



SECTION: Local Program Operations 588
SUBJECT: PROGRAM INTEGRITY: COMPLAINTS
DATE: February 25, 2015 (*revised*)

POLICY: Local and state WIC Programs must have procedures in place to document all complaints from applicants, participants, parents or caretakers of infants and children, proxies, vendors, staff and the general public. Complaints of civil rights discrimination must be handled in accordance with 7CFR§246.8¶(b).

PURPOSE: To allow and document any complaint regarding program operations at the local and state program level, food delivery or civil rights discrimination.

RELEVANT REGULATIONS: 7 CFR§246.12¶(o)—Participant, parent/caretaker, proxy, vendor, and home delivery contractor complaints
 7 CFR §246.8¶(a)—Civil rights requirements

OREGON WIC PPM REFERENCES: ♦452—Civil Rights
 ♦590—Participant Violations

TWIST TRAINING MANUAL REFERENCES: Chapter 8, Lesson 103—Complaints

APPENDICES: Appendix A 588.4 WIC Shopper Complaint Card
 Appendix B 588.5 WIC Complaint Data Entry Document

DEFINITIONS:

<i>Applicant</i>	An individual who comes to the WIC clinic requesting WIC services.
<i>Applicant vendor</i>	A retail store owner that has applied to be authorized as a WIC vendor.
<i>Complaint source</i>	Any individual or group of individuals who alleges inappropriate behavior or actions in the delivery of WIC program benefits and services. Also referred to as the complainant.
<i>Protected classes</i>	The prohibited bases and nondiscrimination categories under civil rights laws. For WIC, the protected classes are race, color, sex, age, national origin, and disability.
<i>TWIST</i>	The WIC Information System Tracker, the Oregon WIC database.

PROCEDURE:

Receiving complaints 1.0 Local WIC programs shall accept verbal and written complaints from and about participants, staff, vendors, farmers, farmers’ markets, WIC staff, or community partners.

Complaints, cont.

(Receiving complaints)

- 1.1 Complaints may be received through phone calls, fax, e-mails, written statements, in person, via the Oregon WIC website at: <http://public.health.oregon.gov/HealthyPeopleFamilies/wic/Pages/complaints.aspx> or by materials supplied by the state WIC office.
 - 1.1.1 Vendors are given a “WIC Shopper Complaint Card” to report complaints against WIC participants and their authorized shoppers (see ¶5.0 and Appendix A).

Documenting complaints

- 2.0 All complaints shall be documented.
 - 2.1 Complaints against participants, vendors, farmers, farmers’ markets, community partners or the WIC Program in general shall be entered into TWIST. Refer to the TWIST Training Manual, Chapter 8, Lesson 103 for specific information on how to enter complaints in TWIST.
 - 2.2 To ensure employee confidentiality, complaints against WIC program staff **are not** entered in TWIST.

Complaints against local WIC staff

- 2.2.1 Complaints against local WIC staff should be referred directly to the WIC Coordinator. The WIC Coordinator will decide whether the complaint should be forwarded to the state WIC office for additional follow-up. If the complainant feels uncomfortable submitting a complaint to the WIC Coordinator or if the complaint is against the WIC Coordinator, it should be referred to the local program’s Administrator.

Complaints against state WIC staff

- 2.2.2 Complaints against state WIC staff should be referred directly to the state WIC program manager.

Civil rights complaints

- 3.0 Civil rights complaints are those complaints that involve alleged discrimination based on race, color, sex, age, national origin or disability. These are the “protected classes” for WIC. Refer to ♦452—Civil Rights for more information. If local program staff identify a potential civil rights complaint, they shall follow the process below.

Civil rights complaint process

- 3.1 Local programs must accept and document **all** complaints involving alleged discrimination or civil rights violations.
 - 3.1.1 **Contact the civil rights representative at the state WIC office immediately after identifying a complaint of alleged discrimination or a potential civil rights violation.**

Complaints, cont.

(Civil rights complaint process)

3.1.2 The state WIC office will notify the USDA Food and Nutrition Services Office of Civil Rights of all civil rights complaints within 10 working days from the date of the complaint.

3.2 As soon as a suspected civil rights complaint is verbalized:

3.2.1 Inform the person alleging discrimination of his/her right to file a complaint and that the complaint must be made within 180 days of the alleged discriminatory action.

3.2.2 Inform the individual that local staff will document the complaint and immediately forward it to the state WIC office. The complainant may also choose to file a complaint directly with USDA, see ¶3.5.

