



INDIANA  
DEPARTMENT OF  
**WORKFORCE**  

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**DEVELOPMENT**

**State of Indiana**  
**Nondiscrimination Plan**

*Implementing Section 188 of the Workforce Innovation and Opportunity Act*

**2020 - 2022**

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## Element 1: Designation of State and Local Equal Opportunity (EO) Officers

*[29 CFR 38.28 through 38.33]*

The Governor of Indiana has delegated authority to the Commissioner of the Department of Workforce Development (DWD) to administer and oversee the nondiscrimination and equal opportunity (EO) provisions of Section 188 of the Workforce Innovation and Opportunity Act (WIOA) and its implementing regulations at 29 CFR Part 38 (collectively, Section 188).<sup>1</sup> The DWD Commissioner, on behalf of the Governor, is ultimately responsible for Indiana’s Section 188 compliance, including development and implementation of this Nondiscrimination Plan (NDP). DWD employs a designated State EO Officer to ensure that Indiana’s Local Workforce Development Areas (LWDAs), sub-recipients, and workforce system partners are aware of, and in compliance with, the NDP and all Section 188 responsibilities. Similarly, each LWDA has designated a Local EO Officer to carry out these duties at the local level.

### State EO Officer Designation

In compliance with Section 188, Jennifer Long has been designated as the State EO Officer.<sup>2</sup> In this role, she oversees the coordination, implementation, maintenance, and monitoring of the nondiscrimination and EO requirements of Section 188. Ms. Long reports directly to DWD’s **Compliance and Policy Division Associate Chief** Connie Wray, who reports to **Chief Workforce Officer Michael Barnes**. Ms. Long has access to DWD Commissioner Frederick D. Payne, the Governor’s designee, for EO and nondiscrimination matters as needed.<sup>3</sup>

Ms. Jennifer Long, State EO Officer  
Indiana Department of Workforce Development  
10 N. Senate Avenue, IGCS SE 312  
Indianapolis, IN 46204  
317-233-4380  
TDD/TTY: 800-743-3333

### Local EO Officer Designation

Indiana’s twelve LWDAs have each designated a senior-level employee as the Local EO Officer.<sup>4&5</sup> Contact information for each Local EO Officer is listed below.

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<sup>1</sup> Documentation 1.1: Governor’s Designation Letter

<sup>2</sup> Documentation 1.1: Governor’s Designation Letter

<sup>3</sup> Documentation 1.2: State Level Organizational Chart

<sup>4</sup> Documentation 1.3: Sample Local Level Organizational Chart

<sup>5</sup> For a map of Indiana’s LWDAs, see Documentation 1.4: Indiana LWDAs

## Indiana Local EO Officer Directory

### **LWDA 1**

Nora Wiergacz, Human Resource Consultant  
Center of Workforce Innovations, Inc.  
2804 Boilermaker Ct., Suite E, Valparaiso, IN 46383  
Phone: 219-462-2940  
Email: [nwiergacz@cwicorp.com](mailto:nwiergacz@cwicorp.com)

### **LWDA 2**

Melissa Gard, Disability Resource Specialist  
Northern Indiana Workforce Board, Inc.  
851 S. Marietta Street, South Bend, IN 46601  
Phone: 574-237-9675, Ext 1006  
Email: [mgard@gotoworkone.com](mailto:mgard@gotoworkone.com)

### **LWDA 3**

Andrea Bolinger, Continuous Improvement Manager  
Northeast Indiana Works  
200 E. Main Street, Ste. 910, Ft. Wayne, IN 46802  
Phone: 260-469-4319  
Email: [abolinger@networks.org](mailto:abolinger@networks.org)

### **LWDA 4**

Mellisa Leaming, Director of Operations  
Region 4 Workforce Board  
976 Mezzanine Drive, Suite C, Lafayette, IN 47905  
Phone: 765-807-0888  
Email: [mleaming@tap.lafayette.in.us](mailto:mleaming@tap.lafayette.in.us)

### **LWDA 5**

Cindy Gosser, HR Manager/Payroll Specialist  
WorkOne Central  
836 S. State Street, PO Box 69, Greenfield, IN 46140  
Phone: 317-462-7711, Ext. 303  
Email: [cgosser@workonecentral.org](mailto:cgosser@workonecentral.org)

### **LWDA 6**

Alana Stadelmayer, **Manager of Administration and  
Equal Opportunity Officer**  
**Eastern Indiana Works/ASG**  
**3310 W. Fox Ridge Lane, Ste. A, Muncie, IN 47304**  
**Phone: 260-450-1895**  
**Email: [astadelmayer@easternindianaworks.org](mailto:astadelmayer@easternindianaworks.org)**

### **LWDA 7**

Angie Crossley, Chief Operations Officer  
Western Indiana WDB, Inc.  
630 Wabash Ave., Ste. 205, Terre Haute, IN 47807  
Phone: 812-238-5616 x 2; Cell: 812-208-4580  
Email: [acrossley@workforcenet.org](mailto:acrossley@workforcenet.org)

### **LWDA 8**

Rob King, WDB Director/Executive Director of  
Workforce Services  
Vincennes University/WorkOne  
333 S Landmark Avenue, Bloomington, IN 47403  
Phone: 812-322-6835  
Email: [reking@vinu.edu](mailto:reking@vinu.edu)

### **LWDA 9**

**Amanda Getzendanner, Project and Administrative  
Manager**  
Southeast Indiana Workforce Board  
**500 Industrial Drive, Lawrenceburg, IN 47025**  
Phone: **513-602-4495**  
Email: [amandag@workonesoutheast.org](mailto:amandag@workonesoutheast.org)

### **LWDA 10**

**Tony Waterson, Executive Director**  
Region 10 Workforce Board, Inc.  
PO Box 6712, New Albany, IN 47150  
Phone: **502-494-8811**  
Email: [twaterson@workoneregion10.com](mailto:twaterson@workoneregion10.com)

### **LWDA 11**

Linda Jones, Grants and Contracts Manager  
Grow Southwest Indiana Workforce Board, Inc.  
318 Main Street, Ste. 504, Evansville, IN 47708  
Phone: **812-428-4455**  
Email: [linda.jones@workonesw.org](mailto:linda.jones@workonesw.org)

### **LWDA 12**

Olga Volokhova, Director of Quality and Analytics  
EmployIndy/WorkOne  
115 W Washington St, Ste 450 S, Indianapolis, IN 46204  
Phone: 317-684-2440; Mobile: 650-228-4621  
Email: [ovolokhova@employindy.org](mailto:ovolokhova@employindy.org)

## Public Notice of State and Local EO Officers

DWD makes the identity of the State EO Officer known to applicants, registrants, eligible applicants/registrants, participants, employers, employees, applicants for employment and the public by the following methods:

- Formal notice to Indiana’s workforce development system is disseminated through DWD Policy.<sup>6</sup>
- Name and full contact information published on DWD’s EO webpage at <https://www.in.gov/dwd/eo.htm>.

The Local EO Officers make their identities known to applicants, registrants, eligible applicants/registrants, participants, employers, employees, applicants for employment and the public by posting notices of “Equal Opportunity is the Law” in the American Job Center offices, which Indiana refers to as WorkOne offices. The notices are posted in languages other than English that reflect the language spoken by significant portions of the population within the relevant service area. DWD provides printable/fillable notice templates on its EO webpage at [https://www.in.gov/dwd/files/EO\\_Law.pdf](https://www.in.gov/dwd/files/EO_Law.pdf). Additionally, each LWDA has developed local policy in conformance with Section 188 and State guidance. The local policies provide contact information for the respective Local EO Officer.

## Duties of State and Local EO Officers

DWD’s State EO Officer is a full-time position.<sup>7</sup> As such, none of the State EO Officer’s duties create a conflict of interest, or the appearance of a conflict, with the responsibilities of an EO Officer.<sup>8</sup>

The State EO Officers’ responsibilities include, but are not limited to:

- Overseeing the development and implementation of the NDP;
- Serving as the state’s liaison with CRC;
- Monitoring compliance of Section 188 requirements on an annual basis;
- Undergoing training and providing training and technical assistance to Local EO Officers; and
- Developing procedure for and investigating discrimination matters that rise to the state level.

Most Local EO Officers operate in this role on a part-time basis.<sup>9</sup> Although the Local EO Officer may have other job duties, those duties do not create a conflict of interest, or the appearance of a conflict, with the EO Officer responsibilities. While formally reporting to their respective

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<sup>6</sup> Documentation 1.5: DWD Policy 2016-09: EO and Nondiscrimination Guidance Letter

<sup>7</sup> Documentation 1.6: State EO Officer Job Description

<sup>8</sup> Documentation 1.7: **Excerpt from EO NDP Training Element 1 PowerPoint**

<sup>9</sup> Documentation 1.8: Sample Local EO Officer Job Description

LWDA directors, the Local EO Officers also functionally report to the State EO officer on matters pertaining to Section 188.

The Local EO Officer's responsibilities include, but are not limited to:

- Reporting EO/Nondiscrimination matters to the State EO Officer;
- Processing and investigating local discrimination complaints;
- Monitoring compliance of regional WIOA Title I recipients;
- Undergoing training and providing training for staff and service providers (participation required for quarterly conference calls and training sessions conducted by DWD's State EO Officer);
- Surveying WorkOne offices to ensure compliance with applicable accessibility requirements;
- Reviewing the Region's policies to ensure they are nondiscriminatory;
- Conducting outreach and education about EO and nondiscrimination requirements and how an individual may file a complaint; and
- Ensuring overall implementation of the NDP.

### Support and Training

The State EO Officer has both operational and administrative support through additional **Compliance and Policy Division** staff, several of which have been cross trained regarding Section 188 compliance. Ms. Long also has one direct report, the Compliance Specialist, who focuses primarily on EO functions.<sup>10</sup> The entire **Compliance and Policy Division** works closely together to coordinate and conduct annual compliance monitoring of each LWDA. Further, the State EO Officer and Compliance Specialist design and implement various training and technical assistance methods to support the Local EO Officers. The State EO Officer and Compliance Specialist salaries are funded by WIOA Administration funds.

The State EO Officer developed a series of Section 188 trainings that followed the nine elements of the NDP via PowerPoint presentation.<sup>11</sup> In 2019, the PowerPoint presentations were made mandatory for Local EO Officers and contained a Survey Monkey quiz at the end to ensure completion and comprehension.<sup>12</sup> Questions frequently missed with discussed with Local EO Officers by the State EO Officer and provided insight to additional training needed. The following topics were covered:

- **Element 1: State and Local Equal Opportunity Officers**
- **Element 2: Notice and Communication**
- **Element 3: Assurance Language**

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<sup>10</sup> Documentation 1.9: Compliance Specialist Job Description

<sup>11</sup> Documentation 1.10: **EO NDP Training PowerPoints**

<sup>12</sup> Documentation 1.11: **NDP Regional Training Completions**

- Element 4: Affirmative Outreach
- Element 5: Compliance with Disability Nondiscrimination Requirements
- Element 6: Data and Information Collection and Maintenance
- Element 7: Monitoring Recipients for Compliance
- Element 8: Complaint Processing Procedures
- Element 9: Corrective Actions and Sanctions

These nine PowerPoint presentations are posted on DWD’s EO webpage as a resource for both the Local EO Officers and the public. Additionally, in July 2019 the State EO Officer developed a PowerPoint presentation titled “Equal Opportunity 101”, which is meant to be used by Local EO Officers to introduce and train LWDA staff to equal opportunity and certain aspects of the NDP they would encounter working in the WorkOne offices.<sup>13</sup> To provide continual training, the State plans to develop further training around specialized topics, which may include affirmative outreach and the use of assistive technology tools for people with disabilities.

In late 2019, an EO SharePoint site was created to help connect all Local EO Officers and provide a platform where best practices, documents, resources, ideas, and questions could be shared.<sup>14</sup> The State EO Officer plans to replace the SharePoint site to a Microsoft Teams channel which will have the same capabilities. However, it will be more efficient since all Local EO Officers are most familiar with Microsoft Teams and it will also allow everyone to converge face to face and have meaningful discussions.

When a new individual is designated as a Local EO Officer, the State EO Officer provides them with the necessary training and resources to carry out their responsibilities. In January 2019, the State EO Officer created a welcome packet for new Local EO Officers. This packet includes a checklist of reading materials and things to do to get started and a guide with listed resources.<sup>15</sup>

The State EO Officer hosts quarterly conference calls where the Local EO Officers are required to participate to discuss current activity within the twelve LWDA’s. Items discussed include, but are not limited to, structural and programmatic accessibility of buildings, programs, and services to ensure equal access, integration, outreach efforts, training needs of staff, monitoring, and the development and implementation of necessary policies and procedures. These conference calls are used as a vehicle to distribute information, gain insight into training needs for Local EO Officers, and respond to questions from the field.<sup>16</sup>

The state EO Officer participates in statewide leadership operations meetings on a quarterly bases to educate the local area leadership on EO responsibilities and requirements.

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<sup>13</sup> Documentation 1.12: [Equal Opportunity 101 Presentation](#)

<sup>14</sup> Documentation 1.13: [Screenshot of EO SharePoint](#)

<sup>15</sup> Documentation 1.14: [Welcome Packet Checklist and Guide](#)

<sup>16</sup> Documentation 1.15: [EO Quarterly Conference Calls](#)

The State EO Officer is a member of the National Association of State Workforce Agencies (NASWA) EO Committee and regularly attends the quarterly EO Committee meetings. For example, in February 2020 Indiana's State EO Officer attended the EO Committee meeting in Washington, DC.<sup>17</sup> The meeting provided sessions on best practices, CRC updates, and discussions of EO challenges and opportunities in various states throughout the country. In addition, the State EO Officer was nominated to be the Chair for the William J. Harris Award Committee.<sup>18</sup> The committee selects nominations from all of the states who have created significant contributions towards the achievement of equal opportunity and nondiscrimination initiatives.

On August 18, 2020, the Indiana Governor announced actions he has taken to make sure everyone in Indiana has equal opportunity and access. One of those actions is the plan to create a Chief Equity, Inclusion and Opportunity Officer who will be a member of the Governor's Cabinet, reporting directly to the Governor. This individual will improve equity, inclusion, and opportunity across all state government operations and move for systemic change to remove barriers in the government workplace and the services they provide. They will also work with the state agencies to develop strategic plans to remove barriers. Additionally, the Management Performance Hub will create a Public Disparity Data Portal to show how state programs are working.

In 2020, the Indiana State Personnel Department's Diversity and Inclusion Program Manager is providing a mandatory Diversity and Inclusion training for all employees of the State of Indiana. Topics of the training were defining diversity and inclusion, unconscious bias and how it inadvertently produces bias actions, making the workplace inclusive versus diverse, culture and the cultural lense and how it can create a toxic work culture, working through four action steps to combat unconscious bias to reprogram thinking, and bringing the unconscious to the conscious so that everyone can work on their thoughts that cause them to work against other people.

The State EO Officer and other members of DWD's Compliance and Policy Division frequently participate in various topic-specific webinars, conference calls, partner training opportunities, and networking events to ensure continual training and competency concerning Section 188 compliance.<sup>19</sup>

Prior to the COVID-19 pandemic, the State EO Officer planned a statewide Local EO Officer roundtable that included topics on all the elements of the NDP. Due to circumstances that presented themselves in multiple LWDAs, the Vocational Rehabilitation Services (VR or VRS) Deaf and Hard of Hearing Services Director was invited to train on how best to serve deaf and hard of hearing clients who wish to participate in the services that the AJC's have to offer. The training was going to provide awareness on electronic telephonic technology including Video

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<sup>17</sup> Documentation 1.16: NASWA Meeting Agenda

<sup>18</sup> Documentation 1.17: The William J. Harris Committee Information

<sup>19</sup> For further details, see Element 5



Relay Services and Video Remote Interpreting. The State EO Officer is planning to still have the roundtable and have the training from the VR Director in the future.

## Element 1 Documentation

Documentation 1.1: Governor's Designation Letter

Documentation 1.2: State Level Organizational Chart

Documentation 1.3: Sample Local Level Organizational Chart

Documentation 1.4: Indiana LWDAs

Documentation 1.5: DWD Policy 2016-09: EO and Nondiscrimination Guidance Letter

Documentation 1.6: State EO Officer Job Description

Documentation 1.7: Excerpt from EO NDP Training Element 1 PowerPoint

Documentation 1.8: Sample Local EO Officer Job Description

Documentation 1.9: Compliance Specialist Job Description

Documentation 1.10: EO NDP Training PowerPoints

Documentation 1.11: NDP Regional Training Completions

Documentation 1.12: Equal Opportunity 101 Presentation

Documentation 1.13: Screenshot of EO SharePoint

Documentation 1.14: Welcome Packet Checklist and Guide

Documentation 1.15: EO Quarterly Conference Calls

Documentation 1.16: NASWA Meeting Agenda

Documentation 1.17: The William J. Harris Committee Information



STATE OF INDIANA  
OFFICE OF THE GOVERNOR  
State House, Second Floor  
Indianapolis, Indiana 46204

Eric J. Holcomb  
Governor

March 13, 2018

Ms. Naomi Barry-Perez, Director  
Civil Rights Center  
200 Constitution Ave. NW, Room N-4123  
Washington, DC 20210

**RE: Section 188 Designee Letter**

Ms. Barry-Perez:

The Indiana Department of Workforce Development (DWD) is the designated state agency recipient of Workforce Innovation and Opportunity Act (WIOA) funding and is therefore responsible for compliance with the equal opportunity (EO) and nondiscrimination provisions of WIOA Section 188 and its implementing regulations at 29 CFR Part 38.

Pursuant to the regulations, the Governor may delegate WIOA Section 188 EO and nondiscrimination responsibilities to a designee. Mr. Frederick D. Payne, DWD Commissioner, is my designee for all such activity (including development and implementation of the State Nondiscrimination Plan, oversight and monitoring of EO and nondiscrimination compliance, and any other related duties of the Governor).

Indiana's designated State-level Equal Opportunity Officer is Ms. Jennifer Long of DWD's Regulatory Oversight and Compliance Division. Ms. Long serves as the liaison for the Civil Rights Center and has access to my designee, Commissioner Payne, as needed.

Should you have any questions or concerns regarding Indiana's EO and nondiscrimination policies, processes, or procedures under WIOA, please contact Ms. Long as indicated below:

**Jennifer Long, State Equal Opportunity Officer**  
Indiana Department of Workforce Development  
10 N. Senate Ave., IGCS SE 306, Indianapolis, IN 46204

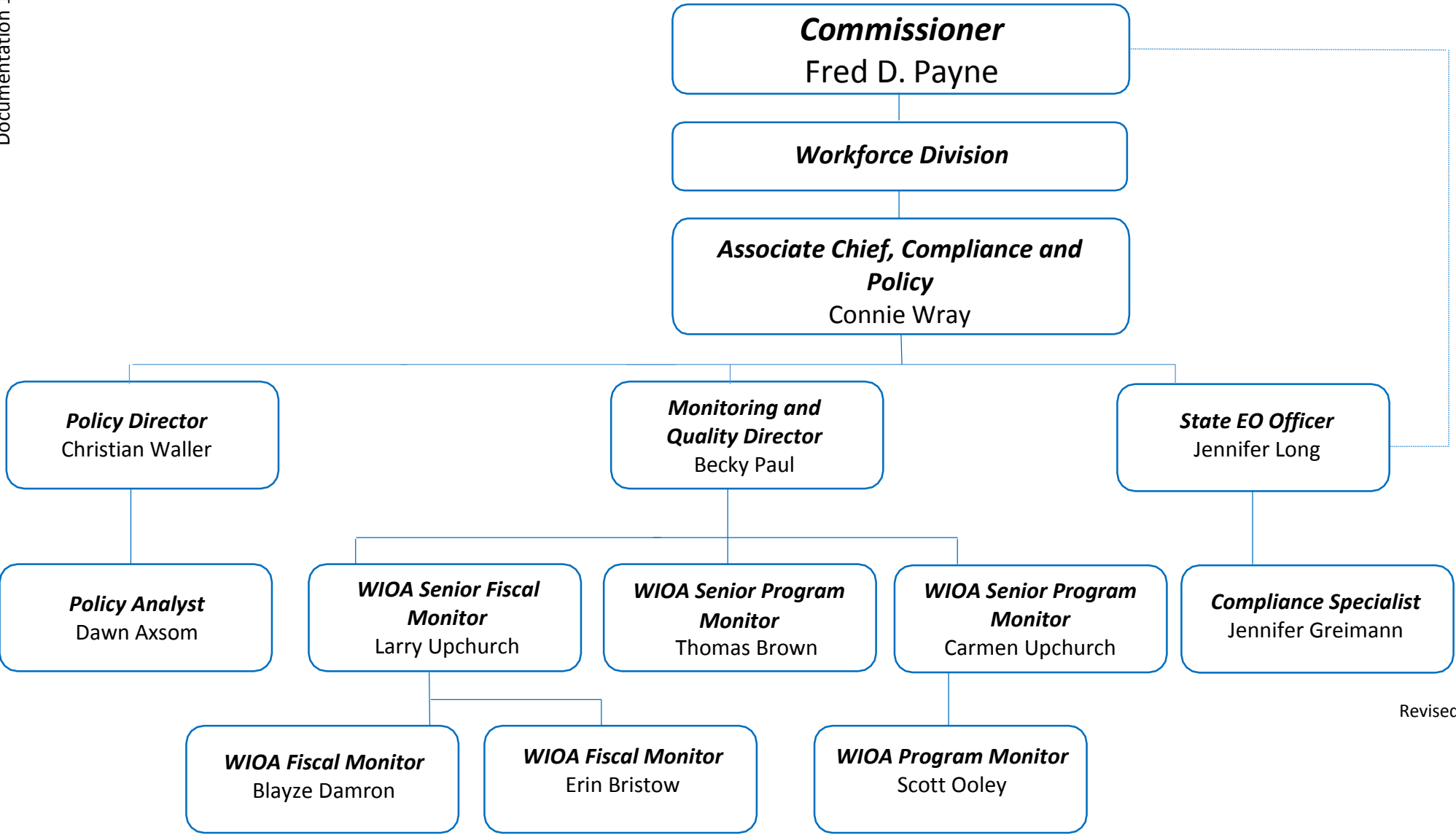
[JLong@dwd.in.gov](mailto:JLong@dwd.in.gov)  
(317) 430-2247

Respectfully,



# State Level Organizational Chart

Documentation 1.2



Revised September 2, 2020

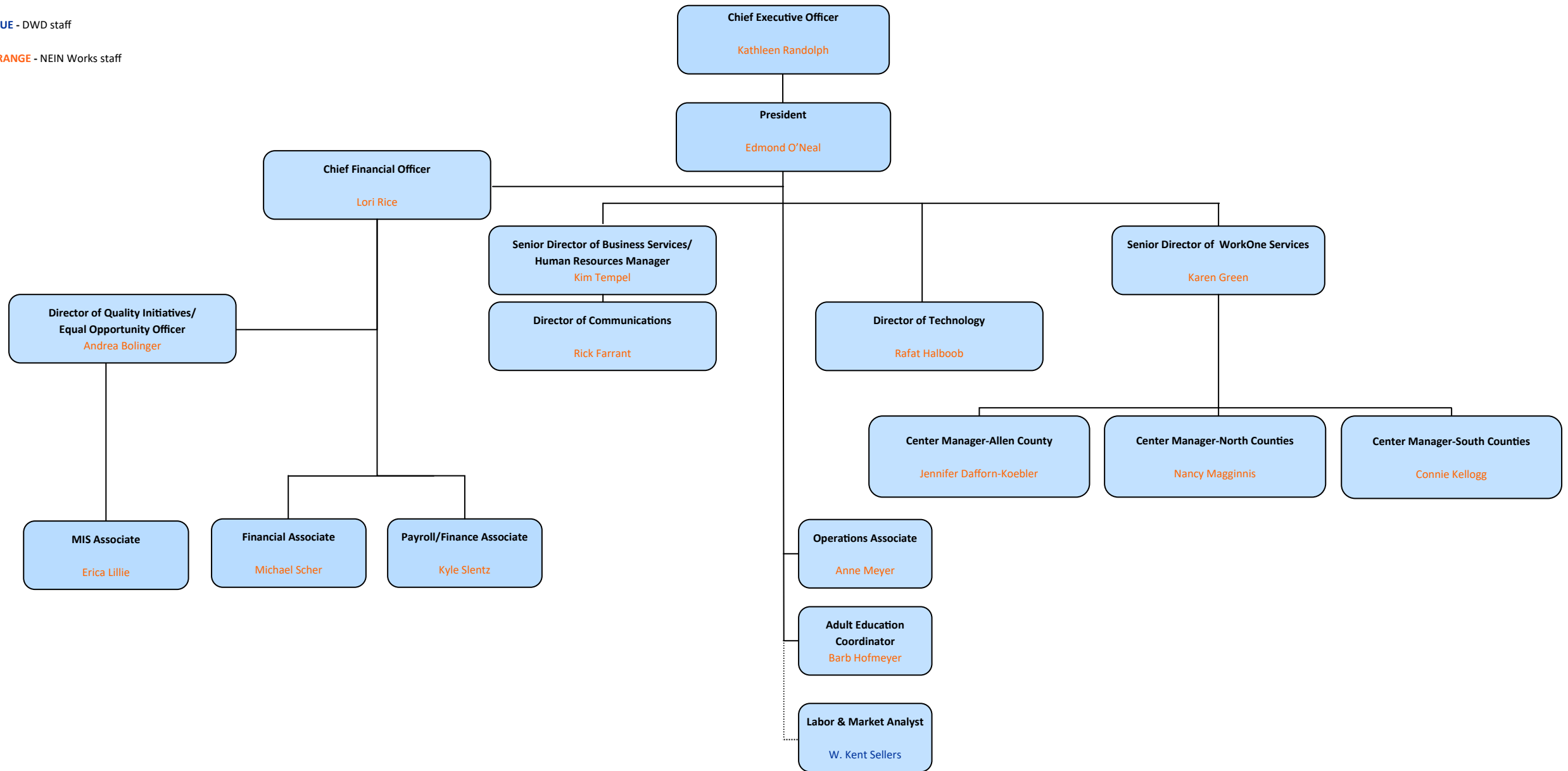


# Northeast Indiana Works Administrative Staff Organizational Chart

**KEY**

**BLUE** - DWD staff

**ORANGE** - NEIN Works staff







**To:** Indiana's Workforce System

**From:** Regina Ashley, Chief Strategy Officer RA

**Date:** March 20, 2017

**Subject:** DWD Policy 2016-09  
Equal Opportunity and Nondiscrimination Guidance Letter

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## Purpose

To provide initial guidance regarding the observance and enforcement of the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA) and its implementing regulations found at 29 CFR Part 38.

## References

- WIOA Section 188
- 29 CFR Part 38, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act" Final Rule (January 3, 2017)

## Rescission

- DWD Policy 2012-04, dated September 17, 2012, and entitled, "Nondiscrimination and Equal Opportunity Requirements of the Workforce Investment Act"
- DWD Policy 2012-05, dated September 17, 2012, and entitled, "WIA Equal Opportunity Notice and Posting Requirements within the Workforce Investment System"
- DWD Policy 2007-30, dated April 4, 2008, and entitled, "Ensuring Nondiscrimination and Equal Opportunity to Persons with Disabilities Participating in Programs and Activities in the WorkOne Delivery System"
- DWD Policy 2007-31, dated April 4, 2008, and entitled, "Equal Opportunity Monitoring for the Workforce Investment Act (WIA) Title I"
- DWD Policy 2006-19, dated April 4, 2007, and entitled, "Policy Guidance for Ensuring Access to Services for Persons with Limited English Proficiency."

## Background

All WIOA Title I recipients (Recipients), defined at 29 CFR 38.4, are responsible for ensuring equal opportunity (EO) and nondiscrimination in programs and activities funded in whole or in part under WIOA. Specifically, recipients must comply with all nondiscrimination requirements in the administration and operation of programs, activities, and employment as provided by WIOA Section 188 and its implementing regulations under the 29 CFR Part 38 (Final Rule). The requirements apply to all programs and activities that are operated by One-Stop partners, as defined in WIOA section 121(b), as part of the One-Stop delivery system (the WorkOne system).

The Final Rule became effective on January 3, 2017. This Guidance is intended to provide an initial summary of the major content areas covered in the Final Rule and includes important procedures recipients must follow to maintain compliance. Additional guidance will be issued as available.

## Guidance

WIOA Section 188 prohibits discrimination on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title I-financially assisted program or activity.

The following requirements are found in the Final Rule:

### A. Notice and Communication (38.34 – 38.40)

- a. **EO Poster.** Each Recipient must provide initial and continuing notice that it does not discriminate on any prohibited basis. Appropriate steps must be taken to ensure that communications with individuals with disabilities are as effective as communications with others and that this notice is provided in appropriate languages to ensure meaningful access for limited English proficient (LEP) individuals.

The Final Rule provides exact language for the *Equal Opportunity Is the Law* notice/poster (the EO Poster). This language cannot be altered except to include the Recipient's Local EO Officer information. **The EO Poster must be initially published within 90 days of January 3, 2017.** The language of the new EO Poster is included in this Guidance for convenience as **Attachment A**. The EO Poster can be found in multiple languages on the Civil Rights Center's website in a fillable, printable pdf format.

The direct link to the English EO Poster is:

[https://www.dol.gov/oasam/programs/crc/pdf/EO\\_Notice\\_WIOA\\_English.pdf](https://www.dol.gov/oasam/programs/crc/pdf/EO_Notice_WIOA_English.pdf)

Links to the EO Poster in other languages can be found at:

<https://www.dol.gov/oasam/programs/crc/external-compliance-assistance.htm>

The EO Poster must:

- be posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on recipients' website pages;
- disseminated in internal memoranda and other written or electronic communications with staff;



- included in employee handbooks or manuals;
  - provided to each participant and employee and made a part of each participant and employee file;
  - provided in appropriate formats for the visually impaired and record of such alternate format in participant or employee file; and
  - provided in appropriate languages other than English.
- b. **EO Tagline and Relay Service.** All publications, broadcasts, and other communications must include 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.”

Where such communications indicate that the Recipient may be reached by telephone, the materials must provide the telephone number of the text telephone (TTY) number or equally effective telecommunications system, such as a relay service, videophone, or captioned telephone.

- c. **Orientations.** Any WIOA Title I orientation for new participants, employees, or the general public must include a discussion of rights and responsibilities under the EO and nondiscrimination provisions of WIOA and the Final Rule, including the right to file a complaint. This information must be communicated in appropriate languages and accessible formats.
- d. **Affirmative Outreach.** Recipients must take appropriate steps to ensure that they are providing equal access to WIOA Title I-financially assisted programs and activities. These steps should involve reasonable efforts to include members of the various protected groups, including, but not limited to persons of different sexes, various racial and ethnic/national origin groups, various religions, LEP individuals, individuals with disabilities, and individuals in different age groups.

Examples of affirmative outreach efforts:

- Targeting specific populations when advertising programs/services
- Sending information to schools or community service groups that serve various populations
- Consulting with community service groups on ways to improve outreach and service

## **B. Equal Opportunity Officers (38.28 – 38.33)**

Every Recipient, except small recipients (defined as serving fewer than 15 beneficiaries during an entire grant year and employing fewer than 15 employees on any given day) and service providers, must designate an EO Officer with adequate knowledge, skills, and abilities to ensure EO/Nondiscrimination in the administration and operation of programs and services. An EO Officer must be a senior level employee with sufficient authority, staff, resources, and training to fulfill his/her responsibilities and maintain competency. The EO Officer must not have other responsibilities that create a conflict or the appearance of a conflict with EO responsibilities.

The State EO Officer’s responsibilities include, but are not limited to:

- Overseeing the development and implementation of the state’s Nondiscrimination Plan (NDP);
- Serving as the state’s liaison with CRC;

- Monitoring compliance of WIOA Title I EO and nondiscrimination requirements;
- Undergoing training and providing training and technical assistance to Local EO Officers; and
- Developing procedure for and investigating discrimination matters that rise to the state level.

The Local EO Officer's responsibilities include, but are not limited to:

- Reporting EO/Nondiscrimination matters to the State EO Officer;
- Processing and investigating regional discrimination complaints;
- Monitoring compliance of regional WIOA Title I recipients;
- Undergoing training and providing training for staff and service providers (participation required for quarterly conference calls and training sessions conducted by DWD's State EO Officer);
- Surveying WorkOne offices to ensure compliance with applicable accessibility requirements;
- Reviewing the Region's policies to ensure they are nondiscriminatory;
- Conducting outreach and education about EO and nondiscrimination requirements and how an individual may file a complaint; and
- Ensuring overall implementation of the NDP.

The EO Officer's name, position title, address, and telephone number (voice and TDD/TTY) must be made public, with the EO Officer's identity and contact information listed on all internal and external communications about the Recipient's nondiscrimination and equal opportunity programs. Changes regarding a Recipient's EO Officer must be updated in all areas where the information is published. Updated contact information must also be forwarded to the State EO Officer at [EO@dwd.in.gov](mailto:EO@dwd.in.gov).

### C. Language Services (38.9)

Recipients must take reasonable steps to ensure meaningful access to LEP individuals via every delivery method (written, electronic, and in person). Such steps may include, but are not limited to:

- Assessment to determine language assistance needs
- Outreach to LEP communities to improve service delivery in needed languages
- Oral interpretation or written translation

Recipients must provide adequate notice to LEP individuals of the existence of interpretation and translation services and that these services are available free of charge. Language assistance services must be accurate and provided in a timely manner.

Recipients shall not require an LEP individual to provide their own interpreter, nor rely on an LEP individual's minor child or adult family or friend except in emergency situations. An accompanying adult may interpret or facilitate communication when the information conveyed is of minimal importance or when the LEP individual specifically requests the accompanying adult to provide language assistance. When the Recipient permits the accompanying adult to provide such assistance, it must be documented that the LEP individual decided to use their own interpreter.

Even where an LEP individual elects to use their own interpreter, a Recipient has the option to provide an independent interpreter where precise, complete, and accurate information is critical, or where the competency of the LEP individual's requested interpreter is not established.

For languages spoken by a significant amount of the eligible population to be served, or likely to be encountered, Recipients must translate vital information in written materials and have them readily

available in hard copy, upon request, or electronically. Even where languages are not spoken by a significant amount of the eligible population, Recipients must take reasonable steps to meet the particularized language needs of LEP individuals. The Final Rule does not specify what constitutes a “significant amount”, but rather stresses that providing meaningful access to the LEP population should be handled at the Recipient level based upon the circumstances found in their local area. The Appendix to Section 38.9 of the Final Rule provides further insight into strategy and practice and is a valuable resource surrounding this topic.

Vital information means information that is necessary for an individual to understand how to obtain any aid, benefit, service, and/or training; necessary to obtain any aid, benefit, service, and/or training; or required by law. Examples include, but are not limited to applications, consent and complaint forms, and notices of rights and responsibilities.

All communications of vital information must include a “Babel notice,” which is a short notice included in a document or electronic medium in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages.

#### **D. Assurances (38.25 – 28.27)**

Each application for financial assistance under WIOA Title I must include the assurance language found included in this Guidance as **Attachment B**.

The assurance is considered incorporated by operation of law in the grant, cooperative agreement, contract or other arrangement whereby Federal financial assistance under Title I of WIOA is made available, whether it is explicitly incorporated in such document and whether there is a written agreement between the Department and the recipient, between the Department and the Governor, between the Governor and the recipient, or between recipients. The assurance also may be incorporated in such grants, cooperative agreements, contracts, or other arrangements by reference.

In lieu of including the assurance language in its entirety for smaller contracts or agreements (such as OJT contracts, etc.), the following reference to the language may be used:

“The equal opportunity and nondiscrimination assurances at 29 CFR Part 38.25 apply to this contract/agreement.”

#### **E. Accessibility and Reasonable Accommodation (38.12 – 38.14)**

- a. **Physical Accessibility.** Recipients must ensure that their facilities are accessible and usable by individuals with disabilities. Recipients must meet applicable accessibility obligations under Section 504 of the Rehabilitation Act and the implementing regulations at 29 CFR Part 32 and the Americans with Disabilities Act (ADA).
- b. **Programmatic Accessibility.** All WIOA Title I programs and activities must be programmatically 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.

- c. **Reasonable Accommodations and Modifications.** Recipients must provide reasonable accommodations to qualified individuals with disabilities unless providing the accommodation would cause undue hardship.

A qualified individual with a disability, with respect to aid, benefits, services, or training, is an individual who, with or without auxiliary aids and services, reasonable accommodations, and/or reasonable modifications in policies, practices and procedures, meets the essential eligibility requirements; or, with respect to employment, an individual who satisfies the requisite skill, experience, education, and other job-related requirements, with or without reasonable accommodation can perform the essential functions of such position.

Reasonable accommodation includes, but is not limited to:

- Making existing facilities readily accessible and usable;
- Restructuring of a job or service, or of the way in which aid, benefits, services, or training is/are provided;
- Part-time or modified work or training schedules;
- Acquisition or modification of equipment or devices;
- Appropriate adjustment or modifications of examinations, training materials, or policies;
- Provision of readers or interpreters

Undue hardship means significant difficulty or expense incurred by a Recipient. Factors to be considered in determining whether a reasonable accommodation would impose an undue hardship on a Recipient include:

- Nature and cost of accommodation needed;
- Overall financial resources of the facility;
- Overall financial resources of the Recipient;
- Type of operations of the Recipient; and
- Impact of the accommodation upon the operation of the facility

#### F. **Data and Information Collection and Maintenance (38.41 – 38.45)**

- a. **Data Collection.** Recipients must collect EO data for applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment and record the race/ethnicity, sex, age, and where known, disability status. Beginning on January 3, 2019, each Recipient must also record LEP and preferred language.

Data collected must be stored in a manner that ensures confidentiality and used only for purposes of:

- Recordkeeping and reporting;
- Determining eligibility for WIOA Title I programs or activities;
- Determining the extent to which the recipient is operating its WIOA programs and activities in a nondiscriminatory manner; or
- Other uses authorized by law.

Any medical or disability-related information must be collected on separate forms and maintained in separate files apart from any other information about the individual. This information must be treated as confidential and locked or otherwise secured (for example, through password protection).

Records must be maintained for a period of not less than three years from the close of the applicable program year.

- b. Complaint Logs.** Recipients must maintain a log of complaints filed with the Recipient that allege discrimination on the basis(es) of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin, age, disability, political affiliation or belief, citizenship, and/or participation in a WIOA Title I- financially assisted program or activity.

The log must include the name and address of complainant, basis of complaint, a description of the complaint, the date the complaint was filed, the disposition and date of disposition of the complaint, and other pertinent information. Recipients must submit their complaint logs on a quarterly basis to DWD's EO Officer at [EO@dwd.in.gov](mailto:EO@dwd.in.gov). Logs must cover the Recipient's entire Region and are due on or before the following dates: April 5, July 5, October 5, and January 5.

