

Department of Social and Health Services
Olympia, Washington
EAZ Manual

Revision #1056
Category Civil Rights and Complaints
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Summary

Updated clarifying information under [WAC 388-426-0005](#) to remove outdated information.
See below for edited text:



Revised ~~June 30, 2015~~ March 2, 2020

Purpose:

This section describes civil rights rules and how to file a complaint.

[WAC 388-426-0005](#) How do I make a complaint to the department?

- [Clarifying Information and Worker Responsibilities](#)

Your civil rights when you do business with us. ~~This~~ includes:

- Who to contact with a civil rights complaint.

- How to tell us if you do not agree with an action we took or a decision we made;
- How we respond to civil rights complaints; ~~and~~.

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We require annual staff training ~~requirements~~ for civil rights.

USDA Non-discrimination Statement

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 discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, 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, audiotope, 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 of 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.

This institution is an equal opportunity provider.

Clarifying Information - WAC 388-426-0005

1. Department policy on equal opportunity and access:

~~Department of Social and Health Services (DSHS) is committed to equal employment opportunity and access to its programs and services for all persons without regard to race, color, sex, religion, creed, age, marital status, national origin, sexual orientation, disabled and Vietnam era veteran's status or the presence of any physical, sensory or mental disability. The Washington state Department of Social and Health Services (DSHS) is an equal opportunity employer and does not discriminate on the basis of age, sex, sexual orientation, gender, gender identity/expression, marital status, race, creed, color, national origin, religion or beliefs, political affiliation, military status, honorably discharged veteran, Vietnam Era, recently separated or other protected veteran status, the presence of any sensory, mental, physical disability or the use of a trained dog guide or service animal by a person with a disability, equal pay or genetic information.~~

2. Discrimination complaints filed with the department:

~~The Investigations and Reasonable Accommodation Investigations Unit (IRAU) investigates complaints we receive on discrimination. Someone may file a complaint with the IRAU-unit using one of the ~~toll free~~ numbers below or by ~~completing one of the two complaint forms~~ requesting a copy of either form listed below and sending the complaint to IRAU Human Resources.~~

- o ~~DSHS 22-552(X), Nondiscrimination in *the Food Stamp Program*~~ the Basic Food Program brochure
- o DSHS 22-171, Nondiscrimination Policy

HR Investigations and Reasonable Accommodation Unit (IRAU)

1115 S. Washington, OB2 2nd Floor NE Wing
PO Box 45839
Olympia, WA 98504-5839

(360) 725-5821 or Toll Free 1-800-521-8060 ~~(inside Washington)~~

TTY (360) 586-4289 or Toll Free TDD 1-800-521-8061 ~~(inside Washington)~~

3. Hearings / Judicial review:

If we receive a complaint that a future hearing or judicial review covers, we can tell the person that the hearing or review will resolve the issue.

4. ~~Necessary Supplemental Accommodation (NSA)~~ Equal Access (EA) previously known as Necessary Supplemental Accommodation (NSA):

When handling a complaint from an EA client, be sure to follow the client's EA Plan and applicable EA policy. See NSA if we get a complaint from someone:

~~a) Who gets NSA services; or~~

~~b) Does not agree with our decision about their NSA status or accommodation plan.~~

Worker Responsibilities - WAC 388-426-0005

1. **Explain why we made the decision and the rules we used.** ~~If someone doesn't like a decision we made or action we took, explain why we took the action and the rules we used to make the decision.~~
2. **Tell people about their options:** If someone disagrees with a decision, tell them the options they have to review our decision, including:
 - a) How to make a complaint;
 - a)b) _____ Their right to talk to a supervisor;
 - b)c) _____ Their option to call customer relations at 1-800-865-7801; ~~and~~
 - b)d) _____ Their right to ask for an fair administrative hearing.
3. **Verbal complaints of discrimination:** ~~If~~ When someone ~~verbally complains~~ states ~~that~~ they were discriminated against, ask them to write down the complaint. If they can ~~not~~ not ~~or will~~ won't write down the complaint, write down the details of the complaint for them.
4. **When someone wants to make a complaint:**
 - a) Help them write down their complaint as needed;
 - a)b) _____ Give them the number for customer relations if they ask for it; and
 - b)c) _____ Get the complaint to the person who supervises the client's worker right away.

5. Civil rights complaints:

Tell the person ~~that~~ they can file a discrimination complaint about the ~~Food Stamp Program~~ Basic Food program or Supplemental Nutrition Assistance Program (SNAP) directly with the US Department of Agriculture - Food and Nutrition Service. Help the person with the complaint as needed and give them the ~~address to mail~~ options of how to submit the complaint.

1. Give the person DSHS 22-552 - Nondiscrimination in Food Assistance Programs the Basic Food Program brochure-/complaint form.
 - a) If the client is applying for or gets benefits from other programs, give them DSHS 22-171(X) -- Nondiscrimination Policy Discrimination brochure-/complaint form.
 - b) Help the person write down their complaint as needed.;
 - c) Get the complaint to the person who supervises the client's worker right away.
 - b)d) _____ Give them the number for customer relations if they ask for it.

6. **Discrimination complaints log:** ~~Every~~ All local offices must keep a discrimination complaints log. The log must record the following information: ~~The log must contain the~~

a) Date of complaint;

~~a)~~b) _____ Name, address, telephone number, and client ID of the person making the complaint;

~~b)~~c) _____ The specific location and name of the agency that authorizes the benefits;

~~c)~~d) _____ Type of complaint (race, color, sex, political beliefs, etc.);

~~d)~~e) _____ The names, titles, and business addresses of people who may know about the action or decision in the complaint;

~~e)~~f) How we addressed the complaint and the date we did this; ~~and~~

~~b)~~g) _____ A copy of the written response to the complaint.

7. **Mandatory Civil Rights Training:** Every year, all ~~local office~~ staff must complete the online civil rights training by the end of February using the DSHS Learning Center. ~~This must be completed by local office staff and supervisors by the end of February.~~ **Completion of this training is monitored, and staff will receive a reminder if they have not completed the training has not been completed on timely.**

8. **Client Demographics on Race / Ethnicity at interview:**

a) At interview, inform clients ~~that~~ we must collect racial and ethnic information for statistical reporting requirements and that the information has no impact on eligibility.

~~a)~~b) _____ Ask clients to self-identify their racial and ethnic group.

~~b)~~c) _____ If the client chooses not to identify a race / ethnic group, -make a visual determination where possible and record this information in the demographics. This is required under federal regulations.

~~b)~~d) _____ Allow the household to update this information by self-identifying if they choose to do so.