## 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.go	<u>v</u> Phone # 317-430-224		7
Signature:			Date:		
Oversight Monitoring and Compliance					
Connie Wray		CWray@dwd.in	ı.gov	Phone # 859-620-4373	
Signature:				Date:	

## **Equal Opportunity (EO) Requested Documents**

equal Opportunity (LO) requested bocuments
☐ (a) Complete and submit the Equal Opportunity Survey (attached to Announcement Letter)
☐ (b) Submit the local EO monitoring tool
$\square$ (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

٧	/IOA E	O Compliance Assessment Items	
Assurance: 38.25		ice: 38.25	Requirement: 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
	Does the grantee provide a "Written Assurance" that complies with the recipient's obligation of WIOA Section 188?		
В	enchm	arks:	assistance from the Department of Labor
		Recipient is aware of its obligations to comply with the nondiscrimination and equal opportunity provisions for the duration of the grant contract	under Title I of WIOA, the grant applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity
		The recipient maintains a policy that describes how EO Regulations will be carried out	provisions of the following laws and will
		The required assurance language of 29 CFR Part 38.25, or a reference to it, is provided on all grant applications, agreements, and contracts	remain in compliance for the duration of the award of federal financial assistance.
		Local staff have reviewed and are aware of the current DWD EO policies & regional policies	
OVERALL CONCLUSION: The Region has taken minimal action is working toward compliance is in compliance in incompliance interview questions and Responses:  • How has local staff been made aware of the EO Regulations?		v questions and Responses:	Requested Documents: Request from FISCAL monitors: Review of assurance language in contracts
	•	Have all relevant EO Directives been communicated to the WorkOne staff?	
1			

Local Equal Opportunity Officer: 38.28		Requirement:  Every recipient except small recipients and
Local EO Officer ready to provide support?		service providers, as defined in §38.4 must designate a recipient-level Equal Opportunity Officer (recipient- level EO
Benchmarks:		
	Recipient has designated a local EO Officer	Officer), who reports directly to the
	Local EO Officer's name, title/position, address, and telephone number have been made public at the local	individual in the highest-level position of authority for the entity that is the recipient,
	level (including on web-site); contact info appears on internal and external communications regarding	such as the Governor, the Administrator of
	nondiscrimination programs  Local EO Officer is a senior level employee of the recipient	the State Department of Employment Services, the Chair of the Local Workforce
	The Local EO Officer does not have other responsibilities that create a conflict or the appearance of a	Development Board, the Chief Executive
	conflict with the responsibilities of an EO Officer	Officer, the Chief Operating Officer, or an equivalent official. The recipient-level EO
	Local EO Officer has staff and/or resources sufficient to carry out the EO requirements	Officer must have staff and resources
OVERALL C	<b>ONCLUSION</b> : The Region has taken minimal action $\square$ is working toward compliance $\square$ is in compliance $\square$	sufficient to carry out the requirements of this section.
Interview	questions and Responses:	
•	Is the EO information on the LWDA's Website, including the EO officer's contact information?	
		Requested Documents:  Request from FISCAL monitors:  Copy of EO Officer's job
•	How have you prepared yourself for this position?	description and staffing/org chart
•	Describe the "positioning" of the EO Officer – where in organization, level of authority, who they report to, etc.?	

Does the Local EO Officer understand their roles and responsibilities?		Requirement:  Every recipient must ensure that the Local
Benchmarks:		EO Officer has skill and ability to do the job.
	The Local EO Officer has a solid knowledge of the EO Regulations, 29 CFR Part 38	This includes the correct job description on
	The Local EO Officer undergoes mandatory training to maintain competency with WIOA Section 188 and its	their work profile, reporting to senior staff, and having sufficient manpower and
	EO Regulations	resources to do their EO job related duties,
	The Local EO Officer reviews the recipient's written policies to make sure that those policies are	training to staff, and tracking
	nondiscriminatory	nondiscrimination activities.
	The Local EO Officer monitors and investigates the recipients and entities that receive WIOA Title I funds to	
	ensure compliance	
	The Local EO Officer tracks discrimination complaints filed against recipient	Requested Documents:
	The Local EO Officer provides local area staff with EO training	Request from FISCAL monitors:
OVERALL (	CONCLUSION: The Region has taken minimal action 🗌 is working toward compliance 🗋 is in compliance 🗖	<ul> <li>Copy of the local monitoring tool</li> </ul>
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?	

