



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

January 12, 2012

John Davis, Director
Tulare County Health & Human Services Agency
5957 South Mooney Blvd.
Visalia, CA 93277

Dear Mr. Davis:

This letter is to advise you that the Corrective Action Plan your office submitted on November 17, 2011, in response to the results of our 2011 Civil Rights Compliance Review is approved.

We will be monitoring the implementation of your corrective action items through your Civil Rights Coordinator.

If you have any questions, please contact Daniel Cervantes at (916) 654-2107. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

for Cindy S. Guzman
JIM TASHIMA, Chief
Civil Rights Bureau

Human Rights & Community Services Division

c: Elisa Rivas, Civil Rights Coordinator

Linda Patterson, Branch Chief
CDSS CalFresh Program M.S. 8-9-32

Mike Papin, Chief
CalFresh Policy Bureau M.S. 8-9-32

Marlene Fleming, Chief
Field Operations Bureau M.S. 8-9-32

Brian Tam, Chief
CalFresh Management Operations Section M.S. 8-9-32

Paul Gardes

CalFresh Policy Bureau M.S. 8-9-32

Thuan Nguyen
Refugee Programs Bureau, M.S. 8-8-46

Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Dominic Pagano, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Hope Rios,
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Jodie Berger, Regional Counsel
Legal Services of Northern California



**TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY**

JOHN DAVIS • AGENCY DIRECTOR

NOV 28 2011

November 17, 2011

Jim Tashima, Chief
Civil Rights Bureau
Department of Social Services
744 P Street, M.S. 15-70
Sacramento, CA 95814

Dear Mr. Tashima,

Enclosed is the Tulare County Civil Rights Corrective Plan for the Civil Rights Compliance Review of June 2011.

Please contact Elisa Rivas at (559) 624-7488 if you have any questions or require additional information.

Sincerely,



John Davis

Enc.

CIVIL RIGHTS
CORRECTIVE ACTION PLAN
JUNE 2011

JOHN DAVIS, AGENCY DIRECTOR
TULARE COUNTY
HEALTH AND HUMAN SERVICES AGENCY
HUMAN SERVICES BRANCH

TABLE OF CONTENTS

- I. INTRODUCTION**
- II. SUMMARY OF METHODOLOGY**
- III. DISSEMINATION OF INFORMATION**
- IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES**
- V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH SPEAKING OR WHO HAVE DISABILITIES**
- VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS**
- VII. STAFF DEVELOPMENT AND TRAINING**
- VIII. DISCRIMINATION COMPLAINT PROCEDURES**
- IX. CONCLUSION**

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Tulare County Health and Human Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

On site compliance review was conducted on June 20-23, 2011. An exit interview was held on June 23, 2011 to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Tulare HHSA Dinuba TulareWORKs	1066 N. Alta Dinuba, ca	NAFS, CalWORKs	Spanish
Tulare HHSA IHSS	3500 W. Mineral King Visalia, CA	IHSS, APS	Spanish
Tulare HHSA CWS	26500 S. Mooney Blvd Visalia, CA	Children's Services	Spanish
Tulare HHSA Visalia TulareWORKs	1845 N. Dinuba Blvd Visalia, CA	NAFS, CalWORKs	Spanish

II. SUMMARY OF METHODOLOGY

To prepare and conduct this review, the CDSS staff reviewed the 2010-2011 Annual Civil Rights Plan, civil rights discrimination complaint database, interviewed public contact staff, reviewed Program Manager's surveys and reviewed case files, reviewed previous Compliance Reviews and Corrective Action Plans submitted by the county.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants and recipients, community organizations, and other interested persons, including non- and limited- English speakers and those with impaired hearing or vision or other disabling conditions.

FINDINGS -- Signage, Poster and Pamphlets

1. Does the county use CDSS pamphlet "Your Rights Under California Welfare Programs" (PUB 13 – 6/11)

Comments:

All but one employee knew the importance of explaining the PUB 13 at intake and annually.

