

# Equal Opportunity Requirements

## Policies & Procedures

Requirement	Source
Be compliant with all applicable disability non-discrimination laws including: the ADA, relevant portions of Section 188 of WIOA and its implementing regulations found in <a href="#">29 CFR Part 38</a> , Section 504 of the Rehabilitation Act and the implementing regulations found in <a href="#">29 CFR Part 32</a> , and other applicable laws.	B
Do not discriminate against individuals or classes of individuals on the basis of a physical, mental, or sensory disability when providing assistance, benefits, and services.	B
Assure that communications with beneficiaries, applicants, registrants, eligible applicants/registrants, customers, employees or applicants for employment, and members of the public are effective for individuals with or without disabilities.	B
Ensure we don't provide different, segregated, or separate services or training to individuals with disabilities.	B
Ensure we don't perpetuate discrimination by providing significant assistance to, contracting with, or accepting job orders from an agency, organization or business that discriminates.	B
Ensure we don't deny a qualified person with a disability the opportunity to participate in, or benefit from, the same program or activity afforded to other persons.	B
Ensure we don't stereotype people when evaluating their skills, needs, abilities, and interests.	B
Have a plan in place to address customers with Limited English Proficiency.	B
Have a plan in place to provide reasonable accommodations to individuals with disabilities at no cost or fee.	B

## EO Officer

Requirement	Source
Designate a senior-level employee as the Equal Opportunity Officer without primary human resources responsibilities.	B
Make public on all internal and external communication regarding non-discrimination and equal opportunity, the EO Officer's name, position, title, business address, and telephone number (including TDD/TTY number)	B

## Marketing

Requirement	Source
<p>Include approved tag lines on all publications, recruitment brochures, broadcasts and other written or oral distributed materials:</p> <p><i>Workforce Solutions is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. (Please request reasonable accommodations a minimum of two business days in advance.) Relay Texas Numbers: 1-800-735-2989 (TDD) 1-800-735-2988 (Voice) or 711</i></p>	A, B

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Consult / coordinate with appropriate community service groups and schools to improve outreach to various populations or underserved populations, while providing universal access to programs and activities.	D
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## Training

Requirement	Source
Attend training that is deemed necessary by the EO Officer and staff. Records of training must be maintained and made available upon request.	B

## Complaints

Requirement	Source
<p>Ensure posters are in every office, in English and Spanish, and are located in clear and open view of public traffic and employee break room that contain exact wording from 29 CFR 38.35, to inform customers of complaint procedures</p> <p><i>Equal Opportunity Is the Law</i></p> <p><i>It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.</i></p> <p><i>The recipient must not discriminate in any of the following areas:</i></p> <p><i>Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;</i></p> <p><i>providing opportunities in, or treating any person with regard to, such a program or activity; or</i></p> <p><i>making employment decisions in the administration of, or in connection with, such a program or activity.</i></p> <p><i>Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.</i></p>	A, B, D

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<p><i>What To Do If You Believe You Have Experienced Discrimination</i></p> <p><i>If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:</i></p> <p><i>The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or</i></p> <p><i>The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at <a href="http://www.dol.gov/crc">www.dol.gov/crc</a>.</i></p> <p><i>If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).</i></p> <p><i>If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).</i></p> <p><i>If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.</i></p>	
Ensure current Orientation to Discrimination Complaint form is part of each customer's individual record	A, B, D
Follow the steps outlined for <i>Complaint Processing</i> in the Equal Opportunity Standards and Guidelines for notifying customers of the complaint process, filing a complaint, and processing a complaint	A, B, C
Maintain and submit Discrimination Complaint Log	B, D
Maintain records or complaints for at least 3 years after the resolution	B, D

## Accommodations

Requirement	Source
Invite customers and staff to self-identify	B
Maintain confidentiality; ensure medical and disability related information is stored in a separate and secure location with limited access	B, C
Provide reasonable accommodations or modifications, including testing accommodations, as needed for customers and employees at no charge.	B, D
Ensure the process to request reasonable accommodations is clear and allows for an interactive process between the entity and the individual needing an accommodation.	B, D

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## Monitoring

Requirement	Source
Cooperate with scheduling for equal opportunity and accessibility monitoring reviews	A, C
Resolve audit findings and correct problems promptly within the requested time frame. Responses must describe plans for corrective action with a timetable for accomplishing the changes and the staff person and position responsible for carrying out this action.	A, B, C
Receive approval for corrective actions from Senior Equal Opportunity Officer and contract liaison prior to implementation or purchase	C

## Auxiliary Aids

Requirement	Source
Purchase and maintain assistive technology and auxiliary aids that meet established minimum accessibility requirements for each career office	A
Ensure staff are trained and able to demonstrate how to use all available assistive technology and auxiliary aids	B, C

## Demographics

Requirement	Source
Track and analyze demographics of customers served by sex, ethnicity/race, age and disability status to ensure service accessibility	C
Track and analyze demographics of applicants and employees by sex, ethnicity/race, age and disability status to ensure hiring practices are not discriminatory	C
Maintain confidentiality; ensure data is used only for record keeping, reporting, determining eligibility, and determining program compliance with nondiscrimination requirements	D

## Human Resources

Requirement	Source
Conduct annual reviews of job qualifications and job descriptions to ensure they are not discriminatory and submit summary to Senior EO Officer	A, C
Include in the employee handbook, a written nondiscrimination and EO policy that contains the exact wording from 29 CFR 38.35, stating the employer will not discriminate <i>on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity</i>	D
Have a written nondiscrimination and EO policy that prohibits retaliation or reprisal	D

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## Facilities

Requirement	Source
Submit a proposal to move an office to contract liaison and Senior Equal Opportunity Officer at least 120 days prior to the planned move date. An equal opportunity physical accessibility review must be completed to ensure the facilities are ADA compliant before a lease is signed on a new location	A
Ensure all facilities where staff are housed and/or customers are served, are architecturally barrier free and meet physical accessibility requirements according to the Texas Accessibility Standards.	A, B, C, D, E

## Contracts

Requirement	Source
<p>Ensure any contracts / assurances contain the exact wording in 29 CFR 38.25 through 29 CFR 38.27</p> <p><i>As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws and will remain in compliance for the duration of the award of federal financial assistance:</i></p> <p><i>(A) Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity;</i></p> <p><i>(B) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;</i></p> <p><i>(C) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;</i></p> <p><i>(D) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and</i></p> <p><i>(E) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.</i></p>	D

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<p><i>The grant applicant also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.</i></p>	
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- A. [Contract Management Standards and Guidelines](#)
- B. [Equal Opportunity Standards and Guidelines](#)
- C. [Monitoring and Oversight Standards and Guidelines](#)
- D. [WIOA Section 188 Checklist](#)
- E. [Texas Accessibility Standards Checklist](#)