#### **G. Complaint Processing Procedures (38.69 – 38.85)**

- a. Complaints.** A complainant may file a complaint by completing and submitting CRC's Complaint Information and Privacy Act Consent Forms, which may be obtained either from the Recipient's EO Officer or from CRC. Complaints must be filed in writing, either electronically or in hard copy, and must contain the following information:
- Complainant's name, mailing address, and if available, email address (or another means of contact);
  - Identity of respondent;
  - Description of allegations;
  - Written or electronic signature of the complainant or complainant's representative;
- b. Complaint Processing.** A Recipient's procedures must state that the Recipient will issue a written Notice of Final Action on complaints within 90 days of the date on which the complaint is filed. The procedure must include, at a minimum, the following elements:
- Initial, written notice to complainant acknowledging receipt of complaint, notice of complainant's right to representation, notice of rights contained in the EO Poster, and notice that complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that this notice will be translated as required;
  - Written statement of the issue(s), provided to complainant, that includes a list of issues raised in the complaint and whether the Recipient will accept or reject each issue;
  - Period for fact-finding or investigation;
  - Period for attempt to resolve complaint, including provision for alternative dispute resolution (ADR);
  - Written Notice of Final Action provided to complainant within 90 days of filing date.

If the Recipient issues its Notice of Final Action before the 90-day period ends, but the complainant is dissatisfied with the Recipient's decision, the complainant may file a complaint with the CRC Director within 30 days after the date on which the Complainant receives the Notice.

If, by the end of 90 days from the filing date, the Recipient has failed to issue a Notice of Final Action, the complainant may file a complaint with the CRC Director within 30 days of the expiration of the 90-day period (i.e., within 120 days of filing date).

#### **H. Compliance Monitoring (38.51)**

EO Officers, at both the State and Local level, are responsible for annually monitoring all services, programs, and activities to ensure compliance with WIOA Section 188 and the Final Rule. Such monitoring must include:

- A statistical or other quantifiable analysis of records and data kept by Recipients, including analyses by race/ethnicity, sex, LEP, age, and disability status;
- An investigation of any significant differences noted in the analyses to determine whether these differences appear to be caused by discrimination; and
- An assessment to determine whether the Recipient has fulfilled its administrative obligations under WIOA Section 188 and the Final Rule (e.g., recordkeeping, notice and communication), and any duties assigned to it under the NDP.

#### **I. Corrective Actions/Sanctions (38.86 – 38.115)**

Corrective actions, or sanctions if voluntary efforts in seeking compliance fail, may be imposed for violations of the EO/Nondiscrimination requirements. Corrective actions are to be designed to completely address each violation and may result from an EO/Nondiscrimination monitoring review, a discrimination complaint, or both. Recipients must have procedures in place for obtaining prompt corrective action. Local EO Officers must notify the State EO Officer of violations discovered, corrective actions implemented, and timeframes for completion.

If the State EO Officer determines a violation has occurred, the Recipient will be notified and a corrective action plan will be developed. Corrective actions should be completed by the date(s) provided by the State EO Officer. If a Recipient does not undertake the corrective actions specified, a conciliation agreement should be initiated and completed based on the model outlined in the Final Rule.

Sanctions will be considered as a last resort. Sanctions may be necessary when a Recipient refuses to implement voluntary corrective action, submit requested data or documentation, or refuses to provide access to premises or records during an EO/Nondiscrimination compliance review. Sanctions that may be imposed include, but are not limited to:

- Termination of future funding;
- Disallowance of selected costs;
- Restriction from bidding on competitive or discretionary funds; and
- Reduction in funding.

At the Local level, Recipients and Local EO Officers will follow the above procedures for applying corrective actions and sanctions.

**Effective Date**

Immediately

**Ending Date**

Upon Rescission

**Contact for Questions**

[EO@dwd.in.gov](mailto:EO@dwd.in.gov)

**Action**

Recipients must ensure that the nondiscrimination and equal opportunity requirements outlined in this guidance are followed within their respective region.

**Attachments**

- A: Equal Opportunity is the Law Notice/Poster
- B: Required Assurance Language

## Attachment A

### Equal Opportunity Is the Law

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.

The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

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.

#### ***What To Do If You Believe You Have Experienced Discrimination***

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:

<b>Recipient's Local Equal Opportunity Officer</b> or <b>The Director, Civil Rights Center (CRC)</b> <b>INSERT LOCAL EO INFO HERE - The</b> <b>recipient's Equal Opportunity Officer (or</b> <b>the person whom the recipient has</b> <b>designated for this purpose)</b>	U.S. Department of Labor 200 Constitution Avenue NW. Room N- 4123 Washington, DC 20210
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or electronically as directed on the CRC Web site at [www.dol.gov/crc](http://www.dol.gov/crc).

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). 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). 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



## Attachment B

### Required Assurance Language (38.25)

(1) Each application for financial assistance, under Title I of WIOA, as defined in § 38.4, must include the following assurance:

- (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:
  - (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;
  - (B) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
  - (C) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
  - (D) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
  - (E) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
  
- (ii) 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.



## JOB DESCRIPTION

State Form 52468 (12-05)

This document is used to provide a basic description of essential duties and other work elements.

<b>Employee Name:</b> Jennifer Long (PCN 10001393)	
<b>Agency:</b> Department of Workforce Development	<b>BU:</b> 00510
<b>Division:</b> Compliance and Policy	<b>Section/District:</b> 191005
<b>Job Title:</b> Program Director 1	<b>Job Code:</b> 002WM1
<b>Working Title (if different from above):</b> Equal Opportunity Officer	
<b>Reports To:</b> Connie Wray, Associate Chief, Compliance & Policy	
<b>FLSA Status:</b> <input type="checkbox"/> Non-Exempt (OT Eligible) <input checked="" type="checkbox"/> Exempt	<b>Effective Date:</b> 2020

### Purpose of Position/Summary:

The functions of this position are multifaceted, with the main focus being to ensure that the Department of Workforce Development (DWD), as well as all boards and one-stop operators/providers/partners within Indiana's Workforce Investment system, comply with federal, state, and/or agency issued laws, regulations, policies, and procedures regarding universal access and equal opportunity (EO) in programs and activities funded in whole or in part under the Workforce Innovation and Opportunity Act (WIOA). This position reports to the Associate Chief of Compliance and Policy.

### Essential Duties/Responsibilities:

- Coordinate federally mandated functions for Indiana under WIOA Section 188 and 20 CFR Part 38, including, but not limited to:
  - Monitor and investigate the state's activities through DWD, and the activities of the entities that receive WIOA Title I—financial assistance from DWD to make sure that the state and sub-recipients are not violating their nondiscrimination and equal opportunity obligations;
  - Create and publish the state's procedures for processing discrimination complaints;
  - Conduct outreach and education about equal opportunity and nondiscrimination requirements;
  - Develop, implement, and revise the state's Nondiscrimination Plan under §38.54.
  - Lead the collection and analysis of EO data and information;
  - Evaluate processes for affirmative outreach to expand access to services in order to ensure equal opportunity.
- Serve as DWD's subject matter expert regarding EO/Nondiscrimination/Accessibility under WIOA and other applicable federal and state laws, rules, and regulations, including, but not limited to: Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the ADA Amendments Act, and Title IX of the Education Amendments of 1972;
- Plan and implement DWD's state level monitoring of sub-recipients for EO and Accessibility Compliance on an annual basis;
- Develop and conduct EO/Nondiscrimination/Accessibility training for local EO Officers, state staff and/or other partners;
- Plan and implement marketing and outreach strategies to meet the affirmative outreach requirements as required in the regulations;
- Review statewide and local process and architecture to coordinate and ensure programmatic and physical accessibility;
- Act as technical and enforcement consultant to local-level EO Officers;
- Serve as liaison between DWD, the US Department of Labor (DOL), and Civil Rights Center (CRC);
- Review state and local level written policies to ensure they are nondiscriminatory;
- Develop EO/Nondiscrimination/Accessibility policies and procedures and assist in strategic planning and policy matters in related areas;
- Report EO matters to ROC Director;
- Undergo training as needed to maintain competency;
- Perform other duties as assigned.

**Job Requirements:**

- Broad knowledge of WIOA's EO requirements and requirements of 29 CFR Part 38;
- Extensive knowledge of all source materials and references, including federal and state laws governing WIOA and EO/Nondiscrimination programs that are federally funded and administered by DWD and its sub-recipients;
- Working knowledge of the organization of DWD and of state and federal agencies dealing with the CRC and DOL guidelines;
- Ability to comprehend, analyze, interpret, and correlate very technical material and develop and implement new principles and policies;
- Ability to work independently and effectively communicate orally and in writing concerning compliance, training, and evaluation methods;
- Ability to maintain effective working relationships with federal, state and local agencies and personnel;
- Remain current on new and developing law, regulations, policies, or standards, as applicable;
- Ability and willingness to travel statewide and stay overnight, as needed, to conduct business.

**Supervisory Responsibilities/Direct Reports:**

Currently one direct report, Program Director 2 classification/Compliance Specialist. Also has functional oversight of local-level EO Officer EO-related activities.

**Difficulty of Work:**

Incumbent exercises considerable knowledge, extensive judgment and interpretation, and appropriate application of federal, state and local guidelines, laws, regulations, statutes, promulgated rules, policies, procedures, practices, and precedents, and utilizes organizational, planning, trouble-shooting and problem solving skills. Highly developed analytical and organizational skills, diplomacy, professionalism and discretion are required. The work is broad in scope and the job is complex, sometimes involving highly confidential and sensitive subject matter. The work involves changing laws and guidelines and the continual development and revision of procedures to maintain agency compliance, efficiency and effectiveness. Incumbent must often work independently and within short time constraints.

**Responsibility:**

The Department of Labor Civil Rights Center (DOL/CRC) issued updated regulations to implement WIOA Section 188. These regulations, found at 29 CFR Part 38, became effective on January 3, 2017 and mandate that each state designate a state-level Equal Opportunity (EO) Officer. Per the regulations, the incumbent must have sufficient expertise, authority, staff, and resources to carry out their EO responsibilities. As DWD's EO subject matter expert, incumbent has technical authority for all EO related issues, pending final approval by the ROC Director. Incumbent has direct access to DWD Commissioner, as the Governor's EO oversight designee, when required.

Incumbent actions, statements, recommendations and decisions may significantly impact agency or workforce development partner operations, programs or funding. The incumbent is charged with the authoritative application of federally mandated EO requirements, and errors in judgment may reflect negatively on image, reputation and credibility, may jeopardize funding, or may otherwise have an adverse fiscal or operational impact on the workforce development partners, DWD or the State of Indiana.

**Personal Work Relationships:**

Incumbent works closely with the ROC Director, ROC Monitoring staff, and local-level EO Officers, as well as various DWD administrative, program and field operations units, program directors and subject matter experts, and workforce development partner executives, and as needed with agency leadership, federal and state auditors, etc. The incumbent builds and maintains rapport and fosters interpersonal relationships with all federal, state and local partners.

**Physical Effort:**

Work is performed in a modern office environment using computer equipment and other common office machines. Required statewide travel is typically by car on a reimbursement basis, but may occasionally include out-of-state or air travel for meetings or training.

**Working Conditions:**


Work is performed in a modern office environment using computer equipment and other common office machines. Required statewide travel is typically by car on a reimbursement basis, but may occasionally include out-of-state or air travel for meetings or training.



## STATE AND LOCAL EQUAL OPPORTUNITY OFFICERS

Nondiscrimination Plan – Element 1

Regulatory Oversight and Compliance  
Department of Workforce Development



## DESIGNATION OF STATE AND LOCAL EQUAL OPPORTUNITY (EO) OFFICERS

- 29 CFR 38.28 through 38.33
- State EO Officer Designation and Duties
- Local EO Officer Designation and Duties
- Public Notice of State and Local EO Officers
- Support and Training




## STATE EO OFFICER DESIGNATION

- The State EO Officer oversees the coordination, implementation, maintenance, and monitoring of the nondiscrimination and EO requirements of Section 188 of WIOA.
- The State EO Officer reports to the Director of DWD's Regulatory Oversight and Compliance (ROC) Division, and has access to the DWD Commissioner for EO and nondiscrimination matters as needed.
- DWD's State EO Officer is a full-time position. As such, none of the State EO Officer's duties create a conflict of interest, or the appearance of a conflict, with the responsibilities of an EO Officer.




## DUTIES OF STATE EO OFFICER

- The State EO Officer's responsibilities include, but are not limited to:
  - Overseeing the development and implementation of the State's Nondiscrimination Plan (NDP);
  - Serving as the state's liaison with Civil Rights Commission;
  - Monitoring compliance of Section 188 requirements on an annual basis;
  - Undergoing training and providing training and technical assistance to Local EO Officers; and
  - Developing procedure for and investigating discrimination matters that rise to the state level.



## LOCAL EO OFFICER DESIGNATION

- Indiana's twelve Local Workforce Delivery Areas (LWDA) have each designated a senior-level employee as the Local EO Officer
- Most Local EO Officers operate in this role on a part-time basis. Although the Local EO Officer may have other job duties, those duties do not create a conflict of interest, or the appearance of a conflict, with the EO Officer responsibilities.



## LOCAL EO OFFICER DUTIES


The Local EO Officer's responsibilities include, but are not limited to:

- Reporting EO/Nondiscrimination matters to the State EO Officer;
- Processing and investigating local discrimination complaints;
- Monitoring compliance of regional WIOA Title I recipients;
- Undergoing training and providing training for staff and service providers (participation required for quarterly conference calls and training sessions conducted by DWD's State EO Officer);
- EO resources can be found at DWD's <https://www.in.gov/dwd/3192.htm>



## LOCAL EO OFFICER DUTIES

- Surveying WorkOne offices to ensure compliance with applicable accessibility requirements;
- Reviewing the Region's policies to ensure they are nondiscriminatory;
- Conducting outreach and education about EO and nondiscrimination requirements and how an individual may file a complaint; and
- Ensuring overall implementation of the NDP. <https://www.in.gov/dwd/3195.htm>



## PUBLIC NOTICE OF STATE AND LOCAL EO OFFICERS

- DWD makes the identity of the State EO Officer known to applicants, registrants, eligible applicants/registrants, participants, employers, employees, applicants for employment and the public by the following methods:
  - Formal notice to Indiana's workforce development system is disseminated through DWD Policy
  - Name and full contact information published on DWD's EO webpage at <https://www.in.gov/dwd/eo.htm>.
- The Local EO Officers also make their identities known by posting notices of "Equal Opportunity is the Law."



## SUPPORT AND TRAINING

- The State EO Officer has both operational and administrative support through additional Regulatory Oversight and Compliance (ROC) staff. The State EO Officer and staff design and implement various training and technical assistance methods to support the Local EO Officers.
- When a new individual is designated as a Local EO Officer, the State EO Officer provides them with the necessary training and resources to carry out their responsibilities.
- The State EO Officer hosts quarterly conference calls where the Local EO Officers are required to participate to discuss current activity within the twelve LWDAs. These conference calls are used as a vehicle to distribute information, gain insight into training needs for Local EO Officers, and respond to questions from the field.



## NDP Element 1 Quiz

<https://www.surveymonkey.com/r/8937NNJ>



## **JOB DESCRIPTION**

### **Equal Opportunity (EO) Officer/Special Projects**

#### **Summary**

The EO Officer is designated by NIWB to coordinate its obligation to monitor and evaluate compliance with equal opportunity laws, guidelines, and policies to ensure that practices and contracting arrangements give equal opportunity without regards to race, religion, color, national origin, sex, age, or disability. Also coordinates and keeps record of reports of noncompliance in the cases of equal opportunity complaints.

This individual will also handle special projects involving local disability initiatives, Ticket-to-Work, area resource coordination, and other special projects as assigned by the Vice President of Operations.

#### **Primary Responsibilities**

- To review written policies to make sure they are nondiscriminatory
- To ensure that adequate policy and procedure is in place and disseminated according to best practices
- To monitor and investigate entities that receive WIOA Title I funds to ensure compliance
- To conduct outreach and education about equal opportunity and nondiscrimination requirements consistent with EO Regulations
- To provide local staff with EO training and updates in policy and practice
- To develop and publish procedures for processing, tracking, investigating and resolving discrimination complaints filed against recipients
- To disseminate information, in appropriate languages and formats, regarding the procedures for filing a complaint
- To monitor collection of data required to ensure compliance with the nondiscrimination and equal opportunity requirements of WIOA
- To conduct required ADA accessibility surveys to ensure compliance with physical and programmatic accessibility obligations for individuals with disabilities

#### **Knowledge and Abilities**

- Is a senior level employee
- Has a solid knowledge of EO Regulations, 29 CFR Part 38

- Has undergone or is willing to undergo mandatory training to maintain competency with WIOA Section 188 and its EO Regulations
- Has the ability to multi-task and see correlation between projects
- Analyze system for better, higher quality programming
- Has good staff management skills
- Is a leader
- Good writing skills
- Takes initiative
- Willing to assist in new and evolving projects
- Willingness to learn new things

**Certifications/Experience:**

- Bachelor's Degree or higher
- 2-3 years' experience in senior level management
- 2-3 years' experience working with individuals with disabilities



## JOB DESCRIPTION

State Form 52468 (12-05)

This document is used to provide a basic description of essential duties and other work elements.

<b>Employee Name:</b> Jennifer Greimann	
<b>Agency:</b> Department of Workforce Development	<b>BU:</b> 00510
<b>Division:</b> Compliance & Policy	<b>Section/District:</b> 191005
<b>Job Title:</b> Program Director 2	<b>Job Code:</b> 002WM2
<b>Working Title (if different from above):</b> Compliance Specialist	
<b>Reports To:</b> Jennifer Long, Equal Opportunity Officer	
<b>FLSA Status:</b> <input type="checkbox"/> Non-Exempt (OT Eligible) <input type="checkbox"/> Exempt	<b>Effective Date:</b> 2019-current

### Purpose of Position/Summary:

Incumbent serves under the supervision of the state's Workforce Innovation and Opportunity Act (WIOA) Equal Opportunity (EO) Officer within DWD's Compliance and Policy Division. In this position, the incumbent assists the state EO Officer with DWD's Equal Opportunity and Nondiscrimination requirements mandated under WIOA and other federal regulations. The Compliance Specialist performs research, conducts desk reviews, and monitors compliance of each Local Workforce Development Area (region) to analyze and evaluate regional EO compliance. The Compliance Specialist may also assist with other functions as needed.

### Essential Duties/Responsibilities:

- Serve as subject matter expert for DWD regarding WIOA Section 188 (and related laws and regulations).
- Ensure statewide EO compliance by overseeing grant recipient EO activities.
- Assist EO Officer with training curriculum development and implementation of training activities.
- Collaborate with various partners to perform EO oversight functions.
- Perform desktop and on-site compliance reviews.
- Analyze state, regional, and local EO activities to determine compliance with all applicable federal, state and local regulations and guidelines.
- Analyze entity structures, functions and activities.
- Analyze EO data and statistics to identify any issues or trends as part of compliance reviews.
- Conduct research, gather relevant data and appropriate citations, and compile detailed reports.
- Contribute to and assist in the preparation of the various EO-related guides, policies, procedures, worksheets, schedules, and tools.
- Other duties as assigned, including assistance in other areas within the Division as needed.

### Job Requirements:

- Bachelor's degree in public policy, public affairs, political science, public administration, social services, business administration or related field preferred.
- Extensive knowledge and familiarity of WIOA Section 188 and 29 CFR Part 38 EO requirements (and other related laws and regulations) at the state, regional, and local level.
- Extensive knowledge of and familiarity with a variety of computerized systems and applications.
- Ability to gather data from a variety of sources and compile detailed reports.
- Ability to read, interpret, and accurately apply appropriate federal, state, and local laws, regulations, guidelines, etc.
- Specialized knowledge and understanding of (or ability to quickly learn) agency organization and federal, state, and local entities associated with the various programs within the EO Compliance scope.
- Specialized knowledge of (or ability to quickly learn) grantee entity structures, activities, and functions.



- Extensive knowledge of Microsoft Office suite (including Excel)
- Working knowledge of basic data analytics and ability to expand that knowledge quickly.
- Ability to effectively communicate verbally and in writing, consistently maintain professionalism and confidentiality, and cultivate positive working relationships.
- Ability and willingness to travel\* as needed for work or job training.
- \*Travel is usually independent and mostly within the State, with possible occasional overnight travel required.

**Supervisory Responsibilities/Direct Reports:**

None

**Difficulty of Work:**

The work is broad in scope involving many complex elements requiring critical and administrative analytical abilities, and the broad interpretation and application of federal, state, and local laws and regulations. Highly developed analytical and organizational skills are required to properly assess and accurately document the EO compliance of grant recipients.

**Responsibility:**

The Compliance Specialist works under the direction of the EO Officer and also in conjunction with the Division's WIOA Monitoring team. The Compliance Specialist possesses sufficient technical authority for the work. Decisions and major recommendations are reviewed for compliance with federal and state guidelines and attainments of goals. The incumbent makes a substantial contribution to the development, implementation, and execution of the EO compliance effort.

**Personal Work Relationships:**

Work relationships are with ROC Division staff members and management, various DWD program directors and executives, grant recipients and sub-recipients, regional Local EO Officers, and other federal, state and local officers for the purpose of maintaining and advancing technical competency, thoroughly and accurately executing the various functions within the scope of conducting EO Compliance work, operations and implementations required of the grant recipients by federal and state regulations, and identifying and resolving matters of non-compliance.

**Physical Effort/Working Conditions:**

Work is performed in a modern office environment. Required statewide or overnight travel is typically by car on a reimbursement basis, but may occasionally include out-of-state travel for training.

Information about novel coronavirus (COVID-19)  
Get the latest information about coronavirus and the Indiana Department of Health preparations here - [coronavirus.in.gov](https://www.in.gov/coronavirus)

IN.gov  
Indiana Department of Workforce Development  
Contact Us  
News and Events  
WARN Notices  
WorkOne Locations  
Careers at DWD  
SEARCH

## Local EO Officer Training

This training is intended for American Job Center staff.

- [EO Program 101 Training](#)

These presentations reflect the Non Discrimination Plan (NDP) and are for all LWDA EO officers. More trainings will be added as needed as a resource for EO officers and members of the public.

- [State and Local Equal Opportunity Officers](#)
- [Notice and Communication](#)
- [Assurance Language](#)
- [Affirmative Outreach](#)
- [Compliance with Disability Nondiscrimination Requirements](#)
- [Data and Information Collection and Maintenance](#)
- [Monitoring Recipients for Compliance](#)
- [Compliant Processing Procedures](#)
- [Corrective Actions and Sanctions](#)

10:38 AM  
7/17/2020




**INDIANA WORKFORCE DEVELOPMENT**

# EQUAL OPPORTUNITY 101

Ensuring Equal Opportunity and Nondiscrimination

Department of Workforce Development



**INDIANA WORKFORCE DEVELOPMENT**

## WHAT IS EQUAL OPPORTUNITY?

"No individual in the United States may, on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in any WIOA Title I-financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I-financially assisted program or activity."

-29 CFR 38.5



**INDIANA WORKFORCE DEVELOPMENT**


## HOW DO YOU ENSURE EO IS BEING PROVIDED?

- Notice and Communication
- Limited English Proficiency
- Affirmative Outreach
- Accessibility
- Addressing Complaints
- Monitoring

**INDIANA WORKFORCE DEVELOPMENT**

## NOTICE & COMMUNICATION

- **EO is the Law Notice**
  - **MUST:**
    - Be posted in prominent places around the office, including resource areas, and on web site pages
    - Be included in orientations, registrations, and in both employee and participant handbooks
    - Have the local EO officer's name and contact information
    - Be available in appropriate languages
      - Based on number or proportion of LEP individuals in area
    - Be provided in appropriate formats
      - Example: Large print for visual impairment
    - Be disseminated in internal memos/other written communications with staff
    - Be provided to each participant and employee and be part of their file



**INDIANA WORKFORCE DEVELOPMENT**

## NOTICE & COMMUNICATION

- **EO Tagline**

**"Equal Opportunity Employer/ Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"**

Both the above clauses must be on all recruitment brochures and other materials that are ordinarily distributed or communicated to staff, clients, or the public

- Includes written, oral, electronic, or paper materials/communications
- Includes materials/communications that describe programs financially assisted under WIOA or the requirements for participating by recipients and participants

**INDIANA WORKFORCE DEVELOPMENT**

## LIMITED ENGLISH PROFICIENCY

### What is Limited English proficient (LEP):

- An individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English
- LEP individuals may be competent in English for certain types of communication, but still be LEP for other purposes
  - Example: A Spanish speaking individual who speaks English well, but cannot read or write in English

Discrimination against LEP individuals falls under national origin – 29 CFR 38.9

**INDIANA WORKFORCE DEVELOPMENT**

## LIMITED ENGLISH PROFICIENCY

### Vital documents/information

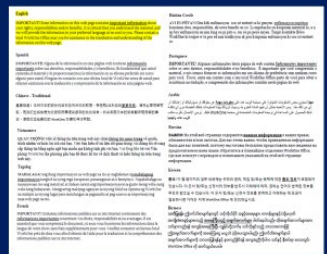
- Information, whether written, oral or electronic, that is necessary for an individual to understand how to obtain any aid, benefit, service, and/or training; or required by law.
- Examples of documents containing vital information include, but are not limited to:
  - Applications, consent and complaint forms
  - Notices of rights and responsibilities
  - Notices advising LEP individuals of their rights under this part, including the availability of free language assistance
  - Rulebooks/Instructions
  - Written tests that do not assess English language competency, but rather assess competency for a particular license, job, or skill for which English proficiency is not required
  - Letters or notices that require a response from the beneficiary or applicant, participant, or employee

**INDIANA WORKFORCE DEVELOPMENT**

## LIMITED ENGLISH PROFICIENCY

### Vital documents/information – Notice and Translation

- Must be translated into languages spoken by a significant number or portion of population eligible to be served or likely to be encountered.
- **Babel Notice:**
  - A short notice included in a document or electronic medium (e.g., Web site, "app," email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages.



INDIANA WORKFORCE DEVELOPMENT

## LANGUAGE SERVICES

- **Translation and interpreter services**
  - Vendors: Proprio, Luna, and LTC Language Solutions
  - Cannot require LEP individual to rely on their own interpreter except in emergency situations or if the individual decides to use their own interpreter
    - Recipient can still provide their interpreter when they need to ensure accurate information
  - When a phone number is provided, must be accompanied by telephone number of the text telephone (TTY) or equally effective communication system
  - Any services provided are at no cost to the client

INDIANA WORKFORCE DEVELOPMENT

## DISABILITY AND ACCESSIBILITY

- **Physical Accessibility**
  - Facilities must be accessible and usable by individuals with disabilities
    - Review of the center's access to bathrooms, adjustable work stations, and appropriate signage, including signage to meet multilingual needs common to the specific region of the State.
    - Review of the availability of transportation to the American Job Center and access into the site location via ramps consistent with the Americans with Disabilities Act's (ADA) standards.



INDIANA WORKFORCE DEVELOPMENT

## DISABILITY AND ACCESSIBILITY

- **Programmatic Accessibility**
  - **Must:**
    - Make modifications to policies, practices, and procedures
    - Provide appropriate auxiliary aids or services
    - Provide reasonable accommodations for individuals with disabilities
    - Administer programs in the most integrated setting appropriate
    - Communicate with persons with disabilities as effectively as with others

INDIANA WORKFORCE DEVELOPMENT

## AFFIRMATIVE OUTREACH

- Must make reasonable efforts to include members of the various protected groups, including, but not limited to;
  - Persons of different sexes
  - Various racial and ethnic/national origin groups
  - Various religions
  - Individual with Limited English Proficiency
  - Individuals with disabilities
  - Individuals in different age groups

INDIANA WORKFORCE DEVELOPMENT

## AFFIRMATIVE OUTREACH

- Examples of affirmative outreach efforts:
  - Targeting specific populations when advertising programs/services
  - Sending information to schools or community service groups that serve various populations
  - Consulting with community service groups on ways to improve outreach and service

INDIANA WORKFORCE DEVELOPMENT

## COMPLAINTS OF DISCRIMINATION

What are regular complaints versus complaints of discrimination?

- **Non-Discrimination Complaint:**
  - I was not approved for a specific training that was not on the approved training provider list or the case manager didn't provide me with accurate information
- **Discrimination Complaint:**
  - I didn't get approved for training because of my age or the case manager didn't provide me an interpreter and therefore she/he discriminated against me because of my language barrier

INDIANA WORKFORCE DEVELOPMENT

## COMPLAINTS OF DISCRIMINATION

- Complainant may file a complaint by completing and submitting CRC's Complaint Information and Privacy Act Consent Forms
  - can be obtained from your local Equal Employment Officer or from the Civil Rights Center
- Complaints must be filed in writing (electronically or in hard copy)
- Complaints must contain the following information:
  - Complainant name
  - Complainant mailing address
  - Complainant email address, if available (or another means of contact)
  - Identity of respondent
  - Description of allegations
  - Written or electronic signature of the complainant or complainant's representative

INDIANA WORKFORCE DEVELOPMENT

## COMPLAINT PROCESSING PROCEDURES

- Procedure must include the following elements
  - Initial written notice to complainant acknowledging receipt of complaint, right to representation, notice of rights in EO poster, right to request and receive auxiliary aids at no cost, language assistance services
  - Written statement of the issue provided to complainant and whether Recipient will accept or reject each issue
  - Period for Investigation
  - Period for attempt to resolve complaint, provision for alternative dispute resolution (ADP)
  - Written Notice of Final Action
    - Recipient will issue a written Notice of Final Action on complaints within 90 days of the date on which it was filed
  - Must include:
    - Decision on issue and explanation of reasons or description of the way parties resolved the issue
    - Notice of right to file complaint with CRC within 30 days if dissatisfied

**INDIANA WORKFORCE DEVELOPMENT**

## MONITORING

- Local Monitoring of Equal Opportunity Program
  - Conducted by your Local EO Officer at each of the WorkOne offices in the region
- Annual Monitoring by State EO Officer
  - DWD Regulatory Oversight and Compliance (ROC) Division will monitor region
- Includes:
  - Structural accessibility, parking for individuals with disabilities, designated restrooms, appropriate signage, program accessibility, and effective communication for persons with disabilities and LEP individuals
  - Desk review of local EO policies, job description of the Local EO Officer, EO Notice requirements, complaint procedures, and contracts, training agreements, and Memoranda of Understanding
  - On-site interviews with local EO officer and assessments of the WorkOne offices

**INDIANA WORKFORCE DEVELOPMENT**

## EQUAL OPPORTUNITY OFFICERS

<p><b>State EO Officer</b></p> <ul style="list-style-type: none"> <li>Overseeing development and implementation of the state's Nondiscrimination Plan</li> <li>Serving as state liaison with CRC</li> <li>Monitoring compliance with WIOA Title I EO and nondiscrimination requirements</li> <li>Undergoing and providing training and technical assistance to local EO officers</li> <li>Developing procedure for and investigating discrimination matters that rise to the state level</li> </ul>	<p><b>Local EO Officer</b></p> <ul style="list-style-type: none"> <li>Reporting EO matters to the State EO Officer</li> <li>Processing and investigating regional discrimination complaints</li> <li>Monitoring compliance of regional WIOA Title I recipients</li> <li>Undergoing and providing training for staff and service providers</li> <li>Surveying WorkOne offices to ensure compliance with accessibility requirements</li> <li>Reviewing region's policies to ensure they are nondiscriminatory</li> <li>Conducting outreach and education about EO and nondiscrimination requirements and complaint filing process</li> <li>Ensuring overall implementation of the NDP</li> </ul>
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**INDIANA WORKFORCE DEVELOPMENT**



## QUESTIONS?

**INDIANA WORKFORCE DEVELOPMENT**

## AUTHORITIES

- WIOA Section 188: Nondiscrimination and 29 CFR Part 38
  - <https://www.dol.gov/agencies/eoasam/programs/crc/external-statutes-regs.htm>
  - <https://www.ecfr.gov/cgi-bin/retrieveECFR?gq=3&SID=93578d4e1c0d153d553c30c5b63b1edd&mc=true&PART=29.1.38>
  - <https://www.dol.gov/agencies/eoasam/civil-rights-center/statutes/section-188-workforce-innovation-opportunity-act/guide>
- DWD Policy 2014-09: Equal Opportunity and Nondiscrimination Guidance Letter
  - <https://www.in.gov/dwd/files/2014-09.pdf>
- DWD Compliance – Equal Opportunity is the Law
  - <https://www.in.gov/dwd/eo.htm>
- Americans with Disabilities Act
  - <https://www.dol.gov/general/topic/disability/ada>
- Indiana's Nondiscrimination Plan 2018 - 2020
  - <https://www.in.gov/dwd/3195.htm>

https://ingov.sharepoint.com/sites/DWDPublic/eo/SitePages/Home.aspx

SharePoint

BROWSE PAGE

SHARE FOLLOW EDIT

Equal Opportunity Officers

Search this site

Home

Documents

Discussion Board

Discussion Board

+ new discussion

Recent My discussions Unanswered questions ...

Greetings from DWD EO Unit!

Welcome everyone to our SharePoint Site. This site is for you to share with each other's...

By Long, Jennifer | October 31, 2019

Documents

+ New Upload Sync Share

Name
ADA Inspection Form
2010ADASTandardsprt
1991 Accessible Design Regulations
Promising-Practices-in-Achieving-Nondiscrimination-and-Equal-Opportunity-A-Section-188-Disability-Reference-Guide
ADA AJC-Accessibility-Study
Directory of Local EO Officers
Example of a EO Checklist
Example of EO Training for staff - schedule
EO Training PY19

10:49 AM 5/13/2020

## Local EO Officer Getting Started Checklist

- Review Section 188 of WIOA and 29 CFR Part 38.
- Review the training presentations and Indiana's Nondiscrimination Plan on DWD's EO Webpage, and notify the State EO Officer when review has been completed.
- Update Local EO Officer's name and contact information on all *EO is the Law* notices, in the WorkOne offices and on the online version on the LWDA's website.
- Update Local EO Officer's name and contact information on LWDA's and WDB's websites.
- Review the Complaint Log and the LWDA's policies/procedures for handling discrimination complaints.
- Review local EO monitoring procedures and the Local EO Monitoring tool.
- Assess staff knowledge on EO information and set tentative staff training deadlines/goals.
- Check in with State EO Officer to discuss any questions or concerns.
- Explore additional resources as time is available.



## I. Overview

## II. Places to Start

- a. DWD EO Webpage can direct you to:
  - i. DWD EO Reference Materials
    1. DWD Policy 2016-09
    2. EO is the Law poster
    3. Complaint Log
  - ii. EO Officer Responsibilities & Directory
  - iii. Legislation
    1. Section 188 Workforce Innovation & Opportunity Act (WIOA)
    2. 29 CFR Part 38
    3. Additional links to relevant legislation and regulations
  - iv. Nondiscrimination Plan (NDP)
  - v. Training Resources
- b. Department of Labor – Civil Rights Center

## III. State EO Officer

A key contact that will be involved in the equal opportunity activities in each LWDA is Indiana's State EO Officer. The position is currently held by Ms. Jennifer Long, who works with DWD's Regulatory Oversight and Compliance (ROC) Division to ensure compliance with the nondiscrimination requirements of Section 188 of WIOA and its implementing regulations. The duties of the State EO Officer are outlined in [29 CFR Part XXX](#), which includes

At the end of each quarter, the State EO Officer will collect the quarterly complaint logs from each of the twelve LWDA's and conduct a quarterly conference call with all of the local EO officers. These calls typically discuss any updates

The local EO Officers will also meet with the State EO Officer during annual on-site monitoring to each of the twelve Local Areas. Using a combination of document review, interviews with the local EO Officers, and visits to the local WorkOne offices, the State EO Officer assesses

- a. Always a resource for questions, comments, concerns
- b. EO Quarterly Conference Calls
- c. Quarterly Complaint Logs
- d. Annual Monitoring

#### IV. Creating a Smooth Transition

In order to maintain compliance with federal regulation and DWD policy, it is important for the new local EO officer to make certain updates and review schedules in a timely manner. In accordance with [29 CFR Part XXX](#)

- a. Updating local EO Officer name and contact information on all relevant materials/locations
- b. Develop training plan for staff
- c. Determine local EO monitoring schedule

#### V. Additional Resources

In addition to all of these resources, there are a few additional locations that often contain relevant trainings and information relating to equal opportunity and nondiscrimination. The National Center on Leadership for the Employment and Economic Advancement of People with Disabilities, known as the LEAD Center, focuses on employment and economic advancement to promote individual and systems level change for all people with disabilities. “The LEAD Center provides policy research and recommendations, training and technical assistance as well as demonstration projects designed to break down silos in existing systems, processes and practices, and foster wider understanding, adoption and integration of next-generation employment practices in both the public and private sector.”<sup>1</sup>

WorkforceGPS, sponsored by the U.S. Department of Labor’s Employment and Training Administration (ETA), “is an interactive online communication and learning technical assistance (TA) platform that was designed to communicate with and build the capacity of the public workforce investment system to develop and implement innovative approaches to workforce and economic development in the 21st Century economy.”<sup>2</sup>

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<sup>1</sup> <http://www.leadcenter.org/>

<sup>2</sup> <https://www.workforcegps.org/>

**2019 4th EO Quarterly Conference Call Agenda – January 23, 2020**

Time: 9:00AM to 9:30AM

Conference Call Number: Conference Call Number: 605-472-5356; Access Code: 322744

- **Welcome/Regional Roll Call:** New to EO is Tony Waterson who replaced Ron McKulick. Tony is Region 10's new Executive Director. Welcome Tony.

1	2	3	4	5	6	7	8	9	10	11	12
Nora	Melissa	Andrea	Mellisa	Cindy	Alana	Angie	Rob	Kurt	Tony	Linda	Olga
√	√	√	√	EA	√	√	√	absent	√	EA	√

- **Complaint Log - Reminder:**  
Complaint logs were due January 6th for October to December – 4th quarter 2019. If you have not already sent your regions log, please forward by the end of today to the DWD EO email address.
- **PY2019-20 EO Monitoring:**  
We are now mid-way through our PY 19 monitoring season visiting Regions 1, 2, 5, 6, 7, and 9 with 8, 4, 3, 11, 12 and 10 remaining. Thus far some of the Areas of Concerns are:
  - The Lack of Documentable, Formalized Local EO Training: Providing a more documentable, formal training process is strongly suggested. It demonstrates that the AJC staff are being provided with EO training. This could include developing a training schedule with various topics related to EO.
  - The Lack of a Thorough, Formalized Local EO Monitoring Process  
Monitoring and investigating the activities of the recipient and any sub recipients for EO and nondiscrimination compliance is outlined as a required duty of the Local EO Officer in 29 CFR 38.3. We need to see verification that shows a formal monitoring is taking place.

Overall, regions are showing some improvements from last PY.