2. Did workers know the location of the required posters with the Civil Rights Coordinator's name and address?

Comments:

Two (2) receptionist at the facilities visited were unaware of where the CRC's information was located.

CORRECTIVE ACTIONS

Informational Element: Posters

Corrective Action Required: Tulare County shall ensure that the most current version of posters on nondiscrimination provided by CDSS and USDA are prominently displayed in all waiting areas and reception rooms. DIV.21-107.211

Further, All employees shall know the location of these posters in the lobby.

Response: The Civil Rights Coordinator will closely monitor all sites to ensure that the most current signage is posted at each office lobby on a continuous basis. In addition, CRC is scheduled to conduct the Civil Rights Division 21 Training for all Human Services Branch employees effective November 1, 2011 through March, 2012. This training will include a detailed explanation of the appropriate distribution and importance of the PUB 13 and the specific location of all CDSS posters and signage for each office.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable: in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the reference to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Plan column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility of accessible parking as well as accessibility of public telephones and restrooms.

Findings and Corrective Actions:

(A) Facility Location: 1066 N. Alta, Dinuba, CA

NONE

Recommendation:

N/A

(B) Facility Location: 3500 W. Mineral King, Visalia, CA
A review of this facility was NOT conducted during this visit.

(C) Facility Location: 26500 S. Mooney, Visalia, CA

Facility Element: Restroom

Findings:

1. Men's Restroom: Door pressure excessive at 9 lbs.

Corrective Action:

Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 11333B.2.5, ADA 4.13.11 (2) (a) & (b)) p 201

Response:

Please see e-mail from Georgina Espino, Administrative Aide for the Admin. Services Division / Facilities Unit. Agency will contract with Quality Construction to correct this issue. (See attachment A)

2. Woman's Restroom: Door pressure excessive at 9 lbs.

Corrective Action:

Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 11333B.2.5, ADA 4.13.11 (2) (a) & (b)) p 201

Response:

Please see e-mail from Georgina Espino. Agency will contract with Quality Construction to correct this issue.

3. Woman's Restroom: Feminine product dispenser too high at 54 inches.

Corrective Action:

If towel, sanitary napkins, waste receptacles and other similar dispensing and disposal fixtures are provided, at least one of each type if located with all operable parts, including coin slots, at a maximum height of 40" (CA T24 1115B.8.3, ADA 4.23.7) p 294

Response:

Please see e-mail from Georgina Espino. Agency will contract with Quality Construction to correct this issue.

(E) Facility Location: 1845 N. Dinuba Blvd, Visalia, CA

Corrective Action:

NONE

V. PROVISIONS FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual /interpretive services are provided to serve the needs of the non-English speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/ recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and /or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff is not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print material, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in individuals' primary language.

Corrective Actions:

NONE

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

Corrective Actions

NONE

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

Training Area:

Division 21, Civil Rights Training

Corrective Action

Tulare County shall ensure that employees receive Division 21 training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div 21-117.1

Response:

As of November 1, 2011, the CRC will begin to train all HHSA staff. The Civil Rights Division 21 training will include all the required information.

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

Element
Discrimination Process

Corrective Action

Tulare County shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate if from other complaint processes.

Div. 21-117 and 21-203

Response

As part of the Division 21 training, the Civil Rights Coordinator will ensure that the discrimination complaint process is thoroughly reviewed. The policy is available on the HHSA website and a hard copy of the Civil Rights Complaint Process policy will be made available upon request. (See attachment B)

Staff will also receive the handout, "DID YOU KNOW THERE ARE THREE TYPES OF COMPLAINTS." This handout addresses the type of complaint, a description of the complaint and who handles the complaint. The CRC will review the handout and to ensure the clarity of each complaint. (See attachment C)

Element
Civil Rights Coordinator

Corrective Action

Tulare County shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located.

Div. 21-117 and 21-107.21

Response

Tulare County HHSA will take the necessary steps to ensure that all staff is informed of the current civil rights coordinator.