Notice and Communication: 38.34		nd Communication: 38.34	Requirement: A recipient must take appropriate steps to
What action has the recipient taken to disseminate EO notice?		ion has the recipient taken to disseminate EO notice?	ensure that communications with individuals with disabilities or LEP are as effective as
Ве	Benchmarks:		communications with others.
		"EO is the Law" poster is posted prominently, in reasonable numbers and places, in available and	communications with others.
		conspicuous physical locations, and on recipient's Web site pages	
		The EO tagline is printed in recruitment brochures and other materials that describe requirements for	
	_	participation by recipients and participants	Requested Documents:
		All orientation sessions for new employees, new participants, and/or the general public include a	Request from PROGRAM monitors:
			<ul> <li>Copies of brochures and other</li> </ul>
		discussion of rights and responsibilities of the nondiscrimination and equal opportunity provisions of WIOA	materials that contain tag line
		and the EO Regulations	
		Babel Notices written in multiple languages are included with vital documents	<ul> <li>Copies of documents with Babel</li> </ul>
		Auxiliary aids or services are available in alternate formats (to ensure communication with individuals with	Notice attached
		disabilities or LEP individuals is as effective as communications with others)	
		ONCLUSION: The Region has taken minimal action ☐ is working toward compliance ☐ is in compliance ☐ questions and Responses:	
Ì	•	Briefly describe the discussion of rights and responsibilities for Section 188 as it is presented in orientation	
		sessions.	
	•	How does the LWDA ensure communications with disabled and LEP individuals are as effective as with others?	
		(describe accessibility workstations, auxiliary aids and services, etc)	
	•	How are you incorporating a Babel Notice into various communications? Where else is this included on written material, other than a sign in the welcome area?	
		-	

Jula all	d Information Collection/Maintenance: 38.41	Requirement:  Records of recipient must record the	
Does the region collect and maintain data and other information securely to ensure nondiscrimination and equal opportunity provisions of WIOA?		race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, exited participants,	
Benchma	arks:	applicant for employment, and employee.	
	Regional staff tracks applicants, registrants, eligible applicants, eligible registrants, participants, exited participants, employees, and applicants for employment	Beginning on January 3, 2019, each recipient must also record the limited English proficiency and preferred language of each	
	Regional staff tracks race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, exited participants, applicant for employment, and employee	applicant, registrant, participant, and exited participants. Such information must be	
	Regional staff tracks limited English proficiency and preferred language of each applicant, registrant, participant, and exited participants (beginning January 3, 2019)	stored in a manner that ensures confidentiality, and must be used only for	
	Beneficiary/participant file is free of subjective and/or inappropriate remarks and comments such as on medical and disability information	the purposes of recordkeeping and reporting; determining eligibility.	
	All medical or disability-related information, whether in hard copy, electronic, or both, is maintained in a SEPARATE file and treated as confidential		
	Beneficiary/participant sign the state's program application/enrollment form (i.e., client application for ICC); acknowledgment of EO notice	Requested Documents:	
	Beneficiary/participant file is retained for at least three (3) years after close of the applicable program year	Request from PROGRAM monitors:	
	Such information above is used only for the purposes of recordkeeping and reporting; determining eligibility where appropriate	<ul> <li>Follow up after site visit to report on how medical records are kept private, separate and</li> </ul>	
	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	confidential.	
•	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?		

Affirma	tive Outreach: 38.40	Requirement: Target group: persons of different sexes,
Has recipient taken appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities?		various racial and ethnic/national origin groups, various religions, individuals with limited English proficiency, individuals with
Benchm	arks:	disabilities, and individuals in different age
	The recipient conducts affirmative outreach to certain target groups	groups.
	The recipient advertises its programs and/or activities that specifically target various populations in the	
	media, such as newspapers or radio programs	
	The recipient sends appropriate notices about openings in its programs and/or activities to schools or	
	community service groups that serve various populations	Requested Documents:
	The recipient consults with appropriate community service groups about ways to improve its outreach and	Request from LOCAL EO OFFICER:
	service to various populations	<ul> <li>Copies of their outreach efforts,</li> </ul>
		such as advertisements to the
		newspaper, radio or recruitment
OVERALL	<b>CONCLUSION</b> : The Region has taken minimal action $\square$ is working toward compliance $\square$ is in compliance $\square$	brochures, and presentations
Interviev	v 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?	

