

Indiana Department of Workforce Development
Regulatory Oversight & Compliance (ROC) Division
Equal Opportunity Monitoring Tool

Region	Local EO Officer	Interviewer	Date of Interview
		Jennifer Long	

State EO Officer / EO Specialist		
Jennifer Long	EO@dwd.in.gov	Phone # 317-430-2247
Signature:		Date:

Oversight Monitoring and Compliance		
Connie Wray	CWray@dwd.in.gov	Phone # 859-620-4373
Signature:		Date:

Equal Opportunity (EO) Requested Documents

- (a) Complete and submit the Equal Opportunity Survey (attached to Announcement Letter)
- (b) Submit the local EO monitoring tool
- (c) Submit an organizational chart showing Local EO Officer within the larger reporting structure
- (d) Submit the job description for Local EO Officer
- (e) Submit the local EO policy

WIOA EO Compliance Assessment Items	
Assurance: 38.25	
Does the grantee provide a "Written Assurance" that complies with the recipient's obligation of WIOA Section 188?	
Benchmarks:	
<input type="checkbox"/>	Recipient is aware of its obligations to comply with the nondiscrimination and equal opportunity provisions for the duration of the grant contract
<input type="checkbox"/>	The recipient maintains a policy that describes how EO Regulations will be carried out
<input type="checkbox"/>	The required assurance language of 29 CFR Part 38.25, or a reference to it, is provided on all grant applications, agreements, and contracts
<input type="checkbox"/>	Local staff have reviewed and are aware of the current DWD EO policies & regional policies
OVERALL CONCLUSION: The Region has taken minimal action <input type="checkbox"/> is working toward compliance <input type="checkbox"/> is in compliance <input type="checkbox"/>	
Interview questions and Responses:	
•	How has local staff been made aware of the EO Regulations?
•	Have all relevant EO Directives been communicated to the WorkOne staff?
<p><i>Requirement:</i> Each application for financial assistance, under Title I of WIOA, as defined in §38.4, must include the following assurance. 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.</p> <p><i>Requested Documents:</i> Request from FISCAL monitors: ▪ Review of assurance language in contracts</p>	

Local Equal Opportunity Officer: 38.28		<i>Requirement:</i> Every recipient except small recipients and service providers, as defined in §38.4 must designate a recipient-level Equal Opportunity Officer (recipient-level EO Officer), who reports directly to the individual in the highest-level position of authority for the entity that is the recipient, such as the Governor, the Administrator of the State Department of Employment Services, the Chair of the Local Workforce Development Board, the Chief Executive Officer, the Chief Operating Officer, or an equivalent official. The recipient-level EO Officer must have staff and resources sufficient to carry out the requirements of this section.
Local EO Officer ready to provide support?		
Benchmarks:		
<input type="checkbox"/>	Recipient has designated a local EO Officer	
<input type="checkbox"/>	Local EO Officer's name, title/position, address, and telephone number have been made public at the local level (including on web-site); contact info appears on internal and external communications regarding nondiscrimination programs	
<input type="checkbox"/>	Local EO Officer is a senior level employee of the recipient	
<input type="checkbox"/>	The Local EO Officer does not have other responsibilities that create a conflict or the appearance of a conflict with the responsibilities of an EO Officer	
<input type="checkbox"/>	Local EO Officer has staff and/or resources sufficient to carry out the EO requirements	
OVERALL CONCLUSION: The Region <i>has taken minimal action</i> <input type="checkbox"/> <i>is working toward compliance</i> <input type="checkbox"/> <i>is in compliance</i> <input type="checkbox"/>		
<u>Interview questions and Responses:</u>		
<ul style="list-style-type: none"> Is the EO information on the LWDA's Website, including the EO officer's contact information? How have you prepared yourself for this position? Describe the "positioning" of the EO Officer – where in organization, level of authority, who they report to, etc.? 		
<hr/> <i>Requested Documents:</i> Request from FISCAL monitors: <ul style="list-style-type: none"> Copy of EO Officer's job description and staffing/org chart 		

Does the Local EO Officer understand their roles and responsibilities?

