

**Indiana WIC Program Indiana
State Department of Health**

Discrimination Complaints

Policy

Any person or representative alleging 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 has the right to file a complaint. All complaints must be forwarded to FNS within 5 working days. A person or representative alleging discrimination based on religion also has the right to file a complaint. All complaints must be filed within 180 days of the alleged discriminatory action.

Authority

FNS Instruction 113-1 Section 15 (Complaints of Discrimination) FNS
Instruction 113-1 Section 09 (Public Notification)
7 CFR Part 15
7 CFR Part 246.8(b) (Non-discrimination- Complaints)

Procedure

- I. Applicants and clients are informed during each certification of their right to file a complaint.
- II. Individuals may file complaints of discrimination with USDA or the State agency and document by using the Civil Rights complaint form. If the State WIC Office receives the Civil Rights Complaint form it must be forwarded to the MWRO Civil Rights Director within 5 working days.
- III. A complainant not wanting to file a written or verbal complaint at the local agency level may contact USDA, Office of the Assistant Secretary for Civil Rights.
- IV. A complainant alleging discrimination who refuses or is not inclined to place the allegations in writing, must have the allegations written by staff. Every effort should be made to have the complainant provide the following information:
 - Name
 - Address

- Telephone number (or other means of contact such as email)
 - Specific location and name of the state agency, local agency or vendor
 - The incident or action that led the applicant or participant to feel they were being discriminated against- Names, addresses, telephone numbers of other people who may have been involved in or have knowledge of the incident or action
 - Dates of the initial and ongoing incident(s) or action(s)
- V. Written complaints and documented verbal complaints must be forwarded to the USDA and copied to the Indiana WIC office. A copy should be kept at the local agency.
- VI. If the participant cannot write and requests assistance then the local clinic will need to comply and help write up the complaint. Once completed, return the complaint form to the complainant for them to send to the USDA. (if the participant is unable to mail or fax the form, the local WIC office should provide assistance to complete the process) The complaint should not be recorded.
- VII. Complaints of religious discrimination must be sent directly to the Indiana Civil Rights Commission, Indiana Government Center-N103, 100 North Senate Avenue, Indianapolis, IN 46204. Complaints must be filed within 180 days of the incident. A copy should be maintained at the local agency and a copy should be forwarded to the State WIC office.
- VIII. The complaint should not be documented in the client's INWIC File to reduce possible retaliation against the complainant.