

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

Date		LWDA & Monitoring Location	
DWD Monitors		Local EO Officer	

Equal Opportunity (EO) Initially Requested Documents

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

WIOA EO Compliance Assessment Items	
Local Equal Opportunity Officer: 38.28 - 38.31	
Is the 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"/>	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 sufficient staff and resources to carry out the EO requirements
<input type="checkbox"/>	Local EO Officer has a solid knowledge of the EO Regulations (29 CFR Part 38)
<input type="checkbox"/>	Local EO Officer undergoes mandatory training to maintain competency with WIOA Section 188 and its EO Regulations
<u>Interview Questions and Responses:</u>	
<ul style="list-style-type: none"> • Where is the EO information and notice on your regional and board websites? Where is your contact information? 	
<ul style="list-style-type: none"> • Where is the EO information and notice in the office? Where is your contact information? 	
<p style="color: #0070c0;"><i>Requirement:</i></p> <p>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. Local EO Officer has sufficient staff and resources to carry out the EO requirements</p> <p>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.</p> <p style="color: #0070c0;"><i>Additional Documents:</i></p>	

- Do you feel that you have enough staff, time, and resources to carry out EO responsibilities?

- Describe the “positioning” of the EO Officer – where in organization, level of authority, who they report to, etc.

- How do you stay current on the EO regulations? What training(s) have you completed this program year that relate to EO?

- What other job duties do you have outside your normal EO responsibilities? Do you feel that a conflict or appearance of a conflict could or does exist with your responsibilities as an EO Officer?

Comments:

OVERALL CONCLUSION:

The Region:

- has taken minimal action
- is working toward compliance
- is in compliance

- Please describe your local EO monitoring and resolution process.

Comments:

- How often and when do staff trainings regarding EO topics occur?

- What topics related to EO are covered in training to staff?

OVERALL CONCLUSION:

The Region:

- has taken minimal action
- is working toward compliance
- is in compliance

- How is information about assistive technology made available to those coming into the WorkOne?

- In what communications are you including the Babel Notice?

OVERALL CONCLUSION:

The Region:

- has taken minimal action
- is working toward compliance
- is in compliance

Affirmative Outreach: 38.40		<i>Requirement:</i>
Has the recipient taken appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities?		Recipients must take appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities. These steps should involve reasonable efforts to include members of the various groups protected by these regulations including but not limited to 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. Such efforts may include, but are not limited to:
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	
Interview Questions and Responses:		
<ul style="list-style-type: none"> • What are some affirmative outreach efforts occurring in your region? 		<p>(a) Advertising the recipient's programs and/or activities in media, such as newspapers or radio programs, that specifically target various populations;</p> <p>(b) Sending notices about openings in the recipient's programs and/or activities to schools or community service groups that serve various populations; and</p> <p>(c) Consulting with appropriate community service groups about ways in which the recipient may improve its outreach and service to various populations.</p>
<ul style="list-style-type: none"> • What group(s) of people are targets for outreach in your region? How do you determine what group(s) of people need to be targeted for outreach? 		<hr/> <p><i>Additional Documents:</i></p> <ul style="list-style-type: none"> ▪ Copies of their outreach efforts, such as advertisements to the newspaper, radio, recruitment brochures, and presentations <hr/> <p><i>Comments:</i></p>

- Regarding LEP specifically, what efforts have been made in your region to provide equal access? (Example: affirmative outreach efforts)

- What community service groups do you work with that include members of the various groups protected by the EO regulations?

OVERALL CONCLUSION:

The Region:

- has taken minimal action
- is working toward compliance
- is in compliance

- Describe any accommodations, both physical and programmatic, that have been made to include individuals with disabilities in services, programs, or trainings.

- Are there any updates to the ADA survey that you can provide?

OVERALL CONCLUSION:

The Region:

- has taken minimal action
- is working toward compliance
- is in compliance

Data and Information Collection/Maintenance: 38.41	
Does the region collect and maintain data and other information securely to ensure compliance with the 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 participant, 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
<input type="checkbox"/>	Beneficiaries/participants files are 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"/>	Beneficiaries/participants sign the state's program application/enrollment form (i.e., client application for ICC); acknowledgment of EO notice
<input type="checkbox"/>	Beneficiaries/participants files are 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, reporting, and 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 utilized unless such criteria can be shown as necessary
<u>Interview Questions and Responses:</u>	
<ul style="list-style-type: none"> • What procedures are in place to ensure that medical and disability related information is being maintained securely and separately from other client information? • Who has access to medical and disability related information for applicants, registrants, eligible applicants, participants, exited participants, employees, and applicants for employment? 	
OVERALL CONCLUSION: The Region: <ul style="list-style-type: none"> <input type="checkbox"/> has taken minimal action <input type="checkbox"/> is working toward compliance <input type="checkbox"/> is in compliance 	

Requirement:

Recipient must record the race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, exited participant, applicant for employment, and employee. Recipient must also record limited English proficiency and preferred language of each applicant, registrant, participant, and exited participant. Such information must be stored in a manner that ensures confidentiality, and must be used only for the purposes of recordkeeping and reporting and determining eligibility where appropriate.

Additional Documents:

Request from PROGRAM monitors:

- Follow up after site visit to report on how medical records are kept private, separate and confidential.

Comments:

Discuss the fix for limited disability changes fix in ICC.

Evaluation of Compliance: 38.60	<i>Notes about past or unresolved compliance issues/complaints:</i>
Is the recipient meeting its overall compliance obligations?	
<ul style="list-style-type: none"> • Discuss past findings or areas of concerns to inquire how that has been going for them this year 	
<p>OVERALL CONCLUSION:</p> <p>The Region:</p> <p><input type="checkbox"/> has taken minimal action</p> <p><input type="checkbox"/> is working toward compliance</p> <p><input type="checkbox"/> is in compliance</p>	

Revised July 2019