

California WIC Program Presents

Equality for All Civil Rights Training



Equality for All

Civil Rights Trainee Workbook

2016

Notes

Agenda

- | | |
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| 1. Welcome, Introductions, Agenda and Objectives Review | 10 minutes |
| 2. Warm-Up Activity | 15 minutes |
| 3. WIC Protected Categories | 15 minutes |
| 4. Discrimination Concepts | 20 minutes |
| 5. Accommodating Participants with Disabilities and Limited English Proficiency | 20 minutes |
| BREAK | 15 minutes |
| 6. Data Collection | 15 minutes |
| 7. Customer Service and Conflict Resolution | 20 minutes |
| 8. Complaint Procedures | 30 minutes |
| 9. Public Notification, Monitoring Visits, and Resolution of Noncompliance | 5 minutes |
| 10. Closing Activity, Evaluation, Certificate | 15 minutes |

Objectives

At the end of this training, trainees will be able to:

- Understand California WIC policies regarding civil rights and discrimination.
- Identify examples of the protected categories listed in the Rights & Responsibilities and Welcome to WIC pamphlets.
- Distinguish between stereotype, prejudice, and discrimination and explore their roles in protecting civil rights.
- Describe methods for making reasonable accommodations for participants with disabilities and limited English proficiency.
- Differentiate between ethnicity and race and review USDA's reporting requirements regarding these terms.
- Learn the steps WIC staff must take in the discrimination complaint process.
- Explore ways to prevent complaints using customer service and conflict resolution techniques.

Activity 1

Ethnicity and Race

Instructions: Review the USDA ethnicity and race categories below. In your table groups, share which categories you would choose for yourself and why.

Ethnic/Racial Categories as Identified in MIS

ETHNIC CATEGORY	DEFINITION
<p style="text-align: center;">Y Hispanic or Latino</p>	<p>A person of Cuban, Mexican, Puerto Rican, South or Central America, or other Spanish culture or origin regardless of race. The term, "Spanish origin" can be used in addition to "Hispanic" or "Latino."</p>
<p style="text-align: center;">N Not Hispanic or Latino</p>	<p>A person not having Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.</p>
RACE CATEGORY	DEFINITION
<p style="text-align: center;">N American Indian or Alaska Native</p>	<p>A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.</p>
<p style="text-align: center;">A Asian</p>	<p>A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam.</p>
<p style="text-align: center;">B Black or African American</p>	<p>A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" can be used in addition to "Black or African American."</p>
<p style="text-align: center;">P Native Hawaiian or Other Pacific Islander</p>	<p>A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</p>
<p style="text-align: center;">W White</p>	<p>A person having origins in any of the original peoples of Europe, Middle East, or North Africa.</p>

Activity 2

WIC Protected Classes

Instructions: For each **Class** listed below, match the Civil Rights **Definition** in the right hand column. Write the letter of the definition in the **Answer** column.

<u>Answer</u>	<u>Class</u>	<u>Definition</u>
_____	Marital Status	A. A followed spiritual belief. It does not have to be an organized group or traditional denomination.
_____	Disability	B. An individual belonging to one of the accepted anthropological groups; or the perception, based usually on physical characteristics.
_____	Ancestry	C. Includes shade of skin within a racial group.
_____	Color	D. Gender. (Includes breastfeeding)
_____	Medical Condition	E. The country or part of the world that an individual or his or her ancestors are from.
_____	Sex	F. The people who were in a person's family in past times.
_____	Religion	G. Applies to persons 40 years old and over.
_____	Sexual Orientation	H. Married or not married.
_____	Political affiliation or opinion	I. Physical or mental impairment, permanent or temporary.
_____	Age	J. Known to be a member of a political group or to have certain political views.
_____	Race	K. Known to have a specific medical condition.
_____	National Origin	L. The direction of one's affection, sexual or emotional attractions involving others.
_____	Reprisal	M. This includes a mother, father, step-parent, adoptive parent, foster parent and guardian.
_____	Protected Genetic information	N. Applies to information about an individual or family member's genetic test, disease or disorders.
_____	Parental Status	O. The act of being threatened or retaliated against for participating in any aspect of the discrimination complaint process.

Activity 3

WIC Protected Classes

Review the following list.