- **EO Trainings:**
  - NDP Training –Reminder to complete the NDP Training
  - SharePoint:
    - We have added shared documents to this site that were passed on from some of the regions. Shared Documents added to this site are:
      - DOL's ADA AJC Accessibility Study
      - Directory of all EO officers
      - Minutes from past meetings
      - ADA accessibility requirements
      - DOL's Promising Practices in EO Section 188 and NDP

- ADA Inspection Survey Form including the VR accessibility survey
  - Region 6 has a newsletter that they created that highlights WIOA - EO information
  - Region 4 added a EO PowerPoint Presentation that they use for training their AJC staff
  - Region 3 EO Staff Training Calendar and EO checklist for monitoring compliance
- Available Resources for you and your staff training or newsletters:
  - Workforce GPS is sponsored by US DOL and ETA. This website includes the AJC Accessibility Study, **Weekly Webcast Coffee Chat Series launched by ETA.**  
[https://disability.workforcegps.org/resources/2017/11/09/18/31/American\\_Job\\_Center](https://disability.workforcegps.org/resources/2017/11/09/18/31/American_Job_Center):
  - **Disability Etiquette Information Form/Playlists-** This link provides many playlists on Disability Etiquette – Effective Communication with Individuals with Disabilities, People with mental illness, communicating with and about people with disabilities, Effective communication, Communication with customers with disabilities through phone, internet, and texting.  
[file:///C:/Users/jlong/Downloads/Playlist%203\\_Etiquette\\_FINAL\\_508%20\(1\).pdf](file:///C:/Users/jlong/Downloads/Playlist%203_Etiquette_FINAL_508%20(1).pdf)
  - **The Lead Center** is also a very informative website;  
<http://www.leadcenter.org/wioa-workforce-development>; The LEAD Center focuses on promoting innovation in policy, employment and economic advancement to advance individual and systems level change for all people with disabilities. The LEAD Center provides policy research and recommendations, training and technical assistance as well as demonstration projects designed to break down silos in existing systems, processes and practices, and foster wider understanding adoption and integration of employment practices.
- **ICC:**
  - DWD is In the process of securing quotes for translating WIOA and WP applications in Spanish, this will be electronic/paper copy for the WorkOnes to utilize.
  - Regions need to become familiar with how to best gather data on geographical demographics in their regions. Recipients of WIOA must ensure equal access to programs and activities by making efforts to include members of various groups protected by Section 188. Hoosiers by the numbers, ICC reports on Preferred

Language and LEP, and demographics. Please get with your MIS contact in your area to learn how to run the reports from ICC.

- **Other:**
  - EO Yearly Roundtable. June 2020; Topics on training to include
    - Affirmative Outreach
    - Complaint processing
    - Data Analysis
    - Best Practices
  - One Stop Certifications will be due at the end of this year. With that being said, ADA surveys will need to be reviewed again for all Affiliate and Comprehensive Offices.
  
- Any questions, feedback, comments before we end the call?
  - Olga from Region 12 stated that the GEO conference is June 15-19, so she could not participate in the roundtable due to this one taking place. There may be others who need to go to the GEO conference. DWD will work to not have the EO roundtable during those dates.
  - Melissa from region 4 added EO training PPT to the SharePoint site for others to use.



# Agenda

## ***NASWA Equal Opportunity Committee Meeting***

February 13-14, 2020

Hyatt Regency Washington on Capitol Hill

400 New Jersey Ave., NW

Washington, DC 20001

### **Homework:**

Please be prepared to share challenges and opportunities in your state.

### **Thursday, February 13, 2020**

**7:30 – 8:30**

*Hosted Networking Breakfast*

*Columbia BC  
(Ballroom Level)*

DRAFT

<b>8:30 – 8:45</b>	<p><b>Welcome and Introductions</b>  Matt Weldon (RI), Chair, EO Committee  Louise Dean (AK), Vice-Chair, EO Committee</p> <p><b>District of Columbia Welcome</b>  Lauren Scott (DC)</p>	<p><i>Congressional B  (Lobby Level)</i></p>
<b>8:45 – 9:15</b>	<p><b>NASWA Update</b>  Scott B. Sanders, Executive Director</p>	
<b>9:15 – 9:30</b>	<p><b>Presentation of the 2020 William J. Harris Equal Opportunity Award</b></p> <p>As part of our meeting next week, we would like to have a presentation in our meeting of the 2020 William J. Harris award. We have traditionally done a second presentation in the meeting. I will ask Teresa to bring the award if possible. Then, if you could briefly talk about how we received a record 8 nominees and list the states the nominations came from, mention how it was a difficult decision, and then announce the recipient. You could then ask Teresa to talk a little bit about the program that was nominated.</p>	
<b>9:30 - 10:15</b>	<p><b>Sharing of State Promising Practices</b></p> <p>Carolyn Parsons (UT)  Assisting Customers with Language Barriers:  Training and Policies</p>	
<b>10:15 – 10:30</b>	<i>Hosted Networking Break</i>	
<b>10:30 – 11:30</b>	<p><b>Committee State Roundtable and Discussion</b></p> <p>In depth peer-to-peer discussion. Each state presents current challenges and successes.</p>	
<b>11:30 – noon</b>	<p><b>Committee Business</b></p> <ul style="list-style-type: none"> <li>Approve Minutes</li> <li>Committee goals for upcoming year</li> <li>Subcommittee Assignments</li> </ul>	
<b>Noon - 1:30</b>	<i>Hosted Networking Lunch</i>	<p><i>Columbia BC  (Ballroom Level)</i></p>

<b>1:30 – 2:30</b>	<b>USDOL Civil Rights Center Update and Discussion</b> Naomi Barry-Perez, Director	<i>Congressional B (Lobby Level)</i>
<b>2:30 – 3:15</b>	<b>Updates from USDOL Office of Disability Employment Policy</b> <i>(Invited)</i>	
<b>3:15 – 3:30</b>	<i>Hosted Networking Break</i>	
<b>3:30 – 5:00</b>	<b>Committee Business Continued</b> Subcommittee Break-out meetings Subcommittee reports; Input for next meeting	
<b>5:00</b>	Adjourn for the day	

**Friday, February 14, 2020**

<b>7:30 – 8:30</b>	<i>Hosted Breakfast</i>	<i>Columbia BC (Ballroom Level)</i>
<b>8:30 – 9:30</b>	<b>U.S. Equal Employment Opportunity Commission</b> Mindy Weinstein, Director, DC Field Office	
<b>9:30 – 10:00</b>	Break & Walk to USDOL	
<b>10:00 – noon</b>	<b>Civil Rights Center Training</b>	<i>USDOL</i>
<b>Noon</b>	Adjourn	

Next In-person Meeting:  
Save the dates: June 11-12, 2020 in Salt Lake City.



The William J. Harris Award honors a State or partnership involving a State for an innovative workforce related program, project, or initiative which results in significant contributions towards the achievement of equal opportunity and nondiscrimination.

**Chair: Jennifer Long (IN)** ---9 members

Members: Harvey Andrews (IA), Terri Bonner (PA), Shirley Bray-Sledge (VA), Rhesha Lewis-Plummer (DC), Tonya Powell (AL), Evella Quiett (LA), Danielle Smith (MO), Elizabeth Warner (GA), and Matt Weldon (RI).

**There are three Criteria:**

- **Innovative Program Design:** clearly defining ways to include individuals in protected groups; monitoring techniques to ensure equality within programs; and achieving successful outcomes for protected groups;
- **Broad Scope and High Impact** of the program on internal and external customers, as well as on local, regional, statewide, or national stakeholders, exhibiting best practices that can be replicated; and
- **EO Strategies that advance Continuous Improvement (Enhancement)** and show documented steps in planning, execution, and review and evaluation process/methods.

## Element 2: Notice and Communication

*[29 CFR 38.34 through 38.39]*

WIOA Title I recipients, including one-stop partners (OSPs)<sup>20</sup> to the extent they participate in the one-stop delivery system, must provide initial and continuing notice that they do not discriminate on any prohibited basis. This notice must be provided to registrants, applicants and eligible registrants/applicants, participants, applicants for employment and employees, unions or professional organizations that hold collective bargaining or professional agreements with the recipient, sub-recipients that receive WIOA Title I funds from the recipient, and members of the public, including those with impaired vision or hearing and those with limited English proficiency.<sup>21</sup>

### EO Notice Requirements

Recipients were advised of the posting and dissemination requirements of the “Equal Opportunity is the Law” notice (the EO Notice)<sup>22</sup> as well as the requirement that appropriate steps are taken 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 via DWD Policy 2016-09 (DWD EO Policy).<sup>23</sup> Reminders of this requirement were shared via email.

The DWD EO Policy introduced updated law and regulations under Section 188 and provided a 90-day deadline from the effective date of the final regulations for Local EO Officers to replace existing EO Notices. All EO Notices were to be updated and posted by the end of March 2017 and compliance was verified during annual ROC/EO Monitoring site visits in 2017 and 2018.

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.<sup>24</sup> The case manager prints out the completed application and provides the applicant with a copy of the EO Notice, which is acknowledged by their signature on the final page. If a user is registering for online services through the ICC website, upon selecting to register as an individual, they are immediately directed to the EO Notice that requires their acknowledgment to proceed.<sup>25</sup>

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<sup>20</sup> OSPs, as defined in WIOA 121(b), are considered recipients for purposes of 29 CFR 38.

<sup>21</sup> 29 CFR 38.34

<sup>22</sup> Documentation 2.1: EO is the Law Notice

<sup>23</sup> DWD Policy 2016-09 (see Documentation 1.5)

<sup>24</sup> Documentation 2.2: WIOA Application EO Acknowledgment

<sup>25</sup> Documentation 2.3: ICC Registration EO Acknowledgment

## 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. While the DWD EO Policy follows Section 188, it also gives flexibility for recipients to tailor the EO Tagline dependent on subject matter of the program or materials they are publishing. 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." Tagline compliance is checked during annual **Compliance and Policy Division**/EO Monitoring visits, with corrective action required as needed. 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,<sup>26</sup> videophone, or captioned telephone used by the recipient.

An informal tip sheet was created for internal use with DWD Marketing/Communications which was shared with the LWDA communications directors on May 30<sup>th</sup>, 2018 as "Equal Opportunity Guidelines" providing more specific guidance on appropriate EO Tagline use.<sup>27</sup>

## Information in Languages Other than English

According to the most recent data available, Spanish is the predominant non-English language spoken by LEP individuals in Indiana.<sup>28</sup> In light of this finding, 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.<sup>29</sup>

Spanish-speaking individuals can translate the information provided on the ICC website from English to Spanish using a built-in function. 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, and specialized software such as Rosetta Stone. Sample LEP documents in Spanish and other languages can be found on the State's Equal Opportunity webpage.<sup>30</sup>

In accordance with regulation prohibiting discrimination against LEP individuals as a form of national origin discrimination,<sup>31</sup> **Google Translate was added to ICC in the Fall of 2019 in order**

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<sup>26</sup> Relay Indiana, Indiana's statewide Relay Service, is more fully discussed in Element 5.

<sup>27</sup> Documentation 2.4: Equal Opportunity Guidelines

<sup>28</sup> Documentation 2.5: Excerpt of Indiana Census Data on Languages Spoken

<sup>29</sup> State and Federal posters in Spanish: <https://www.in.gov/dwd/2455.htm>

<sup>30</sup> Sample LEP Documents: <https://www.in.gov/dwd/3192.htm>

<sup>31</sup> 29 CFR 38.9

to translate words from English into other languages. All regional leadership and AJC staff were notified and trained on how it works in the system. Babel notices are also 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.<sup>32</sup> Babel notices indicate in appropriate languages that language assistance is available<sup>33</sup> and are given with vital information such as consent and complaint forms, notices of rights and responsibilities, and communications posted on websites. DWD provides Babel notice samples<sup>34</sup> based on the CRC's Babel notice and the demographics of Indiana.<sup>35</sup> In October 2019, Babel notices were uploaded into ICC and can be accessed when the EO Notice is displayed.<sup>36</sup> Additionally, LWDAs have the notices in various prominent locations throughout the WorkOnes.

To fully meet the needs of LEP persons in Indiana, DWD also provides telephonic<sup>37</sup> and in-person interpreter services<sup>38</sup> at no charge to the client. A contract establishes 24 hour/7 day a week telephonic interpretive services, billed by the minute and based on the language selected. Similarly, a contract establishes hourly rates for face-to face interpretive services, based on the language selected.

On January 3, 2019, questions regarding LEP and preferred language were added to ICC.<sup>39</sup> LWDAs are encouraged to access this data in order to better serve individuals that are LEP by knowing what preferred languages are prevalent in their local area. This includes providing notice and documentation in those languages.

As recommended in the regulations,<sup>40</sup> DWD is currently exploring the benefits of developing a language access plan, whether at the state level or providing guidance for individual development at the local level. Additional research and analysis will be conducted regarding this potential endeavor.

### Orientation and Nondiscrimination Efforts

During any orientation session, in-person or remote, DWD and OSPs include a discussion of rights under the nondiscrimination and EO provisions of WIOA. DWD and the local WorkOne offices distribute the EO Notice to registrants, applicants, eligible registrants/applicants,

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<sup>32</sup> 29 CFR 38.4(ttt)

<sup>33</sup> Documentation 2.6: Excerpt from Local EO Officer NDP Training Element 2 PowerPoint

<sup>34</sup> Documentation 2.7: Babel Notice for Vital Documents

<sup>35</sup> See Indiana Census Data on Languages Spoken

<sup>36</sup> Documentation 2.8 Babel Notice Display in ICC

<sup>37</sup> Documentation 2.9: Telephonic Interpretation Services Contract Excerpt

<sup>38</sup> Documentation 2.10: In-Person Interpretation Services Contract Excerpt

<sup>39</sup> Documentation 2.11: Preferred Language Questions in ICC

<sup>40</sup> 29 CFR 38.9; Appendix to 38.9

applicants for employment, employees, and interested members of the public to ensure that individuals have been notified of their rights under Section 188.<sup>41</sup>

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<sup>41</sup> Documentation 2.12: Rapid Response Orientation Presentation Excerpt

## Element 2 Documentation

Documentation 2.1: EO is the Law Notice

Documentation 2.2.: WIOA Application EO Acknowledgment

Documentation 2.3: ICC Registration EO Acknowledgment

Documentation 2.4: Equal Opportunity Guidelines

Documentation 2.5: Excerpt of Indiana Census Data on Languages Spoken

Documentation 2.6: Excerpt from Local EO Officer NDP Training Element 2 PowerPoint

Documentation 2.7: Babel Notice for Vital Documents

Documentation 2.8: Babel Notice Display in ICC

Documentation 2.9: Telephonic Interpretation Services Contract Excerpt

Documentation 2.10: In-Person Interpretation Services Contract Excerpt

Documentation 2.11: Preferred Language Questions in ICC

Documentation 2.12: Rapid Response Orientation Presentation Excerpt

## EQUAL OPPORTUNITY IS THE LAW

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.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I—financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

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.

### WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

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: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);

or

**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 website at [www.dol.gov/crc](http://www.dol.gov/crc).

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). 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). 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.

**WIOA APPLICATION**  
**Indiana Career Connect**

**Applicant Certification Statement:** *(Not to be signed and dated until all documentation has been provided.)* I certify that the information on this application is accurate to the best of my knowledge. I understand that my willful misstatement of the facts may cause my forfeiture of rights in the WIOA Program and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify my eligibility for WIOA. I further understand and agree that my social security number and other information on this application will be provided to other government agencies if required by law.

I acknowledge I have received an Equal Opportunity is the Law Notice.

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**Applicant Signature**

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**Date**

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**Parent/Guardian Signature**

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**Date**

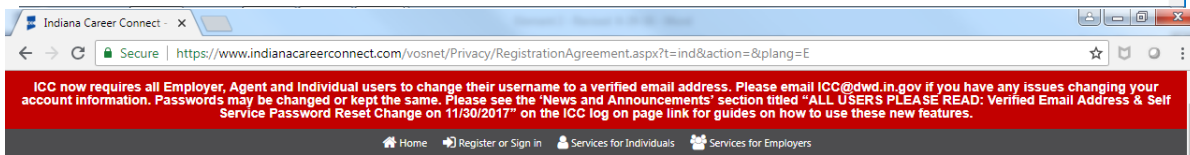
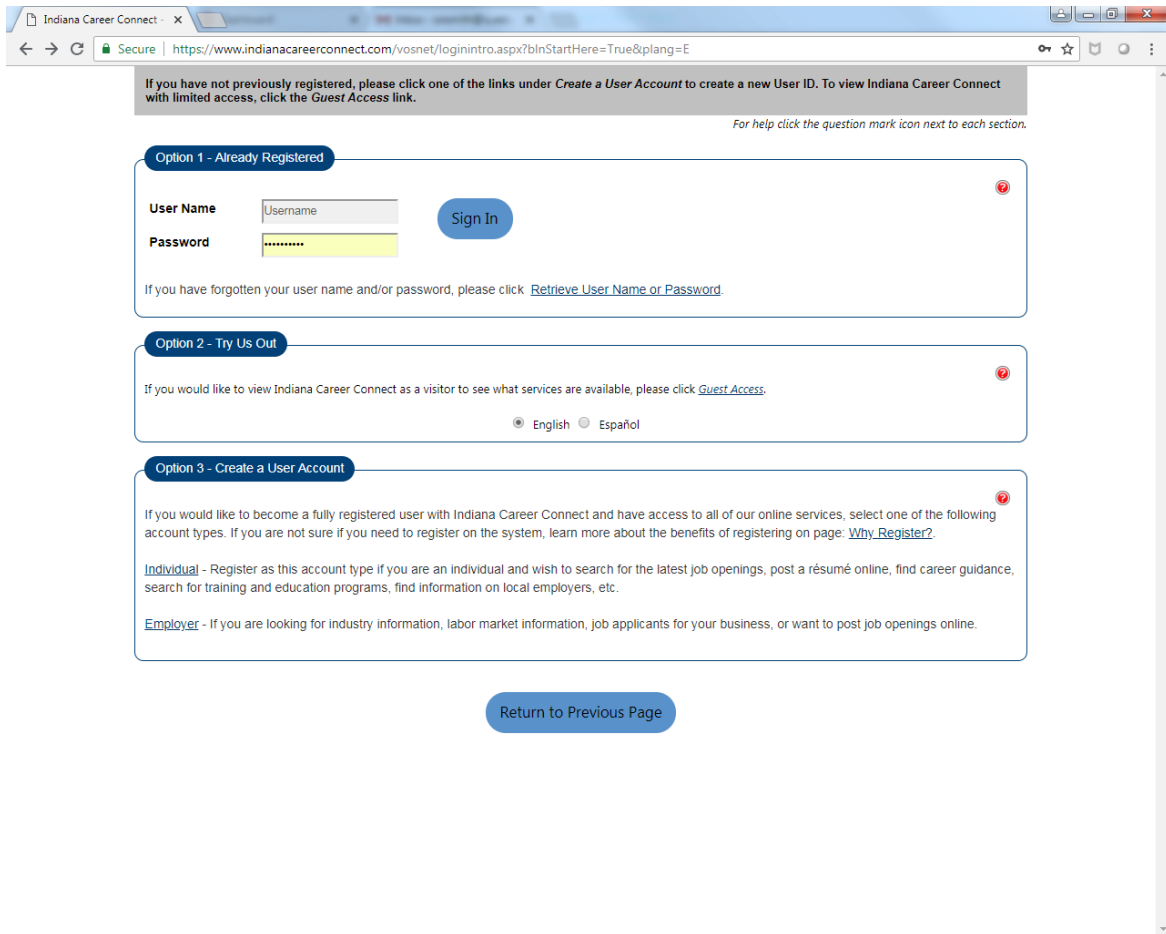
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**Staff Signature**

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**Date**





**Equal Opportunity and Non-Discrimination Notice.**

### Equal Opportunity Is the Law

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.

The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access to any WIOA Title I financially assisted program or

By clicking the *I agree* button below and continuing with the registration process, you acknowledge that you have reviewed and understand the information contained in the **Equal Opportunity Is the Law** notice above.

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# Equal Opportunity Guidelines

## Background

New regulations were finalized/released in early 2017. EO Officers for the state and regions are still in the process of understanding and implementing these new requirements. However, each region has a designated Local EO Officer who should be aware of these requirements.

## Tag Line

While the state policy follows the federal regulations it also gives flexibility to tailor their tag line dependent on subject matter of the program or materials they are publishing. There are two required clauses that must be incorporated into the tag line:

1. The EO Tagline must include language that the program or activity in question is an “equal opportunity employer/program”
2. “Auxiliary aids and services are available upon request to individuals with disabilities.”

Additional language/specifics of the tagline can vary as long as those 2 specific clauses are included.

**\*If\*** a voice telephone number is included, then a TTY or equally effective telecommunications system (e.g., relay service, videophone, captioned telephone, etc.) must also be included. DWD’s TTY line is 1-800-743-3333.

## When is this to be used?

Per 29 CFR Part 38, this tagline must appear in basically all outward facing/external communications. Specifically, the Regulations say “in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe programs financially assisted under Title I of WIOA or the requirements for participation by recipients or participants.” This also includes program info published or broadcast in the news media.

## Language Requirements

As for languages – the Regulations require that “reasonable steps” be taken to ensure “meaningful access” to limited English proficient (LEP) individuals via EVERY delivery method (written, electronic, and in person). Interpretation/translation services must be available free of charge. For languages spoken by a “significant amount of the eligible population to be served, or likely to be encountered, then all “vital information” in written materials MUST be translated and readily available in hard copy, upon request, or electronically (e.g. websites).

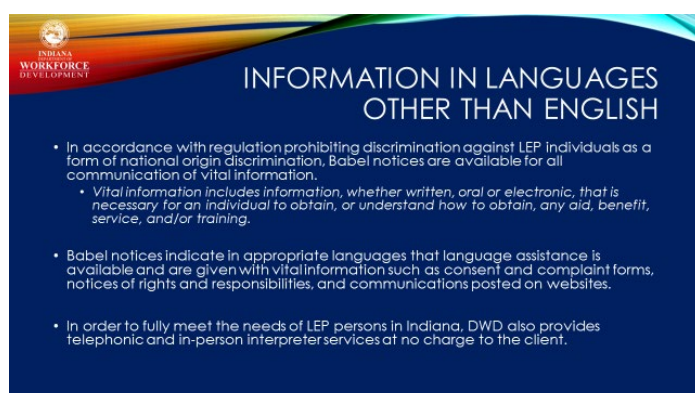
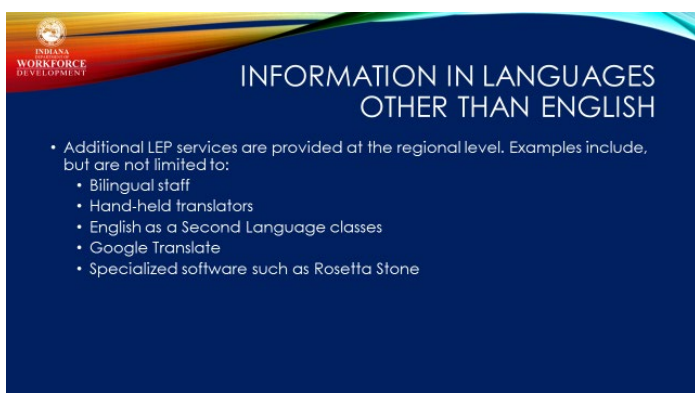
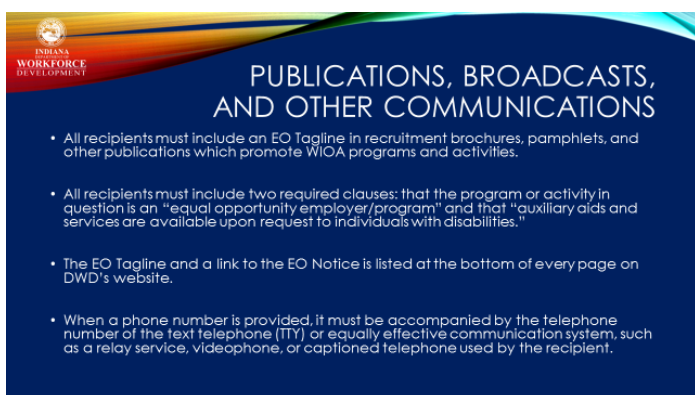
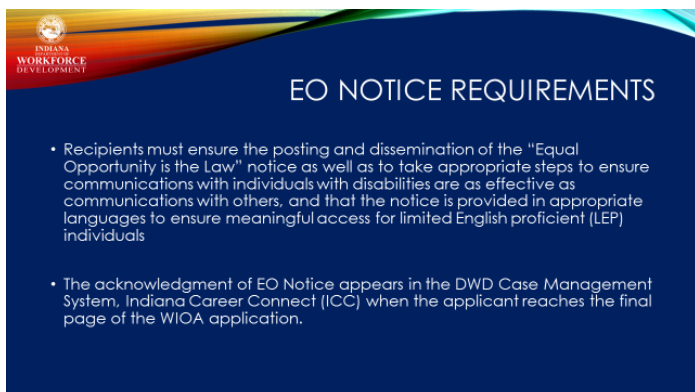
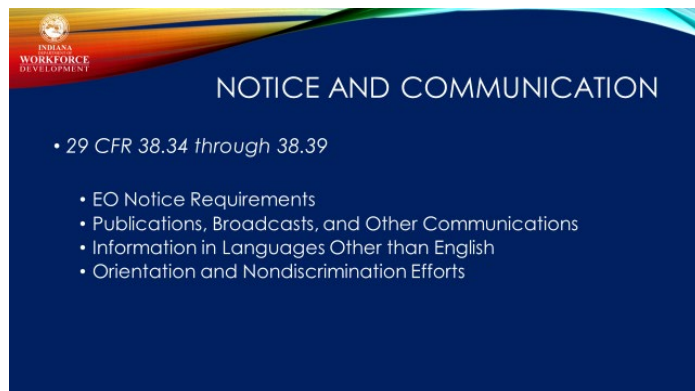
- “Significant population” isn’t clearly defined in the Regulations – states/local areas have discretion to determine this...
- “Vital information” means info that is necessary for an individual to understand how to obtain any aid, benefit, service, and/or training (e.g., applications, consent and complaint forms, and notices of rights and responsibilities.)  
So, unless it’s “vital information” – there isn’t necessarily a requirement to have it readily translated and on hand.

*Again, each Region has a designated Local EO Officer who should be fully aware of these requirements. If you do not know who your Local EO Officer is contact Jennifer Long at [JLong@DWD.in.gov](mailto:JLong@DWD.in.gov) or 317.234.8400.*

## Excerpt of Indiana Census Data on Languages Spoken

Table 15. Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for Indiana: 2009-2013  
Release Date: October 2015

	Number of speakers <sup>1</sup>	Margin of Error <sup>2</sup>	Speak English less than "Very Well" <sup>1</sup>	Margin of Error <sup>2</sup>
<b>Population 5 years and over</b>	<b>6,087,409</b>	<b>542</b>	<b>198,648</b>	<b>4,069</b>
Speak only English at home	<b>5,588,460</b>	<b>5,499</b>	<b>(X)</b>	<b>(X)</b>
<b>Speak a language other than English at home</b>	<b>498,949</b>	<b>5,498</b>	<b>198,648</b>	<b>4,069</b>
<b>SPANISH AND SPANISH CREOLE</b>	<b>277,381</b>	<b>3,508</b>	<b>123,268</b>	<b>3,124</b>
Spanish	277,380	3,508	123,270	3,124
<b>OTHER INDO-EUROPEAN LANGUAGES</b>	<b>136,530</b>	<b>3,659</b>	<b>36,637</b>	<b>1,839</b>
<b>French (incl. Patois, Cajun)</b>	<b>13,911</b>	<b>1,131</b>	<b>3,150</b>	<b>485</b>
French	13,770	1,126	3,110	490
Patois	125	125	(D)	(D)
Cajun	(D)	(D)	(B)	--
<b>French Creole</b>	<b>1,438</b>	<b>432</b>	<b>375</b>	<b>251</b>
<b>Italian</b>	<b>3,574</b>	<b>550</b>	<b>448</b>	<b>138</b>
<b>Portuguese (incl. Portuguese Creole)</b>	<b>1,878</b>	<b>472</b>	<b>512</b>	<b>222</b>
Portuguese	1,880	472	510	222
<b>German (incl. Luxembourgian)</b>	<b>35,409</b>	<b>1,839</b>	<b>8,107</b>	<b>955</b>
German	35,400	1,838	8,100	953
Luxembourgian	(D)	(D)	(D)	(D)
<b>Yiddish</b>	<b>185</b>	<b>124</b>	<b>20</b>	<b>30</b>
<b>Other West Germanic languages</b>	<b>24,121</b>	<b>1,561</b>	<b>7,221</b>	<b>768</b>
Pennsylvania Dutch	15,895	1,391	4,600	631
Dutch	7,950	727	2,595	465
Afrikaans	275	164	(D)	(D)
<b>Scandinavian languages</b>	<b>876</b>	<b>330</b>	<b>44</b>	<b>35</b>
Swedish	220	92	(D)	(D)
Danish	410	243	(D)	(D)
Norwegian	120	67	(D)	(D)
Icelandic	130	169	(B)	--
<b>Greek</b>	<b>4,391</b>	<b>670</b>	<b>1,085</b>	<b>280</b>
<b>Russian</b>	<b>4,835</b>	<b>879</b>	<b>1,980</b>	<b>482</b>
<b>Polish</b>	<b>4,965</b>	<b>620</b>	<b>1,361</b>	<b>323</b>
<b>Serbo-Croatian languages</b>	<b>7,265</b>	<b>897</b>	<b>2,822</b>	<b>469</b>
Serbocroatian	2,705	593	1,260	330
Croatian	780	270	230	119
Serbian	3,780	665	1,330	334
<b>Other Slavic languages</b>	<b>5,154</b>	<b>878</b>	<b>1,709</b>	<b>426</b>
Bielorussian	(D)	(D)	(B)	--
Ukrainian	1,005	286	330	132
Czech	350	136	30	26
Lusatian	(D)	(D)	(B)	--
Slovak	435	206	40	27
Bulgarian	420	225	30	24
Macedonian	2,875	718	1,280	392



## 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

## NDP Element 2 Quiz

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

**Babel Notice from DWD EO Unit for  
Vital Documents, Notices  
Forms or Applications, Assessments & Training Material**

**29 CFR 38.9(g)(3):** *“Recipients must include a “Babel notice,” indicating in appropriate languages that language assistance is available, in all communications of vital information, such as hard copy letters or decisions or those communications posted on websites.”*

A Babel notice is a short notice included in a document or electronic medium (e.g., website, “app,” email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages.

The DWD EO Officer procured additional translation that can be used electronically and on websites. It is being provided in 10 of the most common non-English languages spoken in the United States. As CRC advised, DWD has added an additional translation for Burmese. Also note that the Babel notice does not replace the obligations for recipients to provide individualized language services.

### **English**

**IMPORTANT!** This document or application contains **important information** about your rights, responsibilities and/or benefits. It is critical that you understand the information in this document and/or application, and we will provide the information in your preferred language at no cost to you. Please contact your local Indiana WorkOne Office near you for assistance in the translation and understanding of the information in this document and/or application.

### **Spanish**

**!IMPORTANTE!** Este documento o solicitud contiene **información importante** sobre sus derechos, responsabilidades y/o beneficios. Es fundamental que usted entienda la información contenida en este documento y/o solicitud, y le proporcionaremos la información en su idioma preferido sin costo alguno para usted. Póngase en contacto con su oficina local de Indiana WorkOne más cercana para obtener asistencia con la traducción y comprensión de la información en este documento y/o solicitud.

### **Chinese – Traditional**

**重要信息！** 本文档或应用程序包含有关您的权限、责任和/或利益的**重要信息**。请务必理解本文档和/或应用程序中的这些信息，而我们将免费为您提供所需语言版本的这些信息。有关本文档和/或应用程序中的信息翻译和理解的事宜，请向您当地最近的印第安纳州 WorkOne 办事处寻求帮助。

### **Vietnamese**

**QUAN TRỌNG!** Tài liệu hoặc đơn yêu cầu này chứa **thông tin quan trọng** về các quyền, trách nhiệm và/hoặc lợi ích của bạn. Việc bạn hiểu rõ thông tin trong tài liệu và/hoặc đơn yêu cầu này rất quan trọng, và chúng tôi sẽ cung cấp thông tin bằng ngôn ngữ bạn muốn mà không tính phí. Hãy liên hệ với Văn phòng WorkOne Indiana gần vị trí của bạn để được hỗ trợ về dịch thuật và hiểu rõ thông tin trong tài liệu và/hoặc đơn yêu cầu này.

### **Tagalog**

**MAHALAGA!** Ang dokumentong ito o aplikasyon ay naglalaman ng **mahalagang impormasyon** tungkol sa iyong mga karapatan, pananagutan at/o benipisyo. Napakahalaga na nauunawaan mo ang impormasyong nasa dokumentong ito at/o aplikasyon, at ilalaan namin ang impormasyon ayon sa gusto mong wika nang wala kang babayaran. Mangyaring makipag-ugnayan sa inyong lokal na Opisina ng Indiana WorkOne na malapit sa inyong lugar para matulungan sa pagsasalin at pag-unawa sa impormasyong nasa dokumentong ito at/o aplikasyon.

### **French**

**IMPORTANT !** Ce document ou cette demande contient **des informations importantes** concernant vos droits, responsabilités et/ou avantages. Il est essentiel que vous compreniez les informations contenues dans ce document et/ou cette demande, que nous pouvons vous communiquer gratuitement dans la langue de votre choix. N'hésitez pas à contacter le bureau WorkOne Indiana proche de chez vous pour obtenir de l'aide concernant la traduction et la signification des informations contenues dans ce document et/ou cette demande.

### **Haitian Creole**

**AVI ENPÒTAN!** Dokiman oubyen aplikasyon sa genyen **enfòmasyon ki enpòtan** konsènan dwa, responsablite, ak/oswa benefis ou yo. Li enpòtan ke ou konprann enfòmasyon ki nan dokiman ak/oubyen aplikasyon sa, e n ap bay enfòmasyon an nan lang ou prefere a, san ou pa peye anyen. Tanpri kontakte Biwo WorkOne Indiana ki toupre w la pou èd nan tradiksyon ak pou konprann enfòmasyon ki nan dokiman ak/oubyen aplikasyon sa.

### **Portuguese**

**IMPORTANTE!** Este documento ou aplicativo contém **Informações importantes** sobre os seus direitos, responsabilidades e/ou benefícios. É importante que você compreenda as informações contidas neste documento e/ou aplicativo, e nós iremos fornecer as informações em seu idioma de preferência sem nenhum custo para você. Favor, entre em contato com o seu local Indiana WorkOne Office perto de você para obter a assistência na tradução, e compreensão das informações contidas neste documento e/ou aplicativo.

### **Arabic**

ذلك من أي أو إعاناتك أو مسؤولياتك أو حقوقك عن **مهمة معلومات** على الطلب أو الوثيقة هذه تحتوي **مهم** ب هذه نزودك وسوف الطلب، أو/و الوثيقة هذه في المتضمنة مآلاتا معلو تفهم أن بإمكان الأهمية ومن. معًا مكتب ب مدلي عليها تشمل ت WorkOne أقرب الاتصال يُرجى. عليك تكلفة أي دون المفضلة بلغتك الم معلومات يال الم معلومات تلك وفهم ترجمة في المساعدة على للحصول إنديانا ولاية في لديك الطلب أو/و الوثيقة هذه

**Russian**

**ВАЖНО!** В этом документе или заявлении содержится **важная информация** о ваших правах, обязанностях и/или льготах. Для нас очень важно, чтобы вы понимали приведенную в этом документе и/или заявлении информацию, и мы готовы бесплатно предоставить вам информацию на предпочитаемом вами языке. Обратитесь в ближайшее отделение Indiana WorkOne Office, где вам помогут с переводом и пониманием указанной в этом документе и/или заявлении информации.

**Korean**

중요! 이 문서 또는 신청서에는 귀하의 권리, 책임 및/또는 혜택에 대한 **중요 정보**가 포함되어 있습니다. 이 문서 및/또는 신청서의 정보를 반드시 이해해야 하며, 원하는 언어로 번역된 정보를 무료로 받으실 수 있습니다. 이 문서 및/또는 신청서 정보를 번역하고 이해하는 데 도움이 필요하시면 가까운 Indiana WorkOne Office에 문의하십시오.

**Burmese**

**သတိပြုရန်။** ဤစာရွက်စာတမ်း သို့မဟုတ် လျှောက်လွှာတွင် သင့်ကိုယ်ပိုင် အခွင့်အရေးများ၊ တာဝန်များနှင့်/သို့မဟုတ် အကျိုးခံစားခွင့်များစသည့် **အရေးကြီးသည့် အချက်အလက်များ** ပါဝင်နေပါသည်။ ဤစာရွက်စာတမ်း နှင့်/သို့မဟုတ် လျှောက်လွှာပါ အချက်အလက်များအား သင်နားလည်ရန် အလွန်အရေးကြီးပြီး ကျွန်ုပ်တို့ဘက်မှ သင်လိုချင်သည့် ဘာသာစကားဖြင့် ဤအချက်အလက်များကို အခကြေးငွေ မယူဘဲ ပံ့ပိုးပေးသွားပါမည်။ ဤစာရွက်စာတမ်း နှင့်/သို့မဟုတ် လျှောက်လွှာပါ အချက်အလက်များကို ဘာသာပြန်ရန်နှင့် နားလည်နိုင်ရန် အကူအညီလိုပါက သင်နှင့် နီးစပ်ရာ ဒေသတွင်း Indiana WorkOne Office ကို ဆက်သွယ်ပေးပါ။



ICC now requires all Employer, Agent and Individual users to change their username to a verified email address. Please email ICC@dwd.in.gov if you have any issues changing your account information. Passwords may be changed or kept the same. Please see the 'News and Announcements' section titled "ALL USERS PLEASE READ: Verified Email Address & Self Service Password Reset Change on 11/30/2017" on the ICC log on page link for guides on how to use these new features.

# CURRENT LAYOUT

Documentation 2.8



## Equal Opportunity and Non-Discrimination Notice.

### Equal Opportunity Is the Law

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

By clicking the *I agree* button below and continuing with the registration process, you acknowledge that you have reviewed and understand the information contained in the **Equal Opportunity Is the Law** notice above.

I agree I disagree

**NEW LAYOUT**



This would be a link with the globe symbol and the title "Alternative Languages" that causes the Babel Notice to pop up when clicked

**Equal Opportunity and Non-Discrimination Notice.**

**Equal Opportunity Is the Law**

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

By clicking the *I agree* button below and continuing with the registration process, you acknowledge that you have reviewed and understand the information contained in the **Equal Opportunity Is the Law** notice above.