Benchmarks:

<input type="checkbox"/>	The Local EO Officer has a solid knowledge of the EO Regulations, 29 CFR Part 38
<input type="checkbox"/>	The Local EO Officer undergoes mandatory training to maintain competency with WIOA Section 188 and its EO Regulations
<input type="checkbox"/>	The Local EO Officer reviews the recipient's written policies to make sure that those policies are nondiscriminatory
<input type="checkbox"/>	The Local EO Officer monitors and investigates the recipients and entities that receive WIOA Title I funds to ensure compliance
<input type="checkbox"/>	The Local EO Officer tracks discrimination complaints filed against recipient
<input type="checkbox"/>	The Local EO Officer provides local area staff with EO training

OVERALL CONCLUSION: The Region *has taken minimal action* *is working toward compliance* *is in compliance*

Interview questions and Responses:

- How would you describe your job responsibilities as the EO Officer?

- In what ways have you made yourself knowledgeable on 29 CFR Part 38?

- Please describe your local EO monitoring process and resolution. How do you ensure that your own policies are non- discriminatory?

- How do you go about ensuring your staff have been trained and have resources relating to EO?

Requirement:

Every recipient must ensure that the Local EO Officer has skill and ability to do the job. This includes the correct job description on their work profile, reporting to senior staff, and having sufficient manpower and resources to do their EO job related duties, training to staff, and tracking nondiscrimination activities.

Requested Documents:

Request from FISCAL monitors:

- Copy of the local monitoring tool

Data and Information Collection/Maintenance: 38.41	
Does the region collect and maintain data and other information securely to ensure nondiscrimination and equal opportunity provisions of WIOA?	
Benchmarks:	
<input type="checkbox"/>	Regional staff tracks applicants, registrants, eligible applicants, eligible registrants, participants, exited participants, employees, and applicants for employment
<input type="checkbox"/>	Regional staff tracks race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, exited participants, applicant for employment, and employee
<input type="checkbox"/>	Regional staff tracks limited English proficiency and preferred language of each applicant, registrant, participant, and exited participants (beginning January 3, 2019)
<input type="checkbox"/>	Beneficiary/participant file is free of subjective and/or inappropriate remarks and comments such as on medical and disability information
<input type="checkbox"/>	All medical or disability-related information, whether in hard copy, electronic, or both, is maintained in a SEPARATE file and treated as confidential
<input type="checkbox"/>	Beneficiary/participant sign the state's program application/enrollment form (i.e., client application for ICC); acknowledgment of EO notice
<input type="checkbox"/>	Beneficiary/participant file is retained for at least three (3) years after close of the applicable program year
<input type="checkbox"/>	Such information above is used only for the purposes of recordkeeping and reporting; determining eligibility where appropriate
<input type="checkbox"/>	The recipient ensures that eligibility criteria that can screen out or tend to screen out an individual with a disability is not being offered unless such criteria can be shown as necessary
<p>OVERALL CONCLUSION: The Region <i>has taken minimal action</i> <input type="checkbox"/> <i>is working toward compliance</i> <input type="checkbox"/> <i>is in compliance</i> <input type="checkbox"/></p> <p><u>Interview questions and Responses:</u></p> <ul style="list-style-type: none"> As Voc Rehab sends more disabled individuals to the WorkOne offices, there is a corresponding increase in the volume of medical records being stored. What procedures are in place to ensure that medical and disability-related information is being maintained separately and securely from other client information? How do you ensure that staff are not denying or screening out applicants who are applying but have a disability? 	
<p><i>Requirement:</i> Records of recipient must record the race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, exited participants, applicant for employment, and employee. Beginning on January 3, 2019, each recipient must also record the limited English proficiency and preferred language of each applicant, registrant, participant, and exited participants. Such information must be stored in a manner that ensures confidentiality, and must be used only for the purposes of recordkeeping and reporting; determining eligibility.</p> <hr/> <p><i>Requested Documents:</i> Request from PROGRAM monitors:</p> <ul style="list-style-type: none"> Follow up after site visit to report on how medical records are kept private, separate and confidential. 	

Affirmative Outreach: 38.40

Has recipient taken appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities?