PROTECTED CLASS	DEFINITION	A FEW EXAMPLES
Religion	A followed spiritual belief. It does not have to be an organized group, traditional denomination, or world religion.	Latter-Day Saints, Muslim, Jewish, Catholic, etc.
Race	An individual belonging to one of the accepted anthropological racial groups; or the perception, based usually on physical characteristics, that a person is a member of a racial group.	Australian African American—Black Caucasian—White Mongolian—Asian
Color	Color of skin; including shade of skin within a racial group.	Black, white, light brown, brown, dark brown, etc.
National Origin	The country or part of the world that an individual or his or her ancestors are from. (Most complaints associated with language or accents are covered here.)	Mexican, Cuban, Japanese, Vietnamese, Chinese, etc.
Ancestry	The people who were in a person's family in past times.	Hispanic, Afro-American, Polish-American, Native-American, etc.
Age	Age discrimination Act of 1967 applies to persons 40 years old and over.	An individual 40 and over
Marital Status	Married or not married.	Married, single, divorced, widowed, separated (polygamy/bigamy not included)
Disability	Physical or mental impairment, permanent or temporary.	Blind, alcoholic, paraplegic, amputee, epileptic, arthritic, etc.
Sexual Orientation	The direction of one's affection, sexual or emotional attractions involving others.	Heterosexual (opposite sex); homosexual (same sex); bisexual (both opposite and same sex)
Political Affiliation or Opinion	Known to be a member of a political group or to have certain political views.	1. Democrat, Republican, Socialist etc. 2. Central American policy, anti-or pro-abortion etc.
Medical Condition	Known to have a specified medical condition.	A person with diabetes, HIV, etc.
Sex	Gender, sexual harassment, pregnancy, childbirth, breastfeeding.	Female, male, hermaphrodite. Pregnancy related medical conditions include mastitis, gestational diabetes, post-partum depression, loss or end of pregnancy or recovery from loss or end of pregnancy. Lactation Accommodation: requires employer to provide a reasonable amount of time to allow employee to express breast milk, and a place to pump milk in private that is near the workplace. A toilet stall is not an acceptable place to pump.

Continued on following page

Activity 3

WIC Protected Classes

(Continued)

PROTECTED CLASS	DEFINITION	A FEW EXAMPLES
Reprisal	No one employed or representing USDA shall, intimidate, threaten, harass, coerce, or discriminate against anyone who participates in any aspect of the discrimination complaint process.	A person files a complaint and is treated unfairly or retaliated against.
Parental Status	The Anti-discrimination Act 1991 makes it unlawful to discriminate against a person because of their parental status.	This includes mother, father, step-parent, adoptive parent, foster parent, and guardians.
Protected Genetic Information	In general it applies protection to information about an individual or family member's genetic test, and the protection from information about the occurrence of disease, medical conditions or disorders in families.	An employer cannot request results from a genetic test or information about one's medical history or family history when it concerns employment.
Income Derived from Public Assistance	In general this applies to anyone who receives all or part of their income derived from any public assistance program. They cannot be discriminated against.	This includes welfare, Cash Aid, Cal Works (TANF), Cal Fresh (SNAP)

Nondiscrimination Statement

Standard Version in English:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discrimination based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office or write a letter addressed to USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by **(1)** mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; **(2)** fax: (202) 690-7442; or **(3)** email: program.intake@usda.gov.

Short Version in English:

“This institution is an equal opportunity provider.”

Activity 4

Discrimination Concepts

- **Stereotype:** an oversimplified generalization or belief about a particular group.
- **Prejudice:** a rigid unfavorable judgment or opinion formed beforehand, without knowledge or examination of the facts.
- **Discrimination:** the act of treating people differently due to prejudices.

Instructions: Read each statement and determine which concept(s) apply.

1. "I can't stand her. She always wears those nose rings."

- Stereotype Discrimination
 Prejudice All of these

2. "She's going to have to wait for her food instruments. As big as she is, she obviously doesn't need more food."

- Stereotype Discrimination
 Prejudice All of these

3. "Most participants come from poor families."

- Stereotype Discrimination
 Prejudice All of these

4. "I think if she wants to be a part of WIC, she should speak English."

- Stereotype Discrimination
 Prejudice All of these

5. "I am not going to approve her for WIC. She is obviously not eligible since she is wearing a diamond ring."

- Stereotype Discrimination
 Prejudice All of these

Activity 5

Case Studies

Following are two civil rights discrimination case studies. Each scenario provides a real life situation that may exist in a WIC site. Answer the question below each case study.

1. Case Study - Ms. Diaz

Ms. Diaz has an appointment at 9:15 a.m. at the Sunrise site. She arrives at the site 15 minutes prior to her appointment. The site serves a high number of the Asian population in the area. Ms. Diaz, who is not of Asian descent, attends this site because it is close to her place of work. That morning, Ms. Diaz realizes that she is the only non-Asian participant in the site.

