
315.59**Exchange of Personnel Services Agreements**

Written agreement is required

When a WIC contract agency exchanges personnel services with a health agency, a written agreement describing the exchange is required. This agreement may be written as a memorandum of understanding or a memorandum of agreement.

Terms of agreements

All written agreements for the exchange of personnel services must be negotiated on an annual basis for each fiscal year. The agreements must stipulate termination terms and rights for both parties. A 60-day notice is strongly encouraged.

Coordination is encouraged

Coordination of WIC services with Maternal Health, Child Health, Oral Health and Family Planning services is encouraged. Exchange of personnel services offers important opportunities for coordination between programs.

Confidentiality clause

All WIC personnel services agreements must contain a confidentiality clause that assures that the agency will not share WIC participant information with a third party. The following clause must be used in each subcontract:

“The health agency may employ WIC Program information only for the purpose of establishing the eligibility of WIC applicants and participants for the health or welfare programs that it administers, and for conducting outreach or eligibility to WIC applicants and participants for each program. The health agency will not disclose any WIC information to a third party.”

Continued on next page

Civil rights

Exchange of Personnel Services Agreements, Continued

All WIC personnel services agreements must contain a nondiscrimination clause and the USDA Nondiscrimination Statement to assure that the agency will not discriminate against eligible WIC applicants and participants. The following nondiscrimination clause and USDA Nondiscrimination Statement must be used in each subcontract:

Nondiscrimination clause:

The health agency will not discriminate against persons on the grounds of race, color, national origin, sex, age or disability. In the event of a nondiscrimination complaint, the health agency will compile data, maintain records and submit reports as required to permit effective enforcement of the non-discrimination laws per Section 246.6(b)(10) of the WIC Regulations.

USDA Nondiscrimination Statement:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating 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.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov.

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