timely manner.
- Have access to his/her own records.
- To make an informed choice and either consent or refuse:
 - 1) Service delivery
 - 2) Release of information
 - 3) Concurrent services
 - 4) Staff with whom they work
 - 5) Involvement in research projects, with the guarantee that guidelines and ethics will be followed. Any research shall be in compliance with state and federal regulations. Individuals agreeing to participate in research shall document their consent on their individualized support plan
- Access or referral to legal services as needed or requested.
- Access to self-help or advocacy support services.
- Investigation and resolution of alleged infringement of rights.
- Persons, who assign their Ticket-to-Work with Job Point, have additional rights relative to the Ticket-to-Work Act. These rights are outlined on the individual service plan and reviewed with the individual.
- Persons served through Department of Mental Health have additional rights, relative to Missouri Statute Section 630.115, as documented on their Individual Supports Plan (ISP),

and the Guide provided upon enrollment: *Know Your Rights and Responsibilities: The Missouri Division of Developmental Disabilities and You.*

Rights may not be restricted without due process and shall not be limited through policy, procedures, or rules developed by Job Point or through staff practices.

As matter of regular business operations and as a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, Job Point assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws and will remain in compliance for the duration of the award of federal financial assistance.

Title VI of the Civil Rights Act of 1964 & Amendments - prohibits discrimination based on race, color or national origin in programs that receive federal assistance.

Title VII of the Civil Rights Act of 1964 & Amendments – prohibits employment discrimination on the basis of protected classes such as race, color, national origin, religion, gender, age, sex and disability.

Equal Pay Act of 1963 – protects against gender-based discrimination, equal pay for equal work.

Age Discrimination in Employment Act of 1967 & Amendments - protects individuals age 40 years or older.

The Rehabilitation Act of 1973 & Amendments – prohibits discrimination against qualified individuals by employers or organizations receiving financial assistance from any Federal department or agency such as hospitals, nursing homes, human service organizations.

Americans with Disabilities Act of 1990 - prohibits employment discrimination against qualified individuals in the private sector and within state or local governments.

The Civil Rights Act of 1991 – provides monetary damages in cases of intentional employment discrimination.

Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 - protects the employment rights of employees who serve in the military.

The Health Insurance Portability and Assurance Act of 1996 & Amendments – ensures recipient that all information relative to services received at Job Point are safeguarded as private and confidential.

The Ticket-to-Work and Work Incentives Act of 1999 - provides persons receiving SSI/SSDI opportunities to obtain gainful employment, become self-sufficient and reasonably protect their benefits.

The ADA Amendments Act of 2008 - clarifies and reiterates who is covered by the law's civil rights protections.

Title II of the Genetic Information Nondiscrimination Act of 2008 - protects Americans against discrimination based on their genetic information when it comes to health insurance and employment.

Non-Discrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act (Section 188) - No individual in the United States may, on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIOA Title I—financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I—funded program or activity.

Title IX of the Education Amendments of 1972 - as amended, which prohibits discrimination on the basis of sex in educational programs.

Job Point also assures that, as a recipient of WIOA Title I financial assistance, we will comply with 29 CFR part 38 and all other regulations implementing the relevant laws listed above. This assurance applies to operation of the WIOA Title I financially assisted programs or activities, and to all agreements Job Point makes to carry out the WIOA Title I-financially assisted programs or activities. Job Point understands that the United States has the right to seek judicial enforcement of this assurance.

These rights are presented to the person served during orientation and annually for persons in services for more than a year. Each individual receives a *Student Handbook & Guide to Services* including the rights, as well as the remaining contents of which are reviewed, to ensure the person understands his rights and responsibilities. Review of these rights may occur at any time, as needed or requested. If any person believes his/her rights are being violated, s/he is encouraged to discuss the matter with his/her Advisor and conflict resolution may be initiated. If the matter

cannot be resolved to the individual's satisfaction, s/he may follow the Formal Complaint Procedure. This procedure is found in Job Point's *Student Handbook & Guide to Services*. In addition, each individual receives a *Client Assistance Program* brochure and as appropriate *Know Your Rights and Responsibilities: The Missouri Division of Developmental Disabilities and You*.

These documents provide contact information for filing a formal complaint with Missouri Protection & Advocacy or the Department of Mental Health.