1. CRC will immediately attend the HHSA's Manager's monthly meeting for a formal introduction and to provide business cards with CRC's name, address and phone number.
2. CRC will replace name stickers on all signage and posters with the correct contact information in all offices.
3. CRC will attend the manager's meeting at each individual office and meet with unit managers, supervisors, etc. Supervisory staff will inform their units of the change via Groupwise or through unit meetings.
4. CRC will also inform all new staff during orientation training and regular staff during Division 21 training.

C. Recommendation

It is important that a change in Civil Rights Coordinator is relayed to ALL staff, especially first contact staff, even if the assignment is temporary.

Response

It is the intent of HHSA that by following steps 1 through 4 above, staff will have a clear understanding of the CRC's name, address and phone number.

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Tulare County HHSA Civil Rights Compliance Plan for the period February 1, 2011 through January 31, 2012, was received and is approved as submitted.

X. CONCLUSION

Tulare County Health and Human Services Agency must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter (September 30, 2011) of this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

Attachment A

From: Georgina Espino
To: Rivas, Elisa
Date: 11/8/2011 4:46 PM
Subject: ADA: 26500 S. Mooney/CWS
Attachments: Georgina Espino.vcf

Elisa,

We have received approval to get an outside vendor to address adjusting the feminine products dispenser and the door pressure adjustment to the m/f respective restrooms. I am in the process of getting a quote from the previous vendor that was used to address the ADA issues previously at this site, Quality Construction.

Thank you for your patience in this matter and I will notify you once the quote is received.

Georgina Espino

Georgina Espino, Admin. Aide
Admin. Serv. Div./ Facilities Unit
Tulare County HHSA
5957 S. Mooney Blvd.
Visalia, Calif. 93277
DL (559) 624-7377 Fax (559) 737-4059
e-mail: GGespino@tularehhsa.org

*Please note new direct line.

**TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL**

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 1 of 9

CIVIL RIGHTS COMPLAINT PROCESS

I. PURPOSE

The purpose of this policy is to explain the Civil Rights Complaint Process and to ensure that the administration of public assistance and social services programs are nondiscriminatory. No person shall ever be excluded from participation in, or denied the benefits of any program because of race, color, national origin, political affiliation, religion, marital status, sex, age, or disability.

II. SCOPE

Tulare County Health and Human Services Agency (HHSA).

III. POLICY

- A. Facility site managers (Unit Managers, Program Managers, Clinic Managers, etc.) shall ensure that all waiting rooms and reception areas contain the nondiscrimination posters (Civil Rights and Food Stamp Program) and pamphlets entitled, A Your Rights Under California Welfare Programs.@
- B. The HHSA Civil Rights Coordinator shall be the designated complaint investigator. In no case shall the Civil Rights Coordinator be assigned to investigate a complaint involving actions taken by him/her or by an employee under his/her immediate supervision, or where the Civil Rights Coordinator's responsibilities in another program or capacity within the department may result in a conflict of interest.
- C. All complaints (verbal or written) filed at the County level are to be investigated. The complainant shall identify the discriminatory treatment, the date and place of the incident, the person(s) he/she believes discriminated against him/her, and the condition causing the complaint. Upon completion of the investigation, results shall be made in writing and a copy shall be provided to the complainant.
- D. If corrective action is required as a result of an investigation, a corrective action plan shall be written. The corrective action plan shall result in a policy or plan to ensure that problems of a similar nature will not recur.

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 2 of 9

CIVIL RIGHTS COMPLAINT PROCESS

IV. PROCEDURES

A. Provision of Civil Rights Material

The pamphlet "Your Rights Under California Welfare Program" shall be distributed and explained to each applicant/recipient at intake and reinvestigation of eligibility.

B. Right to File a Complaint

Any applicant/recipient alleging discrimination based on any of the nine grounds listed above in Section I has the right to file a complaint of alleged discrimination.