Complaint Records: 38.69 – 38.72	Requirement:  A person, or any specific class of individual,
Has the LWDA maintained its recordkeeping obligations?	has not been or has not been discriminated
Benchmarks:	against on the basis of race, color, religion, sex (including pregnancy, childbirth, and
☐ The recipient has published procedures for processing complaints in accordance with 29 CFR Part 38	related medical conditions, transgender
☐ The Local EO Officer maintains a log of complaints for the entire region	status, and gender identity), national origin
☐ The Local EO Officer submits a copy of the log for its region to DWD every quarter	(including limited English proficiency), age,
Complaints of discrimination are retained for a period of no less than three (3) years after resolution	disability, political affiliation or belief, citizenship status, or participation in any
☐ Each Notice of Final Action was issued within 90 days of the date the complaint was filed	WIOA Title I- financially assisted program or
OVERALL CONCLUSION: The Region has taken minimal action is working toward compliance is in compliance.	activity as prohibited by WIOA or EO Regulations.  Generally, a complaint must be filed within 180 days of the alleged discrimination or
THE	retaliation. However, for good cause, the
Describe the region's complaint processing procedure.	CRC Director may waive this requirement
How do staff know what to do when they have an EO complaint?	Requested Documents: Request from LOCAL EO OFFICER:  Copy of complaint processing procedures

Accessibility: 38.13		Physical accessibility. No qualified individual
Is the recipient meeting its physical and programmatic accessibility obligations for individuals with disabilities?		with a disability may be excluded from participation in, or be denied the benefits of a recipient's service, program, or activity or
Benchma	rks:	be subjected to discrimination by any
	Individuals with disabilities have adequate parking spaces	recipient because a recipient's facilities are
	Individuals with disabilities have appropriate wheelchair accessibility	inaccessible or unusable by individuals with
	Individuals with disabilities have appropriate restroom accommodations	disabilities.
	Individuals with disabilities are afforded the opportunity to participate in services or training that is equal	Programmatic accessibility. All WIOA Title I-
	to or as effective as provided to non-disabled participants	financially assisted programs and activities
	Individuals with disabilities have been provided adequate working assistive technology, as needed	must be programmatically accessible, which
	Staff has been trained on use of the assistive technology to properly assist participants	includes providing reasonable
	Meaningful accommodations are provided regarding registration for the provision of aid, benefits, services	accommodations for individuals with
	or training – including core and intensive training and support services to qualified individuals with disabilities	disabilities, making reasonable modifications to policies, practices, and procedures, administering programs in the most
OVERALL (	CONCLUSION: The Region has taken minimal action 🗌 is working toward compliance 🗋 is in compliance	integrated setting appropriate, communicating with persons with disabilities as effectively as with others, and providing
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?	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.
•	How do you meet physical and programmatic accessibility obligations?	Requested Documents: Request from LOCAL EO OFFICER:  Copy of any ADA survey updates
•	How are individuals with disabilities provided the <u>opportunity</u> to participate in services or training that is equal to that provided to others? <i>Examples -visual, physical or hearing impaired</i>	
•	How are individuals with disabilities <u>provided</u> services or training that is equal to that provided to others? Examples -visual, physical or hearing impaired	
•	ADA surveys been checked and addressed?	

Evaluation of Compliance: 38.60	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
Is the recipient meeting its overall compliance obligations?	
Benchmarks:	
☐ The LWDA has no unresolved monitoring findings or EO complaints	with the nondiscrimination and equal
☐ If unresolved findings or complaints exist, the LWDA has implemented a corrective action plan	opportunity provisions of WIOA and this part
<b>OVERALL CONCLUSION</b> : The Region has taken minimal action $\square$ is working toward compliance $\square$ is in compliance $\square$	and may conduct post-approval compliance reviews of recipients to determine compliance with the nondiscrimination and
Interview questions and Responses:	equal opportunity provisions of WIOA and this part. Reviews may focus on one or
If unresolved findings or complaints exist, how has the LWDA implemented a corrective action plan?	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