

## Complaints of Discrimination

- I. Any persons alleging discrimination based on race, color, national origin, sex, age or disability has a right to file a complaint within 180 days of the alleged discriminatory action.
- II. All civil rights complaints, written or verbal, shall be accepted. Anonymous complaints shall be handled as any other complaint.
- III. Applicants, participants or the general public who wish to file a Civil Rights program complaint of discrimination, may complete the USDA Program Discrimination Complaint Form, found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) or at any USDA office, or call (866) 632-9992 to request the form. They may also write a letter containing all of the information requested in the form. Completed complaint forms or letters should be sent by mail to:

U.S. Department of Agriculture  
Director, Office of Adjudication  
1400 Independence Avenue, S.W.  
Washington, D.C. 20250-9410

by fax at (202) 690-7442 or by email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

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).

- IV. Local WIC clinics and the State WIC Office can accept complaints of discrimination.
- V. In the event a complainant makes the allegations verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the person to who the allegations are made shall write up the elements of the complaint for the complainant. Every effort shall be made to have the complainant provide the following information:
  - a. Name, address, and telephone number of the complainant, or other means of contacting the complainant.
  - b. The specific location and name of the entity delivering the service or benefit.
  - c. The nature of the incident or action that led the complainant to feel discrimination was a factor, or an example of the method of administration which is alleged to have a discriminatory effect on the public or potential and actual participants.

- d. The basis on which the complainant feels discrimination exists (race, color, national origin, age, sex or disability).
- e. The names, titles, and business addresses of persons who may have knowledge of the discriminatory action.
- f. The date during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.

VI. All allegations of discrimination will be sent to USDA for investigation.

- a. The State WIC Program Manager or designee should always be notified immediately when complaints alleging Civil Rights discrimination are made.
- b. The Civil Rights complaint check box within the VISION system's customer service log must also be checked.
- c. The State Office will assist clinic staff in forwarding the complaint to USDA.
- d. All complaints alleging discrimination will be processed within the time frames established by USDA regulations. All Civil Rights complaints will be forwarded to USDA within five (5) days.

VII. Although it is the policy of the USDA and FNS, to provide fair and equitable treatment to every employee and customer, there are specific laws and regulations that provide for the protected bases for each nutritional assistance program. For this reason, sexual orientation, marital or family status, parental status, and protected genetic information are not protected bases in The WIC program.