



EMPLOYMENT &
re HUMAN SERVICES

M E M O R A N D U M

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To: All Staff

Date: December 1, 2020

From: Gabriela Zapata – Civil Rights Coordinator

Subject: Reminders of Our Civil Rights Obligations During States of Emergencies

The California Department of Social Services (CDSS) recently issued All County Information Notice (ACIN) I-69-20 as a reminder of each county's ongoing obligations to ensure the civil rights of all customers are protected during states of emergencies such as COVID-19. While this ACIN did not create additional responsibilities for counties it reminds us of our commitment to provide and deliver quality services while protecting the civil rights of the people we serve.

Below is an overview of All County Information Notice No. I-69-20 and a link to the document:

https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/ACINs/2020/I-69_20.pdf?ver=2020-11-10-082222-793

We serve citizens that are in the need of our services and many are highly vulnerable because of the pandemic and the resulting economic impacts. The laws require that no person is subjected to discrimination under any program or activity receiving federal or state financial assistance because of race, color, national origin, political affiliation, religion, marital status, sex, age, disability, domestic partnership, gender identity, gender expression, sexual orientation, medical condition, immigration status, primary language, or genetic information. (Gov. Code §11135(a); Civil Service Reform Act of 1978; Fam. Code §297-297.5; Civ. Code §51).

We also know that emergencies such as the pandemic can heighten fear and anxiety leading to increased acts of xenophobia, racism, ableism, transphobia, and many other forms of prejudice towards members of protected groups. While the current emergency is the pandemic, we live in an area that is subject to earthquakes, fires and other natural and manmade events where we must provide services to our customers in emergencies. We may be called on to provide services in Disaster Assistance locations or even in other Counties. It is especially important during these times that we avoid contributing to any racial stereotyping or other forms of discriminatory conduct. This ACIN provides guidance and

examples on how we can proceed with providing our services without discrimination or any discriminatory conduct.

Our business processes have been dramatically changed so we have to go out of our way to ensure that applicants, recipients, participants, and other interested persons are notified of and can obtain information about programs or program changes. As we make changes or respond to changes in policies and procedures we must ensure that all staff, including those working remotely, receive timely instruction on how to communicate such changes to applicants/recipients and the general public.

Even when offices are closed or hours shortened, we are obligated to continue operations and adhere to standards of accessibility and non-discrimination. This may mean that we have to consider increasing our capacity for receiving documents and applications by phone, online, fax, mail, or email that is allowable by applicable regulations, and should utilize existing staff and technology to meet the new demands and increased demand for services. This also means that services and programs must remain accessible to people with disabilities. We must be prepared to continue providing appropriate accommodations for people who have vision, hearing, or speech disabilities including providing auxiliary aids and services when necessary to communicate effectively.

We must continue to offer reasonable accommodations to individuals with disabilities and our obligation does not end at intake. If we know of an individual's disability or an individual's need for an accommodation is obvious, we must offer to assist the individual in self-identifying the disability and/or appropriate disability-specific accommodations. It is important that we check for disability indicators in an applicant's/recipient's case file prior to contact with the applicant/recipient (whether that contact is in person or by telephone; prior to home visits; and when an applicant/recipient contacts the office) to ensure continuity of service.

Reasonable accommodations are required regardless of the method of contact. There is no limit to the number of reasonable accommodation requests a person may make. Each request must have an individualized analysis. There must also be documentation of all reasonable accommodations requests and subsequent actions we have taken.

People with Limited English Proficiency (LEP) are another vulnerable population that we must be prepared to continue to serve during an emergency or disaster. Our bilingual co-workers will step forward to make sure we have qualified interpreters and qualified translation services to assist LEP individuals. We are currently updating the Employee Directory so we have an up-to-date list of bilingual staff and we will remind staff of how to access these resources and how to request services from a bilingual staff member. In addition, Language Line services continue to be available.

Applicants/recipients of benefits and those contacting us seeking benefits maintain the right to file a discrimination complaint during an emergency or disaster. We have a duty to actively receive and process civil rights complaints whether made verbally or in writing. It is important that you use the most updated GEN 1179 (5/18) with the additional protected classes revised in 2018.

GEN 1179: <https://www.cdss.ca.gov/Portals/9/FMUForms/E-H/GEN1179.pdf?ver=2018-08-13-143919-483>

The CDSS pamphlet “Your Rights Under California Welfare Programs” (PUB 13) must be available so applicants, recipients, and the public are informed of their rights. If there are designated areas outside of county offices (including temporary emergency locations and local assistance centers) that provide forms and services, the PUB 13 must be made available in these areas in appropriate threshold languages.

Let’s work together to ensure we are all in compliance with our civil rights obligations and work together to prevent discriminatory conduct during this, or any, state of emergency. As your Civil Rights Coordinator, I am available to assist with any questions or concerns you may have.