It is now 9:45 a.m. and Ms. Diaz is still waiting for the nutritionist. She sees participants who came in to the office after her receiving their food instruments. She lets the receptionist know that she is still waiting and was told that it would probably be only an additional 5 minutes. However, 10 minutes pass and Ms. Diaz is still waiting to be seen. She tells the receptionist that she needs to be at work in 45 minutes. Ms. Diaz asks to speak with the supervisor. Ms. Diaz lets the supervisor know that she's seen other participants come and go within 15 minutes of coming into the office. She tells the supervisor that she feels that the staff sees other participants first because they are Asian, and she is not. The supervisor tells her that if she wants to file a complaint, she can call the State WIC Program. The supervisor gives Ms. Diaz the State WIC Program's telephone number and explains to Ms. Diaz about her right to file a complaint.

Ms. Diaz eventually sees the nutritionist who provides her with an excellent nutrition education session and issues her the food instruments. Ms. Diaz leaves the Sunrise site frustrated and unhappy due to the delay in waiting time and she calls the State WIC Program to complain.

Which protected class would this discrimination complaint fall under?

- Political Affiliation
- Reprisal
- National Origin

Activity 5

Case Studies

(Continued)

2. Case Study - Ms. Johnson

Ms. Johnson has discovered that she is four months pregnant and wants to sign up to receive WIC services. She was previously on the WIC program with her other children who are now teenagers. She calls the North area WIC office and schedules an appointment.

On the day of her appointment, Ms. Johnson arrives at the clinic site 15 minutes late for her appointment with all the required paperwork. When she walks up to the receptionist desk, the receptionist notices that Ms. Johnson is legally blind and unable to read the forms. The receptionist becomes nervous and does not know how to help Ms. Johnson, so she speaks loudly to inform her that they will need to reschedule her appointment. When Ms. Johnson asks why the appointment needs to be rescheduled, the receptionist loudly states that, "It is because we are not equipped to assist people with your condition". The receptionist informs her that there may be someone to assist her "kind of people" at her next appointment.

Which protected class would this discrimination complaint fall under?

- Race
- Disability
- Religion

Activity 6

Americans with Disabilities Act and Limited English Proficiency

Americans with Disabilities Act (ADA)	
What is it?	The Americans with Disabilities Act (ADA) is the most comprehensive federal legislation that prohibits discrimination against people with disabilities.
Who is protected by ADA?	ADA protects individuals with disabilities. A disability is a physical or mental impairment that substantially limits an individual's major life activities.
ADA mandates reasonable accommodation	Reasonable accommodation is a modification or adjustment to enable individuals with disabilities to have equal access to benefits and privileges of a service or program such as: <ul style="list-style-type: none"> • Changing existing facilities to make them accessible or usable. • Acquiring or modifying equipment. • Modifying tests, training materials, or policies to accommodate program participants with disabilities.
Limited English Proficiency (LEP)	
What is it?	State and local agencies must take reasonable steps to ensure "meaningful" access to program information and services by people with Limited English Proficiency (LEP). These services may include: <ul style="list-style-type: none"> • Providing interpreters. • Providing printed materials in different languages.
Who is protected by LEP?	Individuals for whom English is not their primary language and who have a limited ability to read, speak, write, or understand English.
Local agencies must have a LEP plan	Your agency's LEP plan should include: <ul style="list-style-type: none"> • Ways to identify individuals needing language assistance. • Staff training on ways to assist individuals needing language assistance. • Ways to notify LEP individuals about available support services.

Activity 7

Ethnicity and Race Data Collection

Instructions: Answer each question below independently.

1. What are the two civil rights questions that WIC staff must ask all participants?
 - Height and Weight
 - Ethnicity and Race

2. When is WIC staff required to collect ethnicity and race data?
 - Whenever time is available
 - At initial certification or enrollment

3. What are the two (2) items that WIC staff must explain to participants when collecting ethnicity and race data?
 - The collection of the information is necessary to receive their food instruments, and could have an effect on receiving WIC benefits.
 - The collection of the information is strictly for statistical reporting and has no effect on the determination of their eligibility for WIC benefits.

4. What information should WIC staff review with a participant at all certifications?
 - Race and Ethnicity
 - Rights and Responsibilities

5. What should WIC staff do if a participant refuses to state her ethnicity or race?
 - Ask them why they won't answer.
 - Select and enter an ethnicity and race for them and enter it into WIC MIS.

In Times of Conflict

We can often prevent conflict from occurring by providing excellent customer service to our participants.

