



CDSS

WILL LIGHTBOURNE
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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

January 31, 2018

ALL COUNTY LETTER (ACL) NO. 18-03

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL CIVIL RIGHTS COORDINATORS
ALL CALFRESH PROGRAM SPECIALISTS
ALL EMERGENCY FOOD ASSISTANCE PROGRAM (EFAP)
COORDINATORS

SUBJECT: PROCEDURES FOR AGE DISCRIMINATION COMPLAINTS

REFERENCE: [AGE DISCRIMINATION ACT OF 1975](#); [7 CFR §15c.7\(d\)](#)

The purpose of this All County Letter (ACL) is to advise all counties of the process for handling age discrimination complaints arising from the administration of Food and Nutrition Service (FNS) funded programs.

The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance. No person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The FNS-funded programs include:

- CalFresh
- CalFresh Outreach
- CalFresh Employment and Training
- Nutritional Education
- Disaster CalFresh
- Emergency Food Assistance Program
- Commodity Supplemental Food Program

The process for handling age discrimination complaints in FNS-funded programs is based on federal regulations found at 7 CFR §15c.7(d). When a county receives a complaint from an applicant or client alleging age discrimination in the administration of any of the above listed programs, the county shall not initiate or conduct an assessment or investigation, including any assessment of timeliness or merit. The complaint shall be forwarded to the Civil Rights Units (CRU) immediately. The CRU will make the appropriate referral to FNS, Civil Rights Division (CRD). The FNS CRD will then promptly refer all complaints which fall within the coverage of the Age Discrimination Act of 1975 to the Federal Mediation and Conciliation Service (FMCS). The FMCS will evaluate the complaint within 60 days after FNS receives the complaint and shall attempt to mediate and resolve disputes at the earliest stage possible. If the FMCS is unable to reach a resolution, FNS shall investigate the complaint.

If the age discrimination complaint includes any allegations of discrimination based on other protected bases (disability, gender, race, etc.) or other non FNS funded programs (CalWORKs, Cash Assistance Program for Immigrants (CAPI), Adult Protective Services (APS), etc.), they are to be investigated per normal county procedures. For example, if the county receives a complaint alleging age discrimination in the administration of CalFresh and CalWORKs, the county shall forward the CalFresh complaint to the CRU immediately and investigate the CalWORKs complaint per normal county procedures. Similarly, if the county receives a complaint alleging age and disability discrimination in CalFresh, the county shall forward the age discrimination complaint to the CRU immediately and investigate the disability discrimination complaint per normal county procedures.

If you have any questions regarding this letter, please contact Lee Macias, Manager, Civil Rights Unit at (916) 654-2107.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Family Engagement and Empowerment Division