



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

FRONTLINE STAFF/VOLUNTEERS CIVIL RIGHTS TRAINING CHECKLIST FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP) AND THE COMMODITY SUPPLEMENTAL FOOD PROGRAM (CSFP)

Please *initial* each bullet indicating that you have read and understood the content.

Section 1 -All Frontline Staff/ Volunteers


Goals of civil rights- fairness and equality of treatment and benefit delivery.


Types of discrimination- Disparate treatment (treating a person differently from others); disparate impact (neutral rule impacts disproportionately on a group); reprisal/retaliation against complainant or his/her family, associates or others involved in complaint process or exercising civil rights.

Exceptions- Congress can establish a program that is intended for certain groups of people and it is not discrimination to exclude those who do not meet eligibility requirements. For example, Congress can set age limits and this is not age discrimination for those who do not meet the age limits.

When do civil rights rules apply? Federal civil rights rules apply any time there is any federal financial assistance. Federal financial assistance is receiving anything of value from the federal government- not just cash. It can include commodities, training, equipment, and other goods and services.

Legal prohibitions- The policy of the CDSS Food Assistance Programs is to not discriminate against **any** class of persons in the delivery of services to clients. CDSS expects Eligible Recipient Agencies (ERA) to provide food to every person who seeks it, regardless of their status as a member of any particular class of persons. Any ERA that directly or through a sub site is found to be discriminating against any class of people is at risk of termination from the program subsequent to an investigation.


 **Federal Protected Classes** - Under federal law, specific classes of persons have a right to file a federal discrimination complaint with USDA if the ERA using federal resources discriminates against them. Under federal law for the purposes of TEFAP and CSFP, the protected classes under which a client may file a discrimination complaint are race, color, national origin, sex, religious creed, disability, age, and political beliefs.


 **Filing a Federal Civil Rights Complaint**- Advise people who allege discrimination based on one or more of the federal protected classes listed above on how to file a complaint by using the *USDA Program Discrimination Complaint Form (AD-8027)*, found online at <http://www.ascr.usda.gov/complaint> and at any USDA office. Complainants may also write a letter addressed to USDA and provide all of the information requested in the form.


To request a copy of the complaint form, complainants may call (866) 632-9992. Completed forms or letters may be mailed, faxed or emailed to the USDA at the following addresses:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue SW
Washington, DC 20250-9410
Fax: (202) 690-7442; or
Email: program.intake@usda.gov


Complaints are generally investigated by staff from the FNS field offices located in the state where the complaint originated.


 **Maintain confidentiality**- Do not talk about or make remarks about people receiving benefits. Never share information with others even if your intention is to help recipients with other services or assistance. Refer all requests for information about recipients from other agencies or programs to managers. Always get a recipient's written approval to share their information or make referrals on their behalf. What happens at the site stays at the site. The exception, of course, is any illegal or inappropriate behavior that should be reported to state or federal officials.


 **Cooperate with State and Federal reviewers**- USDA and CDSS are required to conduct periodic compliance reviews to help ensure compliance with program and civil rights rules.


 **Eligible Recipient Agencies must take action-** The ERA must accept and process all complaints (program, vendor or civil rights) received by the agency regardless of whether the complaints are written, verbal, or anonymous. Details for filing complaints are outlined in Section XV of the FNS 113-1 document. The complaint must be sent directly to:

Food and Nutrition Service Civil Rights Division (CRD)
3103 Park Center Drive, Suite 808
Alexandria, VA 22302

 **Corrective Action for Non-Complying Agencies-** If there is non-compliance with federal nondiscrimination law by the ERA or sub distributing site the state will file a report with the FNS Regional Administrator at USDA and will immediately seek correction of the violation by voluntary compliance. Failure of the ERA or sub site to correct any non-compliance with civil rights rules can lead to legal actions and termination from the Federal programs TEFAP and CSFP, as applicable.

 **People with Disabilities-** A disability is a physical or mental impairment which substantially limits an individual's major life activities (such as those who are deaf, hard of hearing or have speech disabilities). Reasonable accommodation is a modification/adjustment to enable individuals with disabilities to have equal access to benefits and privileges of a service or program and should be provided. Some examples would be to provide reserved for disabled parking, wheelchair ramps, chairs or shades areas for those who have mobility issues.

 **Rights for People with Disabilities-** The Americans with Disabilities Act (ADA) protects individuals with disabilities. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877- 8339; or (800) 845-6136 (Spanish).

 **Limited English Proficiency-** Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered to have Limited English Proficiency (LEP). Reasonable steps should be provided to ensure meaningful access to program information and services by persons with LEP. These services may include providing interpreters and providing printed materials in different languages.

Sexual harassment is prohibited- Do not engage in or tolerate unwanted or unwelcomed sexual behavior, including jokes, touching, request for sexual favors, etc. Report all violations to your management, state or federal officials.

Response to Conflicts/Emergencies- If conflict occurs, remain calm. Call for assistance immediately if you feel threatened. Consider mediation or a third party to help resolve the situation if there is no immediate resolution.

Treat all people with dignity and respect. Follow the golden rule and treat people the way you would like to be treated

Additional information can be found in FNS Instruction 113-1 regarding **Civil Rights Compliance and Enforcement**

I have read and understood the content of this civil rights training. I agree to follow the civil rights instructions as listed above.

Signature

Date

Printed Name

AGENCY Name

This institution is an equal opportunity provider