- Be patient and polite
- Listen with presence and compassion
- Avoid sarcasm
- Be empathetic
- Do not be afraid to ask for help to resolve a situation
- Smile whenever possible
- Apologize where appropriate
- To avoid offending anyone, be open to valuing the other person's opinion
- Don't feel you need to have the last word
- Treat everyone the same no matter who they are, how they look, or how they act
- Impose policies that impact all people the same
- Treat everyone with dignity and respect

Activity 9

Discrimination Complaint Process

If a participant claims to have been discriminated against, these steps must be followed:

STEP 1

- Sincerely apologize to the participant and inform a supervisor immediately.
- *Note: the participant has up to 180 days after the incident to report the complaint.*

STEP 2

If the supervisor cannot resolve the situation:

- Share the rights and responsibilities information on the Welcome to WIC pamphlet.
- Assist the participant with filing a complaint
- *Note: WIC Program Policy Manual 510-40 provides details on filing a complaint.*

STEP 3

Send the complaint to the addresses listed below. If the participant files the complaint herself, provide the addresses for where to send the complaint.

- *Note: the agency must respond to the complaint within 5 days.*

Send the form to:

United States Department of Agriculture
Office of the Assistant Secretary for Civil Rights Adjudication
1400 Independence Avenue, SW.
Washington D.C., 20250-9410
Fax: (202) 690-7442 **or** email: program.intake@usda.gov

AND

Send a copy to:

California Department of Public Health
Women, Infants, and Children (WIC) Program
Attention: Civil Rights Coordinator
P.O. Box 997375, MS 8600
Sacramento, CA 95899-7375

Note: *Details of the complaint are confidential and should only be shared among WIC supervisors, staff involved in the incident, the person filing the complaint, and the State WIC Civil Rights Coordinator.*

Complaint Procedures Overview

Local agency (LA) staff must advise the participant that their identity is kept confidential, except for the purpose of investigating the complaint, or conducting hearings or judicial proceedings.

The LA shall ensure the following information is provided in the written complaint:

1. Participant Information

- a. Name
- b. Address
- c. Telephone number
- d. Or other means of contacting the individual

2. Local Agency Information

- a. LA name
- b. Location where the participant receives WIC services

3. Complaint Description

- a. The nature of the incident/action that led to the participant feeling discriminated against

4. Persons Involved or Who May have Knowledge of the Incident/Action

- a. Names
- b. Titles
- c. Business addresses

5. Date(s)

- a. Date the incident/action occurred
- b. If continuing, the duration of incidents/actions

The LA **shall not** interfere with any rights or privileges of a participant because she/he made a complaint or allegation, testified, assisted, or participated in the investigation, proceeding, or hearing relating to the incident/action.

As a result of a complaint, the LA must ensure that no person is:

- Intimidated
- Threatened
- Coerced, or
- Discriminated against

Appendix I

California WIC Policies Related to Civil Rights

This training includes the most current information on civil rights. For additional clarification or questions related to civil rights, local agencies should contact the Training Services Unit at WICCivilRights@cdph.ca.gov.

- [190-00 Staff Training](#)
- [190-20 Civil Rights Training](#)
- [510-10 Nondiscrimination / Examples](#)
- [510-20 Use of the Nondiscrimination Statement](#)
- [510-30 Program Accessibility](#)
- [510-40 Complaints of Discrimination](#)
- [510-50 Racial / Ethnic Categories](#)
- [520-10 Fair Hearing Requests and Procedures](#)

Appendix III

Ethnicity and Race

When asking the ethnicity and race questions, WIC staff must explain:

1. The collection of the information is strictly for statistical reporting requirements, and
2. Has no effect on the determination of their eligibility for WIC benefits.