I agree

I disagree

# NEW LAYOUT



## Equal Opportuni

It is against the discriminate or States, on the birth, and status, and gen proficiency), ag beneficiary of, under Title I of Title I-financial

By clicking the I agree butto understand the information

**English**  
IMPORTANT! Some information on this web page contains important information about your rights, responsibilities and/or benefits. It is critical that you understand the material and we will provide the information in your preferred language at no cost to you. Please contact a local WorkOne Office near you for assistance in the translation and understanding of the information on this web page

**Spanish**  
¡IMPORTANTE! Alguna de la información en esta página web contiene información importante sobre sus derechos, responsabilidades y/o beneficios. Es fundamental que usted entienda el material y le proporcionaremos la información en su idioma preferido sin costo alguno para usted. Póngase en contacto con una oficina local de WorkOne cerca de usted para obtener asistencia con la traducción y comprensión de la información en esta página web.

**Chinese - Traditional**  
重要信息! 本网站中的部分内容包含有关您的权利、责任和/或利益的重要信息。请务必理解材料, 而我们也特免费为您提供所需语言版本的这些信息。有关本网站中的信息翻译和理解事宜, 请向您当地最近的 WorkOne 办事处寻求帮助。

**Vietnamese**  
QUAN TRỌNG! Mọi số thông tin trên trang web này chứa thông tin quan trọng về quyền, trách nhiệm và hoặc lợi ích của bạn. Việc bạn hiểu rõ tài liệu rất quan trọng, và chúng tôi sẽ cung cấp thông tin bằng ngôn ngữ bạn muốn mà không tính phí với bạn. Vui lòng liên hệ với Văn phòng WorkOne địa phương gần bạn để được hỗ trợ về dịch thuật và hiểu thông tin trên trang web này.

**Tagalog**  
MAHALAGA! Ang ilang impormasyon sa web page na ito ay naglaaman ng mahalagang impormasyon tungkol sa inyong mga karapatan, panatagutan at o benepisyo. Napakahalaga na nauunawaan mo ang materyal, at ibahon namin ang impormasyon ngayon sa guro sa wika nang wala kang babayaran. Mangyuring makipag-ugnayan sa inyong lokal na Opisina ng WorkOne na malapit sa inyong lugar para matulungan sa pagsasalin at pag-urawa sa impormasyong nasa web page na ito.

When the link is clicked, the Babel notice should appear in a pop-up on the screen with a scroll bar to view the entire document.

There can be an "X" at the top to close it, or it can be set up to close however pop-ups normally are in ICC.

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**Quantity Purchase Agreement  
With The State Of Indiana**

<b>Qty Purchase Agreement QPA Number</b> 0000000000000000000013336	<b>Page</b> 1 of 2
<b>Requisition Nbr.:</b>	<b>Telephonic Interpretation</b>
<b>Effective Date:</b>	<b>01/01/2015</b>
<b>Expiration Date:</b>	<b>11/30/2020</b>
<b>Agency Number:</b>	
<b>Facility:</b>	<b>ASA-14-69</b>
<b>Vendor ID:</b>	<b>0000320968</b>
<b>Vendor Telephone Nbr:</b>	
<b>Name Of Contact Pers:</b>	
<b>Contact Email:</b>	
<b>FAX Number:</b>	

Vendor Remit to: PROPIO LS LLC  
PO BOX 12204  
OVERLAND PARK KS 66282-2204

Name and Address of Vendor: PROPIO LS LLC  
PO BOX 12204  
OVERLAND PARK KS 66282-2204

In accordance with your bid, submitted in response to the above referenced solicitation, the Vendor agrees that the Indiana Department of Administration, Procurement Division, has the option to purchase the items listed below under the terms of this agreement.

The Vendor agrees to charge these prices for any products ordered on any QPA release received after the expiration of the QPA but issued prior to the expiration date. The quantity listed herein is an estimate of the requirements. The state may order substantially more or substantially less pursuant to the terms of this agreement.

**Orders are to be delivered only upon receipt of properly approved Quantity Purchase Award Release.**

Line Number	Quantity	UNIT	Article and Description	Unit Price
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This is a request to establish a Quantity Purchase Agreement for telephonic interpretive services. QPA can be mutually renewed yearly for two additional years under the same terms and conditions. Renewals subject to the approval of the Department of Administration and the State Budget Agency. Total term of this agreement including all renewals, shall not exceed four years.

Services are available 24/7, with no additional charges for after-hours calls.

Tips for Working with a Telephone Interpreter:

1. If you expect the call to last more than 30 minutes, tell the interpreter at the beginning. Interpreters accept scheduled assignments and adjust their on-demand call time accordingly.
2. Always speak in first person, just as you would in normal conversation. For example, say, "Do you have a fever?" rather than, "Ask her if she has a fever."
3. When using a speakerphone, make sure all parties speak clearly and loud enough to allow the interpreter to accurately provide service. Be close to the speakerphone when talking.
4. After speaking a few sentences, pause to give interpreter time to interpret.
5. If several people are on the conference call, manage the discussion. Discourage side-conversations that the interpreter will not hear.
6. Please note that static and poor audio connections can be caused by any party on the line. If audio interference makes it difficult to communicate, have all parties hang up and reinitiate the call. If this approach fails, call Propio's customer service at 1-888-528-6692, option 0, and ask for assistance.

Instructions for using this contract:

- Dial the unique 800 number provided to your agency and/or division.
- Press 1 for Spanish or 2 for all other languages.
- If non-Spanish, enter the appropriate two-digit language code found on card provided by vendor.
- Enter four-digit account number found on the card provided by the vendor. Authorized users may be asked intake questions as requested by their agencies.

For billing or account questions, or to establish an account with this vendor, please contact Windy Taylor, wtaylor@propio-ls.com, (913) 396-6045, ext. 1015. The contract manager for this QPA is Jacob Pardue, who can be contacted at jpardue1@idoa.in.gov for all other questions.

1	99,999,999.00 EA	00000000100231643	Telephonic Interpreter Spanish, per minute	0.5600
2	99,999,999.00 EA	00000000100231644	Telephonic Interpreter non-Spanish, per minute	0.7300

**Quantity Purchase Agreement  
With The State Of Indiana**

Qty Purchase Agreement QPA Number 0000000000000000000013336	Page 2 of 2
Requisition Nbr.:	Telephonic Interpretation
Effective Date:	01/01/2015
Expiration Date:	11/30/2020
Agency Number:	
Facility:	ASA-14-69
Vendor ID:	0000320968
Vendor Telephone Nbr:	
Name Of Contact Pers:	
Contact Email:	
FAX Number:	

Vendor: PROPIO LS LLC  
Remit to: PO BOX 12204  
OVERLAND PARK KS 66282-2204

Name and Address of Vendor: PROPIO LS LLC  
PO BOX 12204  
OVERLAND PARK KS 66282-2204

In accordance with your bid, submitted in response to the above referenced solicitation, the Vendor agrees that the Indiana Department of Administration, Procurement Division, has the option to purchase the items listed below under the terms of this agreement. The Vendor agrees to charge these prices for any products ordered on any QPA release received after the expiration of the QPA but issued prior to the expiration date. The quantity listed herein is an estimate of the requirements. The state may order substantially more or substantially less pursuant to the terms of this agreement. **Orders are to be delivered only upon receipt of properly approved Quantity Purchase Award Release.**

<b>Line Number</b>	<b>Quantity</b>	<b>UNIT</b>	<b>Article and Description</b>	<b>Unit Price</b>
			The following UN/CEFACT Unit of Measure Common Codes are used in this document:	
		EA	Each	

<b>Signature of Purchasing Officer</b>	<b>Typed Name</b>	<b>Signature Of Approval Office Of the State Attorney General</b>	
	<b>Date Signed</b>	<b>Typed Name</b>	<b>Date Signed</b>
<b>Authorized Signature</b>	Indiana Department Of Administration Procurement Division 402 West Washington Street, Rm W468 Indianapolis, Indiana 46204 Telephone: (317) 232-3150		

**Quantity Purchase Agreement  
With The State Of Indiana**

<b>Qty Purchase Agreement QPA Number</b>	<b>Page</b>
00000000000000000000000013314	1 of 3
<b>Requisition Nbr.:</b>	<b>In-person interpretive service</b>
<b>Effective Date:</b>	12/01/2014
<b>Expiration Date:</b>	11/30/2020
<b>Agency Number:</b>	
<b>Facility:</b>	ASA-14-69
<b>Vendor ID:</b>	0000055476
<b>Vendor Telephone Nbr:</b>	
<b>Name Of Contact Pers:</b>	
<b>Contact Email:</b>	
<b>FAX Number:</b>	

Vendor Remit to: LANGUAGE TRAINING CENTER INC  
5750 CASTLE CREEK PKWY STE 150  
INDIANAPOLIS IN 46250

Name and Address of Vendor: LANGUAGE TRAINING CENTER INC  
5750 CASTLE CREEK PKWY STE 150  
INDIANAPOLIS IN 46250

In accordance with your bid, submitted in response to the above referenced solicitation, the Vendor agrees that the Indiana Department of Administration, Procurement Division, has the option to purchase the items listed below under the terms of this agreement. The Vendor agrees to charge these prices for any products ordered on any QPA release received after the expiration of the QPA but issued prior to the expiration date. The quantity listed herein is an estimate of the requirements. The state may order substantially more or substantially less pursuant to the terms of this agreement. **Orders are to be delivered only upon receipt of properly approved Quantity Purchase Award Release.**

Line Number	Quantity	UNIT	Article and Description	Unit Price
-------------	----------	------	-------------------------	------------

This is an award of a Quantity Purchase Agreement for in-person interpretive services. The QPA can be mutually renewed yearly for three (3) additional years. The vendor agrees to charge these prices for any products ordered on any QPA release received after the expiration date, but issued prior to the expiration date, and postmarked no later than 14 business days after the QPA's expiration date. Quantities are estimates and could be more or less.

To request services from this vendor, call 317.578.4577 or email interpreting@ltcls.com. To discuss items related to billing/invoicing, please contact Jessica Fisher at 317.578.4577 or jfisher@ltcls.com. For all other customer service needs, please contact Nicci Miller at 317.578.4577 or nmiller@ltcls.com.

To contact the IDOA Vendor Contract Manager, Jacob Pardue, email JPardue1@idoa.in.gov or call 317-232-8157.

Please note the following contract details:

- After hours pricing is in effect during any state-observed holiday, weekends (beginning after p.m. Friday until 8 a.m. the following Monday) and between 6 p.m. and 8 a.m. Monday through Friday.
- There is a two-hour minimum for all in-person American Sign Language interpretation appointments, including after hours. There is a one-hour minimum for all other in-person interpretation appointments, including after hours. There is a thirty-minute minimum for video remote interpreting (VRI) services, through which ASL and most commonly requested languages are offered.
- Per-minute pricing for VRI and over-the-phone appointment assistance may be rounded to the nearest half minute.
- The vendor will utilize interpreters that hold Indiana Interpreter Certification (IIC) when possible. All ASL interpreters providing services at the Indiana School for the Deaf will hold IIC as well as a Registry of Interpreters for the Deaf (RID) certification. The same qualifications apply to VRI services.
- Due to the shortage of interpreters in Indiana as well as the nation, exceptions may be made for non-IIC interpreters based on the nature of the job and with the written approval of the requesting State agency or governmental body. Non-IIC interpreters fall into two categories: "Non-IIC" and "Provisional." The term "Provisional" has a unique definition within this agreement that is different from the IIC definition. Provisional interpreters must complete the vendor's internal screening and training processes and hold at least one of three qualifiers described in the contract. Each of these qualifiers requires at least 5 years' interpreting experience.
- The vendor will apply a 20% discount to all ASL rates for secondary interpreter(s) when utilizing more than one interpreter is appropriate due to industry standard.
- For all billable time after the applicable minimums (two hours for ASL and one hour for all other in-person interpreters), the State will be billed at the appropriate hourly rate in 15-minute increments, rounded up to the nearest 15 minutes. The vendor requests that agencies schedule appointments for as close to the expected duration as possible in order to avoid lost time for interpreters.
- In the event an interpreter is required to appear in court to testify as a witness and the State agency serviced has provided prior approval, the Contractor may only invoice for the amount of time the interpreter was required to appear. However, in the case of ASL

**Quantity Purchase Agreement  
With The State Of Indiana**

<b>Qty Purchase Agreement QPA Number</b> 0000000000000000000000000013314	<b>Page</b> 2 of 3
<b>Requisition Nbr.:</b> In-person interpretive service	
<b>Effective Date:</b> 12/01/2014	
<b>Expiration Date:</b> 11/30/2020	
<b>Agency Number:</b>	
<b>Facility:</b> ASA-14-69	
<b>Vendor ID:</b> 0000055476	
<b>Vendor Telephone Nbr:</b>	
<b>Name Of Contact Pers:</b>	
<b>Contact Email:</b>	
<b>FAX Number:</b>	

Vendor: LANGUAGE TRAINING CENTER INC  
Remit to: 5750 CASTLE CREEK PKWY STE 150  
INDIANAPOLIS IN 46250

Name and Address of Vendor: LANGUAGE TRAINING CENTER INC  
5750 CASTLE CREEK PKWY STE 150  
INDIANAPOLIS IN 46250

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Line Number	Quantity	UNIT	Article and Description	Unit Price
			interpreters, the Contractor may invoice for the two-hour minimum, plus any additional time beyond two hours during which the interpreter was required to appear.	
			- With prior State approval, the Contractor may bill for all mileage (to and from the destination) for all assignments 30 to 50 miles (one way) from the interpreter's starting point. For appointments more than 50 miles away, the Contractor may bill for travel time according to the hourly rates described below, in 15-minute increments, rounding to the nearest 15 minutes. Travel time will not count towards per-appointment minimums.	
			- VRI services are available on demand, 24/7. These services are Web-based and require only a high-speed Internet connection, webcam and computer. Please use the same contact information provided above to request these services.	
			- For in-person interpretation services, both the interpreter and the State or designated on-site employee shall sign and date a timesheet, in ink, attesting to the length of the provided service or any cancellation for which the interpreter arrives at the job site before learning of that appointment's cancellation. The interpreter shall provide the State or designated on-site employee a copy of the timesheet prior to the interpreter's departure.	
			- The Contractor may bill for two hours for an ASL appointment cancelled less than 48 hours prior to the appointment time, assuming the appointment was made more than two days in advance. If the appointment was made less than 48 hours in advance but greater than 24 hours in advance, at least 24 hours notice must be given to avoid this charge. This does not apply to unforeseen closures to State offices (e.g. weather-related closures).	
			- The Contractor may bill for one hour for all non-ASL in-person appointments cancelled 24 hours prior to the appointment time. This does not apply to unforeseen closures to State offices (e.g. weather-related closures).	
1	99,999,999.00	MHR000000000100115540	Interpretation In Person Spanish	38.0000
2	99,999,999.00	MHR000000000100115541	Interpretation In Person nonSpanish	50.0000
3	99,999,999.00	MHR000000000100115545	Interpretation In Person American Sign Language, IIC. IIC interpreters have achieved Indiana Interpreter Certification. IIC interpreters should be used when possible. Exceptions require written agency approval.	48.0000
4	99,999,999.00	MHR000000000100295177	Interpretation In Person American Sign Language, Provisional. Provisional interpreters have met certain standards of certification and experience but do not have Indiana Interpreter Certification (IIC).	35.0000
5	99,999,999.00	MHR000000000100295179	Interpretation In Person American Sign Language, Non-IIC. Non-IIC interpreters have passed the vendor's vetting process but do not have Indiana Interpreter Certification (IIC).	25.0000
6	99,999,999.00	MHR000000000100230660	Afer-hours in-person interpretive services. Spanish. Defined as weekends, holidays or any time between 6 p.m. - 8 a.m., M-F. One hour minimum.	50.0000
7	99,999,999.00	MHR000000000100230661	Afer-hours in-person interpretive services. Non-Spanish. Does not include ASL. Defined as weekends, holidays or any time between 6 p.m. - 8 a.m., M-F. One hour minimum.	55.0000
8	99,999,999.00	MHR000000000100230662	After-hours in-person interpretive services. ASL,	48.0000

**Quantity Purchase Agreement  
With The State Of Indiana**

<b>Qty Purchase Agreement QPA Number</b> 0000000000000000000013314	<b>Page</b> 3 of 3
<b>Requisition Nbr.:</b> In-person interpretive service	
<b>Effective Date:</b> 12/01/2014	
<b>Expiration Date:</b> 11/30/2020	
<b>Agency Number:</b>	
<b>Facility:</b> ASA-14-69	
<b>Vendor ID:</b> 0000055476	
<b>Vendor Telephone Nbr:</b>	
<b>Name Of Contact Pers:</b>	
<b>Contact Email:</b>	
<b>FAX Number:</b>	

Vendor: LANGUAGE TRAINING CENTER INC  
Remit to: 5750 CASTLE CREEK PKWY STE 150  
INDIANAPOLIS IN 46250

Name and Address of Vendor: LANGUAGE TRAINING CENTER INC  
5750 CASTLE CREEK PKWY STE 150  
INDIANAPOLIS IN 46250

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Line Number	Quantity	UNIT	Article and Description	Unit Price
			IIC. IIC interpreters have achieved Indiana Interpreter Certification. IIC interpreters should be used when possible. For weekends, holidays, or any time 6pm-8am, M-F..	
9	99,999,999.00	MHR000000000100295178	After-hrs in-person interpretive services. ASL, Provisional. Provisional interpreters have met certain standards of certification and experience but do not have Indiana Interpreter Certification (IIC). For weekends, holidays, or any time 6pm-8am, M-F.	35.0000
10	99,999,999.00	MHR000000000100295180	Interpretation In Person American Sign Language, Non-IIC. Non-IIC interpreters have passed the vendor's vetting process but do not have Indiana Interpreter Certification (IIC). For weekends, holidays, or any time 6pm-8am, M-F.	25.0000
11	99,999,999.00	EA 000000000100230659	Video Remote Interpreting (VRI). All languages. Per minute. Thirty minute minimum	1.1000
12	99,999,999.00	EA 000000000100230657	Over-the-phone interpreter scheduling assistance - Spanish. Per minute. No minimum.	0.9900
13	99,999,999.00	EA 000000000100230658	Over-the-phone interpreter scheduling assistance - Non-Spanish. Per minute. No minimum.	0.9900
14	99,999,999.00	EA 000000000100263639	Mileage, Automobile	0.3800
15	99,999,999.00	MHR000000000100295181	Travel 50+ miles each way, regular hours, all foreign language and ASL interpreters. Distance based on interpreter's closest starting point (home or office).	35.0000
16	99,999,999.00	MHR000000000100295182	Travel 50+ miles each way, after hours, all foreign language and IIC ASL interpreters. Distance based on interpreter's closest starting point (home or office). After hours defined as weekends, holidays, or any time 6pm-8am, M-F.	45.0000
17	99,999,999.00	MHR000000000100295183	Travel 50+ miles each way, after hours, Provisional and Non-IIC ASL interpreters. Distance based on interpreter's closest starting point (home or office). After hours defined as weekends, holidays, or any time 6pm-8am, M-F.	35.0000

The following UN/CEFACT Unit of Measure Common Codes are used in this document:  
EA Each  
MHR Work Hour

<b>Signature of Purchasing Officer</b>	<b>Typed Name</b>	<b>Signature Of Approval Office Of the State Attorney General</b>	
	<b>Date Signed</b>	<b>Typed Name</b>	<b>Date Signed</b>
<b>Authorized Signature</b>	Indiana Department Of Administration Procurement Division 402 West Washington Street, Rm W468 Indianapolis, Indiana 46204 Telephone: (317) 232-3150		





Please enter the following information below and click the Next button when you are finished.

Documentation 2.11

## CURRENT LAYOUT

\* Indicates required fields.

For help click the question mark icon.

### Ethnic Origin

\* Are you of Hispanic or Latino heritage?  Yes  No  I do not wish to answer.

\* Race - Please check all that apply:

- African American/Black
- American Indian/Alaskan Native
- Asian
- Hawaiian/Other Pacific Islander
- White
- I do not wish to answer.

### Language

Do you primarily speak a language other than English?  Yes  No

\* What is that language?

\* How well do you speak that language?

\* Do you require English language assistance?  Yes  No

\* How well do you speak English?

<< Back Next >>

Return to Home



Please enter the following information below and click the Next button when you are finished.

# NEW LAYOUT

\* Indicates required fields.

For help click the question mark icon.

## Ethnic Origin

\* Are you of Hispanic or Latino heritage?  Yes  No  I do not wish to answer.

\* Race - Please check all that apply:  
 African American/Black  
 American Indian/Alaskan Native  
 Asian  
 Hawaiian/Other Pacific Islander  
 White  
 I do not wish to answer.

## Language

Do you primarily speak a language other than English?  Yes  No

\* What is that language?

\* Do you require language assistance?  Yes  No


This removes the questions about how well they speak their preferred language and how well they speak English.

It also changes the question to just ask if they need "language assistance" instead of "English language assistance."

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## Rapid Response Orientation Presentation Excerpt



# EQUAL OPPORTUNITY

WorkOne is an Equal Opportunity Program/Employer  
*Auxiliary aids and services are available upon request*

If you think that you have been subjected to discrimination you may file a complaint within 180 days from the date of the alleged violation.

File a complaint to:  
*This is where the Local EO Officer enters their NAME and contact information*

Or Send Complaint To:

Director, Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW  
Room N- 4123, Washington, DC 20210

## Element 3: Review Assurances, Job Training Plans, Contracts, and Policies and Procedures

*[29 CFR 38.25 through 38.27 and 38.54]*

Indiana ensures compliance with 29 CFR Part 38.25 and 38.54 regarding the review of assurances, job training plans, contracts, policies and procedures through various means. This includes requiring that all WIOA Title I grant applicants and recipients agree to the EO assurance language prescribed by Part 38.25<sup>42</sup> and are able to provide programmatic and physical accessibility for individuals with disabilities. Further, it encompasses the review of job training plans, contracts, policies and procedures at the state and local level to ensure they are nondiscriminatory and include the required assurances.

### Assurance Language

Indiana's WIOA **State Strategic Workforce Plan (State Plan)** offers an assurance that appropriate action has been taken to comply with Section 188.<sup>43</sup> Further, DWD Policy 2016-09 requires the inclusion of the EO assurance language in all contracts, grants, cooperative agreements, applications, or other arrangements.

DWD Policy, in compliance with Part 38.25(a)(2), informs all recipients that this nondiscrimination assurance is considered incorporated by operation of law in the grant, cooperative agreement, contract, or other arrangement whereby Federal financial assistance under WIOA Title I is made available, whether or not it is physically incorporated in such document and whether or not there is a written agreement between the DOL and the recipient, or between the DOL and the Governor, between the Governor and the recipient, or between recipients.

The assurance also may be incorporated by reference in such grants, cooperative agreements, contracts, or other arrangements. In lieu of including the assurance language in its entirety for smaller contracts or agreements, DWD Policy has provided that the following reference to the language may be used:

“The equal opportunity and nondiscrimination assurances at 29 CFR Part 38.25 apply to this contract/ agreement.”

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<sup>42</sup> Documentation 3.1: Required Assurance Language from DWD Policy 2016-09

<sup>43</sup> <https://www.in.gov/gwc/files/Indiana%20Strategic%20Workforce%20Plan.pdf> (note: this is just the latest version as a final version has not been issued); Documentation 3.2: Excerpt from Indiana's WIOA State Plan

The LWDA grant agreements for WIOA Title I funds reflect the following:<sup>44</sup>

“The parties to this Grant Agreement assure that each will fully comply with the nondiscrimination and equal opportunity provisions of Section 188 of WIOA and its implementing regulations.”

The grant agreements also require the parties to assure the following is provided in the One-Stop delivery system:

- Facilities and programs are architecturally and programmatically accessible.
- Reasonable accommodations for individuals with disabilities.
- Cost allocation method for making reasonable accommodations.

The State EO Officer is currently working with internal partners in order to strengthen relationships, such as the program leads for the Eligible Training Provider List (ETPL), to ensure that the required assurance is included when/where applicable.

### Assurance Reviews

DWD’s **Compliance and Policy Division** monitoring team periodically review each LWDA’s contracts, policies, and other agreements to ensure they are nondiscriminatory and that they include all required EO assurances. The monitoring team and EO staff provide technical assistance as needed and conduct periodic desk audits to monitor each LWDA’s compliance with EO and nondiscrimination requirements. DWD’s EO Monitoring Tool outlines this process.<sup>45</sup> Some elements monitored include structural accessibility, parking for individuals with disabilities, designated restrooms, appropriate signage, program accessibility, and effective communication for persons with disabilities and LEP individuals. For further detail on the monitoring process, please refer to Element 7.

DWD Policy 2016-10, “One-Stop Center Certification” outlines Indiana’s One-Stop Certification process.<sup>46</sup> In accordance with this policy, each LWDA completed a certification tool with verifications for EO provisions, including proper EO awareness and accessibility.<sup>47</sup> **One-Stop Certifications are again due from each LWDA Spring of 2021.**

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<sup>44</sup> Documentation 3.3: Grant Boilerplate Language Excerpt

<sup>45</sup> For more information, see Element 7 and Documentation 7.8

<sup>46</sup> Documentation 3.4: DWD Policy 2016-10: One-Stop Center Certification

<sup>47</sup> Documentation 3.5: Excerpt from One-Stop Certification Tool

### Element 3 Documentation

Documentation 3.1: Required Assurance Language

Documentation 3.2: Excerpt from Indiana's WIOA State Plan

Documentation 3.3: Grant Boilerplate Language Excerpt

Documentation 3.4: DWD Policy 2016-10: One-Stop Center Certification

Documentation 3.5: Excerpt from One-Stop Certification Tool

## Attachment B

### Required Assurance Language (38.25)

(1) Each application for financial assistance, under Title I of WIOA, as defined in § 38.4, must include the following assurance:

- (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:
  - (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;
  - (B) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
  - (C) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
  - (D) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
  - (E) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
  
- (ii) 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.

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DWD policy 2015-08 pertaining to priority of service for Vets is available at:  
[https://www.in.gov/dwd/files/3511/2015-08-P\\_POS\\_Veterans\\_WorkOne\\_Offices.pdf](https://www.in.gov/dwd/files/3511/2015-08-P_POS_Veterans_WorkOne_Offices.pdf).

The referral process for veterans determined to have a significant barrier to employment to receive services from the JVSG program DVOP specialist is available in DWD Policy 2019-03 [https://www.in.gov/dwd/files/3511/2019-03\\_P\\_JVSG\\_Roles.pdf](https://www.in.gov/dwd/files/3511/2019-03_P_JVSG_Roles.pdf).

**(8) Addressing the Accessibility of the One-Stop Delivery System for Individuals with Disabilities.** Describe how the one-stop delivery system (including one-stop center operators and the one-stop delivery system partners), will comply with section 188 of WIOA (if applicable) and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) with regard to the physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities. This also must include a description of compliance through providing staff training and support for addressing the needs of individuals with disabilities. Describe the State's one-stop center certification policy, particularly the accessibility criteria.

Indiana's WIOA state-level Equal Opportunity (EO) Officer, appointed by the Governor, works within DWD's Compliance and Policy Division with 100% time commitment to equal opportunity and nondiscrimination in workforce programs. One of the primary duties of the State EO Officer is to develop and implement the federally mandated Nondiscrimination Plan (NDP). The NDP is a statewide plan for ensuring equal opportunity and nondiscrimination in the availability, access, and service delivery of WIOA Title I funded programs and services. The NDP must be updated and resubmitted to the US DOL Civil Rights Center (CRC) every two years, with Indiana's next submission due September 2020. Indiana's 2018-2020 NDP provides detail on physical and programmatic accessibility and can be found at:  
<https://www.in.gov/dwd/files/State%20of%20Indiana%20Nondiscrimination%20Plan%202018%20-%202020.pdf>.

The State EO Officer ensures Indiana's Local Workforce Development Areas (LWDAs), sub-recipients, and workforce system partners are aware of, and in compliance with, the NDP and all section 188 responsibilities. Similarly, each LWDA has designated a LWDA EO Officer (Local EO Officer) to carry out these duties at the local level. All Local EO Officers also functionally report to the DWD State EO Officer on matters pertaining to Section 188.

Together, the State and Local EO Officers implement the NDP and continually review policies and practices. DWD developed DWD Policy 2016-09, *Equal Opportunity and Nondiscrimination Guidance Letter* (see [https://www.in.gov/dwd/files/3511/2016-09-P\\_EO\\_Nondiscrimination\\_Guidance.pdf](https://www.in.gov/dwd/files/3511/2016-09-P_EO_Nondiscrimination_Guidance.pdf)) outlining the major provisions of section 188 and 29 CFR 38. The agency has designed several training modules for Local EO Officers and staff, which can be found at <https://www.in.gov/dwd/3196.htm>. Training modules relevant to physical and programmatic accessibility include, for example, the *EO 101* and *Compliance with Disability Nondiscrimination Requirements* modules.

**Programmatic Accessibility:** Cross-training sessions have also occurred between DWD and VR covering topics such as disability etiquette, Order of Selection, and service coordination. Accessibility work stations are in place in WorkOne offices throughout the state. Title II pays for one-on-one interpreters for visual and hearing impaired individuals attending adult education programming. Testing accommodations are available for both the TABE and TASC assessment as well.

The TTY/TDD Communication Nondiscrimination tagline is included on all external marketing and communication materials to allow people who are deaf and hard of hearing to make calls to each other, and with the assistance of the relay systems, users can communicate with people who do not have TTY systems. DWD and



partner staff will also be trained on more advanced systems such as Video Relay Services and Video Remote Interpreting. The following sample tagline is below, and when necessary is translated into other languages:

The WorkOne System is an equal opportunity employer and does not discriminate in the programs and services offered. Auxiliary aids and services are available upon request to individuals with disabilities. The TDD/TTY number is 1-800-743-3333.

El Programa de Financiamiento asistido de acuerdo con el Título 1 de WIOA es un programa de Igualdad de Oportunidades de Empleo. Ayuda y servicios auxiliares están disponibles a solicitud para personas con discapacidad. El número de TDD/TTY es 1-800-743-3333.

Additionally, DWD will continue to enhance the Job Seekers with Disabilities website ([https://www.in.gov/dwd/files/3511/2016-10-P\\_One\\_Stop\\_Center\\_Certification\\_with\\_Attachment.pdf](https://www.in.gov/dwd/files/3511/2016-10-P_One_Stop_Center_Certification_with_Attachment.pdf)) to include resources for both job seekers and employers. DWD will work to build new partnerships and enhance existing partnerships, such as with the Governor's Council for People with Disabilities and FSSA/VR.

Within the WorkOne centers, staff have been and will be further trained to follow established procedures to ensure inclusion and compliance. Starting with intake, staff is trained to ask every constituent if s/he require accommodations. Customer and WorkOne office staff orientations include a discussion of Equal Opportunity (EO) and the right to file a complaint. Following orientation, services should be reviewed with the constituent by determining the client's eligibility and need for services in an integrated setting. Ongoing training will need to occur to educate staff on the services, funding, and the resources available to determine when it is appropriate to refer to partner agencies and co-enroll individuals in multiple programs, such as Vocational Rehabilitation, to access a greater service array to meet the individual's needs. Agency partners will seek to coordinate efforts and leverage funding between partner agencies to meet the employment and training needs of the customer.

Staff will also be trained to use multiple resources and tools to ensure accessibility to services. One such resource that staff will be encouraged to use is the Guidepost for Success, which is a set of key educational and intervention strategies for youth, including those with disabilities. Additionally, one-stop assessments, Individual Education Program (IEPs), and Academic and Career Planning (ACPs) tools will continue to be utilized to identify career paths, barriers to employment, training or service needs, and employability skills. These assessments will also assist with identifying hidden disabilities and the potential need for accommodations.

**Physical Accessibility:** State and Local EO Officers worked with the LWDAs to conduct accessibility compliance surveys of WorkOne offices during the last One-Stop Certification cycle (completed spring 2018). The EO Officers checked the accessibility to various areas, such as parking, accessible routes, ramps, entrances and doors, signage, and restrooms. Accessibility compliance surveys are also conducted upon new office openings/moves and physical accessibility is a regular component of annual monitoring by DWD's Compliance staff.

**One-Stop Certification:** DWD Policy 2016-10, *One-Stop Center Certification*, outlines the process utilized during the last cycle of center certifications, which were completed in spring 2018 (see [https://www.in.gov/dwd/files/3511/2016-10-P\\_One\\_Stop\\_Center\\_Certification\\_with\\_Attachment.pdf](https://www.in.gov/dwd/files/3511/2016-10-P_One_Stop_Center_Certification_with_Attachment.pdf)). As this occurs every three years, the next cycle of certifications will begin in late 2020 and complete in spring 2021. Regarding physical and programmatic accessibility criteria for center certifications, please see details on the *Certification Review Form* ([https://www.in.gov/dwd/files/3511/2016-10-P\\_One\\_Stop\\_Center\\_Certification\\_with\\_Attachment.pdf](https://www.in.gov/dwd/files/3511/2016-10-P_One_Stop_Center_Certification_with_Attachment.pdf)).

For further details regarding physical and programmatic accessibility, please refer to the NDP referenced above.

**(9) Addressing the Accessibility of the One-Stop Delivery System for Individuals who are English Language Learners. Describe how the one-stop delivery system (including one-stop center operators and the one-stop delivery system partners) will ensure that each one-stop center is able to meet the needs of English language learners, such as through established procedures, staff training, resources, and other materials.**

In order to help all clients better understand how to receive benefits and interact with the WorkOne system, DWD and its partners work to provide meaningful access to programs and activities by continually reviewing policy and practices to support limited English proficient individuals. DWD developed DWD Policy 2016-09, *Equal Opportunity and Nondiscrimination Guidance Letter* (see [https://www.in.gov/dwd/files/3511/2016-09-P\\_EO\\_Nondiscrimination\\_Guidance.pdf](https://www.in.gov/dwd/files/3511/2016-09-P_EO_Nondiscrimination_Guidance.pdf)) outlining the major provisions of section 188 and 29 CFR 38 and has designed several training modules for Local EO Officers and staff, which can be found at <https://www.in.gov/dwd/3196.htm>.

Training modules relevant to EL services include, for example, the *Notice and Communication* and *Affirmative Outreach* modules. The NDP also covers EL service efforts (see <https://www.in.gov/dwd/files/State%20of%20Indiana%20Nondiscrimination%20Plan%202018%20-%202020.pdf>).

WorkOne customers have access to interpreter services through an Indiana Department of Administration (IDOA) contracted language interpretation provider. The contract allows for in person interpretation of dozens of the primary languages spoken in Indiana. The contract also allows for phone interpretation services for additional languages not provided for by in-person interpretation. In addition, Google Translate is now on the DWD website and on the Indiana Career Connect system.

The required “Equal Opportunity is the Law” notice (the EO Notice) is available in both English and Spanish, as Spanish is the most prominent non-English language throughout the state. Copies of the EO Notice in both languages are typically posted in all WorkOne offices. The EO tagline, as well as 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. Additionally, DWD recently made the Unemployment Insurance handbook available in Spanish. This handbook is a great resource which explains the process for applying for Unemployment Insurance and what to expect when filing.

For those with disabilities, WorkOnes have some features to increase accessibility and availability of resources. WorkOnes have accessibility workstations with ergonomics, braille keyboards, and enlarging document capabilities (Ultra Magnifier) for the visually impaired. WorkOnes have capabilities with Windows speech recognition, and the stations also have JAWS, a computer program that allows blind and visually impaired users to read screens with a text-to-speech or braille displays. UI handbooks are accessible via computer on the DWD website and can be accessed with Microsoft’s speech recognition and Magnifier. DWD is currently examining all of the regions’ websites to ensure capabilities for Browse Aloud services. Additionally, DWD EO is planning a Local EO Officer roundtable this upcoming year for additional training surrounding disability services in WorkOnes to improve disability access.

Additional EL 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 (offered through Title II), Google Translate, and specialized software such as Rosetta Stone. To help EL Hoosiers better understand how to receive benefits and interact with the one-stop system, Babel notices are provided along with communication of vital documents. Section 188 requires that a Babel notice be given when a client encounters a vital document, whether hard copy or electronically. A Babel notice is a short notice included in a document or electronic medium in multiple languages informing the reader that the communication contains vital information, and explains how to access language services to have the contents of the communication provided in other languages. The Babel notice is now on the ICC system along with Google Translate.

Sample language for the Babel notice is below in English:

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IMPORTANT! This document or application contains important information about your rights, responsibilities and/or benefits. It is critical that you understand the information in this document and/or application, and we will provide the information in your preferred language at no cost to you. Please contact your local Indiana WorkOne Office near you for assistance in the translation and understanding of the information in this document and/or application

Other opportunities for EL services include classes offered through Title II Adult Education providers to help address language goals. One-stop partners are able to refer to and co-enroll these constituents in the local Adult Education program for assistance.

For further details regarding EL services, including Babel notice information, please refer to the NDP referenced above.

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## Grant Boilerplate Language Excerpt

Failure to provide insurance as required in the Grant may be deemed a material breach of contract entitling the State to immediately terminate this Grant.

### 16. Licensing Standards

The Grantee, its employees and subgrantees shall comply with all applicable licensing standards, certification standards, accrediting standards and any other laws, rules or regulations governing services to be provided by the Grantee pursuant to this Grant Agreement. The State will not pay the Grantee for any services performed when the Grantee, its employees or subgrantees are not in compliance with such applicable standards, laws, rules or regulations. If any license, certification or accreditation expires or is revoked, or any disciplinary action is taken against an applicable license, certification or accreditation, the Grantee shall notify the State immediately and the State, at its option, may immediately terminate this Grant Agreement.

### 17. Lobbying Activities

- A. Pursuant to 31 USC §1352, and any regulations promulgated there under, the Grantee hereby assures and certifies, and will require any subcontractor or subgrantee to assure and certify, that no federally appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in conjunction with the awarding of any federal grant, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.
- B. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this grant, the Grantee and any subcontractor shall complete and submit "Standard Form LLL" ("Disclosure Form to Report Lobby").

### 18. Modification

The parties shall modify or extend this Agreement consistent with applicable law and DWD policy. Such modification or extension shall be made by mutual written agreement of the parties and subsequent approval by all appropriate state officials or their designees.

### 19. Monitoring and Compliance

The State shall monitor the Grantee's compliance with the terms and conditions of the Grant Agreement including all applicable statutes, regulations, directives and mandates. The Grantee shall provide the State reasonable and adequate opportunity to conduct this monitoring, including providing the opportunity to review and audit all relevant documents, forms, reports or any other records at any time during the term of this Grant Agreement and after the Expiration Date as may be reasonably necessary to monitor compliance with this Grant Agreement. The Grantee will be responsible for on-site monitoring of any sub-recipient.

### 20. Nondiscrimination

Pursuant to the Indiana Civil Rights Law, specifically including IC 22-9-1-10, and in keeping with the purposes of the federal Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, the Grantee covenants that it shall not discriminate against any employee or applicant for employment relating to the Grant with respect to the hire,

tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment because of the employee or applicant's : race, color, national origin, religion, sex, age, disability, ancestry, status as a veteran, or any other characteristic protected by federal, state, or local law ("Protected Characteristics"). Furthermore, the Grantee certifies compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination based on the Protected Characteristics in the provision of services.

