
SECTION: PARTICIPANT RIGHTS

SUBJECT: Treatment of Individuals

ITEM: Complaints of Discrimination

Policy

An applicant or participant may file a complaint alleging discrimination within 180 days of the alleged discriminatory act or action. The Local Agency (LA) shall provide the address to which an applicant or participant may file a complaint of discrimination and accept and process all complaints of discrimination on behalf of the applicant or participant.

Required Procedures

- I. The LA shall provide applicants and participants with information as to where to file a discrimination complaint.
 - A. Complaints of discrimination based on race, color, national origin, age, sex or disability shall be mailed to:

U.S. Department of Agriculture
Director, Office of Adjudication
1400 Independence Avenue, S.W.
Washington, D.C. 20250-9410
 - B. Complaints of discrimination based on any other factor shall be mailed to:

California Department of Public Health
Women, Infant and Children (WIC) Program
Attn: Civil Rights Coordinator
P.O. Box 942732, MS 8600
Sacramento, CA 95899-9977
- II. The LA shall accept and process all complaints of discrimination, whether written or verbal. A copy of the written complaint shall be retained at the LA and provided to the State Agency at the time the complaint is forwarded to USDA. If the applicant/participant makes an allegation of discrimination verbally and refuses or is not inclined to make such allegations in writing, the LA shall put the elements of the complaint in writing on the individual's behalf, retain a copy of the complaint in the LA and submit the complaint to the address in A or B above, as appropriate.

- III. The LA shall provide the applicant/participant the address of the appropriate Civil Rights Coordinator, if the applicant/participant is not inclined to discuss the particulars of the complaint at the LA level.
- IV. The LA shall advise the applicant/participant that the identity of every complainant is kept confidential, except to the extent necessary for purposes of complying with any investigation, hearing, or judicial proceeding.
- V. The LA shall ensure the following information is provided in the written complaint:
 - A. Name, address and telephone number of the complainant or other means of contacting the individual.
 - B. The specific location and name of the LA site providing WIC services to the complainant.
 - C. The nature of the incident or action that led the complainant to feel discrimination was a factor.
 - D. The names, titles and business addresses of persons who may have knowledge of the alleged discriminatory action.
 - E. The date(s) during which the alleged discriminatory action occurred or, if continuing, the duration of such actions.
- VI. The LA shall ensure that no person is intimidated, threatened, coerced, or discriminated against for the purpose of interfering with any right or privilege under the WIC program because she/he made a complaint or formal allegation or testified, assisted, or participated in any manner in an investigation, proceeding, or hearing.

Authority

7 CFR 246.8
FNS Instruction 113-1