Benchmarks:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | The recipient conducts affirmative outreach to certain target groups |
| <input type="checkbox"/> | The recipient advertises its programs and/or activities that specifically target various populations in the media, such as newspapers or radio programs |
| <input type="checkbox"/> | The recipient sends appropriate notices about openings in its programs and/or activities to schools or community service groups that serve various populations |
| <input type="checkbox"/> | The recipient consults with appropriate community service groups about ways to improve its outreach and service to various populations |

OVERALL CONCLUSION: The Region *has taken minimal action* *is working toward compliance* *is in compliance*

Interview questions and Responses:

- Describe the affirmative outreach efforts occurring in your region. What are the target groups for outreach, and how they were identified? (This could include people with disabilities, LEP individuals, differing age groups, various community service groups, etc.)

- Do you have any copies of outreach efforts (i.e. recruitment brochures and presentations) to different target groups?

Requirement:

Target group: persons of different sexes, various racial and ethnic/national origin groups, various religions, individuals with limited English proficiency, individuals with disabilities, and individuals in different age groups.

Requested Documents:

Request from LOCAL EO OFFICER:

- Copies of their outreach efforts, such as advertisements to the newspaper, radio or recruitment brochures, and presentations

Accessibility: 38.13

Is the recipient meeting its physical and programmatic accessibility obligations for individuals with disabilities?

Benchmarks:

- Individuals with disabilities have adequate parking spaces
- Individuals with disabilities have appropriate wheelchair accessibility
- Individuals with disabilities have appropriate restroom accommodations
- Individuals with disabilities are afforded the opportunity to participate in services or training that is equal to or as effective as provided to non-disabled participants
- Individuals with disabilities have been provided adequate working assistive technology, as needed
- Staff has been trained on use of the assistive technology to properly assist participants
- Meaningful accommodations are provided regarding registration for the provision of aid, benefits, services or training – including core and intensive training and support services -- to qualified individuals with disabilities

OVERALL CONCLUSION: The Region *has taken minimal action* *is working toward compliance* *is in compliance*

Interview questions and Responses:

- Describe the assistive technology provided to individuals with disabilities. How have staff been trained on the use of the assistive technology to ensure that they can properly assist participants?

- How do you meet physical and programmatic accessibility obligations?

- How are individuals with disabilities provided the opportunity to participate in services or training that is equal to that provided to others? *Examples -visual, physical or hearing impaired*

- How are individuals with disabilities provided services or training that is equal to that provided to others? *Examples -visual, physical or hearing impaired*

- ADA surveys been checked and addressed?

Requirement:

Physical accessibility. No qualified individual with a disability may be excluded from participation in, or be denied the benefits of a recipient's service, program, or activity or be subjected to discrimination by any recipient because a recipient's facilities are inaccessible or unusable by individuals with disabilities.

Programmatic accessibility. All WIOA Title I-financially assisted programs and activities must be programmatic accessible, which includes providing reasonable accommodations for individuals with disabilities, making reasonable modifications to policies, practices, and procedures, administering programs in the most integrated setting appropriate, communicating with persons with disabilities as effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity.

Requested Documents:

Request from LOCAL EO OFFICER:

- Copy of any ADA survey updates

Evaluation of Compliance: 38.60

Is the recipient meeting its overall compliance obligations?

Benchmarks:

<input type="checkbox"/>	The LWDA has no unresolved monitoring findings or EO complaints
<input type="checkbox"/>	If unresolved findings or complaints exist, the LWDA has implemented a corrective action plan

OVERALL CONCLUSION: The Region *has taken minimal action* *is working toward compliance* *is in compliance*

Interview questions and Responses:

- If unresolved findings or complaints exist, how has the LWDA implemented a corrective action plan?

Requirement:

From time to time, the Director may conduct pre-approval compliance reviews of grant applicants for WIOA Title I-financial assistance to determine the ability to comply with the nondiscrimination and equal opportunity provisions of WIOA and this part and may conduct post-approval compliance reviews of recipients to determine compliance with the nondiscrimination and equal opportunity provisions of WIOA and this part. Reviews may focus on one or more specific programs or activities, or one or more issues within a program or activity. The Director may also investigate and resolve complaints alleging violations of the nondiscrimination and equal opportunity provisions of WIOA and this part.

Requested Documents:

No requested documents