

The Workforce Investment Act of 1998

Provides the framework for a unique
national workforce preparation and
employment system.

Section 188 - in general prohibits programs and activities funded or otherwise assisted in whole or part under this Act from

- Discriminating on the basis of age - The Age Discrimination Act of 1975
- Discriminating on the basis of disability - Section 504 of the Rehabilitation Act of 1973
- Discriminating on the basis of sex - Title IX of the Education Amendments of 1972
 - Discriminating regarding participation, benefits and employment
- Providing assistance to facilities for sectarian instruction or religious worship
 - Discriminating on the basis of participant status
 - Discriminating against certain non-citizens

29 CFR Part 37

Implementation of the
Nondiscrimination and Equal
Opportunity Provisions of the
Workforce Investment Act of 1998

Objective of 29 CFR Part 37

- To require States to develop a Methods of Administration signed by the Governor wherein States give a reasonable guarantee of compliance with Section 188 and 29 CFR Part 37

Methods of Administration

- Written document addressing 9 elements with supporting documentation
- Must be signed by the Governor
- Is a guarantee of compliance to implement section 188 of WIA and 29 CFR Part 37

MOA ELEMENTS

- Designation of EO Officer (s)
- Equal Opportunity Notice & Communication
- Review of Contracts & Agreements
- Universal Access
- Compliance with Section 504
- Data Collection & Record Keeping
- Monitoring
- Complaint Processing Procedures
- Corrective Actions/Sanctions Procedures

Meeting Equal Opportunity Requirements

- States must designate an Equal Opportunity Officer
- States must develop policies & procedures describing how they will ensure that discrimination does not occur on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship or participation in a WIA Title 1-financially assisted program or activity
- States must disseminate their Equal Opportunity Policy to programs & activities that are part of the One-Stop delivery system
- States must collect & maintain files on equal opportunity activities
- States must ensure that the MOAs are known to all and carried out by all (should be familiar to everyone making decisions about people)
- States must ensure that access to programs are provided equally

Dissemination of Equal Opportunity Policy

- Eligible Training Providers
- WIA Mandated Partners
- Vendors and/or Contractors
- Eligible Applicants
- Eligible Registrants
- Participants
- Internal Customers

Responsibilities of an EO Officer

- Serve as liaison with CRC
- Point of contact for DOL personnel on nondiscrimination & EO programs
- Monitor activities & services of recipients to ensure nondiscrimination
- Maintain a level of knowledge, skills and abilities necessary to carry out responsibilities fully and effectively
- Responsible for development & certification of the MOA
- Adopt, publish and oversee procedures for processing discrimination complaints
- Implement EO training
- Develop and implement complaint procedures

Roles of Support Staff

- Accept & forward EO complaints to EO Officer
 - Distribute EO notices, briefing agendas (to include training sessions, orientation sessions & presentations) & MOAs
 - Maintain records on EO activities for the St. Croix district
 - Create and maintain a complaint log for the St. Croix district
 - Act as liaison to the Planning, Research and Monitoring Unit
- » **M. Garvey**
- Have EO information translated into Spanish & access customers requiring service to interpreters
 - Create & maintain a complaint log for the St. Thomas/St. John/Water Island district
 - Assist in distribution of EO notices, briefing agendas & MOAs
 - Accept & forward EO complaints to the EO Officer
 - Identify and work with
 - Hispanic/Latino liaison for EO activities
 - Act as liaison to UVI, VIUAP on accessible devices and assistive technology
- » **J. Freeman**