The applicant/recipient may file their complaint at the office where discrimination took place or with the Civil Rights Coordinator in either verbal or written formats. All complaints, verbal or written will be duly noted in the HHSA's discrimination complaint log by the Civil Rights Coordinator. All such complaints must be filed by the complainant or their authorized representative no later than 180 days after the alleged discriminatory action unless the filing date is extended by the California Department of Social Services, U.S. Department of Health and Human Services or the U.S. Department of Agriculture, Food and Nutrition Services.

The applicant /recipient alleging discrimination and/or their authorized representative may file the complaint with any one or all of the following agencies simultaneously:

1. HHSA, or
2. California Department of Social Services, Civil Rights Bureau
(CDSS/CRB), or
3. U.S. Department of Health and Human Services, Office of Civil Rights, or
if a Food Stamp complaint,

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 3 of 9

CIVIL RIGHTS COMPLAINT PROCESS

4. U.S. Department of Agriculture, Food and Nutrition Services

The HHSA Civil Rights Coordinator shall retain a log of all complaints and track each case until closure.

C. Indirect Reporting of Complaint

Any employee who receives a written or verbal discrimination complaint shall forward all relevant information to the HHSA Civil Rights Coordinator within forty-eight (48) hours of the complaint.

D. Acknowledgment of Complaint

The HHSA Civil Rights Coordinator shall acknowledge all complaints, within twenty (20) calendar days of receipt. The complainant will be informed in writing by certified mail with the return receipt requested that the complaint has been received and an investigation will be conducted.

E. Identification of a Discriminatory Act

In order to substantiate a discrimination complaint, the HHSA Civil Rights Coordinator will obtain the basic information requested on the Discrimination Complaint form (GEN 1179) from the complainant, assuring that the complainant may remain anonymous if he/she wishes.

1. Name, address (with the exception of the Civil Rights Coordinator, a complainant may choose to have their identity remain anonymous throughout the investigation.)
2. Program(s) involved.
3. Basis of discrimination within one of nine grounds- race, sex, religion, national origin, color, disability, age, marital status or political affiliation.
4. Description of action/events.

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 4 of 9

CIVIL RIGHTS COMPLAINT PROCESS

5. Resolution being sought.
6. Signature and date (if completed by other than complainant, so indicate.)

In order to be a valid complaint, the alleged basis of discrimination must fall within one of the nine grounds listed above in Section I.

F. Complaints Not Requiring A Full-Scale Investigation

For those complaints not requiring a full-scale investigation, the HHSA Civil Rights Coordinator shall inform the complainant in writing within forty (40) calendar days of receipt of a complaint, that the complaint does not require further investigation and the reason(s). CDSS/CRB shall be informed of the case resolution with copies of any withdrawal form, letter to complainant, etc.

G. Complaints Requiring A Full-Scale Investigation

Civil Rights Coordinator shall:

1. Prior to a full-scale investigation, confer with the affected parties in an effort to resolve the complaint to the mutual satisfaction of the complainant and HHSA.
 - a. If early resolution is accomplished, the terms of the agreement shall be documented and submitted to the complainant and to the CDSS/CRB.
 - b. Whenever possible, a signed withdrawal from the complainant shall be obtained.
 - c. If resolution cannot be reached, a full-scale investigation shall be conducted.
2. Complaints requiring a full-scale investigation, shall be completed within sixty (60) calendar days following receipt of complaint. The Civil Rights

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 5 of 9

CIVIL RIGHTS COMPLAINT PROCESS

Coordinator shall inform the complainant, HHSA and CDSS/CRB in writing of the results of the investigation within twenty (20) calendar days following completion of the investigation. The reason for the decision shall be clearly stated and a complete copy of the investigation report shall be forwarded to CDSS/CRB.