The Grantee understands that the State is a recipient of federal funds, and therefore, where applicable, the Grantee and any subgrantees agree to comply with requisite affirmative action requirements, including reporting, pursuant to 41 CFR §60-1.1 et seq., as amended, and Section 202 of Executive Order 11246.

- A. **Equal Opportunity Assurances:** The parties to this Grant Agreement assure that each will fully comply with the nondiscrimination and equal opportunity provisions of Section 188 of WIOA and its implementing regulations. These regulations prohibit discrimination because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief in both participation and employment. In the case of participants only, it prohibits discrimination based on citizenship, or his or her participation in any WIOA Title I- financially assisted program or activity.
- B. **Discrimination Complaint Procedures:** The parties to this Grant Agreement will assure those complaints alleging discrimination on any of the above bases will be processed in accordance with applicable WIOA regulations and DWD policy 2016-09, as well as any subsequent DWD policy which rescinds and replaces these, developed pursuant to this section and approved by the U.S. Department of Labor's Civil Rights Center.
- C. **Accessibility and Reasonable Accommodation:** Pursuant to applicable WIOA regulations, the parties to this Grant Agreement will assure that the following is provided in the One-Stop delivery systems:
  - 1) Facilities and programs which are architecturally and programmatically accessible;
  - 2) Reasonable accommodations for individuals with disabilities;
  - 3) Cost allocation method for making reasonable accommodations (i.e., shared or paid by one entity).
- D. **Obligation to Provide Notice:** The parties to this Grant Agreement will provide ongoing and continuing notification that it does not discriminate on any of the prohibited basis in accordance with applicable regulations for Section 188 of WIOA.

## **21. Notice to Parties**

Whenever any notice, statement or other communication is required under this Grant, it shall be sent by first class mail or via an established courier / delivery service to the following addresses, unless otherwise specifically advised.

Notices to the State shall be sent to:

Indiana Department of Workforce Development  
ATTN: Commissioner  
10 North Senate Ave., IGCS, 3rd Floor  
Indianapolis, IN 46204

Notices to the Grantee shall be sent to:

Linda Woloshansky, President  
Center of Workforce Innovations, Inc.  
2804 Boilermaker Court, Suite E  
Valparaiso, IN 46383



**To:** Workforce Development Board Chairs  
Workforce Development Board Directors

**From:** Regina Ashley, Chief Strategy Officer *REA*

**Date:** March 20, 2017

**Subject:** DWD Policy 2016-10  
One-Stop Center Certification

## Purpose

To communicate the process and criteria for evaluating and certifying Indiana's comprehensive and affiliate one-stop centers pursuant to the Workforce Innovation and Opportunity Act (WIOA).

## Rescission

None

## References

WIOA Sec. 121  
WIOA Regulations Sec. 678.800, 678.305, 678.310  
TEGL 4-15

## Content

### *Definitions*

#### Comprehensive One-Stop Center

A comprehensive one-stop center is a physical location where job seeker and employer customers can access the programs, services, and activities of all required one-stop partners. A comprehensive one-stop center must have at least one WIOA title I staff person physically present 100% of the time.

### Affiliate Center

An affiliated site, or affiliate one-stop center, is a site that makes available to job seeker and employer customers one or more of the one-stop partners' programs, services, and activities. An affiliated site does not need to provide access to every required one-stop partner program. The frequency of program staff's physical presence in the affiliated site will be determined at the local level. Affiliated sites are access points in addition to the comprehensive one-stop center(s) in each local area. If used by local areas as a part of the service delivery strategy, affiliate sites must be implemented in a manner that supplements and enhances customer access to services.

In addition to the above requirements for an affiliate center, DWD further defines affiliate centers to mean physical buildings owned and/or operated by the local WDB and its designees.

### **Background**

Title I of WIOA requires the State Board (Indiana State Workforce Innovation Council), in consultation with Chief Elected Officials and Local Workforce Development Boards (WDBs), establish objective criteria and procedures for the local WDBs to evaluate and certify the comprehensive and affiliate one-stop centers<sup>1</sup> located within its Local Workforce Development Area (LWDA). The evaluation and certification examines effectiveness (including customer satisfaction), physical and programmatic accessibility, and continuous improvement. Each one-stop center must be certified in order to be designated as a "one-stop center" and receive funding for infrastructure under the state infrastructure funding mechanism. The certification of one-stop centers is essential to set a minimum level of quality and consistency of services in the one-stop centers across the state.

### **Roles and Responsibilities**

The Indiana Department of Workforce Development (DWD), on behalf of the Indiana State Workforce Innovation Council (SWIC), is responsible for oversight of the one-stop center certification process. DWD, in consultation with the SWIC, is also responsible for ensuring the one-stop certification criteria is reviewed and updated every two years as part of the review and modification of the WIOA State Plan. DWD is also responsible for certifying the one-stop centers when the local board is the one-stop operator in a LWDA.

The local WDBs are responsible for oversight of the one-stop center certification process at the local level and for the appointment of a certification team to conduct the one-stop certification reviews for each one-stop center in its LWDA (unless the local WDB is also the one-stop operator, discussed more fully below). The local WDB must use the *Indiana One-Stop Center Certification Review Form* (Attachment A) and the corresponding criteria established by DWD.

The local WDB may set higher standards for service coordination beyond those identified in the one-stop certification criteria established by the SWIC. However, the additional criteria must be clearly identified in an addenda to the *Indiana One-Stop Center Certification Review Form*.

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<sup>1</sup> Comprehensive and Affiliate One-Stop centers will be collectively referred to throughout this policy as "one-stop center(s)"

## *Procedure*

### **Certification Teams**

If the local WDB does NOT serve in the role of the one-stop operator for its LWDA, the local WDB has the discretion to appoint a team of three or more individuals to conduct the one-stop certification review, so long as there are no conflicts of interest. One of the three individuals appointed to serve on the certification team must be a local WDB member. The local WDB shall notify the chief elected official of the certification team selection.

If the local WDB does serve in the role of one-stop operator for a LWDA, DWD shall be responsible for conducting the one-stop center certification for each one-stop center in that particular LWDA. DWD will appoint a review team of three or more state staff to conduct the certification and ensure there are no conflicts of interest.

The individuals selected to be on either the DWD or local WDB certification team must be able to conduct an independent and objective evaluation of the one-stop center(s) and make a recommendation to the local WDB (if local WDB certification team) or the SWIC/committee (if DWD certification team). One individual on the certification team must serve as the “team lead” for contact purposes.

### **Certification Process**

The certification team shall contact each center to schedule a time to visit the center and conduct the onsite one-stop certification review.

During the onsite certification review, the certification team shall conduct staff interviews with applicable staff<sup>2</sup>. Interviewees shall include the Center Manager, the local Equal Opportunity Officer, and a random sample of at least 20 percent of the frontline (state and partner) service staff at the one-stop center to determine their level of knowledge pertaining to the following:

- WIOA partner programs/services;
- Local Initiatives;
- One-stop center policies and procedures;
- Staff roles and contributions to performance; and
- Awareness of accessibility requirements and available assistive technologies.

The Certification team shall review all necessary documentation including the following:

- The Local MOU;
- Business and/or Local Plan;
- Local policies, procedures, manuals;
- Complaints and compliance findings;

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<sup>2</sup> An affiliate center will likely not have all of the identified staff for the purpose of staff interviews. The certification team should interview the available staff in those centers.



- Marketing and other printed materials;
- Training schedules;
- Customer feedback reports; and
- Customer employment plans/case notes.

### **Certification Determination**

The certification teams shall determine, as a group, whether a one-stop center has sufficiently met the certification criteria. Certification teams shall use the *Indiana One-Stop Center Certification Review Form* and submit a written determination to the DWD Policy Department and the local WDB (if local WDB certification team) or the SWIC/committee (if DWD certification team) within thirty (30) days of conducting the one-stop center certification review. The written documentation shall include:

- A determination of “Certified” or “Not Certified”;
- Documentation that each criteria was reviewed;
- Details regarding areas denoted “Not Meets” or “In Progress”;
- In the event of non-certification, an action plan and timetable prepared in consultation with the One-stop operator to bring the one-stop center into compliance; and
- In the event of non-certification, a date for follow-up review within ninety (90) days.

If the one-stop center fails to achieve certification, the certification team must re-evaluate the one-stop center in ninety (90) days of the written determination. The certification team shall submit, to DWD and the local WDB (if local WDB certification team) or the SWIC/committee (if DWD certification team), a follow-up, written determination within thirty (30) days or reevaluation.

### ***Non-Certification***

If a one-stop center fails to achieve certification after the ninety (90) day re-evaluation review, the center shall be deemed *probationary*, and DWD will notify the chief elected official. The local WDB shall have one year to bring a probationary one-stop center into compliance (infrastructure cost-funding will not be impacted during this time frame). If a local WDB fails to certify any one-stop center after the one year probationary period, that one-stop center will not be eligible for infrastructure-cost funding under the state-funding mechanism for the ensuing program year. Local WDBs may also consider additional ramifications for failing one-stop certifications in their one-stop operator contracts.

### ***Frequency of Certification***

Each one-stop center must be certified every three (3) years.

## ***Submitting Documentation***

Documentation regarding the one-stop center certification should be sent electronically ([policy@dwd.in.gov](mailto:policy@dwd.in.gov)) or by mail the DWD Policy Department.

Policy Department  
Indiana Department of Workforce Development  
10 North Senate Avenue; Room SE308  
Indianapolis, IN 46204-2277

## **Action**

At least ONE comprehensive center in each LWDA must be certified no later **January 1, 2018**. All remaining one-stop centers in a LWDA should be certified no later than **March 30, 2018**. Once certified, the certification status will remain in effect for three years. All future certifications shall be completed no later than March 31 immediately preceding the beginning of the third program year. *(ie-March 30, 2021 for the next round of certifications)*

## **Effective Date**

March 20, 2017

## **Ending Date**

Upon rescission.

## **Contact for Questions**

[policy@dwd.in.gov](mailto:policy@dwd.in.gov)

## **Attachments**

*A- Indiana One-Stop Center Certification Review Form*

Excerpt from One-Stop Certification Tool

6.5	<b>The center provides maximum access to partner agency programs, which may include providing services outside normal business hours if the local WDB determines there is a need for an extension of service hours.</b>			
	<i>Does the center provide services outside of regular business hours when the need is identified?</i>			
	Comments:			
6.6	<b>Regular business hours are clearly visible outside of the one-stop center building.</b>			
	<i>Verify through observation.</i>			
	Comments:			
<b>7. Equal Opportunity Awareness</b>				
7.1	<b>The local Equal Opportunity Officer periodically reviews policies and procedures regarding accessibility and equal opportunity and provides staff training and updates.</b>			
	<i>Verify the last time the EO officer reviewed/updated policies and procedures. Have staff received training? How often is training provided? Are new employees trained?</i>			
	Comments:			
7.2	<b>The required Equal Opportunity tagline is included on all documents.</b>			
	<i>Review flyers. Forms, brochures, and handouts given to all customers.</i>			
	Comments:			

7.3	<b>There is a process in place for customers to file Equal Opportunity complaints/grievances and a process for addressing these complaints/grievances when they are filed.</b>			
	<i>Review procedural documents pertaining to EO complaints/grievances.</i>			
	Comments:			
<b>8. Physical Accessibility</b>				
8.1	<b>The center is in compliance with all accessibility requirements under Federal Law. The one-stop center meets the physical accessibility requirements under WIOA Sec. 188, set forth in 29 CFR 38.</b>			
	<i>Verify through the DWD Oversight and Compliance Dept.</i>			
	Comments:			
8.2	<b>Staff and program partners are able to demonstrate they know how to use adaptive and assistive technologies and are aware of the available resources.</b>			
	<i>Verify through staff interviews and observation.</i>			
	Comments:			
8.3	<b>A written policy explains how required partners in the one-stop center make reasonable accommodations and includes procedures for handling requests for accommodations</b>			
	<i>Review reasonable accommodations policy and/or procedures.</i>			
	Comments:			

8.4	<b>Workshops are accessible to all customers. The one-stop center has the ability to provide reasonable accommodations to ensure equal access.</b>			
	<i>Verify through observation to ensure workshops are accessible and reasonable accommodations are provided as needed.</i>			
	Comments:			
8.5	<b>The one-stop center utilizes available resources, such as Vocational Rehabilitation Services, to ensure accessibility.</b>			
	<i>Verify through staff interviews and observation. Do staff know when to make the appropriate referrals to agencies such as VR, when needed? Are staff aware of interpreter services/technology available for limited English proficient (LEP) individuals?</i>			
	Comments:			
<b>9. Continuous Improvement</b>				
9.1	<b>Local board or committee meeting minutes reflect discussion about outcomes and strategic improvements.</b>			
	<i>Review board or committee minutes.</i>			
	Comments:			
9.2	<b>The one-stop center has a process in place for customers to provide feedback or complaints outside of the customer feedback survey. The process should identify how complaints are tracked and corrective action plans.</b>			
	<i>Review process for filing complaints to ensure it contains these requirements.</i>			
	Comments:			

## Element 4: Affirmative Outreach

[29 CFR 38.40]

Recipients must ensure equal access to programs and activities by making reasonable efforts to include members of the various groups protected by Section 188, 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.<sup>48</sup> The DWD EO Policy<sup>49</sup> communicates this requirement and provides the following examples of outreach efforts:

- Targeting specific populations in advertisements
- Sending information to schools or community service groups
- Consulting with community service groups on ways to improve outreach and service

### Demographic Assessment

Hoosiers by the Numbers<sup>50</sup> provides the latest, most detailed public data related to labor force, industry, occupations, unemployment, demographics, and job growth and serves as the official source for labor market information for the state of Indiana. Users can pull demographic data (e.g., population data by age, race, ethnicity, gender, etc.) by region to assist in determining targeted populations for outreach efforts.<sup>51</sup> Local demographic information assists the LWDAAs in their diversity planning and service development.<sup>52</sup>

### General Outreach Efforts

DWD and its WorkOne Centers strive to serve a broad range of customers through outreach and other utilization of partner resources. Such efforts include community outreach, job fairs, job information centers, as well as posters, fliers, and brochures promoting WIOA Title I programs and activities. WorkOne Centers participate in college/school career days, job fairs and on-site dislocated worker Rapid Response services in order to disseminate information on re-employment services and career opportunities for the general community and, more specifically, for minorities, older workers, veterans and non-veterans with disabilities.<sup>53</sup>

DWD has a Director of Program Diversity to increase the diversity of employers engaged with at the state level, in order to make them aware of relevant programs and opportunities, as well as to promote opportunities for the clients served by DWD. **Just a few initiatives are listed below:**

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<sup>48</sup> 29 CFR 38.40

<sup>49</sup> DWD Policy 2016-09 (see Documentation 1.5)

<sup>50</sup> [www.hoosierdata.in.gov](http://www.hoosierdata.in.gov)

<sup>51</sup> Documentation 4.1: Hoosiers by the Numbers Sample Data

<sup>52</sup> Documentation 4.2: Region 11 and 12 Data Sample

<sup>53</sup> Documentation 4.3 and 4.4: Affirmative Outreach Samples I and II

- Next Level Jobs Employer Training Grant (ETG) - Increased participation in Minority Business Enterprises (MBE), Women Business Enterprises (WBE) and Veteran Business Enterprises
- Equity and Inclusion - Launched diversity initiative: Confronting bias training in unification with Indiana State Personnel department
- Continued connecting and engaging and training by strengthened alliances with strategic partners, e.g. Indiana Civil Rights Commission, Indianapolis Urban League, Indy Black Chamber of Commerce, Indiana Commission for Women, and Indiana Commission on Hispanic/Latino Affairs
- Board member of Indiana Native American Indian Affairs and Indiana Commission on the Social Status of Black Males

Many services are available in multiple formats, including web-based applications for labor exchange, unemployment insurance, and labor market information. Customers can go online to access their specific region's WorkOne website to view information regarding programs, services, training, upcoming job fairs, special events, employment opportunities and unemployment insurance. The websites are available at <http://www.in.gov/dwd/WorkOne/locations.html>.

To ensure affirmative outreach at the local level, many WorkOne Centers have taken action such as:

- Posting signs to inform customers of telephone numbers to call or to see the manager if an accommodation is needed to receive services;
- Identifying individuals and organizations available if assistance is needed to provide services or information in a language other than English;
- Utilizing employees who have skills in languages other than English to assist customers by providing instruction, conveying information, or assisting with completing forms;
- Developing and maintaining contacts with community-based organizations and advocacy groups to ensure the center meets specific needs;
- Coordinating linkages with other federal, state and local agencies serving the various segments of the populations have been developed;
- Participating in community employment events such as job fairs, seminars, and public recruitment for employers to publicize the services of WorkOne Centers; and
- Encouraging employers to engage with Indiana's workforce system via on-site visits with employers and community agencies, participation in job fairs, special recruitment efforts, and employer seminars.

### Specific Population Outreach Efforts

The full range of employment and training services delivered through Indiana's WorkOne system is accessible to, and meets the needs of, specific populations. Such populations include dislocated workers, displaced homemakers, low income individuals, migrant and

seasonal farm workers, women, minority individuals, individuals training for non-traditional employment, veterans, public assistance recipients, and individuals with multiple barriers to employment, including older individuals, people with limited English proficiency, and people with disabilities. LWDAs are encouraged to develop innovative outreach methods for these populations and to develop relationships with various local organizations and community service groups that may target certain populations.

Examples of specific population outreach efforts are outlined below.

### *Limited English Proficient (LEP)*

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be classified as LEP. Various services are offered within the twelve LWDAs, including but not limited to, bilingual staff, hand-held translators, English as a Second Language classes, and the use of accessibility stations. Further, the Unemployment Insurance call center employs Spanish-speaking staff to assist customers as needed. At the state level, DWD has an existing contract for Interpreter Services. Although these services are available to all of our WorkOne offices, DWD intends to develop additional guidance regarding service to the LEP population.

Recipients are aware that written materials containing vital information must be translated and readily available for languages spoken by a significant number or portion of the population eligible to be served, or likely to be encountered, and further, reasonable steps must be taken to meet the particularized language needs of any LEP individual, regardless of population size.<sup>54</sup> Once a recipient becomes aware of an LEP individual's preferred language, the recipient must convey vital information in that language. **Various documents are readily available in Spanish, which is the second most preferred language in Indiana after English. One such example is the Customer Service Survey provided to participants to give their feedback of the WorkOne and the services they received.**<sup>55</sup>

### *Migrant and Seasonal Farm Workers*

**The Wagner Peyser Act funds the Monitor Advocate System, which was established to ensure MSFWs receive services that are qualitatively equivalent and quantitatively proportionate to services provided to all other job seekers. The structure of the Monitor Advocate System is composed of a State Monitor Advocate (SMA) and an outreach program. The State Monitor Advocate (SMA) provides technical assistance to AJC staff to ensure migrant and seasonal farmworkers have equitable access to job orders, career services, referrals and workforce protections to improve their working and living conditions. The State Workforce Agency Outreach Program conducts outreach to MSFWs who are not being reached through normal intake activities at the local AJCs.**

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<sup>54</sup> 29 CFR 38.9

<sup>55</sup> Documentation 4.5: **Customer Service Survey in Spanish**



The Outreach Specialist works in conjunction with WIOA 167 NFJP Grantee Proteus Inc. and various other MSFW partners through joint outreach. The Outreach Specialist communicates to MSFWs individually or in large groups about the services available at the local one-stop centers, information on the complaint system and an overview of their farmworker rights. At times, Outreach Specialist will provide on-site assistance with WP application for services, and other WP activities, when an MSFW cannot or wishes not to visit the local one-stop center.

The SMA and Outreach Specialist work with crew leaders/contractors and agricultural employers to recruit and fill their local seasonal or temporary job orders. Technical assistance is also provided to crew leaders applying or renewing their farm labor certification registrations.

Indiana has approximately 138 licensed agricultural labor camps which house about 3,550 migrant and seasonal farmworkers each season. Quarterly, and annual reports are provided to DWD and other funding sources at the end of every season or program year. These reports are a compilation of all the information gathered from farm workers through the outreach, intake and referral/assessment process.

#### *Youth: Jobs for America's Graduates (JAG)*

Indiana has implemented a statewide multi-year drop-out prevention and school-to-career program targeting high school juniors and seniors with barriers to success. An advisory group consisting of a JAG classroom Specialist, high school counselors and administrators, and workforce program managers selects thirty-five (35) to forty-five (45) students per program. Students with academic, socioeconomic, cultural or familial barriers are selected to participate in the program, which is a DOE credited course. Students receive two years of employability skills training, academic remediation, leadership development training and workforce preparation. Indiana operates several special programs targeted at special populations, including a bi-lingual program in Seymour high school, a program for students who are deaf and hard of hearing at the Indiana School for the Deaf, and other programs working with minority students in some of Indiana's urban school environments.

#### *Disabled Individuals*

The special needs of the disabled are addressed in Indiana's WorkOne Centers through various programs and services. Job seekers with disabilities can access information and link to various resources on the Indiana Career Ready (ICR) website<sup>56</sup> and DWD's website<sup>57</sup> for support in preparing for, obtaining and retaining employment. The State and Local EO Officers ensure that all staff are knowledgeable about the importance of meaningful access to services and monitor facilities, programs, and services for physical and programmatic accessibility.

Jobs for Veterans State Grant (JVSG). Indiana also offers specialized programs and services to disabled veterans. DWD operates the JVSG program, which provides federal funding for hiring

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<sup>56</sup> <https://www.indianacareerready.com/JobSeeker/DisabilityServices>

<sup>57</sup> <https://www.in.gov/dwd/2416.htm>

dedicated staff to provide individualized career and training-related services to veterans and eligible persons with significant barriers to employment and to assist employers in filling their workforce needs with job-seeking veterans. The JVSG program supports the Disabled Veterans' Outreach Program (DVOP) specialist position and the Local Veterans' Employment Representative (LVER) staff. Indiana currently has **24 DVOP specialists and 22 LVER staff**. DVOP specialists provide individualized career services to veterans with significant barriers to employment, with the maximum emphasis directed toward serving veterans who are economically or educationally disadvantaged. Veterans with barriers include homeless veterans and vocational rehabilitation clients. LVERs conduct outreach to employers and business associations and engage in advocacy efforts with hiring executives to increase employment opportunities for veterans and encourage the hiring of disabled veterans.<sup>58</sup> Veteran-focused policies on the State level include **DWD Policy 2019-03**,<sup>59</sup> which further explains required roles and responsibilities for DVOPs and LVERs, and DWD Policy 2015-08,<sup>60</sup> which outlines priority of service for Veterans and eligible spouses.

### Priority of Service

WIOA requires that priority of service be given to recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of career services and training services.<sup>61</sup> Priority of service assists with ensuring meaningful access to all populations served, including disabled and LEP individuals. DWD has instructed LWDAs<sup>62</sup> that priority must be given to participants that fall into those three categories, as summarized below to include:

1. Recipients of public assistance.
2. Other low income individuals, meaning an individual who:
  - Receives, or in the past six months has received, or is a member of a family that is receiving or has received in the past six months, assistance through the supplemental nutrition program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI) under title XVI of the Social Security Act, or a state or local income-based public assistance program; or
  - Is in a family with total family income that does not exceed the higher of the poverty line or 70% of the lower living standard income level or
  - Is a homeless individual or
  - Is an individual with a disability whose own income meets the income requirements above, but who is a member of family whose income does not meet this requirement.

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<sup>58</sup> Documentation 4.6: USDOL JVSG Program Fact Sheet

<sup>59</sup> Documentation 4.7: **DWD Policy 2019-03: DVOP and LVER Roles/Responsibilities**

<sup>60</sup> Documentation 4.8: DWD Policy 2015-08: Priority of Services for Veterans and Eligible Spouses

<sup>61</sup> WIOA Section 134(c)(3)(E)

<sup>62</sup> Documentation 4.9: **DWD Policy 2019-04: WIOA Title I Adult Priority of Service**

3. Individuals who are basic skills deficient, meaning a youth or adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. DWD considers an individual who meets ANY ONE of the following to be basic skills deficient:
  - Lacks a high school diploma or equivalency and is not enrolled in secondary education; or
  - Scores 8.9 or below on the TABE; or
  - Is enrolled in Title II adult education (including enrolled for ESL); or
  - Has poor English language skills (and would be appropriate for ESL even if the individual isn't enrolled at the time of WIOA entry into participation); or
  - Is WorkINDiana eligible; or
  - The case manager makes observations of deficient functioning and records those observations as justification in a case note.

The LWDA's track priority of service within ICC. Each LWDA must have written policy delineating how it will give priority of service. DWD is available for technical assistance to LWDA's that do not have 50% or more of their adult participants enrolled into one of the priority categories. Participants served as incumbent workers are excluded from the priority calculation.

### Partnership with Vocational Rehabilitation Services

DWD and its WorkOne system strive to maximize partner resources. For example, DWD coordinates with the Indiana Family and Social Services Administration (FSSA) and its Vocational Rehabilitation Services (VR or VRS) Division. VRS provides quality individualized services to enhance and support people with disabilities to prepare for, obtain or retain employment. Examples of the coordination between DWD, FSSA/VRS include:

- Implementation of Order of Selection (OS).<sup>63</sup> The Rehabilitation Act, as amended by WIOA, requires a state vocational rehabilitation agency to implement OS when it does not have sufficient resources to serve all eligible individuals. On August 1, 2017, Indiana became the 35th state to implement this process, which must be used to prioritize services to individuals with the most significant disabilities first. OS categorizes severity of disability into three priority categories:
  - Priority Category 1: Individuals with most significant disabilities
  - Priority Category 2: Individuals with significant disabilities
  - Priority Category 3: All other VRS eligible individuals (nonsignificant disabilities)

Under OS, Priority Category 1 individuals are served first. Priority Category 2 and 3 individuals are put on a deferred services list to be served if and when sufficient resources become available. Currently, Priority Category 3 individuals are referred to the WorkOne system.

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<sup>63</sup> Documentation 4.10: Order of Selection; Documentation 4.11: Order of Selection FAQ

- Cross training and service coordination. DWD/VR cohosted trainings in June and August 2017 to discuss the implementation and impact of OS. The trainings provided an opportunity for the partner agencies to learn more about each other and the services offered by each. Training was conducted to assist each partner in understanding VR and WIOA eligibility requirements, challenges, disability etiquette, and how best to serve various disabilities based on OS categories.<sup>64</sup>
- FSSA/VRS promotion of the WorkOne system's accessible workstations and referring/meeting clients at the WorkOne centers to assist with their client's job search. DWD plans to provide additional staff training on the accessible work stations.
- DWD invited Bureau of Rehabilitation Services to utilize their new customer relationship management (CRM) system, INGage, to track business engagement efforts which are reported annually to DOL and U.S. Dept. of Education Rehabilitation Services Administration through a federally required annual report. A VR staff member is lead on this and began using the system in 2018 to collect data and information about employers with who we are engaged through activities such as sharing job openings and providing disability awareness training. This collaborative effort will also help both partners to know which business are actively working with each agency.
- The Disability and Employment eLearning Task Force in collaboration with the Employment and Training Administration (ETA) released three eLearning Training Modules to help support the professional development needs of the workforce development staff across the country.

The eLearning task force was comprised of 27 members from 20 states across WIOA programs to help shape the development of online training tools to support nearly 2,400 American Job Centers. Individuals from DWD and VR were active members of this e-learning task force to create the three e-learning modules for AJCs. In building on the lessons learned from the Workforce Innovation Cohort on Disability and Employment that finished in May 2019, members of this new task force shared their ideas and insights to help drive the content in supporting the development of the eLearning modules. These modules are designed to help support AJCs provide more effective and efficient services to individuals with disabilities and businesses using services. The eLearning modules developed were:

- Module 1: Serving Individuals with Disabilities-A Day in the Life of an American Job Center
- Module2: Working Across Partners-A Day in the life of an American Job Center
- Module 3: Providing Inclusive Business Services-A Day in the Life of an American Job Center

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<sup>64</sup> Documentation 4.12: DWD/VR Roundtable Summit Notes; Documentation 4.13: Excerpts from DWD/VR Training Presentations

## Element 4 Documentation

Documentation 4.1: Hoosiers by the Numbers Sample Data

Documentation 4.2: Region 11 and 12 Data Sample

Documentation 4.3: Affirmative Outreach Sample I

Documentation 4.4: Affirmative Outreach Sample II

Documentation 4.5: Customer Service Survey in Spanish

Documentation 4.6: USDOL JVSG Program Fact Sheet

Documentation 4.7: DWD Policy 2019-03: DVOP and LVER Roles/Responsibilities

Documentation 4.8: DWD Policy 2015-08: Priority of Service for Veterans and Eligible Spouses

Documentation 4.9: DWD Policy 2019-04: WIOA Title I Adult Priority of Service

Documentation 4.10: Order of Selection

Documentation 4.11: Order of Selection FAQ

Documentation 4.12: DWD/VR Roundtable Summit Notes

Documentation 4.13: Excerpts from DWD/VR Training Presentations



## Marion County, IN

Select a topic:

- Population**
- Education
- Commuting
- Labor Force
- Industry
- Income
- Firm Size

Download Options  
Please wait until page completely loads before changing format.

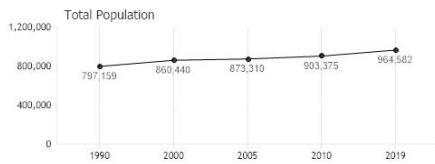


### Population

A region's economy thrives or dives because of the people who choose to live there. That choice may occur by being born there and desiring to stay, or a more deliberate one of choosing to relocate from somewhere else. Monitoring change in the size and movement of population is an important barometer of well-being.

#### Population Over Time

	1990	2000	2005	2010	2019
Total Population	797,159	860,440	873,310	903,375	964,582
Change Since 1990		63,281	76,151	106,216	167,423
Pct. Change Since 1990		7.9%	9.6%	13.3%	21.0%



Source: US Census Bureau

### Population Estimates by Race and Hispanic Origin in 2019

	Number	Pct. Dist
American Ind. or Alaskan Native Alone	4,321	0.4%
Asian Alone	36,906	3.8%
Black Alone	280,667	29.1%
Native Hawaiian and Other Pac. Isl. Alone	596	0.1%
White Alone	612,791	63.5%
Two or More Race Groups	29,301	3.0%

#### Population by Race



63.53% White 0.45% Am. Ind or Alaskan Native 0.06% Hawaiian and Pac. Isl  
29.10% Black 3.83% Asian 3.04% Two or More

### Hispanic or Latino

Non-Hispanic or Latino	859,520	89.1%
Hispanic or Latino	105,062	10.9%

Source: US Census Bureau

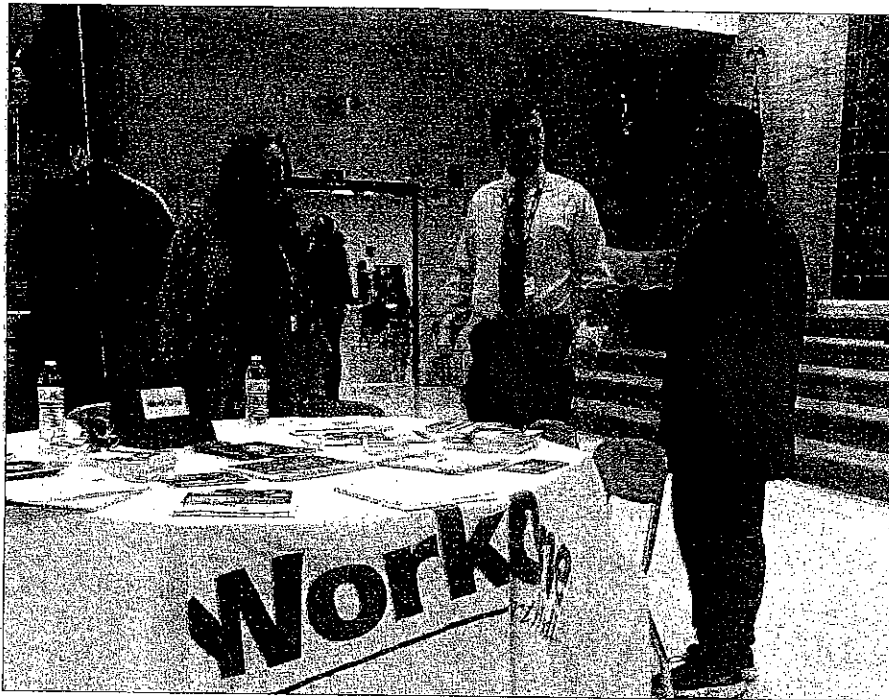
WP Participant Services by Race, Ethnicity and Gender

- LWIA/Region: Region 11

Individual Category	Total Participants	Basic Career Services (Self - Services)	Basic Career Services (Staff - Assisted)	Individualized Career Services	Information Only/ Workforce Information Services	Career Guidance	Job Search	Referred to Fed. Training	Referred to Employment	Placed into Employment
	% of Total;	% of Total;	% of Total;	% of Total;	% of Total;	% of Total;	% of Total;	% of Total;	% of Total;	% of Total;
	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation
<b>Total Participants</b>	<b>3184</b>	<b>2293</b>	<b>2618</b>	<b>452</b>	<b>1316</b>	<b>1280</b>	<b>249</b>	<b>135</b>	<b>698</b>	<b>138</b>
	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
<b>Total Female</b>	<b>1534</b>	<b>1111</b>	<b>1245</b>	<b>192</b>	<b>631</b>	<b>634</b>	<b>136</b>	<b>75</b>	<b>371</b>	<b>75</b>
	48.18%	48.45%	47.56%	42.48%	47.95%	49.53%	54.62%	55.56%	53.15%	54.35%
<b>Total Male</b>	<b>1645</b>	<b>1179</b>	<b>1369</b>	<b>257</b>	<b>683</b>	<b>643</b>	<b>113</b>	<b>60</b>	<b>326</b>	<b>63</b>
	51.66%	51.42%	52.29%	56.86%	51.90%	50.23%	45.38%	44.44%	46.70%	45.65%
<b>Total African American/Black</b>	<b>375</b>	<b>254</b>	<b>277</b>	<b>43</b>	<b>154</b>	<b>119</b>	<b>20</b>	<b>9</b>	<b>64</b>	<b>9</b>
	11.78%	11.08%	10.58%	9.51%	11.70%	9.30%	8.03%	6.67%	9.17%	6.52%
<b>Total American Indian/Alaskan Native</b>	<b>14</b>	<b>10</b>	<b>12</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>
	0.44%	0.44%	0.46%	0.44%	0.23%	0.63%	0.40%	0.74%	0.29%	0.72%
<b>Total Asian</b>	<b>11</b>	<b>9</b>	<b>10</b>	<b>4</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>3</b>
	0.35%	0.39%	0.38%	0.88%	0.46%	0.47%	2.01%	2.22%	0.57%	2.17%
<b>Total Hawaiian/Pacific Islander</b>	<b>8</b>	<b>5</b>	<b>4</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>
	0.25%	0.22%	0.15%	0.00%	0.23%	0.16%	0.00%	0.00%	0.14%	0.00%
<b>Total White</b>	<b>2577</b>	<b>1876</b>	<b>2150</b>	<b>375</b>	<b>1077</b>	<b>1056</b>	<b>212</b>	<b>116</b>	<b>581</b>	<b>119</b>
	80.94%	81.81%	82.12%	82.96%	81.84%	82.50%	85.14%	85.93%	83.24%	86.23%
<b>Total Multi-Racial</b>	<b>38</b>	<b>21</b>	<b>30</b>	<b>5</b>	<b>11</b>	<b>19</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>1</b>
	1.19%	0.92%	1.15%	1.11%	0.84%	1.48%	0.40%	0.74%	0.57%	0.72%
<b>Total Race Not Disclosed</b>	<b>161</b>	<b>118</b>	<b>135</b>	<b>23</b>	<b>62</b>	<b>70</b>	<b>10</b>	<b>5</b>	<b>42</b>	<b>5</b>
	5.06%	5.15%	5.16%	5.09%	4.71%	5.47%	4.02%	3.70%	6.02%	3.62%
Individual Category	Total Participants	Basic Career Services (Self - Services)	Basic Career Services (Staff - Assisted)	Individualized Career Services	Information Only/ Workforce Information Services	Career Guidance	Job Search	Referred to Fed. Training	Referred to Employment	Placed into Employment
	% of Total	% of Total	% of Total	% of Total	% of Total	% of Total	% of Total	% of Total	% of Total	% of Total
		Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation	Deviation

Total Rows: 111

March 9, 2019



Elkhart Truth photo / Lejene Breckenridge-Peete

Melissa Gard and Jacob Archambault of Work One speak to a local resident about what the agency offers during The Hub, a community resource and activity fair, held this week at Pierre Moran Middle School.

## Hub

From page A1

because of the hours of operation," Mitschelen said.

"Elkhart has a lot of resources," she said. Many of those resources and agencies agreed to be present at The Hub to connect with local residents and for the exposure of letting people know what they provide, Mitschelen said.

And several local residents in attendance said getting connected is exactly why they were there.

"I'm starting classes and looking for training as part of going back to school and (into) the work(force)," said Elkhart resident Stacy Onderdonk, who brought her school-aged nieces along with her to find out about options and activities for them also.

Similarly, Gloria Martinez, said she came out of find out more about local

resources that may help her in her efforts to go to school and college so she can get a better job.

"I'm trying for better opportunities," Martinez said.

Another Elkhart resident, Daniela Gallo, said she also came out to see what the community has to offer.

"I'm taking English classes and I wanted to see what's here," she said.

Agency representatives present at the event, like Vonda Horst of Church Community Services, said making themselves visible to more people is exactly why they participated in The Hub.

"We want the community to know about us," Horst said. "A lot of people do, but a lot don't know that we can offer emergency food and financial assistance," she said.

Jamison Czarnecki of the Elkhart Environmental Center said his organization wants to increase its

visibility in the community.

"We have a lot to offer for parents and the community," he said.

Other agencies and businesses present included Work One, Lacasa, CAPS-Child and Parent Services, Oaklawn, the United Way, Heart City Health, Goodwill Industries, Purdue Extension Elkhart County, Teachers Credit Union, 1st Source Bank, REAL Services, the Elkhart Fire and Police departments, the Elkhart Education Foundation, Interurban Trolley Access and Anthem.

Mitschelen said the plan in the future is to offer more seminars and workshops in which services are visible for people to easily access and make connections.

"People in Elkhart want to be available and flexible for the community and this has provided one avenue to do that," she said.

# 'Hub' connects residents, resources

### Community event offers access to job training, health services, financial aid, housing

BY LEJENE BRECKENRIDGE-PEETE  
lpeete@elkharttruth.com

ELKHART — "The Hub," a local resources and activities fair set at Pierre Moran Middle School, drew a crowd of local residents at its inaugural event, most of whom said they were there to find ways of improv-

D'arcy Mitschelen, program manager of community education at Elkhart Community Schools.

