



INDIANA
DEPARTMENT OF
WORKFORCE
DEVELOPMENT

NOTICE AND COMMUNICATION

Nondiscrimination Plan – Element 2

Regulatory Oversight and Compliance

Department of Workforce Development





NOTICE AND COMMUNICATION

- *29 CFR 38.34 through 38.39*
 - EO Notice Requirements
 - Publications, Broadcasts, and Other Communications
 - Information in Languages Other than English
 - Orientation and Nondiscrimination Efforts



EO NOTICE REQUIREMENTS

- Recipients must ensure the posting and dissemination of the “Equal Opportunity is the Law” notice as well as to take appropriate steps to ensure communications with individuals with disabilities are as effective as communications with others, and that the notice is provided in appropriate languages to ensure meaningful access for limited English proficient (LEP) individuals
- The acknowledgment of EO Notice appears in the DWD Case Management System, Indiana Career Connect (ICC) when the applicant reaches the final page of the WIOA application.



EO NOTICE REQUIREMENTS

At a minimum, the Equal Opportunity Notice required must be:

- Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the recipient's Web site pages;
- Disseminated in internal memoranda and other written or electronic communications with staff;
- Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available; and
- Provided to each participant and employee; the notice must be made part of each employee's and participant's file. It must be a part of both paper and electronic files, if both are maintained.
- Provided in appropriate formats to registrants, applicants, eligible applicants/registrants, applicants for employment and employees and participants with visual impairments.
- Provided to participants in appropriate languages other than English as required in § 38.9.



PUBLICATIONS, BROADCASTS, AND OTHER COMMUNICATIONS

- All recipients must include an EO Tagline in recruitment brochures, pamphlets, and other publications which promote WIOA programs and activities.
- All recipients must include two required clauses: that the program or activity in question is an “equal opportunity employer/program” and that “auxiliary aids and services are available upon request to individuals with disabilities.”
- The EO Tagline and a link to the EO Notice is listed at the bottom of every page on DWD’s website.
- When a phone number is provided, it must be accompanied by the telephone number of the text telephone (TTY) or equally effective communication system, such as a relay service, videophone, or captioned telephone used by the recipient.



INFORMATION IN LANGUAGES OTHER THAN ENGLISH

- The “Equal Opportunity is the Law” notice is available in both English and Spanish, and copies of the EO Notice in both languages are typically posted in all WorkOne offices.
- Copies of the EO Notice and additional state and federal posters, such as the Unemployment Insurance and Migrant and Seasonal Agricultural Worker Protection, are provided in English and Spanish on DWD’s website.
- Spanish-speaking individuals can translate the information provided on the ICC website from English to Spanish using a built-in function. Sample LEP documents in Spanish and other languages can be found on the State’s Equal Opportunity webpage.



INFORMATION IN LANGUAGES OTHER THAN ENGLISH

- Additional LEP services are provided at the regional level. Examples include, but are not limited to:
 - Bilingual staff
 - Hand-held translators
 - English as a Second Language classes
 - Google Translate
 - Specialized software such as Rosetta Stone



INFORMATION IN LANGUAGES OTHER THAN ENGLISH

- In accordance with regulation prohibiting discrimination against LEP individuals as a form of national origin discrimination, Babel notices are available for all communication of vital information.
 - *Vital information includes information, whether written, oral or electronic, that is necessary for an individual to obtain, or understand how to obtain, any aid, benefit, service, and/or training.*
- Babel notices indicate in appropriate languages that language assistance is available and are given with vital information such as consent and complaint forms, notices of rights and responsibilities, and communications posted on websites.
- In order to fully meet the needs of LEP persons in Indiana, DWD also provides telephonic and in-person interpreter services at no charge to the client.



ORIENTATION AND NONDISCRIMINATION EFFORTS

- During any orientation session, in-person or remote, DWD and One-Stop Partners must include a discussion of rights under the nondiscrimination and EO provisions of WIOA.
- DWD and the local WorkOne offices must distribute the EO Notice to registrants, applicants, eligible registrants/applicants, applicants for employment, employees, and interested members of the public to ensure that individuals have been notified of their rights under Section 188.34



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NDP Element 2 Quiz

<https://www.surveymonkey.com/r/72855FD>