H. Initial Interview With The Complainant:

Civil Rights Coordinator shall:

1. Prior to the interview, advise the complainant of his/her right to have a representative/counsel present at the interview. In addition, ensure that the complainant will be able to communicate fully, and provide for the use of interpreters, readers, etc., during the interview.
2. During the interview, explain the following to the complainant.
 - a. The issues to be addressed and investigated as a part of the complaint.
 - b. The complainant's right to review the discrimination case with exception of documents that would constitute an unwarranted invasion of privacy or infringe upon the rights of another if released.
 - c. The complainant's right to confidentiality except as necessary to carry out the complaint investigation.
 - d. The regulatory time frames regarding investigation and projected date of completion.
 - e. The right to appeal a discrimination complaint finding to other levels of government, (i.e., state, federal.)
 - f. Prohibition of retaliation.
3. Obtain the following information during the interview:
 - a. Complainant's name, case number, address and telephone.

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supercedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 6 of 9

CIVIL RIGHTS COMPLAINT PROCESS

- b. Names of individuals responsible for the action, decision or condition alleged to be discriminatory.
- c. Date and place of alleged discriminatory treatment.
- d. Discriminatory criterion (race, sex, disability etc.)
- e. Nature of the action, decision or conditions of the alleged discrimination.
- f. Information known to the complainant in support of his/her allegation.
- g. Possible witnesses whom the complainant wishes to have interviewed.
- h. Other information specific to the complaint.
- i. Any indication of reprisal, intimidation or harassment as a result of the complaint.
- j. Relief sought by the complainant.

I. Review of Issues Specific to the Complaint

The HHSA Civil Rights Coordinator shall review Division 21 regulations which pertain to the issues in the complaint and if necessary obtain clarification from CDSS. Review all complaint documents concerning the discrimination issues and interview witnesses as indicated by circumstances or the nature of the allegation.

J. Investigation of the General Environment

In evaluating the general environment (per Division 21-203.35 regulations) in which the alleged discriminatory action occurred, the Civil Rights Coordinator may:

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supercedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 7 of 9

CIVIL RIGHTS COMPLAINT PROCESS

1. Select and review cases from the general welfare population to compare the treatment of members of the same race, disability or ethnic group, etc.
2. Compare the treatment of recipients by the individual who allegedly discriminated, with the treatment provided by other employees for a similar group.
3. The Civil Rights Coordinator may review the discrimination case files to determine if there have been previous complaints or findings of discrimination against any HHSA staff person named in the complaint, or any such pattern in the department.
4. Interview the supervisor of the employee named in the complaint and survey the general environment in which the complaint arose. Record details which may indicate needed corrective action or exonerate the employee(s) alleged to have discriminated.
5. Review other supporting documents as appropriate.
6. Interview employee(s) alleged to have acted in a discriminatory manner:
 - a. Advise employee(s) of right to have representative/counsel present during the interview. Inform employee(s) about this right prior to the interview to allow the person(s) time to make any necessary arrangements.
 - b. During the interview, explain the following:
 1. Allegations made against the employee and the identity of the complainant. The identity of the complainant will not be revealed if anonymity was requested.
 2. Reason for the interview.
 3. Any information provided by the employee(s) during the interview shall become a part of the complaint file which is accessible to the complainant.

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 8 of 9

CIVIL RIGHTS COMPLAINT PROCESS

4. The employee may be subject to disciplinary action if discrimination is substantiated or if he/she refused to cooperate in the investigation.
5. The employee has a right to receive a copy of the decision in the investigation.
6. The file will be kept confidential except to the extent necessary to conduct the investigation.

K. Report of Investigation

A full and complete written investigation report shall be prepared within twenty (20) calendar days following completion of the investigation, stating the basis for the decision and the results of the investigation. The full report will be forwarded to the State Department of Social Services/Civil Rights Bureau.

The full and complete written investigation report shall address all issues raised by the complainant. Where there is conflicting evidence, further investigation should be conducted. If the conflict cannot be resolved, the investigator shall ensure that such issues are fairly represented in the report.

Additionally, the Civil Rights Coordinator shall:

1. Forward a summary report to the complainant(s) stating the basis for the decision and the results of the investigation;
2. Forward a summary report to the Agency Director, Tulare County Health & Human Services Agency, stating the basis for the decision and the results of the investigation; and
3. Forward a summary report to the person(s) investigated, upon request.