"(The vision) was to create a collective place where people can come and have access to resources (where) they have found barriers (in the past) such as a need for child care, transportation or they can't get there

See HUB, PAGE A2

ing their quality of life.

The event, the first of its kind, featured 32 local agencies and businesses that offer services and contacts in the community geared at improving opportunities and options for better living.

It was a combined effort started by

Religion: A5  
Sports: B1-3

45° 36'

@ElkhartTruth

Received 9-11-19

Received 9-16-19

JL  
JK



## Melissa Gard

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**From:** Julia Steffen <jsteffen@elkhart.k12.in.us>  
**Sent:** Friday, January 11, 2019 9:14 AM  
**To:** Adam Richards; Angie Wogoman; Ashley Bowen; Bart Fore; Bethany Stauffer; Brenda Kolbe; Carey Kafatia; Chad Addie; Christine (Chris) Stein; Cynthia (Cindy) Bonner; Denise (Dee) Wappes; Francisco Huizar; Gail Geyer; Hayley Tessier; Jacob Archambault; Jeff Fater; Jenna Vandeputte; Jennifer Hayes; Jill Yoder; Kari Tarman (OL); Karol Griffin; Katie Kessler; Katrina Maust; Keith Sarber; Kurt Warner; Leah Plank; Matthew Werbiansky; Melissa Gard; Natalie Bickel; Nick Marchi; Rubin Nieto II; Sarah Snyder; Tara White; Taresa Walker; Tessie Molina; Tony England; Toyya Jackson; Tracy White; Mark Gould; lienhart (lienhart@purdue.edu); amy.seipel@thesourceelkhartcounty.org; Murillo, Joanne; dmitschelen@elkhart.k12.in.us; Todd Kelly; Veronica McFerson  
**Subject:** The HUB update & Flyer  
**Attachments:** The Hub - Kick Off- Initial Flyer.pdf

Greetings to All!

January is well on it's way and The HUB's big Kick Off (Jan. 23rd) is fast approaching! I just wanted to send you a quick update of what I have to date!

AND to send you a flyer Darcey created for me! If you would like us to print off and deliver some flyers for you - feel free to contact me!

Agencies Represented At The Resource Fair (to date):

Vocational Rehabilitation Services  
Elkhart Housing Authorities  
Heart City Health  
Advocacy Links  
CAPS  
La Cassa  
RETA (Still checking)  
Purdue Extension for Elkhart County  
Bank On Alliance  
(The Source - is coming to visit our event)

Activity Providers:

Boys and Girls Club  
Elkhart Community Schools - Move2Stand Clubs

Food Providers:

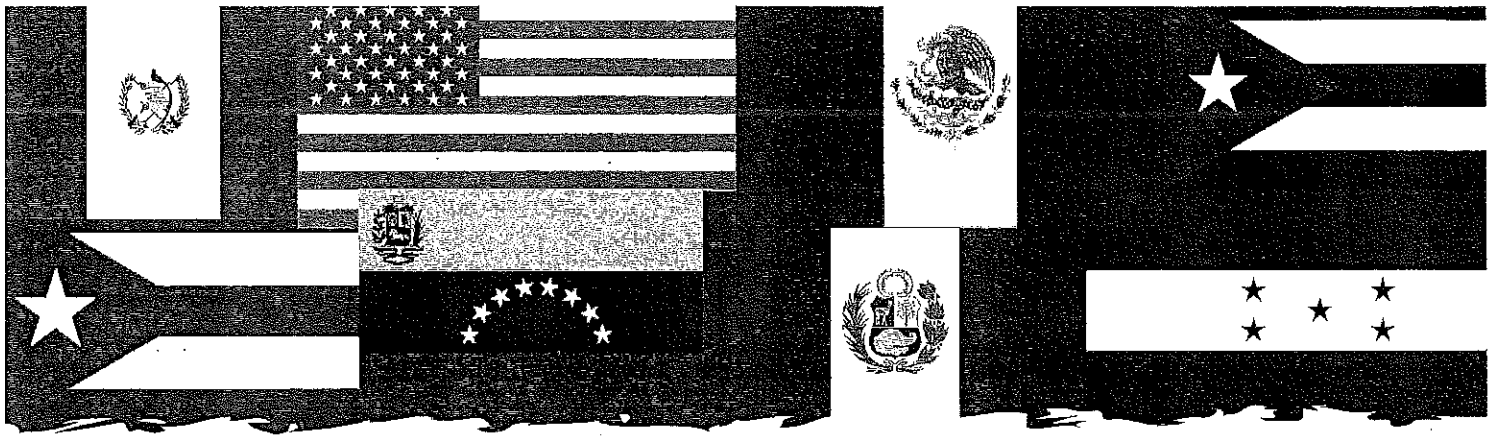
Cupcakes - Elkhart Community Schools - Community Education

We have four agencies who have offered to present Work Shops - We are in the process of facilitating these events.

It is still NOT too late to reserve a table for the Resource Fair, or help in other ways!

Please Contact Me with any questions or suggestions!

Thank You!



Our CommUNITY Nuestra ComUNIDAD


RESOURCE FAIR

10.10.19

Vendor Registration

306 CRESCENT ST.  
GOSHEN, INDIANA

Location: Goshen Club  
Set up: 3:00 pm  
Event: 4:00 pm-7:00 pm

Presented by:  **BOYS & GIRLS CLUBS**  
OF ELKHART COUNTY

**Anthem**  

**CELEBRATE. CONNECT. UNITE.**

Celebrate our community during Hispanic Heritage Month.  
Connect with each other and community resources.  
Unite our community through education, health and wellness.



## Melissa Gard

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**From:** Julia Steffen <jsteffen@elkhart.k12.in.us>  
**Sent:** Tuesday, April 9, 2019 12:58 PM  
**To:** Abby Wiles; Adam Richards; Aja Ellington; Alice Moore; Amy Seipel; Angie Wogoman; Ashley Bowen; Ashley Molyneaux; Bart Fore; Bethany Stauffer; Betsy Ayrea; Bonnie Waltz; Brenda Kolbe; Cara Largent; Carey Kafatia; Cathy Simon; Celia Reyes; Chad Addie; Chad Carey; Chris Snyder; Christine (Chris) Stein; Courtney Bearsch; Courtney Harjung; Cynthia (Cindy) Bonner; Dani Messick; dmitschelen@elkhart.k12.in.us; David Toney; Denise (Dee) Wappes; Ed Ernestes; Emily Hambricht; Erika Contreras-Padilla; Francisco Huizar; Gail Geyer; Greg Vollmer; Griffin, Karol; Hayley Tessier; Jacob Archambault; Jamison Czarnecki; Jeff Fater; Jenna Vandeputte; Jennifer Hayes; Jenny Recinos-Trejo; Jeremiah Cox; Jill Yoder; jtorres@dwd.in.gov; Judy Jankowski; Julie Gonzales; Karen Greer; Kari Tarman (OL); Katie Kessier; Katrina Maust; Keith Sarber; Kristin Hall; Krystal Levi; Kurt Warner; Leah Plank; Lieutenant Wayne Bias; Lindsey Cox; Lucinda Rabbitt; Mark Gould; Robert Mathés; Mary Ann Lienhart-Cross; Matthew Werbiansky; Melissa Gard; Melissa Schoen; Michelle; Mindy Rohrbacher; Mona-Livingston; Murillo, Joanne; Natalie Bickel; Nick Marchi; Randy Norton; Robin Jolgren; Rubin Nieto II; Sarah Snyder; Tara Tuttle; Tara White; Taresa Walker; Teresa DeMauro; Tessie Molina; Tish Holmes; Todd Kelly; Tony England; Tracy White; Veronica McFerson; Vickie Kidder; Vonda Horst  
**Subject:** HUB Announcement from Workone  
**Attachments:** ABCsofSelfEmploymentflyer2.pdf

The following is a copy of an email from:

**Melissa Gard**

Good afternoon,

I wanted to share this very exciting event with you - I have spoken with several of you about it already, and have now attached the flyer. Please spread the word to whomever you think might benefit from attending. Anyone with disability income who is thinking about self-employment might be interested.

Thank you, and let me know if you have any questions!

-Melissa

Melissa Gard  
Disability Resource Coordinator/EO Officer

[Region 2] <<http://www.gotoworkone.com/>>

[AJC Logo Outlook signature]

This WIOA Title I-financially assisted program/activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities

851 S. Marietta Street  
(Monroe Industrial Park)  
South Bend, IN 46601  
P: 574.237.9675 X1006  
C: 574-807-4752  
F: 574.239-9366

## Melissa Gard

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**From:** Julia Steffen <jsteffen@elkhart.k12.in.us>  
**Sent:** Wednesday, April 10, 2019 9:41 AM  
**To:** Abby Wiles; Adam Richards; Aja Ellington; Alice Moore; Amy Seipel; Angie Wogoman; Ashley Bowen; Ashley Molyneaux; Bart Fore; Bethany Stauffer; Betsy Ayrea; Bonnie Waltz; Brenda Kolbe; Cara Largent; Carey Kafatia; Cathy Simon; Celia Reyes; Chad Addie; Chad Carey; Chris Snyder; Christine (Chris) Stein; Courtney Bearsch; Courtney Harjung; Cynthia (Cindy) Bonner; Dani Messick; dmitschelen@elkhart.k12.in.us; David Toney; Denise (Dee) Wappes; Ed Ernestes; Emily Hambright; Erika Contreras-Padilla; Francisco Huizar; Gail Geyer; Greg Vollmer; Griffin, Karol; Hayley Tessier; Jacob Archambault; Jamison Czarnecki; Jeff Fater; Jenna Vandeputte; Jennifer Hayes; Jenny Recinos-Trejo; Jeremiah Cox; Jill Yoder; jtorres@dwd.in.gov; Judy Jankowski; Julie Gonzales; Karen Greer; Kari Tarman (OL); Katie Kessler; Katrina Maust; Keith Sarber; Kristin Hall; Krystal Levi; Kurt Warner; Leah Plank; Lieutenant Wayne Bias; Lindsey Cox; Lucinda Rabbitt; Mark Gould; Robert Mathes; Mary Ann Lienhart-Cross; Matthew Werbiansky; Melissa Gard; Melissa Schoen; Michelle; Mindy Rohrbacher; Mona Livingston; Murillo, Joanne; Natalie Bickel; Nick Marchi; Randy Norton; Robin Jolgren; Rubin Nieto II; Sarah Snyder; Tara Tuttle; Tara White; Taresa Walker; Teresa DeMauro; Tessie Molina; Tish Holmes; Todd Kelly; Tony England; Tracy White; Veronica McFerson; Vickie Kidder; Vonda Horst  
**Subject:** HUB Announcement from Lacasa  
**Attachments:** image001.jpg; Own Your Home - Spanish.pdf; Own Your Home\_Q2-2019.pdf

Hello HUB Partners!

The following is a copy of an email from:  
**Tessie Molina**

Julie ... Could you also e-mail out the attached 2 Home Buyer Education class flyers to The HUB collaborators?

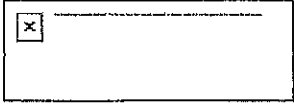
They are both scheduled for this weekend & both here in LACASA main office, 202 N. Cottage Ave., Goshen.

Spanish: Friday, APRIL 12<sup>th</sup> @ 2pm-5pm

English: Saturday, APRIL 13<sup>th</sup> @ 9am-1pm

\*Pre-registration and \$30 payment required in advance. You can express interest online or register by phone.

There will be a Home Buyer Education class that we will offer in Elkhart, but that will be Saturday, JUNE 15<sup>th</sup>.



*Strong foundations.*

*For everyone.*

**Tessie Molina**

Financial Empowerment Program  
Manager

[tessie.molina@lacasainc.net](mailto:tessie.molina@lacasainc.net)

Office: (574) 533-4450 ext. 12

Fax: (574) 533-4399

202 N. Cottage Ave

Goshen, IN 46528

[www.lacasainc.net](http://www.lacasainc.net)



# YOUNG ADULT RESOURCE EVENT

Stop by and find out how we can help you  
prepare for your future!



**JOB SEARCH ASSISTANCE / EARN \$\$\$ / FREE TRAINING /  
PAID WORK EXPERIENCE / HIGH SCHOOL EQUIVALENCY (HSE)**  
*Assistance and resources are **FREE** for young adults ages 16-24*

**Wednesday, September 18, 2019**

**10 AM Until 2 PM**

**Trinity United Church of Christ-Gary**

**1276 West 20th Avenue, Gary, IN 46407**

**Questions? Contact Patricia at 219-981-1520, ext. 1366, or  
email [pthornton@gotoworkonenw.com](mailto:pthornton@gotoworkonenw.com)**

\* ¿Qué te trajo a la oficina de WorkOne hoy?

- |   |   |
|---|---|
| <input type="radio"/> Asistencia de reclamo de seguro de desempleo      | <input type="radio"/> Registro del empleador  |
| <input type="radio"/> El Programa de Militares y Veteranos              | <input type="radio"/> Educación Básica de Adultos (ABE)                                 |
| <input type="radio"/> Búsqueda de trabajo                               | <input type="radio"/> Estoy aquí para ver a un miembro del personal específico.         |
| <input type="radio"/> Entrenamiento / Capacitación                      | <input type="radio"/> Servicios con el Programa Asistencia de ajuste comercial / TAA    |
| <input type="radio"/> Recibió una carta (como RESEA)                    | <input type="radio"/> Programa Juvenil (JAG)  |
| <input type="radio"/> Recibió una carta (como JFH)                      | <input type="radio"/> Programa de Empleo de Servicios Comunitario para Personas Mayores |
| <input type="radio"/> Clases (como de curriculum o búsqueda de trabajo) | <input type="radio"/> Trabajadores Agrícolas Migrantes y Temporal. (MSFW)               |
| <input type="radio"/> Prueba / evaluación                               | <input type="radio"/> No recibí ningún servicio adicional hoy                           |
| <input type="radio"/> Feria de Trabajo / Contratación                   |   |

\* Indique su satisfacción con el servicio que recibió con el beneficio del seguro de desempleo.

- |   |   |
|---|---|
| <input type="radio"/> Extremadamente satisfecho   | <input type="radio"/> No tan satisfecho |
| <input type="radio"/> Muy satisfecho              | <input type="radio"/> No satisfecho     |
| <input type="radio"/> de alguna manera satisfecho |   |

¿Tiene algún comentario que le gustaría compartir sobre el servicio que recibió?

\* ¿Recibió algún otro servicio hoy?

- |                          |                          |
|--------------------------|--------------------------|
| <input type="radio"/> Sí | <input type="radio"/> No |
|--------------------------|--------------------------|

\* Califique su satisfacción con los servicios del Programa de Militares y Veteranos que recibió hoy.

- |   |   |
|---|---|
| <input type="radio"/> Extremadamente satisfecho   | <input type="radio"/> No tan satisfecho |
| <input type="radio"/> Muy satisfecho              | <input type="radio"/> No satisfecho     |
| <input type="radio"/> De alguna manera satisfecho |   |

¿Tiene algún comentario que le gustaría compartir sobre los servicios del Programa de Militares y Veteranos que recibió hoy?

\* ¿Recibió algún servicio adicional hoy?

Si

No

\* Califique su satisfacción con los servicios de búsqueda de trabajo que recibió hoy.

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de búsqueda de trabajo que recibió hoy y que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

Si

No

\* Califique su nivel de satisfacción con los servicios de entrenamiento / capacitación que recibió hoy.

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de entrenamiento /capacitación que recibió hoy que le gustaría compartir?



\* ¿Recibió algún servicio adicional hoy?

Si

No

---

\* Califique su satisfacción con los servicios RESEA que recibió hoy.

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de RESEA que recibió hoy que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

Si

No

---

\* Califique su satisfacción con los servicios de Jobs for Hoosiers que recibió hoy.

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de Empleo para Hoosiers que recibió hoy y que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

Si

No

\* Califique su satisfacción con las clases (como de curriculum o búsqueda de trabajo) al que asistió hoy.

- |   |   |
|---|---|
| <input type="radio"/> Extremadamente satisfecho   | <input type="radio"/> No tan satisfecho |
| <input type="radio"/> Muy satisfecho              | <input type="radio"/> No satisfecho     |
| <input type="radio"/> De alguna manera satisfecho |   |

¿Tiene algún comentario sobre la clase al que asistió hoy que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

- |                          |                          |
|--------------------------|--------------------------|
| <input type="radio"/> Si | <input type="radio"/> No |
|--------------------------|--------------------------|

---

\* Califique su satisfacción con los servicios de evaluación que recibió hoy.

- |   |   |
|---|---|
| <input type="radio"/> Extremadamente satisfecho   | <input type="radio"/> No tan satisfecho |
| <input type="radio"/> Muy satisfecho              | <input type="radio"/> No satisfecho     |
| <input type="radio"/> De alguna manera satisfecho |   |

Tiene algún comentario sobre su (s) evaluación (es) que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

- |                          |                          |
|--------------------------|--------------------------|
| <input type="radio"/> si | <input type="radio"/> No |
|--------------------------|--------------------------|

---

\*

Califique su satisfacción con los servicios de contratación / feria de trabajo que recibió hoy.

- |   |   |
|---|---|
| <input type="radio"/> Extremadamente satisfecho   | <input type="radio"/> No tan satisfecho |
| <input type="radio"/> Muy satisfecho              | <input type="radio"/> No satisfecho     |
| <input type="radio"/> De alguna manera satisfecho |   |

Tiene algún comentario sobre los servicios de contratacion / feria de trabajo que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

- Si  No

\* Califique su satisfacción con los servicios de empleador que recibió hoy.

- Extremadamente satisfecho  No tan satisfecho  
 Muy satisfecho  No satisfecho  
 De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de empleador que recibió hoy que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

- Si  No

\* Califique su satisfacción con los servicios de ABE que recibió hoy.

- Extremadamente satisfecho  No tan satisfecho  
 Muy satisfecho  No satisfecho  
 De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de ABE que recibió hoy y que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

- Si  No

---

\* ¿Está recibiendo beneficios de desempleo?

- Si  
 No

\* ¿Hablaste / chateaste con un agente de Servicio al Cliente a través del teléfono / computadora?

- SI  
 No

---

\* ¿El representante entendió su pregunta y le dio una respuesta clara?

- si  No

\* En general, ¿cómo calificaría la calidad de su experiencia con el servicio del representante?

- Extremadamente satisfecho  No tan satisfecho  
 Muy satisfecho  No satisfecho  
 De alguna manera satisfecho

\* ¿Recibió algún servicio adicional hoy?

- si  
 No

---

\* Califique su satisfacción con la ayuda del desempleo que recibió hoy.

- Extremadamente satisfecho  No tan satisfecho  
 Muy satisfecho  No satisfecho  
 De alguna manera satisfecho

¿Tiene algún comentario sobre la ayuda del desempleo que recibió hoy que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

sí

No

\*

Califique su satisfacción con los servicios TAA que recibió hoy.

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de TAA que recibió hoy que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

sí

No

\* Califique su satisfacción con los servicios de Programa Juvenil (JAG) que recibió hoy.

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario sobre los servicios de Programa Juvenil (JAG) que recibió hoy y que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

Si

No

\* Califique su satisfacción con los servicios del Programa de Empleo de Servicios Comunitario para Personas Mayores que recibió hoy.

- Extremadamente satisfecho
- Muy satisfecho
- De alguna manera satisfecho
- No tan satisfecho
- No satisfecho

¿Tiene comentarios sobre los servicios del Programa SCSEP recibidos hoy que le gustaría compartir?

\* ¿Recibió algún servicio adicional hoy?

- Si
- No

---

\* Indique su satisfacción con los servicios del trabajadores agrícolas migrantes y temporal. (MSFW)

- Extremadamente satisfecho
- Muy satisfecho
- De alguna manera satisfecho
- No tan satisfecho
- No satisfecho

¿Tiene algún comentario que le gustaría compartir sobre los servicios del trabajadores agrícolas migrantes y temporal. (MSFW)?

\* ¿Recibió algún otro servicio hoy?

- Si
  - No
-

\* ¿Qué tan satisfecho está usted con su experiencia en el Centro WorkOne hoy?

Extremadamente satisfecho

No tan satisfecho

Muy satisfecho

No satisfecho

De alguna manera satisfecho

¿Tiene algún comentario que le gustaría compartir con respecto a su experiencia general en la oficina de WorkOne hoy?

**Department of Labor (DOL)**  
**Veterans' Employment & Training Service (VETS)**

**Jobs for Veterans State Grants (JVSG) Program Fact Sheet**

**Overview:** The Jobs for Veterans State Grants (JVSG) program provides federal funding, through a formula grant, to 54 State Workforce Agencies (SWAs) to hire dedicated staff to provide individualized career and training-related services to veterans and eligible persons with significant barriers to employment and to assist employers fill their workforce needs with job-seeking veterans.

**Program Staff:**

The JVSG program supports the Disabled Veterans' Outreach Program (DVOP) specialist position, Local Veterans' Employment Representative (LVER) staff, and Consolidated Position staff. DVOP specialists provide individualized career services to veterans with significant barriers to employment, with the maximum emphasis directed toward serving veterans who are economically or educationally disadvantaged. Veterans with barriers include homeless veterans and vocational rehabilitation clients. Local Veterans' Employment Representatives conduct outreach to employers and business associations and engage in advocacy efforts with hiring executives to increase employment opportunities for veterans and encourage the hiring of disabled veterans. Consolidated Position staff serve in a dual role as DVOP and LVER.

**Program Authorization:** Title 38, United States Code, Section 4102A (b) 5 (38 U.S.C. §4102A(b)5) authorizes funds provided to each state to staff and support DVOP specialists, LVER staff, and the reasonable costs associated with such representatives, including travel to the National Veterans' Employment and Training Services Institute (NVTI). DVOP and LVER roles and responsibilities are defined in 38 U.S.C. §4103A for DVOP specialists and 38 U.S.C. §4104 for LVER staff.

**Program Funding Allocation:** Most State Workforce Agencies' funding allocation is determined by a ratio that reflects the total number of veterans seeking employment in a given state to the total number of veterans seeking employment in all states. Several states receive a minimum amount of funding to ensure that a certain level of staff can be maintained, particularly in states with remote pockets of Native Americans and a large number of sparsely populated rural counties.

**Program Administration:** Every five years, State Workforce Agencies submit a multi-year JVSG state plan or every four years for states that opt to submit a combined Workforce Innovation Opportunity Act (WIOA) state plan. State plans which generally includes a narrative description of the populations of veterans that will receive targeted services, provisions for priority of service for veterans and other eligible persons and performance goals. Each year thereafter, states submit an Annual Funding Modification to their approved state plan.





Eric J. Holcomb, *Governor*  
 Frederick D. Payne, *Commissioner*

**To:** Indiana's Workforce Investment System

**From:** Indiana Department of Workforce Development

**Date:** August 30, 2019

**Subject:** DWD Policy 2019-03  
 Required Roles and Responsibilities of Disabled Veterans' Outreach Program (DVOP) Specialist and Local Veterans' Employment Representative (LVER) staff in Indiana Department of Workforce Development's integrated WorkOne American Job Center Indiana offices.

## Purpose

To explain required roles and responsibilities for Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) staff in Indiana Department of Workforce Development's (DWD) integrated WorkOne American Job Center Indiana offices.

## Rescission

- DWD Policy 2015-09 Required Roles and Responsibilities of Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) specialists in Indiana Department of Workforce Development's Integrated WorkOne Offices.

## References

- 38 United States Code, Chapter 42, Section 4211 and Section 4215
- Jobs for Veterans Act, Public Law 107-288 (Nov. 7, 2002)
- Federal Register Part VIII, Department of Labor, Veterans' Employment and Training Service, 20 CFR Part 1010, Priority of Service for Covered Persons (Dec. 19, 2008)
- Public Law 112-56-Nov. 21, 2011; Title II-Vow to Hire Heroes; Subtitle C-Improving the Transition of Veterans to Civilian Employment
- The Consolidated Appropriations Act of 2014
- Veteran Program Letter 03-14 Jobs for Veterans State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job (AJC) Staff Serving Veterans
- Veteran Program Letter 03-14 change 1 Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the Disabled Veterans' Outreach Program (DVOP)
- Veteran Program Letter 03-14 Change 2 Expansion and Clarification of Homeless Definition as a Significant Barrier to Employment (SBE)
- Veteran Program Letter 07-14 American Job Center (AJC) participation in Capstone Activities and

- other Outreach to Transitioning Service Members
- Veteran Program Letter 03-16 Enrollment of Homeless Veterans Program Participants into a Workforce Innovation and Opportunity Act (WIOA) Workforce Program at an American Job Center (AJC)
- Veteran Program Letter 01-18 Exception of Jobs for Veterans State Grant (JVSG), Local Veterans' Employment Representative (LVER) Duty Roles
- Veteran Program Letter 03-19 Designation of Additional Populations Eligible for Services from Disabled Veteran's Outreach Program Specialist
- Veteran Program Letter 06-19 Homeless Veterans' Reintegration Program Participant Eligibility

## Content

### *Definitions*

- **Eligible Veteran**, as defined by the United States Code Title 38 Veterans' Benefits, Chapter 4211, paragraph (4), subparagraph (A) (B), is a person who:
  - Served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge;
  - Was discharged or released from active duty because of a service-connected disability; or as a member of a reserve component under an order to active duty pursuant to section 12301(a), (d), or (g), 12302, or 12304 of title 10, served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge.
- **Eligible Spouse**, as defined by the United States Code Title 38 Veterans' Benefits, Chapter 4101, means:
  - The spouse of any person who died of a service-connected disability;
  - The spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this chapter, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days:
    - Missing in action,
    - Captured in line of duty by a hostile force, or
    - Forcibly detained or interned in line of duty by a foreign government or power; or
  - The spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.
- **Additional Service Populations**, as defined in The Consolidated Appropriations Act of 2014 and VPL 03-19, are populations receiving support services funded by Jobs for Veteran State grants (JVSG) grants under this Act. Those populations include:
  - Transitioning members of the Armed Forces who have been identified as in need of individualized Career services;
  - Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units; and
  - The spouses or other family caregivers of such wounded, ill, or injured members.

- **Family caregiver**, with respect to an eligible veteran, means a family member who is a caregiver of the veteran.
- **Caregiver** with respect to an eligible veteran, means an individual who provides personal care services to the veteran.
- **Family member**, with respect to an eligible veteran, means an individual who—
  - Is a member of the of the veteran’s family, including—
    - A parent;
    - A spouse;
    - A child;
    - A step-family member; or
    - An extended family member; or
  - Lives with, but is not a member of the family of the veteran.
- **Transitioning Service Members (TSM)** according to VPL 07-14, are those members falling within the three categories below and are therefore eligible for DVOPs services:
  - Service members who receive a warm handover, or who produce a DD-2958 signed by their commander documenting that they have not met Career Readiness Standards;
  - Transitioning service members ages 18-24, regardless of whether they meet Career Readiness Standards; or
  - Active duty service members being involuntarily separated through a Service reduction- in-force.
- **Vietnam Era Veteran**, pursuant to 38 U.S.C. 4211, the term “Veteran of the Vietnam Era” is an eligible veteran any part of whose active military, naval, or air service was during the Vietnam Era. 38 U.S.C. 101(29) defines “Vietnam-era” to mean the period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.”

### ***General Roles and Responsibilities of WorkOne Staff Serving Veterans***

- **Welcome Team Staff** – First, identify those eligible veterans or eligible spouses with significant barriers to employment (SBE) and/or other additional service population criteria eligible to be served by Disabled Veterans’ Outreach Program specialist (DVOPs) as found in current VPLs. Then direct those eligible veterans or eligible spouses with SBEs and or other additional service population criteria to the (DVOPs) for assistance with intensive services (Individualized Career Services) and case management. The DVOP is not to perform intake duties or point of entry functions for non-SBE veterans or any functions normally assigned to other AJC partner staff or other automated procedures, thereby detracting from their ability to provide services, case management, or outreach duties related to meeting the employment needs of eligible veterans and eligible spouses. Additionally, under no circumstances will the LEVR perform any of these functions. In the event that a DVOP Specialist is not available, the veteran or spouse should be referred to the appropriate Wagner-Peyser or Workforce Innovation and Opportunity Act (WIOA) staff in addition to scheduling or referring to an available DVOP specialist by appointment. Under normal operating circumstances, all WorkOne customers are greeted by the welcome team and moved on to the appropriate staff for assistance.

- **Wagner-Peyser Staff** — The majority of veterans should be served by Wagner-Peyser or WIOA staff rather than the JVSG Veteran staff.
- **Veteran staff (DVOPs)** — Efforts of veteran staff should be focused on veteran customers with Significant Barriers to Employment (SBE) in accordance with Veterans Program Letter 03-14 and 03-14, Change 1 and Change 2, and VPL 03-19. The six significant barriers to employment (SBE) and six other associated factors for DVOPs services, as identified by the Department of Labor are:
  1. A special disabled or disabled veteran, defined in 38 U.S.C § 4211(1) and (3);  
Special disabled and disabled veterans are those:
    - who are entitled to compensation (or who would be entitled to compensation but for the receipt of military retired pay) under laws administered by the Secretary of Veterans Affairs; or,
    - were discharged or released from active duty because of a service connected disability;
  2. A Homeless person, as defined in Section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a) and (b), as amended);
  3. A recently-separated service member, as defined in 38 U.S.C § 4211(6), who has been unemployed for 27 or more weeks in the previous 12 months, i.e. the term of unemployment over the previous 12 months remains 27 weeks; however, the requirement of 27 consecutive weeks is eliminated;
  4. An offender, as defined by WIOA Section 3 (38) 1, who is currently incarcerated or who has been released from incarceration, i.e. the expanded definition of SBE includes any eligible veteran or eligible spouse who is currently or was formerly incarcerated, removing the “within the last 12 months” requirement;
  5. Lacking a high school diploma or equivalent;
  6. Low-income individual (as defined by WIOA Section 3 (36));
  7. A Veteran between the ages of 18-24;
  8. A Veteran Affairs Vocational Rehabilitation and Employment Chapter 31 Veteran;
  9. A Transitioning Service Member in need of intensive services;
  10. Wounded, ill, or injured Service Member receiving treatment at a military facility, or Warrior Transition Unit (MTF/WTUS); or
  11. Spouses and family care-givers of such wounded, ill, or injured service members.
  12. Served any part of active duty military, naval, or air service during the Vietnam era (02/28/1961 – 05/07/1975).

### ***Disabled Veterans’ Outreach Program Specialist Roles***

In Veterans’ Program Letters 03-14, Ch.1 and Ch.2, and 03-19, DVOP specialists facilitate individualized career services to veterans with barriers to employment and/or special training needs which include:

- Conducting a comprehensive assessment (minimum requirement)
- Developing an individual employment plan that is documented (minimum requirement)
- Chapter 31 Vocational Rehabilitation & Employment Case Management
- Coordinating supportive services
- One-on-One Career Counseling

- Providing short term pre-vocational services
- Group Counseling

### **Case Management and Tracking**

The DVOP specialist is the DWD case tracker for veterans in the United States Department of Veterans Affairs Vocational Rehabilitation and Employment Program (Title 38, Code of Federal Regulations, and Chapter 31). This program requires extensive follow-up and the DVOP specialist must be allowed sufficient time to do the case management and intensive services to meet these requirements. The DVOP specialist should work closely with the LVER & WorkOne Business Service Team (BST) to ensure that veterans in Chapter 31 programs who are “job ready” receive priority in their job search and job referrals, as determined by the Vocational Rehabilitation Counselor (VRC) at the VA.

In accordance with Department of Labor Veterans' Employment and Training Service (DOL-VETS) Technical Assistance Guide dated December 2008, DVOPs are required to complete a service every two weeks for the Chapter 31 Veterans that they are case managing. Typically, this service will also be recorded in the current State client tracking systems under the Chapter 31 Case Management selection.

The DVOP specialist is the AJC expert on programs available to assist SBE veterans in improving their skills so they can take the next step up in their careers. This would include workshops where the DVOPs is able to participate in, such as a LVER or AJC sponsored employment workshop where SBE or additional service population eligible may exist. The DVOP specialist is required to do outreach to target all veterans. DVOPs will coordinate outreach activities with their formal and functional managers to ensure maximum efficiency of the event.

In the event that a DVOP specialist does not have a full case-load of eligible veterans and eligible spouses, the DVOP specialist may perform additional outreach activities. For example, at such locations:

- Vocational Rehabilitation & Employment (VR&E) Services
- Homeless Veterans Reintegration Program (HVRP)
- VA Medical and other Centers
- Veterans' Administration Community Based Outpatient Clinic (CBOC)
- Homeless shelters
- Civic and service organizations
- Community Stand Downs
- Military installations
- WIOA partners
- State Vocational Rehabilitation Services
- County Service Veterans Service Officer

### **Case Noting**

Case notes for veterans in the Chapter 31 program are confidential and will be kept in the current State of Indiana client tracking system. Specific veterans' disability data may not be recorded in any computer system. The only data that can be recorded is the percentage of disability rated by the US Department of Veterans Affairs.

### **Rapid Response for Dislocated Veterans**

At a minimum, the DVOP should be a part of the Rapid Response Team at selected Rapid Response events for dislocated veterans, ensuring that SBE veterans are offered JVSG services.

### ***Local Veterans' Employment Representative (LVER) Roles***

In the Veterans' Program Letter 03-14 and 01-18, the following are the mandated functions for the Local Veterans' Employment Representative Staff:

1. As an integral part of the State's Labor Exchange System, LVER staff work with employers to promote veterans as job seekers who have highly marketable skills and experience.
2. LVER staff advocate for veterans to gain employment and training opportunities with business, industry, and community-based organizations. To accomplish this, LVER staff participates in a variety of outreach activities including, but not limited to:
  - a. Planning and participation in job fairs.
  - b. Coordinating with unions, apprenticeship programs, and business organizations to promote employment and training opportunities for veterans.
  - c. Promoting credentialing and training opportunities for veterans with training providers and licensing agencies.
3. LVER staff establishes, facilitates, and/or maintains regular contact with employers to include federal contractors. They should coordinate with employer relations representatives as part of the WorkOne system to include veterans in their marketing efforts.
4. LVER staff provides and facilitates a full range of employment, Veteran Program and Priority of Service training, and placement services to meet the needs of priority veterans in targeted categories identified and approved in the WIOA Combined State Plan.
 

These services may include, but are not limited to:

  - Conducting job search assistance workshops in conjunction with employers.
  - Providing job development opportunities.
5. LVERs serving in Federally Declared Major Disaster areas by the President of the United States and where VETS Assistant Secretary has determined circumstances appropriate are authorized temporary exception to the restricted LVER roles and responsibilities as outlined in VPL 03-14 and may provide direct individualized career services to disaster-affected veterans.

The LVER should be integrated into the WorkOne Employment Team or Business Services Team (or equivalents). The difference between the LVER and any other member of the team is that the LVER advocates for veterans for employment and training opportunities with businesses, industries, unions, and apprenticeship programs. They may ask employers specifically to seek veterans for positions in their companies. Optimally, the employer would target specific positions for veterans with certain skills (based on the veterans' military training/military occupational specialty). Under no circumstances will the LVER provide related services to non-veteran customers unless the customer is an eligible spouse covered by priority of service.

The LVER staff must be able to inform the community of Veteran services. LVER staff should be encouraged to attend meetings of the local Chamber of Commerce, area Unions, and Hiring Events to promote all the WorkOne services; both as a networking tool and for the opportunity to speak about veterans' programs.

## ***Joint Responsibilities of DVOPs and LVERs***

### **U.S. DOLVETS Homeless Veterans' Reintegration Program (HVRP)**

To better serve the SBE homeless Veteran population, the HVRP and the WorkOne American Job Center Indiana teams will collaborate together to:

1. Partner with AJC staff to properly enroll all HVRP participants, and
2. Ensure a staff member (WIOA or DVOPs) is present during the enrollment process to facilitate accurate reporting and strong working relationships.

It is also encouraged for HVRP awarded grantees and local AJC staff to share information on their services and ensure new staff members are fully trained on AJC services and enrollment requirements. Therefore, when appropriate, DVOPs will be assigned to a current, local HVRP awarded grantee to facilitate this partnership and co-enrollment. When a DVOP is unavailable, a WIOA employee may be selected to fill this role. The AJC staff member assigned to facilitate co-enrollment will also be the primary point of contact to ensure HVRP grant requirements are accurately reflected in Indiana Career Connect. Additionally, LVERs will combine employment efforts with the identified AJC facilitator to connect co-enrolled HVRP clients to Employers and employment opportunities within the workforce envelope.

### **Outreach Accountability**

In order to maintain accountability for time spent on outreach, each LVER and DVOPs shall report the results of their outreach activities, including but not limited to travel logs in writing via e-mail or Outlook Calendar Shares to their WorkOne local management staff. If necessary, copies of these documents and schedules will be provided to formal State Managers, and/or functional managers when applicable.

These reports will be used by the LVER staff, Regional Operators, and the Workforce Development Boards (WDB), to produce the required quarterly reports for the State Veterans Coordinator and U.S. Department of Labor Veterans' Employment and Training Services as required in Public Law 107-288 and VPL 01-15. Outreach activities will be reviewed by supervisors and those that are determined by the management team to be unproductive may be discontinued.

### **National Veterans Training Institute (NVTI)**

All DVOPs and LVERs are required to attend veteran related courses at NVTI within 18 months of assignment or hire. Typically, most veteran representatives will attend at least two courses offered by NVTI. In some instances, the DWD State Veterans Coordinator may elect to send veterans' representatives to additional courses based on career development.

### **Indiana Seamless Transition Program**

In some instances, LVERs and DVOPs will be called upon to assist with the State of Indiana Seamless Transition Program for State National Guard and Military Reservists returning from deployment. This may include the Yellow Ribbon Program for returning deployed service members.

### **Negotiated Performance Measures**

The State of Indiana Veterans' Program negotiates Performance Targets with the U.S. Department of Labor Veterans' Employment and Training Service (DOLVETS) for the JVSG program which uses data metrics retrieved from Participant Individual Record Layout (PIRL) to report outcomes. The following entities are charged with the responsibility of meeting the VETS Negotiated Performance

Targets: Indiana Department of Workforce Development, the State's regional Workforce Development Boards (WDBs), the State Workforce Innovation Council (the State's Workforce Investment Board), Regional Workforce.

### **Effective Date**

Immediately

### **Ending Date**

Upon rescission.

### **Contact for Questions**

[policy@dwd.in.gov](mailto:policy@dwd.in.gov)

### **Action**

To ensure all eligible veterans are identified and provided appropriate services, local areas are to ensure this policy is implemented in a timely manner within the workforce region and is adhered to by JVSG and WorkOne staff.