3.2.3 If the complainant verbalizes the complaint but does not wish to make allegations in writing, local WIC staff must still ensure the complaint is documented according to ¶3.4.

Required documentation for all civil rights complaints

3.3 Include the following documentation in **all** civil rights complaints:

3.3.1 Name, address and telephone number of the person making the complaint. Information given will remain confidential until such time as the complainant gives permission for its release. Do not include this information, however, if complainant wants to remain anonymous.

3.3.2 Name and location of the participant's local program.

3.3.3 The basis on which the civil rights discrimination has been filed, i.e., race, color, sex, age, national origin, or disability.

3.3.4 The nature of the incident or action that led the person to feel discrimination was a factor.

3.3.5 The location where the incident occurred.

3.3.6 The name(s), title(s) and business address(es) of individual(s) involved in or with knowledge of the discriminatory action, i.e., local health department staff, local WIC staff, vendors.

3.3.7 The date(s) the alleged discrimination occurred or, if continuing, the duration of such action.

How to document civil rights complaints

3.4 All civil rights complaints are documented in TWIST, unless they are specific to a WIC staff member. Include a brief summary of the discussion with the individual and document all actions taken. Check the "Civil Rights" box on the TWIST "Complaint" screen.

Complaints, cont.

*How to document
civil rights
complaints*

- 3.4.1 To ensure employee confidentiality, civil rights complaints against WIC program staff are documented in writing but are **not** documented in TWIST.
- 3.4.2 Send the documentation to the civil rights representative at the state WIC office *immediately* after identifying a complaint of alleged discrimination or a potential civil rights violation.
- 3.4.3 Civil rights complaints against local and state WIC staff should be referred directly to the state WIC program manager, local coordinator, local administrator, and state nutrition consultant.

*Resolution of civil
rights complaints*

- 3.5 The state WIC office will notify the local coordinator and administrator if any corrective actions need to be taken to address a civil rights complaint.

*Civil rights complaint
may be sent directly
to USDA*

- 3.6 In addition to the complaint process described above, the individual or local staff may also choose to send a civil rights complaint directly to USDA. Offer assistance in writing a formal complaint, if necessary. See ¶3.3 for what to include in the complaint. Send the complaint according to instructions here: http://www.ascr.usda.gov/complaint_filing_cust.html.

***Complaint Data
Entry Document***

- 4.0 Local staff may use the “*WIC Complaint Data Entry Document*” (form 57-500) to record complaints at a satellite clinic or if TWIST is unavailable (see Appendix B).
 - 4.1 The information recorded on the “*WIC Complaint Data Entry Document*” must be entered into TWIST within three days to ensure timely follow up at the state WIC office.

***“WIC Shopper
Complaint Card”***

- 5.0 Vendors may file a complaint by completing and mailing the “*WIC Shopper Complaint Card*” card to the state WIC Compliance Coordinator (see Appendix A).
 - 5.1 The state WIC Compliance Coordinator will enter the complaint into TWIST and take appropriate action. ★

**If you need this in large print or an alternate format,
please call (971) 673-0040.
WIC is an equal opportunity program and employer.**

WIC Shopper Complaint Card

Store name:	Store vendor ID:
Store contact name:	Store phone number:
Voucher # and/or client WIC ID #:	Date incident occurred:

Please describe what happened (be specific):

Thank you for your cooperation. If you have further information regarding the incident, please call 1-877-807-0889.
If you have any questions or need this form in an alternate format, please call (971) 673-0040.
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57-1005-ENG (1/2012)





WIC Complaint Data Entry Document*



Complaint date: _____

Staff taking complaint: _____

Complaint is against:

Name: _____

Location: _____

Description: _____

(Check one)

WIC client Local agency

Farmer Program (in general)

Farmers' market Vendor

Other

Complaint source:

(Check one)

WIC client ID: _____

WIC vendor Location: _____

Other: _____

Name: _____

Phone: () _____

Address: _____

City: _____ **ZIP:** _____

This information is kept confidential unless permission is obtained from the source. If source does not want to give name, enter "Anonymous."

Issue:

Rude/unfair treatment

Discrimination/civil rights

Eligibility determination

Authorized foods

Incorrect foods purchased

Selling, attempting to sell or giving away eWIC card or WIC foods

Children not living with guardian

Other: Please describe →

Description:

(Continue on back if needed)

Action taken by WIC staff: _____ **Date:** _____

Please summarize action taken.

(Continue on back if needed)

Refer this complaint to:

Name

** Enter the information from this form into TWIST within 3 working days.*