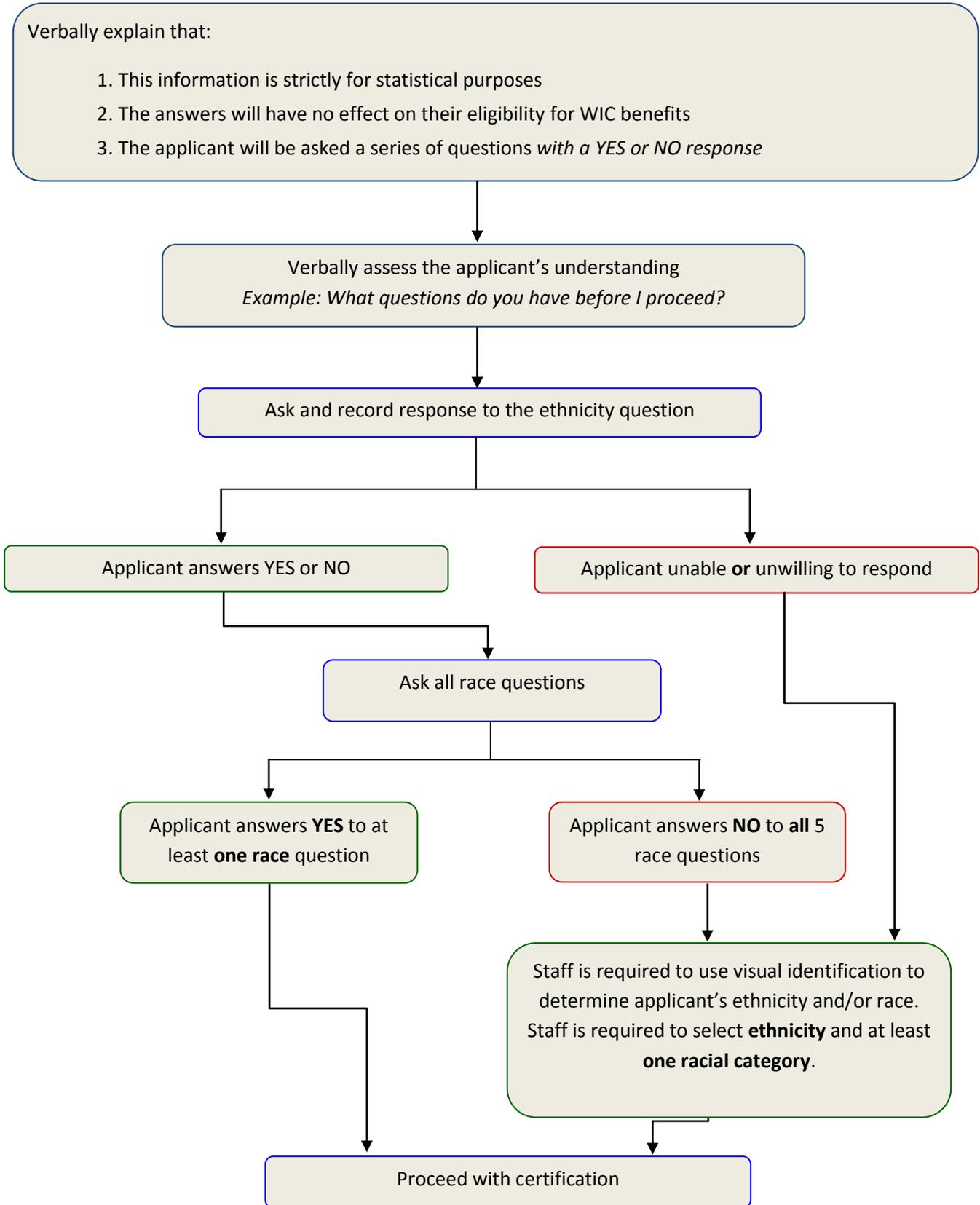
If a participant asks how the data is used, you may explain:

3. The information is used by USDA to determine how effectively WIC is reaching minority groups and to identify where additional outreach is needed.

Appendix IV

Ethnicity and Race Data Collection Flowchart

Reference: WIC Program Policy Manual (WPPM) Section 510-50



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California Department of Public Health
Women, Infants, and Children Program

Certificate of Completion

Civil Rights Training
“Equality for All”

Presented to

_____ Name

_____ Date

This certifies that the above named
acknowledges completion of the Civil Rights
Training and has agreed to comply with the
information given on discrimination, federal
and state civil rights requirements and
complaint procedures.



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California WIC Program Civil Rights Training Evaluation

Date: _____ **Agency:** _____

The Training Services Unit strives to improve the quality of our trainings. Your responses to the following statements and questions will help us evaluate our program and best meet your needs in the future. Please take a few moments to give us feedback by completing the following evaluation.

Instructions: Check the box that best describes your rating for each statement.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Does Not Apply
1. All mandated objectives were covered in the training.	<input type="checkbox"/>					
2. The information was relevant and current.	<input type="checkbox"/>					
3. The activities were effective.	<input type="checkbox"/>					
4. The trainer was knowledgeable about the subject.	<input type="checkbox"/>					
5. The trainer encouraged interaction.	<input type="checkbox"/>					
6. The training was a positive learning experience.	<input type="checkbox"/>					

1. What did you like about the training?

2. Please list one idea that you will use in your job as a result of this training.

3. What suggestions do you have to improve this training?

Thank you for your feedback!