**To:** Indiana's Workforce Investment System

**From:** Regina Ashley, Chief Strategy Officer *RAA*  
 Josh Richardson, Chief Operating Officer *JDR*

**Date:** May 4, 2016

**Subject:** DWD Policy 2015-08  
 Priority of Service for Veterans and Eligible Spouses in Indiana  
 Department of Workforce Development's Integrated WorkOne Offices

## Purpose

This policy addresses Priority of Service for Veterans and Eligible Spouses under the Workforce Innovation and Opportunity Act (WIOA).

## Rescission

DWD Policy 2009-01 Priority of Service for Veterans and Eligible Spouses and Required Roles and Responsibilities of Disabled Veterans' Outreach Program (DVOP) Specialists and Local Veterans' Employment Representatives (LVER) in Indiana Department of Workforce Development's Integrated WorkOne offices

## References

- 38 United States Code, Chapter 42, Section 4211 and Section 4215
- Federal Register Part VIII, Department of Labor, Veterans' Employment and Training Service, 20 CFR Part 1010, Priority of Service for Covered Persons (Dec. 19, 2008)
- Jobs for Veterans Act, Public Law 107-288 (Nov. 7, 2002)
- Veterans' Program Letter (VPL) No. 07-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor"
- USDOL/Employment and Training Administration (ETA) Training and Employment Guidance Letter (TEGL) No. 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor"

Michael R. Pence, *Governor*  
 Steven J. Braun, *Commissioner*

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- Training and Employment Notice (TEN) 15-10a, “A Protocol for Implementing Priority of Service for Veterans and Eligible Spouses”

## Content

### Definitions

- **Covered Person**-A veteran who is eligible or the spouse of an eligible veteran who is entitled to receive priority of service as a person who has served at least one day in the active military, naval, or air service and who was discharged or released from service under any condition other than a condition classified as dishonorable. This definition includes Reserve units and National Guard units activated for Federal Service.
- **Qualified job training program** -Any workforce preparation, delivery program, or service that is directly funded, in whole or in part, by the Department of Labor and includes the following:
  - Any such programs or services that use technology to assist individuals to access workforce development programs (such as job and training opportunities, labor market information, career assessment tools, and related support services).
  - Any such program or service under the public employment system, One-stop Career Centers, the Workforce Innovation and Opportunity Act of 2015, a demonstration or other temporary program, and/or those programs implemented by States or local service providers based on Federal block grants administered by the Department of Labor.
  - Any such program that is a workforce program targeted to specific groups.
- **Veteran**- A person who served at least one day in the active military, naval, or air service and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2).
- **Active duty**- Full-time duty in the Armed Forces, other than active duty for training. This definition of “active service” does not include full-time duty performed strictly for training purposes, (i.e., that which often is referred to as “weekend” or “annual” training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities. (State mobilizations usually occur in response to events such as natural disasters.)
- **Armed Forces**- United States Army, Navy, Marine Corps, Air Force, and Coast Guard.
- **Eligible spouse**- means the spouse of any of the following:
  - Any veteran who died of a service-connected disability;
  - Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
    - Missing in action;
    - Captured in line of duty by a hostile force; or
    - Forcibly detained or interned in line of duty by a foreign government or power;
  - Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
  - Any veteran who died while a disability was in existence.
  - **NOTE:** A spouse whose eligibility is derived from a living veteran or service member would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a

spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

### *Priority of Service*

WorkOne offices are required to ensure that Priority of Service is observed. To further improve service to veterans, the Priority of Service to Veterans and Eligible Spouses Federal Regulations, effective January 19, 2009, provides specific guidance on how One-stop Career Center providers, Wagner-Peyser staff, DVOPs, and LVERs are to serve veterans with respect to priority of service.

Veteran and eligible spouse customers should be identified upon entry at a WorkOne and allowed to move to the front of the waiting line. To assist with identifying veterans and eligible spouses, Priority of Service signs have been developed and are posted in all WorkOne offices where veterans are served. Signs are framed and displayed in a manner where the public and especially veteran and eligible spouse customers can easily see them. In accordance with the priority of service sign, eligible veterans and eligible spouses should notify staff upon entry into the facility. Typically, this will be near the entry point. Customers with visual impairments must be asked if they are a veteran or eligible spouse.

### *Verification*

- Basic Career Services – No source documentation needed for eligibility when these services are accessed or provided unless the individual who self-identifies as a veteran or eligible spouse:
  - Is to immediately undergo eligibility determination and be registered or enrolled in a program; and
  - The applicable federal program rules require verification of a veteran or eligible spouse status at that time.
- Programs or Services that cannot rely on self-attestation – verification only needs to occur at the point at which a decision is made to commit outside resources to one individual over another for these programs or services.
  - When verification of eligibility is required in these instances, a veteran or eligible spouse should be enrolled, provided immediate priority, and be permitted to follow-up subsequently with any required verification of his or her status as a veteran or eligible spouse.
- Labor Exchange System Reporting— Federal regulations require that all individuals who are veterans be identified as veterans in the Wagner-Peyser labor exchange system, regardless of eligibility requirements.
- Verification of veteran status or eligible spouse—When verification is required, the following official documents may be used:
  - A DD 214 (issued following separation from active duty);
  - An official notice issued by the Department of Veterans Affairs that establishes entitlement to a disability rating or award of compensation to a qualified dependent;
  - An official notice issued by the Department of Defense that documents the eligibility of an individual, based on the missing or detained status of that individual's active duty spouse; or
  - An official notice issued by a State veterans' service agency that documents veteran status or spousal rights, provided that the State veterans' service agency requires Federal documentation of that information.

### ***Implementing Priority of Service***

As defined in Section 2(a) of the JVA (38 U.S.C. 4215(a)), **priority of service means**, with respect to any qualified job training program, that a covered person shall be given priority over a non-covered person for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provisions of the law.

Priority in the context of providing priority of service to veterans and other covered persons in qualified job training programs means the right to take precedence over non-covered persons in obtaining services. Depending on the type of service or resource being provided, taking precedence may mean:

- The covered person receives access to the service or resource earlier in time than the non-covered person; or
- If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.

Priority of service applies to every qualified job training program funded, in whole or in part, by the Department of Labor, including:

- Any such program or service that uses technology to assist individuals to access workforce development programs (such as job and training opportunities, labor market information, career assessment tools, and related support services); and
- Any such program or service under the public employment service system, One-stop Career Centers, the Workforce Innovation and Opportunity Act, a demonstration, or other temporary program; any workforce development program targeted to specific groups; and those programs implemented by States or local service providers based on Federal block grants administered by the Department.

### ***Identifying and Informing Covered Persons***

Local Workforce Development Boards must develop and include in their strategic local plan policies implementing priority of service for the local One-Stop Career Centers and for all qualified job training programs delivered through the State's workforce system. These policies must establish processes to ensure that covered persons are identified at the point of entry so that covered persons are able to take full advantage of priority of service. These processes shall ensure that covered persons are aware of:

- Their entitlement to priority of service;
- The full array of employment, training, and placement services available under priority of service; and
- Any applicable eligibility requirements for those programs and/or services.

Point of entry may include reception through a One-stop Career Center established pursuant to the Workforce Innovation and Opportunity Act, as part of an application process for a specific program, or through any other method by which covered persons express an interest in receiving services, either in-person or virtually.

### ***Monitoring for Compliance with Priority of Service***

The U. S. Department of Labor will monitor recipients of funds for qualified job training programs to ensure that covered persons are made aware of and provided priority of service. Monitoring will be performed jointly by the Veterans' Employment and Training Service (VETS) and the DOL agency

responsible for the program's administration and oversight. A recipient's failure to provide priority of service to covered persons will be handled in accordance with the program's established compliance review processes. In addition to the remedies available under the program's compliance review process, a recipient may be required to submit a corrective action plan to correct such failure.

### **Effective Date**

Immediately.

### **Ending Date**

Upon rescission.

### **Contact for Questions**

[policy@dwd.in.gov](mailto:policy@dwd.in.gov)



**To:** Indiana’s Workforce System  
**From:** Indiana Department of Workforce Development (DWD)  
**Date:** March 03, 2020  
**Subject:** DWD Policy 2019-04  
 WIOA Title I Adult Priority of Service

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## Purpose

To provide guidance on Workforce Innovation and Opportunity Act (WIOA) Title I Adult program priority of service requirements for individualized career services and training services.

## Rescissions

- DWD Memorandum, *Interim Guidance on WIOA Title I Adult Priority of Service*, July 2, 2015

## References

- WIOA Sections 3, 134
- 20 CFR 680.600, 680.780, 675.300
- 38 U.S.C. 3500, 38 U.S.C. 4213
- TEGL 10-09: *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)*, November 10, 2009
- TEGL 19-16, *Operating Guidance for the Workforce Innovation and Opportunity Act*, March 1, 2017
- TEGL 7-18, Attachment 1 *Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA)*, December 19, 2018
- DWD Policy 2015-08, *Priority of Service for Veterans and Eligible Spouses in Indiana DWD’s Integrated WorkOne Offices*, May 4, 2016
- WIOA Desk Reference: Priority of Service for WIOA Adult Funds:  
<https://ion.workforcegps.org/resources/2017/10/05/14/01/WIOA-Desk-Reference>

## Content

WIOA focuses on serving “individuals with barriers to employment<sup>1</sup>” and seeks to ensure this population has increased access to quality services and opportunities for employment, education, training, and support. To prioritize services for those who have the most need for and who would benefit from employment and training services, WIOA sec. 134(c)(3)(E) identifies three groups with barriers to employment and requires priority be given to these individuals. Priority of service must be given to public assistance recipients, other low-income individuals, and individuals who are

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<sup>1</sup> Per WIOA sec. 3(24) and TEGL 19-16 (pg. 8)

basic skills deficient when providing individualized career services and training services using WIOA Title I Adult program funds.

This priority requirement must be followed in the local area regardless of the amount of funds available for providing services. Veterans and eligible spouses of veterans continue to receive priority of service for all job training programs funded by the Department of Labor (DOL), including WIOA programs<sup>2</sup>.

### ***Priority of Service Groups and Eligibility***

Priority status for WIOA Title I Adult participants is determined during eligibility and enrollment. Status does not change during the period of participation. When providing individualized career and training services in the Title I Adult program, local areas must give priority of service to participants who receive public assistance, are low-income individuals, and are basic skills deficient. The three priority groups are described below. Acceptable documentation for verifying eligibility is provided in **Attachment A**.

**Recipients of public assistance**, defined by WIOA sec. 3(50), includes individuals who receive cash payments from Federal, State, or local government for which eligibility is determined by a needs or income test.

**Low-income individuals**, defined by WIOA sec. 3(36), describes individuals who meet one of the following criteria<sup>3</sup>:

- Receives, or in the past six months has received, or is a member of a family that is receiving or has received in the past six months, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), or a state or local income-based public assistance program;
- In a family with total family income that does not exceed the higher of:
  - the poverty line or
  - 70 percent of the Lower Living Standard Income Level (LLSIL);
- A homeless individual<sup>4</sup>; or
- An individual with a disability whose own income meets the income requirements above, but is a member of a family whose total income does not meet this requirement.

**Basic Skills Deficient**, defined by WIOA sec. 3(5), describes an individual who meets at least one of the following criteria as basic skills deficient:

- Unable to compute or solve problems, or
- Read, write, or
- Speak English, at a level necessary to function on the job, in the individual's family, or in society. (The United States Department of Labor (USDOL) Employment and Training Administration (ETA) includes English language learners in the basic skills deficient group.)

DWD provides the following criteria for determining basic skills deficiency. An individual must meet at least one of the following:

- Lacks a high school diploma or equivalency and is not enrolled in secondary education;
- Scores 8.9 or below on the Tests of Adult Basic Education (TABE);
- Enrolled in a Title II Adult Education/Literacy Program;
- Has poor English language skills (includes English Language Learners);
- Is eligible for WorkINDiana; or

<sup>2</sup> See DWD Policy 2015-08, *Priority of Service for Veterans and Eligible Spouses in Indiana DWD's Integrated WorkOne Offices*, May 4, 2016

<sup>3</sup> Definition of family used in section on Low Income Individuals - 20 CFR §675.300

<sup>4</sup> WIOA Sec. (3) (24) (G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 4043e – 2 (6))

- The individual's case manager makes observations of deficient functioning and records justification in a case note.

### ***Eligibility Determinations for Veterans***

When determining priority of service eligibility for WIOA Title I Adult employment or training programs, the following cannot be included in past income calculations<sup>5</sup>:

- Military pay received while serving on active duty
- Allowances provided while on active duty
- Compensation for service-connected disability or death or vocational rehabilitation
- Benefits for education and training services funded by the Department of Veterans Affairs (VA)
- Compensation received by an eligible dependent or indemnity compensation for service-connected deaths
- Educational assistance for eligible dependents and survivors of veterans under 38 U.S.C. 3500

WIOA program operators may not require veterans or their spouses to exhaust their entitlement to VA-funded training benefits prior to allowing them to enroll in WIOA-funded training.

### ***Veterans and Adult Priority***

As described in TEGL 19-16<sup>6</sup>, when programs such as the WIOA Title I Adult program are statutorily required to provide priority for a particular group of individuals, priority must be provided in the specific order listed below. Veterans and eligible spouses of veterans continue to receive priority of service in all DOL-funded training programs. Veterans and their spouses must still meet the eligibility criteria for the WIOA Adult program.

**Priority for the WIOA Title I Adult program MUST be provided in the following order:**

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
2. Individuals who are not veterans or eligible spouses of veterans, but are a recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in a WIOA priority group but meet Title I Adult program eligibility.
4. Additional priority populations identified by the Governor or Local WDBs.
5. Other individuals who are not included in any priority group, but meet WIOA Title I Adult program eligibility.

### ***Additional Priority of Service Groups<sup>7</sup>***

The Governor may establish additional priority groups for the Title I Adult program in the WIOA State Plan. Local WDBs may also establish additional priority groups based on the needs of the Local area (for example, victims of a specific disaster). As stated in TEGL 19-16, the processes used for this determination must be consistent with priority of service for veterans and the priority provisions of WIOA sec. 134(c)(3)(E) and 20 CFR 680.600.

<sup>5</sup> In accordance with 38 U.S.C. 4213.

<sup>6</sup> In reference to TEGL 10-09: *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)*, November 10, 2009.

<sup>7</sup> The 2020 Indiana WIOA State Plan has identified Target Populations but no determination has been made about service priority.



## **Requirements for locally Established Groups**

Local areas may identify any additional priority groups<sup>8</sup>. Any additional groups that are identified by the local area must be included in the local plan and in the local WIOA Title I Priority of Service policy. The local plan and the local WIOA Title I Priority of Service policy are to include the following for each additional identified priority group:

- Procedures followed in the Local area for determining priority during the eligibility process and enrollment;
- How the local area will define “low-income” (if they choose to use a more precise definition than provided within this policy) and the relevant data used to establish this definition;
- Criteria and procedures used to assess priority for basic skills deficient individuals;
- Any local requirements, such as residency, that will be established in relation to the priority groups; and
- Any additional priority groups that will be established, data to support the need for local priority, and documentation that will be required from an individual for the local priority.

## ***Tracking and Analysis***

Analysis will include a review of the local WIOA Title I Priority of Service Policy, any related procedures, training and monitoring developed and/or conducted by the LWDB and/or the authorized service providers, file and/or system review of client data as well as interviews with staff and leadership to assess understanding and consistent correct implementation of the local policy.

## **Actions**

Each local Workforce Development Board (LWDB) must develop a WIOA Title I Priority of Service policy that ensures priority of service within the workforce region is implemented in line with this policy. The policy must support any additional priority groups identified by the Governor and the Governor’s Workforce Cabinet as well as any locally identified priority groups. A copy of the local WIOA Title I Priority of Service policy must be sent to DWD Policy at [Policy@dwd.IN.gov](mailto:Policy@dwd.IN.gov) by **Friday May 29, 2020** and **within 90 days of any change** made to it thereafter. Each LWDB must address Priority of Service within their WIOA local plan as stated in the local plan requirements and include a copy of the current Local WIOA Title I Priority of Service policy in their local plan.

Each LWDB must establish procedures to operationalize their WIOA Title I Priority of Service policy, ensure that staff and leadership are appropriately trained on these procedures and annually monitor to confirm staff and leadership understand and correctly apply the local WIOA Title I Priority of Service policy and procedures on a consistent basis.

## **Attachments**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li><b>A-</b> Priority of Service Documentation Table</li> <li><b>B-</b> Additional Local POS Population Template Instructions</li> </ul> | <ul style="list-style-type: none"> <li><b>C-</b> Additional Local POS Population Template Blank</li> <li><b>D-</b> Additional Local POS Population Template Example</li> </ul> |
|--|--|

## **Effective Date**

March 3, 2020

## **Ending Date**

Upon rescission

## **Contact for Questions**

[policy@dwd.in.gov](mailto:policy@dwd.in.gov)

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<sup>8</sup> 20 CFR 680.600 (c)

## Attachment A

### Priority of Service Documentation Table

Local areas are required to use the following sources of documentation to verify whether an adult participant qualifies for priority of service under WIOA:

Priority of Service Criteria	Acceptable Documentation
<p style="text-align: center;"><b>Recipient of Public Assistance</b></p>	<ul style="list-style-type: none"> <li>• Cross-match with public assistance database, if available</li> <li>• Copy of authorization to receive cash public assistance</li> <li>• Copy of public assistance check</li> <li>• Medical card showing cash grant status</li> <li>• Public assistance records</li> <li>• Refugee assistance records</li> <li>• Self-Attestation as a last resort<sup>9</sup></li> </ul>
<p style="text-align: center;"><b>Low-Income</b></p>	<ul style="list-style-type: none"> <li>• Alimony Agreement</li> <li>• Award letter from veteran's administration</li> <li>• Bank statements</li> <li>• Compensation award letter</li> <li>• Court award letter</li> <li>• Pension statement</li> <li>• Employer statement/contact</li> <li>• Family or business financial records</li> <li>• Housing authority verification</li> <li>• Pay stubs</li> <li>• Public assistance records</li> <li>• Quarterly estimated tax for self-employed persons</li> <li>• Social Security benefits</li> <li>• Unemployment Insurance documents</li> <li>• Self-attestation as a last resort<sup>9</sup></li> </ul>
<p style="text-align: center;"><b>Basic Skills Deficient</b></p>	<ul style="list-style-type: none"> <li>• School records in the form of a referral or records from a Title II Basic Adult Education program or English Language Learner program</li> <li>• Results of academic assessment</li> <li>• Self-attestation<sup>10</sup></li> <li>• Case notes<sup>11</sup></li> </ul>

<sup>9-10</sup> *Self-attestation* is a participant's statement of his or her status for a particular element (i.e. low-income) with a signed and dated form acknowledging this status (TEGL 7-18, Attachment 1).

<sup>11</sup> *Case notes* are a case manager's paper or electronic statements identifying, at a minimum, (1) the participant's status for a specific element, (2) the data used to obtain this information, and (3) the case manager who obtained the information. Case notes must include an auditable trail to the sources of the information (TEGL 7-18, Attachment 1).

## Attachment B

### WIOA Title I Adult Additional Local Priority of Service (POS) Population Template Instructions

#### General instructions

- Use one template per additional population.
- Indicate whether each item has been included in the Local WIOA Plan and the Local POS Policy.
- Email the completed—Local POS Population Template and any attachments to [Policy@dwd.in.gov](mailto:Policy@dwd.in.gov).

POS Population Feature	Required Response
Population	<p>Enter characteristics of group members. In other words, what criteria make a person part of this group?</p> <p>Examples: Individuals with no HS diploma or HSE age 25-35, Individuals suffering economic distress due to 8/9/19 tornado, Individuals receiving PDQ County heating assistance, Felons out of work more than 3 months, refugees from Syria with limited English skills, etc.</p>
Timeframe	<p>Enter the start and end dates for the period of time you anticipate this group will require priority status.</p> <p>Examples 1/1/19 – 12/31/19, 4/15/18 – 6/30/20, etc.</p>
Region/ Geographic Area	<p>Enter the anticipated physical area for this group. This could be within street or other boundaries, within or an entire individual town, city, county or workforce region, planning region or group of these subdivisions.</p> <p>Examples: A, B, C &amp; Q Counties, Lovely Town, IN, REG 08, between 100S and 50S and between Farley St. and Dodge Rd. in Hickory, IN, etc.</p>
Reason for Designation	<p>Enter the anticipated needs to be addressed.</p> <p>Examples: General education and job retraining, ESL, unable to retain employment, lack of health care, etc.</p>
Service Goals	<p>Enter the SMART (Specific, Measureable, Achievable, Realistic, timeframe) goals for population. Also enter the methods and frequency used to measure progress, why you believe the goal is realistic and the start and end dates for each goal.</p> <p>Examples: 50 Individuals served, measured monthly using number served from ICC, past performance in similar initiatives, beginning 4/15/20 ending 9/30/20.</p>
Outcomes	<p>Enter the desired/ anticipated impacts. Also enter the methods and frequency used to measure progress, why you believe the goal is realistic and the start and end dates for each outcome.</p> <p>Examples: Economic self-sufficiency including healthcare, measured using quarterly client survey, The goal is realistic due to 3 major employers consistently promoting hiring opportunities for people with similar skillset at \$35k-\$50k per year starting, beginning 7/28/19 ending 7/31/21.</p>
Outreach/ Engagement Strategies	<p>Enter the methods and approaches the local area will use to connect the target population with WorkOne services. Also enter the strategy, resources needed (not an additional funding opportunity), the individual responsible for managing the related efforts and the start and end dates for each strategy.</p> <p>Examples: Staff will set up mobile office at library in two towns 1 day per month and put up job fair posters in non-profit community partners (food pantries, thrift shops, minority organizations, need 1 staff for 2 days, laptop, scanner, 4 library computers space at library, vehicle mileage, 25 posters (design and printing), Jane Doenburg, beginning 3/10/20 ending 10/10/20.</p>
Staff Procedures	<p>List and attach the staff procedures created to implement the strategies and reach the goals entered above. Also enter the procedures and training needed, the individual responsible for managing the related efforts and the start and end dates for each activity.</p> <p>Examples: Staff ABE Checklist and Mobile office procedure (See attachments), 1 hours training time for 2 staff, John Burgen, Start 8/13/20 End November 3, 2022.</p>

### Attachment C

#### Additional Local Priority of Service Population Template

<b>WIOA Title I Adult – Additional Local Priority of Service Population Template</b>							
<b>Population Feature</b>	<b>WDB Response</b>				<b>In Local Plan? Y/N</b>	<b>In Local POS Policy? Y/N</b>	
<b>Priority of Service Population</b> <i>(Criteria, characteristics of group members. Use one template per additional population))</i>							
<b>Timeframe for Priority of Service</b> <i>(What are the start and end dates anticipated for this group)</i>	<b>Start Date</b> <i>(MM/DD/YY)</i>	<b>End Date</b> <i>(MM/DD/YY)</i>					
<b>Region/ Geographic Area</b>							
<b>Reason for Designation</b> <i>(Describe the circumstances leading to a POS designation? How will POS focus help?)</i>							
<b>Service Goals</b> <i>(What are the SMART (Specific, Measureable, Achievable, Realistic, timeframe) goals for population? I.e. percentage of total clients served, number served, etc.</i>	<b>Specific Goal</b>	<b>Measurement</b>		<b>Why is it Achievable/ Realistic?</b>	<b>Timeframe to Accomplish</b>		
		<b>Method</b> <i>(How)</i>	<b>Frequency</b> <i>(How Often)</i>				
<b>Outcomes</b> <i>(What is the anticipated/ desired impacts I.e. 10% greater increase in employment than non-priority populations)</i>	<b>Outcome</b>	<b>Measurement</b>		<b>Why is it Achievable/ Realistic?</b>	<b>Timeframe to Accomplish</b>		
		<b>Method</b> <i>(How)</i>	<b>Frequency</b> <i>(How Often)</i>				
<b>Outreach/ Engagement Strategies</b> <i>(How will local area try to connect target population with WorkOne services?)</i>	<b>Strategy</b>		<b>Resources Needed</b>	<b>Responsibility</b>	<b>Timeframe</b>		
<b>Staff Procedures</b> <i>(List and attach the staff procedures created to implement strategies and reach goals)</i>	<b>Procedure</b>		<b>Training</b>	<b>Responsibility</b>	<b>Timeframe</b>		

### Attachment D

#### Example: Additional Local Priority of Service Population Template

Example: WIOA Title I Adult – Additional Priority of Service Population Template					Number of Attachments Included	3	
Population Feature	WDB Response				In Local Plan? Y/N	In Local POS Policy? Y/N	
<b>Priority of Service Population</b> <i>(Criteria, characteristics of group members. Use one template per additional population))</i>	Tornado Victims				Y	Y	
<b>Timeframe for Priority of Service</b> <i>(What are the start and end dates anticipated for this group)</i>	<b>Start Date</b> <i>(MM/DD/YY)</i>		<b>End Date</b> <i>(MM/DD/YY)</i>				
	7/1/19		6/30/21		Y	Y	
<b>Region/ Geographic Area</b>	Region 5, Boone and Hamilton Counties				Y	Y	
<b>Reason for Designation</b> <i>(Describe the circumstances leading to a POS designation? How will POS focus help?)</i>	Reason	Significant number and amount of damage to homes and businesses warrant heightened priority of service.				Y	Y
	Supporting Data	273 Homes damaged (\$54.6M damage) Est. 12 Mo. to repair.					
		47 Businesses damaged (\$23.2M Damage) Est. 18 Mo. to repair.					
		7 People killed, 74 injured, Est. 1,022 negatively impacted.					
				473 layoffs due to business damage. Est. 12-24 Mo. Avg duration.			
<b>Service Goals</b> <i>(What are the SMART (Specific, Measureable, Achievable, Realistic, timeframe) goals for population? I.e. percentage of total clients served, number served, etc.</i>	Specific Goal	Measurement		Why is it Achievable/ Realistic?	Timeframe to Accomplish		
		Method <i>(How)</i>	Frequency <i>(How Often)</i>				
	Serve 75% of negatively impacted individuals.	Review of VOS Greater & ICC POS Data.	Quarterly	People have strong community connection and are not likely to move. Conducting Media outreach. Conducting community organization outreach. (See attached outreach plan)	6/30/20	Y	Y
Serve 85-90% of laid off individuals.	Same as above.	Quarterly	Jobs were in high paying tech and production occupations. People will want to improve skills or transition to new occupations temporarily based on survey of 240 laid off individuals (See attached survey summary)	6/30/21	Y	Y	

## Example Continued

<b>Example: WIOA Title I Adult – Additional Priority of Service Population Template</b>							
Population Feature	WDB Response					In Local Plan? Y/N	In Local POS Policy? Y/N
	Outcome	Measurement		Why is it Achievable/ Realistic?	Timeframe to Accomplish		
Method (How)		Frequency (How Often)					
<b>Outcomes</b> <i>(What is the anticipated/ desired impacts I.e. 10% greater increase in employment than non-priority populations)</i>	40% of all POS pop. served will have earned industry recognized credential.	ICC Data	Quarterly	Approx. 65% of laid off positions are in occupations needing Java coding credential.	6/30/21	Y	Y
	70% of all POS pop. served will transition to new short term occupation	ICC Data	Quarterly	Amazon, Fed Ex and UPS are conducting significant seasonal hiring of estimated 5,000 positions.	12/31/19	Y	Y
<b>Outreach/ Engagement Strategies</b> <i>(How will local area try to connect target population with WorkOne services?)</i>	<b>Strategy</b>		<b>Resources Needed</b>	<b>Responsibility</b>	<b>Timeframe</b>		
	Coordinate with Red Cross leadership in effected area to make announcements and place WorkOne staff and computers in service locations.		Staff time, WorkOne Service Flyer, Phone, internet, 20 lap tops, temp. space at Red Cross locations.	Jane Hernandez, REG 5 VP of Operations.	11/1/19	Y	Y
	Coordinate with Church leadership in effected area to make announcements and hand out WorkOne Service Flyers.		Staff time, WorkOne Service Flyers, Email script w/ contact info to leader dist. list.	Alex Brown, Manager Plainfield WorkOne	10/12/19	Y	Y
	Rapid Response/ NEG		Funding Proposal	Bruce Steinwitz, REG 5 CFO	9/30/19	Y	Y
<b>Staff Procedures</b> <i>(List and attach the staff procedures created to implement strategies and reach goals)</i>	<b>Procedure</b>		<b>Training Type</b>	<b>Responsibility</b>	<b>Timeframe</b>		
	Priority of Service Determination		In person	Jane Hernandez, REG 5 VP of Operations.	10/5/19	Y	Y
	Priority of Service Data Entry		Webinar	Felicia Faust, REG05 Training Coordinator	9/27/19	Y	Y



Eric Holcomb, Governor  
State of Indiana

*Division of Disability and Rehabilitative Services*  
402 W. WASHINGTON STREET, P.O. BOX 7083  
INDIANAPOLIS, IN 46207-7083  
1-800-545-7763

**To:** DDRS Stakeholders

**From:** Kylee Hope, Director, Division of Disability and Rehabilitative Services (DDRS)  
Theresa Koleszar, Director, Bureau of Rehabilitation Services (BRS)

**Re:** Vocational Rehabilitation Services Order of Selection Implementation

**Date:** July 10, 2017

The Bureau of Rehabilitation Services (BRS) has received approval from the Rehabilitation Services Administration (RSA) to implement an order of selection. The Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA), requires a state vocational rehabilitation services (VR) agency to implement an order of selection when it does not have sufficient resources to serve all eligible individuals. Under an order of selection, a VR agency is federally required to serve individuals with the most significant disabilities first.

RSA approved the amendment to the VR portion of the WIOA State Plan on June 30, 2017, which outlines the justification for the order of selection, and can be viewed at [by clicking here](#).

**The order of selection will be implemented August 1, 2017.** Individuals who have an Individualized Plan for Employment (IPE) in place prior to the implementation date will continue to receive services without disruption. Individuals who have applied or are eligible, but do not yet have an IPE in place prior to implementation, are subject to the order of selection. Additional information about order of selection and how it may impact VR applicants and eligible individuals can be found [by clicking here](#).

Additional information can be found at the [VR order of selection resource Web page](#). Please continue to check the resource page for added content this summer.





## Order of Selection: Frequently Asked Questions

### 1. What is an order of selection?

Order of selection is a process for prioritizing eligible individuals that a vocational rehabilitation (VR) agency intends to serve based on available resources and capacity. The federal government requires a state VR agency to implement an order of selection when it does not have enough money or staff to serve everyone who is eligible. The Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA), requires that individuals with the most significant disabilities be served first.

### 2. Why has the Bureau of Rehabilitation Services (BRS) determined that implementation of the order of selection is necessary?

The decision to implement this process follows identification and implementation of numerous strategies to improve capacity over the past few years. Despite those efforts, BRS has projected a deficit of resources for federal fiscal years 2017 and 2018; and continues to experience significant challenges in building and retaining adequate resources to serve all eligible individuals, and meet expectations for timeliness and quality of service provision.

In addition, efforts to comply with expansive new federal requirements under WIOA are requiring BRS to shift financial resources estimated at up to \$10-12 million annually. More information may be found in the Draft VR Portion of the WIOA Unified State Plan which can be viewed at <http://www.in.gov/fssa/ddrs/5285.htm>. BRS anticipates implementing the order of selection upon approval from the U.S. Department of Education, Rehabilitation Services Administration.

### 3. What impact does the implementation of an order of selection have on individuals who are already in the VR program?

Individuals who have applied, but are not yet determined eligible, or are eligible but do not yet have an Individualized Plan for Employment (IPE) in place when the order of selection takes effect, are subject to the order of selection. Individuals who are already receiving services under an IPE will continue to receive VR services and supports to work toward their vocational goals in line with their IPE. There will be no disruption in services for individuals who had an IPE in place when the order of selection took effect.

### 4. For new VR applicants, or those eligible individuals who do not yet have an IPE at the time the order of selection is implemented, how does VR prioritize individuals with the most significant disabilities to be served first?

Once an individual is determined eligible for VR services, the individual's severity level will be determined using the current process. In Indiana, there are three levels of severity, and each individual is assigned to a priority category, based on his/her level as outlined below:

Version 2 - October 2017



Levels of Severity	Order of Selection Priority Categories
1. Individuals with most significant disabilities	Priority Category 1
2. Individuals with significant disabilities	Priority Category 2
3. All other eligible individuals (nonsignificant disabilities)	Priority Category 3

Once the order of selection is implemented, Priority Category 1 will remain open, individuals assigned to this category will be served first, and Priority Categories 2 and 3 will be closed. Those individuals who fall into Priority Categories 2 and 3 are put on a deferred services list and will be served if and when sufficient resources become available.

### 5. What does it mean to be an individual with a ‘most significant disability?’

An individual must be determined eligible for VR and meet the following additional requirements set forth in 460 IAC 14-8-1(b):

- The individual has a severe physical or mental impairment that seriously limits three or more functional capacities in terms of an employment outcome (*Functional capacity areas include: communication, interpersonal skills, mobility, self-care, self-direction, work skills and work tolerance*); AND
- The individual requires multiple vocational rehabilitation services over an extended period of time.

All eligible individuals who are determined to have a most significant disability are in Priority Category 1, will receive VR services, and will work with a VR counselor to develop an IPE, which outlines his/her desired vocational outcome and necessary services and supports.

### 6. How does VR assess level of severity for an eligible VR consumer?

VR counselors complete a review and assessment of data to determine eligibility and severity level. Information used by the VR counselor to assess an individuals’ severity level (including functional capacities and the other requirements outlined in question 5) may include: review and assessment of existing data, counselor observations, education records, medical records, relevant information provided by the individual, individual’s representative, or family, or additional assessment if existing data is insufficient. The VR counselor will review all information provided and interview the individual to better understand how the individual’s impairment(s) results in a limitation in one or more functional capacity areas, the services that will be required, and the expected length of time it will take for the individual to achieve competitive, integrated employment.

### 7. How does VR assess functional capacity limitations?

VR will consider a variety of information to determine whether an individual experiences a limitation in one or more functional capacity areas, such as receptive or expressive

communication, ability to understand oral or written instructions, adaptive technology required, stamina or physical restrictions, needed supports, work experience and skills, appropriate social interaction and behaviors, ability to perform activities of daily living, decision making and problem solving, ability to safely navigate in the home and workplace, and other relevant factors.

**8. What happens if an individual does not agree with a VR counselor's determination of severity level?**

An individual will receive a letter with information about their eligibility and severity determination, along with information about appeal rights, which may include informal supervisory review, mediation or an impartial due process hearing. The letter will also include information about the Client Assistance Program (CAP). CAP helps individuals with applying for or getting services from VR. CAP is run by Indiana Disability Rights and more information can be found at the following website: <http://www.in.gov/idr/>.

**9. Can BRS prioritize serving individuals in Priority Categories 2 or 3 for services, instead of those in Priority Category 1 with a most significant disability?**

No, federal law requires that when a VR agency is operating under an order of selection, individuals with the most significant disabilities are served first. This requirement is outlined at 34 CFR 361.36 (3)(iv)(A).

**10. What can individuals who do not meet criteria for Priority Category 1 expect, once the order of selection is implemented?**

Eligible individuals who are determined not to meet the criteria as an individual with a most significant disability, will be placed in Priority Category 2 or 3 based on his/her severity determination assessment. Unless these individuals already have an IPE in place with VR prior to implementation of the order of selection, these individuals will not be able to receive VR services right away because Priority Categories 2 and 3 will be closed when the order of selection takes effect. Individuals in Priority Categories 2 and 3 without an IPE will be placed on a deferred services list according to the individual's application date. If and when sufficient resources become available for VR to serve additional eligible individuals, those individuals in Priority Category 2 with the earliest application date will be served next. The VR program will engage in ongoing evaluations to determine when sufficient resources are available to provide VR services to eligible individuals in Priority Categories 2 and 3.

**11. Individuals assigned to Priority Categories 2 or 3 will not receive VR services once the order of selection begins. How might they obtain assistance in achieving their vocational goals?**

VR will provide information and referral services to other workforce options including agencies in each local area, Work One Centers, Ticket to Work Employment Networks, Independent Living

Centers, college and university career centers and disability services offices, the IN Data Assistive Technology program, and other state or local resources.

**12. Since VR will be referring individuals to other agencies and resources, including local Work One centers, is BRS taking steps to assist these other entities to prepare to serve an increased number of individuals with disabilities?**

Agencies that receive federal funding are required to ensure that services are available for all eligible individuals, which includes individuals with disabilities. BRS is proactively reaching out to state and federal partners to discuss the potential increase in job seekers with disabilities accessing services from these organizations, as a result of the implementation of the order of selection. BRS is prepared to offer training to these entities to assist them in preparing for potentially serving more job seekers with disabilities. As a workforce partner with the Department of Workforce Development, BRS will continue to collaborate and support the Work One centers in providing services to job seekers with disabilities.

**13. Once the order of selection is implemented, can individuals continue to apply for VR services?**

Yes. There are no changes in the VR application process. VR will continue to schedule all new referrals for an intake appointment to complete the application and assessment process. Using the information that applicants provide, a VR counselor will determine whether each individual is eligible for VR services based on the following eligibility criteria set forth in 460 IAC 14-7-1:

1. The individual has a physical or mental impairment;
2. The individual's impairment results in a substantial impediment to employment;
3. The individual requires VR services to prepare for, secure, retain, advance in, or regain employment; and
4. The individual can benefit from VR in terms of an employment outcome.

For all individuals who are determined eligible for VR, the current process to determine each individual's severity level will occur following the eligibility determination. The severity determination process assesses an individual's functional capacities in the following seven categories: 1) communication, 2) interpersonal skills, 3) mobility, 4) self-care, 5) self-direction, 6) work skills and 7) work tolerance. It also includes an assessment of whether the individual requires multiple services over an extended period of time.

VR counselors use information obtained during the assessment phase to determine eligibility and severity level. The severity level then determines the priority category to which the individual is assigned. Information used by the VR counselor to make eligibility and severity determinations may include: review and assessment of existing data, counselor observations, education records, information provided by the individual or individual's family or additional assessment if existing data is insufficient.

**14. When under an order of selection, will VR be able to assist individuals who need services to maintain their job after their VR case is successfully closed?**

VR may be able to provide post-employment services of a limited scope and duration to individuals to assist with maintaining, re-entering or advancing in employment. A VR counselor can assist in determining whether post-employment services are available based on each individual's specific circumstances.

**15. When BRS determines that sufficient resources become available to begin serving individuals in closed priority categories, how will those cases be identified and disbursed?**

When BRS determines that sufficient resources become available to begin serving individuals in one or more closed priority category, those individuals in Priority Category 2 will be prioritized next, according to earliest statewide application date.

**16. What impact does the order of selection have on students with disabilities receiving pre-employment transition services?**

Pre-employment transition services must be made available statewide to all students with disabilities, regardless of whether the student has applied or been determined eligible for VR services. These services include job exploration counseling, work-based learning experiences, counseling on opportunities for enrollment in post-secondary education, workplace readiness training, and instruction in self-advocacy.