L. Retaliatory Acts Prohibited

No official or employee shall intimidate, threaten, coerce or discriminate against

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New
Section:
Effective:
Page:

SECTION: 10-29
Effective: 6-14-00
Page: 9 of 9

CIVIL RIGHTS COMPLAINT PROCESS

any individual for the purpose of interfering with any right, or privilege secured by these regulations or because he/she has made a complaint, testified, assisted or participated in any manner in any investigation, proceeding or hearing.

M. Right To Appeal

The Civil Rights Coordinator shall inform the complainant of his/her right to appeal a decision to the State Department of Social Services/Civil Rights Bureau; the U.S. Department of Health and Human Services, Office of Civil Rights; and/or the U.S. Department of Agriculture, Food and Nutrition Services (if the complaint involves food stamps) within thirty (30) calendar days of the date the investigation report is mailed or given the complainant.

N. Retention

The Civil Rights Coordinator shall retain all records relative to each discrimination complaint for a period of three (3) years after final disposition of the complaint.

O. Confidentiality of Information

The identity of any complainant and the employee alleged to have discriminated must be kept confidential, except to the extent necessary to carry out the complaint process.

P. Corrective Action:

If corrective action is required as a result of an investigation, a corrective action plan shall be prepared within twenty (25) calendar days following completion of the investigation. The HHSA Civil Rights Coordinator shall forward this plan to the Agency Director and appropriate staff.

Policy Author: Emma Quintana, Civil Rights Coordinator

Date: 03/29/00

The above policy is approved for immediate implementation.

TULARE COUNTY HEALTH & HUMAN SERVICES
AGENCY MANUAL

Supersedes New

Section:

Effective:

Page:

SECTION: 10-29

Effective: 6-14-00

Page: 10 of 9

CIVIL RIGHTS COMPLAINT PROCESS

(Signature)

(Title)

(Date)

DID YOU KNOW THERE ARE THREE TYPES OF COMPLAINTS?



CIVIL RIGHTS COMPLAINTS

PROGRAM COMPLAINTS

PERSONNEL COMPLAINTS

CIVIL RIGHTS COMPLAINTS



Title VI

Under State law, welfare agencies may not, on the basis of race, color, national origin, age, disability, sex, political affiliation, religion, marital status or sexual orientation, provide aid, benefits or services to an individual or group which is different from that provided to others.

EVERYONE MUST BE TREATED
EQUAL

PROGRAM COMPLAINTS

Clients, Applicants or Authorized

Representatives Only!

When a client or applicant does not agree with an action on their application, public assistance benefits or service plan, they may file a complaint at the county level by contacting a Supervisor, Lead Worker, Unit Manager, Division Manager or Deputy Director.

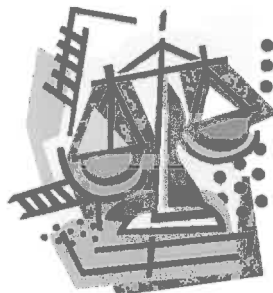
-OR-

**The applicant may file a formal complaint against the county with the California Department of Social Services in Sacramento.
(State Fair Hearing)**

**Public Inquiry and Response
P.O. Box 944243, M.S. 19-37
Sacramento, California 94244-2430**

**Phone: 1-800-952-5253
1-800-952-8349 (Voice/TDD)**

**The State Hearing will be handled by the
Administrative Law Judge**



PERSONNEL COMPLAINTS

EMPLOYEE CONDUCT

TULARE COUNTY PERSONNEL RULES

RULE 12

EMPLOYEE CONDUCT GENERALLY

12.1 IT is expected that all County employees shall render the best possible service and reflect credit on the County, therefore high standards of conduct are necessary.

CONDUCT SUBJECT TO DISCIPLINE

12.2 (m) Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical disability, marital status, sex, or age, against the public or other employees while acting in the capacity of a County employee.

These complaints are handled by:
Immediate supervisor, Lead Worker, Unit Manger,
DivisionManger. Deputy Director, Director or
Human Resources.