Students who are eligible for VR services, but placed in a closed priority category, may continue to receive pre-employment transition services as long as those activities were initiated prior to being placed in a closed priority category. Students who apply for VR services, are determined eligible, and assigned to a closed priority category, may not begin to receive pre-employment transition services if these services were not initiated prior to the individual being assigned to a closed priority category. VR has taken steps to initiate pre-employment transition services during the VR application intake appointment, so that any student who qualifies may be able to receive pre-employment transition services as they become available.

**17. What actions is BRS taking to build capacity and work toward increasing resources to serve all eligible individuals?**

Many strategies to improve staffing capacity have been implemented over the last several years, and BRS will continue to identify innovative approaches to increase capacity and ensure appropriate fiscal resources are available. BRS will provide ongoing updates on progress toward increasing personnel and fiscal resources. Updates can be viewed at

<http://www.in.gov/fssa/ddrs/5285.htm>.



Field Operations & Policy Meeting  
 Monday, June 19, 2017  
 IGSC Conference Room: A  
 DWD/VR Summit- IGCS Conference Room C.  
 10:00am-3:00pm

12:30am-3:00am – 2017 VR Roundtable Summit

### 1. Introductions- Dr. Jennifer Walthall, Secretary – Family Social Services Admin

- a. Read a newspaper article from an individual who is blind, autistic and an actor
- b. Co-hosted event
  - Workforce One Stop Operators/ RO/ Service Provider Managers
  - DWD staff – Chapter 31, policy, field operations, employer relations, youth initiatives, adult education
  - Easter Seals Crossroads
  - DDRS – Bureau of Developmental Disabilities
  - Indiana Ahead
  - Department of Higher Education
  - Indiana National Guard
  - Division of Family Resources

### 2. Overview and goals of summit

- a. Discuss Changes – Changes in Indiana’s Vocational Rehabilitation Program. Order of selection, which may have an impact on your organization.
- b. Address Questions- Understand concerns that you may have, and to identify strategies for addressing those concerns.
- c. Obtain Information- Opportunity to learn about your organization and begin to work on establishing a referral process for jobseekers seeking VR services, impacted by the Order of selection.

### 3. BRS presentation

- What is vocational rehabilitation? VR is a statewide program that provides services and supports jobseekers with disabilities to assist them in achieving their employment goals. VR provides a wide range of services to prepare, secure, retain, advance in, or regain employment. Services may include training, job placement, rehabilitation technology, VR counseling, guidance etc.
- VR Counselor Stories: “Please refer to the PPT slides”
  - Megan Wheeler
  - Jimmy Kennedy III
  - Maria

#### 4. Eligibility requirements, current challenges & Order of Selection

The needs of the individual is a broad range (Eligibility requirements)

- a) Physical or mental impairment
- b) Funded through the Department of Education
- Current Challenges
  - a) WIOA needs to shift their resources to meet federal requirements
  - b) Insufficient staffing capacity to support the demand for VR services – order of selection was created to combat this

#### What is order of section and what does it mean?

Definition - After thorough review and evaluation, the Bureau of Rehabilitation Services (BRS) is seeking approval through an amendment to the Unified State Plan to implement a process called “order of selection” for Indiana’s Vocational Rehabilitation (VR) program. Once approved and implemented, VR will prioritize individuals with the most significant disabilities to receive services. A state VR agency is required to implement an order of selection when it anticipates that it will not have sufficient fiscal or personnel resources to fully serve all eligible individuals. Indiana will be the 35th state to implement this process, which must be used to prioritize consumer services in accordance with the Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA). BRS anticipates implementing the order of selection by the end of the current federal fiscal year, pending approval from the U.S. Department of Education, Rehabilitation Services Administration. <http://www.in.gov/fssa/ddrs/5285.htm>

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#### Categories

- Category 1 - Eligible individuals who have the most significant disabilities.
- Category 2 - Eligible individuals with significant disabilities who have limitations in three major areas of functional limitations.
- Category 3 - Eligible individuals with significant disabilities who have limitations in two major areas of functional limitations

Once VR implements, Category 1 – Most Significant Disabilities – will be prioritized to receive VR services

- a. Unable to discuss quickly what this means. But having 3+ functional limitation areas (out of 7) would be someone in this area.
- b. An extended period of time, longer term supports and services
- c. Impairment must result in a substantial impediment to employment;
- d. An individual must be able to benefit from vocational rehabilitation services in terms of employment outcome. Deferred services list are those that have insufficient resources as they have less disabilities
- e. Will provide many resources and agencies that might be able to help the job seekers – required to refer individual to state programs
- f. Information will be available online

#### 5. Discussion of potential impact & Q&A - Address questions and learn about specific concerns:

**Q:** Does WorkOne still have the ability to refer to VR?

**A:** Yes. VR will go through all eligibility assessments to determine where they are eligible.

**Q:** What goes happens to individuals who go on deferment, but they are receiving services from another agency?

**A:** They will be reassessed, but ensure there is not an overlap of services. We would not stop services from the WorkOne office.

**Q:** Based on an analysis of your customers, how many do you think will be referred to outside agencies (those that are not Category 1?)

**A:** Right now 40% individuals are Category 1, they expect this to increase. We are the 35 state to implement this order and the trend has been to have an increase in Category 1. The need for this is due to not meeting timelines and financial constraints.

**Q:** Does Order of Selection have to stay in place?

**A:** If fiscal changes and staffing changes, this could change.

**Q:** How can we be better prepare to serve Category 2 and 3?

**A:** DOLs expectation is that each agency carries what they can carry. It is understood that not all agencies are able to offer all needs for a customer. This would be for anyone in Category 1

**Q:** Is it possible for a customer to get VR services if they only need one item, and the rest are being seen by other organizations?

**A:** This cannot be done due to federal legislations.

**Q:** When will be seeing this go into place?

**A:** August 1<sup>st</sup> but realistically it will probably be sometime in August.

**Q:** How do we obtain more adaptive materials for customers to use?

**A:** DWD is taking an inventory who has assistive technology in the office in each region and who knows how to use it. Will also learn best practices through the regions and from both sides of the house.

**Q:** In ICC there is a question asking jobseekers, do you have a disability? If they answer yes to this question, what is the next step?

**A:** Still continue the processes, refer to the VR. Plus the services they came into the WO office to get. VR- will then review their case and if they are non- category 1. They will be referred back to the WO for services.

**Q:** How many are disabled Veterans?

**A:** VR does not ask to see a DD214 on this. VR serves anyone with a disability.

**Q:** How long does it take for a decision to be made at VR and who can refer?

**A:** Anyone can refer. After the referral is made an appointment is made. Then from the time of the initial meeting 60 days from the actual intake appointment will a decision be made. Sometimes in-between weeks if they are requesting additional information.

**Q:** How do the students move into VR services? Will we have access to their IEP?

**A:** There is a consent form for that could assist us in retrieving that information.

**Q:** What does VR see as what they would like to work with Category 2 and 3?

**A:** All individuals should be treated the same. Understanding the state wants to serve everyone we can, sometimes other agencies will need to serve. Part of the round table is to find out who can make these services available to the jobseeker.

**Q:** Do we need to have a close door to speak with the individuals?

**A:** This is not a requirement.

**Q:** Can we upload any medical documents into ICC?

**A:** No. You would not want individuals to upload medical history documents unless it is necessary for eligibility. At this time there does not appear to be any reason for this to happen.

**Thoughts from the audience:**

- a) If a region does not believe an individual has the ability to complete a training due to the preserved ability that they would not succeed. Based on the fact we cannot provide additional supportive services. They might still have access to adaptive technology from other agencies
- b) In order to not to be accused of discrimination. Make sure the individual has a reasonable accommodation.
- c) Of the 3 individuals in the stories you provided who would be served under the new order of selection and who would be referred to others?
- d) VR's required state match dollars is a 21.3%.
- e) Who will be paying for hearing aids for working individuals now?
- f) Remember, just because VR refers the individual, VR is aware the customer will not automatically be eligible for services.
- g) Category 2 and Category 3 are going to be referred to other agencies. It would be helpful for us to know what that number looks like. Can we please be provided this per region?
- h) What services have these individuals been getting? We would like to be prepared to assist them.
- i) WorkOne has smaller resources as well, what are we looking at as far as data for amount of individuals coming in and are not who we are already mutual serving
- j) How will we know what accommodations are needed for individuals, that we can provide?

**6. Professional Development of Staff-** Topics for training gathered from the Regions

What types of specific training do the partners need for your staff?

- *Maybe at a monthly or quarterly staff meeting, a VR counselor can come in person to provide a training.*

1. Assistive Technology
  2. Etiquette
  3. Better understanding of the 7 Functional Capacity Limitation Area. "What they will be able or not able to get from VR?"
  4. Clarification- Education from the WorkOne about the eligibility criteria. "Can & cannot do from the VR side."
  5. Approved Training provider- or Eligible Training provider.
  6. Additional funding
  7. Compliance- closed door office or only is they request it?
  8. Documentation- how to document the mental health or disability issue?
  9. Case manager notes- on what is appropriate and not appropriate.
  10. Reasonable Accommodations.
  11. Training types of behaviors with different type of disabilities.
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**Tips:**

Having a point of contact in each office will be helpful. However, a single point of contact is hard when there the turnover of staff is at its highest.

POC does not have to be a person. It can be the comprehensive WorkOne office in that region

VR has general office email addresses where 2-3 individuals check this on a routine basis. Maybe the WO could look into having a feature like this.

What we want to avoid is a circular referral to one another. Let us create a processes to put in place. For example Region 1. Region 1 uses a paper referral form to pass back and forth. DOL stated it met the direct linkage (access) with the use of the scheduling system. The form by itself did not meet the needs of this. It also helped keep sensitive information off the fax machines.

Excerpts from DWD/VR Training Presentations

Excerpt from June 2017

**Indiana Department of Workforce Development**  
IDWD Overview, WIOA, and Vocational Rehabilitation Training Collaboration

**WorkOne Overview**

Most Career Centers offer:

- Computers with Internet access
- Referrals to community/Partner Services
- Job Boards
- Job Seeker Library
- Over-the-Shoulder Assistance

**Websites and Resources**

[www.hoosierdata.in.gov](http://www.hoosierdata.in.gov)

**WorkOne Overview**

**12 Regional Workforce Boards**

- Membership: business, education, labor, community, WIOA partner and economic development leaders
- Responsibilities: Strategic vision of workforce development and governance of the WorkOne centers.

**Websites and Resources**

[www.in.gov/dwd](http://www.in.gov/dwd)

**Workforce Investment and Opportunity Act (WIOA)**

**WorkOne Overview**

**Over 90 Comprehensive and Affiliate Career Centers**

- Assisting job seekers and businesses in connecting with the right resources to meet their particular needs
- Providing job referrals, training information, placement assistance, community connections, labor market information, and helping employers find qualified workers

**Websites and Resources**


IndianaCAREERConnect.com (ICC)  
Indiana's #1 Source of Job Openings

**WIOA**

- Overview
  - President Barack Obama signed WIOA into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.
  - Congress passed the Act by a wide bipartisan majority; it is the first legislative reform in 15 years of the public workforce system.

# Excerpt from August 2017


WORKING WITH VR  
REFERRALS  
AUGUST 2017



WELCOME


This training was developed jointly by Department of Workforce Development (DWD), WorkOne, and Vocational Rehabilitation Services (VR) staff in the spirit of collaboration to better serve our fellow Hoosiers to assist them with achieving their employment goals.

DISABILITY FACT OR FICTION  
SELF-QUESTIONNAIRE



DISABILITY FACT OR FICTION

How did everyone do? Any takeaways?



OBJECTIVES

- To gain a greater understanding of VR, to include its purpose, the individuals it serves, and the services it offers
- To learn about Order of Selection (OOS) for VR and the impact it will have on local WorkOne offices
- To understand the process by which VR will refer individuals to the local WorkOne offices
- To equip local WorkOne staff to effectively assist individuals referred by VR

ACTIVITY:  
DEBUNKING MYTHS



DEBUNKING MYTHS

WorkOne staff will need to learn about clinical diagnoses and detailed information about different disabilities.	WorkOne staff will focus on the participant's barriers to employment, not diagnoses, as with any other participant.
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DEBUNKING MYTHS

WorkOne offices will have to start providing services to participants referred from VR that they have not provided before.	WorkOne offices will continue to provide the same services to participants as they have before VR entering into OOS.
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DEBUNKING MYTHS

WorkOne offices will likely see a huge increase in the number of individuals coming through their doors due to VR going into OOS.	WorkOne offices will likely see an increase, but the volume is unknown at this point. WorkOne staff will determine program eligibility as they would for any other participant.
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## Element 5: Compliance with Disability Nondiscrimination Requirements

[29 CFR 38.12 through 38.17]

Indiana complies with the disability related requirements of WIOA Section 188, Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) of 1990, as amended, as well as implementing regulations, including, but not limited to 29 CFR Parts 32 and 38. These laws and regulations prohibit discrimination on the basis of disability in any program or activity receiving federal financial assistance. Applicable requirements are communicated through DWD Policy 2016-09 “Equal Opportunity and Nondiscrimination Guidance Letter” and general training was provided to the Local EO Officers via presentation module/conference call training in 2016-2017.<sup>65</sup>

The accessibility provisions of 29 CFR Part 38 require that facilities are accessible and usable by individuals with disabilities<sup>66</sup> and that programs and activities be programmatically 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.<sup>67</sup>

### Physical Accessibility

As part of the One-Stop Certification process<sup>68</sup> discussed in Element 3, each LWDA worked with its Local EO Officer, in collaboration with the State EO Officer, to conduct ADA compliance site surveys during 2017-2018. **This will be done again in Spring of 2021.** The EO Officers utilized an informal checklist, adapted from a checklist frequently used by VRS, to note major compliance areas such as parking, accessible routes, ramps, entrances and doors, signage, and restrooms.<sup>69</sup> The EO Officers identified areas of noncompliance and have completed, or are in process of corrective action where necessary.<sup>70</sup> Required modifications depend upon which facilities may be subject to the “safe harbor” provisions of the 2010 ADA standards. If a facility was in compliance with the 1991 ADA standards as of March 15, 2012, that facility may be “safe harbored” and therefore not required to make modifications unless the facility undergoes alterations. If alternations are made, however, they may trigger a requirement for compliance

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<sup>65</sup> Documentation 5.1: **Excerpt from Local EO Officer NDP Training Element 5 PowerPoint**

<sup>66</sup> 29 CFR 38.13(a)

<sup>67</sup> 29 CFR 38.13(b)

<sup>68</sup> DWD Policy 2016-10 (See Documentation 3.5); Documentation 5.2: Excerpt from One-Stop Certification Tool, Section 8

<sup>69</sup> Documentation 5.3: ADA Inspection Form

<sup>70</sup> Documentation 5.4: Sample WorkOne Office Completed ADA Inspection Form

with the newer 2010 ADA standards.<sup>71</sup> DWD anticipates additional training for its State and Local EO Officers to better understand ADA requirements for existing facilities.

The State EO Officer, in conjunction with **Compliance and Policy Division** Monitoring staff, conduct annual on-site monitoring of each LWDA where physical accessibility compliance is an element of review and discussion. Annual office reviews typically include, but are not limited to, a check of parking spaces/signage, compliant restroom facilities, wheelchair accessible entrances, and access to TTY/TDD or Relay services.<sup>72</sup> **Whenever there are new AJC offices, the State EO Officer ensures that the office has been reviewed for compliance in ADA standards.**

### Programmatic Accessibility

In efforts to improve programmatic accessibility, DWD utilized Disability Employment Initiative (DEI) grant funding to install several new assistive technology (AT) workstations in WorkOne offices throughout the state. These workstations were installed in 2016 and include adjustable workstations, articulating arm supports, large print keyboards, and ultra HD video magnifiers.<sup>73</sup> Following up on this AT initiative, the State EO Officer conducted an informal full state audit in 2017 to determine what equipment and software were available in each WorkOne office, as well as adequacy of staff training to utilize the AT.

The audit results indicated a variety of AT being utilized in the WorkOne offices, some of which includes print, visual, and audio materials in multiple mediums to include Zoom Text software, large key caps, and other accommodations for individuals with disabilities.<sup>74</sup> Additionally, all comprehensive WorkOne offices have an accessibility workstation like those installed under the DEI grant.<sup>75</sup> These workstations may include a larger computer screen, Braille keyboards, and keyboards with large text letters. For effective communication, all WorkOne offices have access to TTY/TDD and/or Relay Indiana<sup>76</sup> services as well as interpreter services as discussed in Element 2, including American Sign Language (ASL) interpreter services.

Results varied regarding staff knowledge and training, with some LWDA's reporting the need for additional training and others providing examples of local training tools in current use.<sup>77</sup> Recognizing the need for further AT training, as well as general disability-related training for WorkOne staff, DWD collaborated with partners such as VRS and Easter Seals Crossroads to

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<sup>71</sup> ADA Update: A Primer for State and Local Governments, [https://www.ada.gov/regs2010/titleI 2010/title ii primer.html](https://www.ada.gov/regs2010/titleI%202010/title%20ii%20primer.html)

<sup>72</sup> Documentation 5.5: On-Site Office Review Checklist

<sup>73</sup> Documentation 5.6: DWD News Release

<sup>74</sup> Documentation 5.7: Accessible Hardware Overview; Documentation 5.8: Accessible Software Overview

<sup>75</sup> For WorkOne Accessible Work Station Training (closed captioning is provided), see <https://www.youtube.com/watch?v=j8XF9jJSrc>

<sup>76</sup> For information on Relay Indiana, see [www.relayindiana.com](http://www.relayindiana.com)

<sup>77</sup> Documentation 5.9: Sample LWDA Auxiliary Area Guide

develop and implement staff training. For example, DWD and VRS cohosted a “Disability Etiquette” training as part of a staff training initiative in 2017, and provided the LWDAs several resources for local level AT training, some of which was derived from prior training from Easter Seals Crossroads. These resources included instructional videos, reference guides, software user manuals, and other documents that were shared with LWDAs in late 2017. DWD directed the LWDAs to complete the local level staff training in early 2018.<sup>78</sup>

Throughout 2020, DWD’s webmaster has completed various trainings that address accessibility for web design. The knowledge gained from these trainings has begun to be implemented to DWD’s website throughout to make it more accessible to individuals with disabilities. Examples include checking that all images have alt text, added appropriate roles and aria labels to the top ten pages, and added aria labels to pages with sub-navigation. DWD’s webmaster plans to attend more trainings that include accessibility components in the future and continuing to improve the website throughout by adding more aria labels, making clickable links more accessible, and utilizing Indiana’s website accessibility auditing tools.

### Medical Information

DWD and its recipients may not conduct pre-employment medical examinations or question an applicant for employment or training as to whether the applicant has a disability or the severity of the disability. However, recipients may make a pre-employment inquiry of an applicant’s ability to perform job-related functions.<sup>79</sup> Job postings on ICC are written to ensure postings do not contain discriminatory language or language that would screen out an individual with a disability on the basis of the disability.

Pursuant to confidentiality requirements, disability status and medical information are kept in a secured location, apart from other files, and accessible only to certain staff on a need-to-know basis, including supervisors and managers, first aid and safety personnel, and program staff responsible for documenting eligibility (where disability is an eligibility criterion for a program or activity).<sup>80</sup> Government officials may also access this information as necessary to enforce laws and regulations.

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<sup>78</sup> Documentation 5.10: DWD Technical Guidance and Training Deadline Email

<sup>79</sup> 29 CFR 32.15

<sup>80</sup> 29 CFR 38.41

## Element 5 Documentation

**Documentation 5.1: Excerpt from Local EO Officer NDP Training Element 5 PowerPoint**

Documentation 5.2: Excerpt from One-Stop Certification Tool, Section 8

Documentation 5.3: ADA Inspection Form

**Documentation 5.4: Sample WorkOne Office Completed ADA Inspection Form**

**Documentation 5.5: On-Site Office Review Checklist**

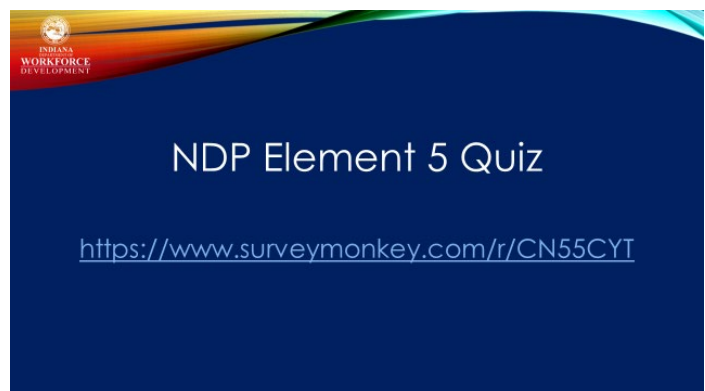
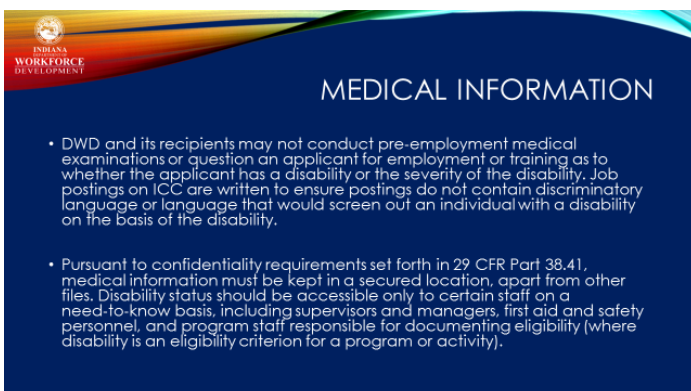
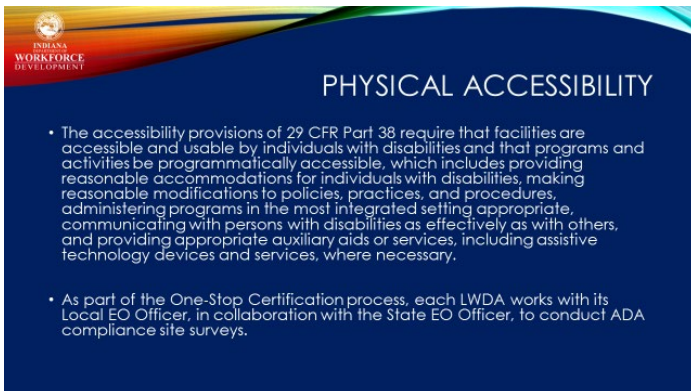
Documentation 5.6: DWD News Release

Documentation 5.7: Accessible Hardware Overview

Documentation 5.8: Accessible Software Overview

Documentation 5.9: Sample LWDA Auxiliary Area Guide

Documentation 5.10: DWD Technical Guidance and Training Deadline Email





Excerpt from One-Stop Certification Tool, Section 8

7.3	<b>There is a process in place for customers to file Equal Opportunity complaints/grievances and a process for addressing these complaints/grievances when they are filed.</b>			
	<i>Review procedural documents pertaining to EO complaints/grievances.</i>			
	Comments:			
<b>8. Physical Accessibility</b>				
8.1	<b>The center is in compliance with all accessibility requirements under Federal Law. The one-stop center meets the physical accessibility requirements under WIOA Sec. 188, set forth in 29 CFR 38.</b>			
	<i>Verify through the DWD Oversight and Compliance Dept.</i>			
	Comments:			
8.2	<b>Staff and program partners are able to demonstrate they know how to use adaptive and assistive technologies and are aware of the available resources.</b>			
	<i>Verify through staff interviews and observation.</i>			
	Comments:			
8.3	<b>A written policy explains how required partners in the one-stop center make reasonable accommodations and includes procedures for handling requests for accommodations</b>			
	<i>Review reasonable accommodations policy and/or procedures.</i>			
	Comments:			

8.4	<b>Workshops are accessible to all customers. The one-stop center has the ability to provide reasonable accommodations to ensure equal access.</b>			
	<i>Verify through observation to ensure workshops are accessible and reasonable accommodations are provided as needed.</i>			
	Comments:			
8.5	<b>The one-stop center utilizes available resources, such as Vocational Rehabilitation Services, to ensure accessibility.</b>			
	<i>Verify through staff interviews and observation. Do staff know when to make the appropriate referrals to agencies such as VR, when needed? Are staff aware of interpreter services/technology available for limited English proficient (LEP) individuals?</i>			
	Comments:			
<b>9. Continuous Improvement</b>				
9.1	<b>Local board or committee meeting minutes reflect discussion about outcomes and strategic improvements.</b>			
	<i>Review board or committee minutes.</i>			
	Comments:			
9.2	<b>The one-stop center has a process in place for customers to provide feedback or complaints outside of the customer feedback survey. The process should identify how complaints are tracked and corrective action plans.</b>			
	<i>Review process for filing complaints to ensure it contains these requirements.</i>			
	Comments:			

## ADA Inspection Form

This is an inspection form and does NOT suggest full compliance.

Property Location/Name \_\_\_\_\_

Inspected by \_\_\_\_\_ Inspection Date/time \_\_\_\_\_

**NOTE:** Item # corresponds to diagrams on following pages.

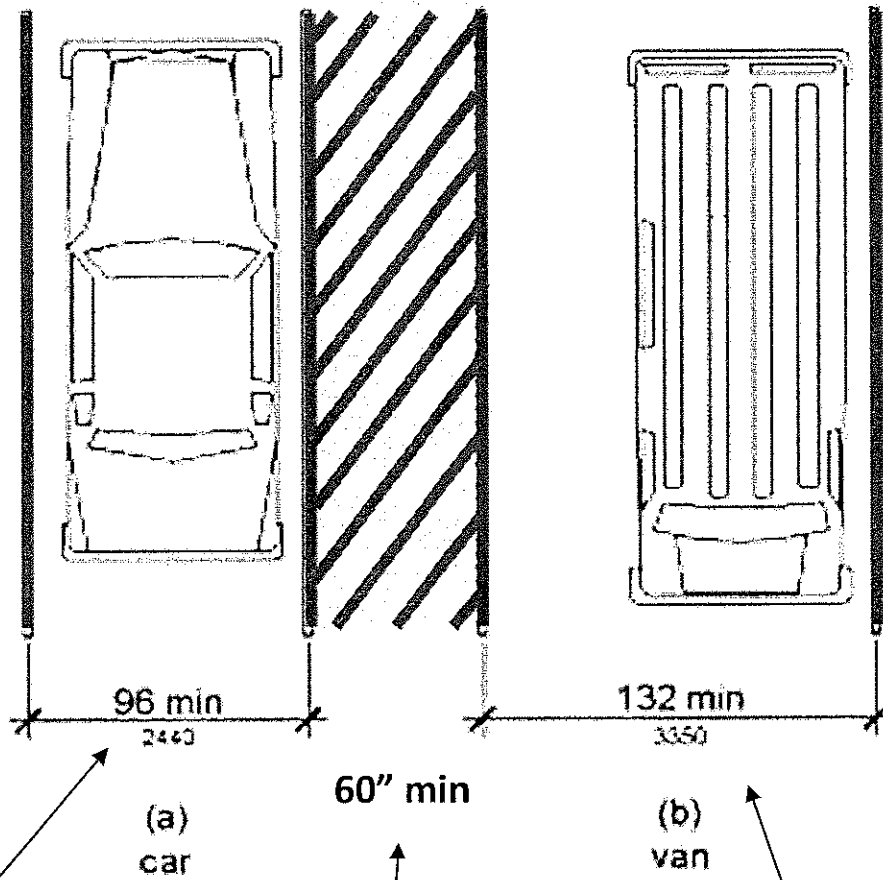
ITEM #	DESCRIPTION	GOOD	NEEDS REPAIR	COMMENTS
<b>A.</b>	<b>Parking Space</b>			
1	Vertical Sign (note height from bottom edge of sign)			
2	"Van Accessible" on sign			
3	Access aisle (60") / Vehicle space (96")			
4	Van space (132")			
5	Blue lines			
<b>B.</b>	<b>Access Route</b>			
6	36" minimum width			
7	Grades/cross slopes (5%/2%)			
8	Surface firm, stable and slip resistant			
9	Openings (1/2 " max)			
10	Changes in level (1/2" max)			
<b>C.</b>	<b>Doors</b>			
11	Levered handle			
12	5lbf			
13	Signage on pull side			
14	32" min width			
<b>D.</b>	<b>Restroom (WC)</b>			
15	60" clearance			
16	Grab bars (side and back)			
17	Flush on wide side			
18	Toilet paper w/in reach			
19	Seat height (17-19")			
<b>E.</b>	<b>Restroom (sink)</b>			
20	Height 34" max			
21	Faucet handles			
22	Mirror reflecting surface height (40" max)			
23	Paper towel/dryer 48" height max			
<b>F.</b>	<b>Maintained</b>			
24	Clean/Working order			
25	Area free of litter and hazards			

Item #	ABATEMENT SECTION: Narrative of Action Taken	Date

# Parking Space Inspection

1. Bottom edge of vertical sign(s) 60" from bottom of sign to pavement.

2. The words "Van Accessible" are on the sign of the space with the wider side.



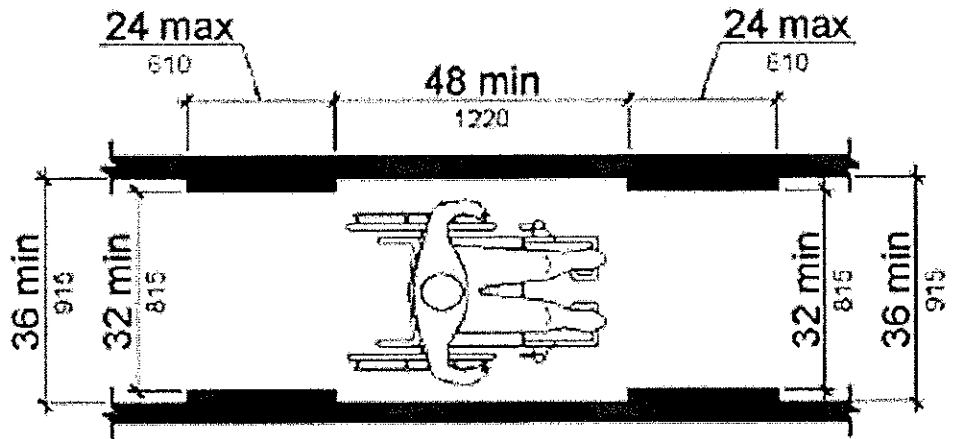
3. Accessible space 96" wide minimum and access aisle 60" minimum.

4. Van space is 132" minimum.

5. Space and access aisle marked with blue lines.

# Access Route Inspection

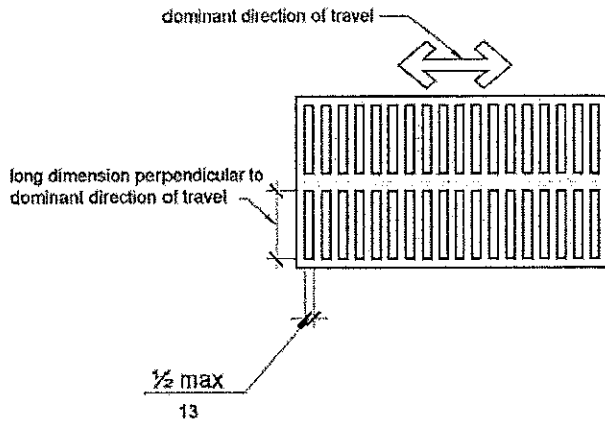
6. Minimum width should be 36", but can decrease to 32" for no longer than 24".



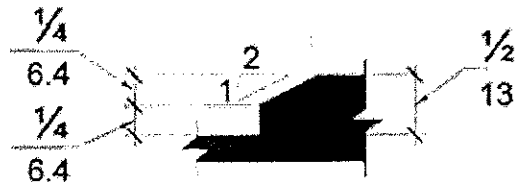
7. Grades and cross slopes shall not exceed 5% and 2% respectively.

8. Walking surfaces shall be firm, stable and slip resistant. (no large, loose stone.)

9. Openings along routes shall not exceed 1/2".



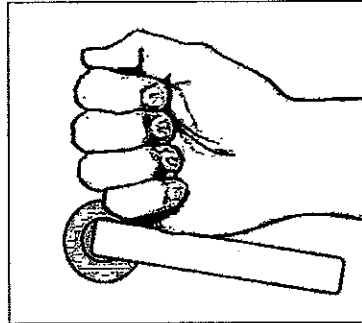
10. Changes in level cannot exceed 1/2".



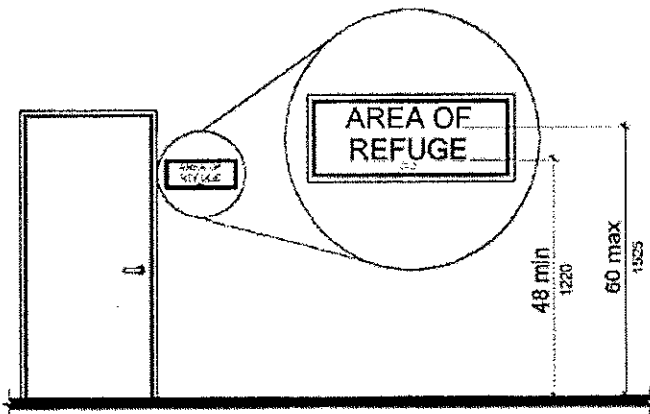
# Doors Inspection

11. Either a levered knob or handle that can be operated with a closed fist.

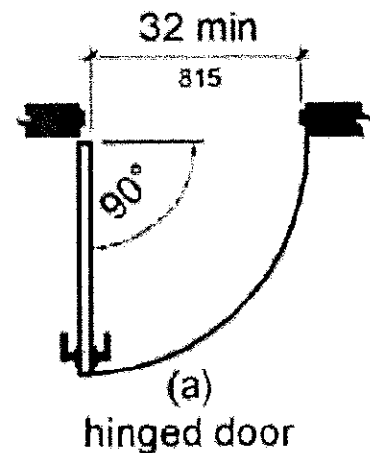
12. The door opening force cannot exceed 5 pounds of force unless it is a door with a powered opener.



13. Signage is to be located on the pull side no higher than 60" to the centerline of the sign.



14. Door openings shall not be less than 32".

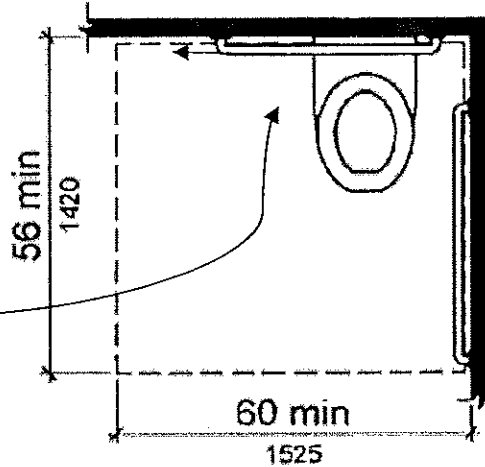


# Restroom (Water Closet) Inspection

15. There needs to be a 56 x 60" clear space at the water closet.

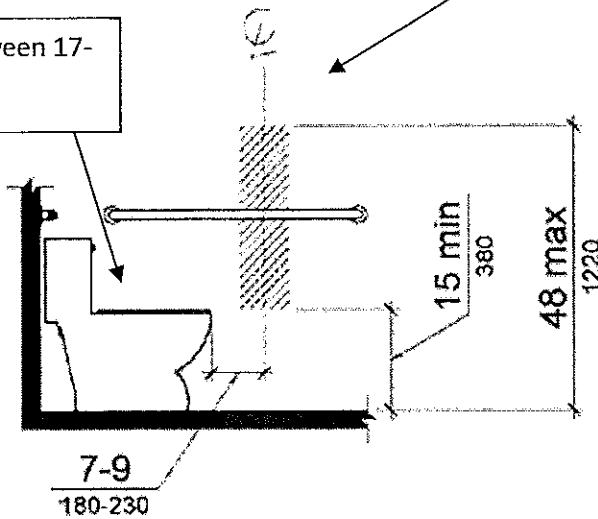
16. Are grab bars on the side and back of the stall (33 – 36" from the floor to the top of the bar surface)?

17. Is the flush handle on the wide side?

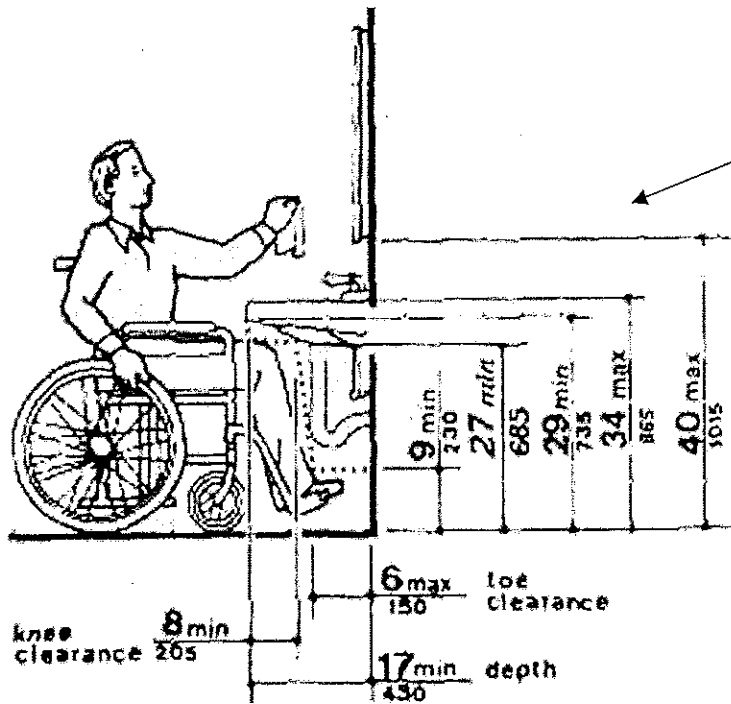


18. The toilet paper shall be within reach range.

19. The top of the toilet seat shall be between 17-19" from the floor.



# Restroom (Sink) Inspection

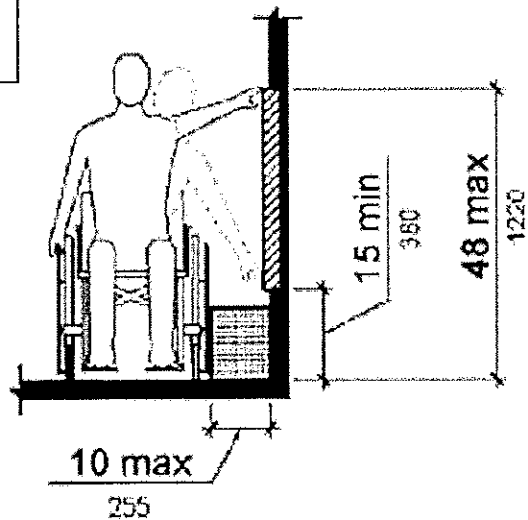


20. The maximum sink height is 34"

21. Faucet handles should be levers, one-hand operation.

22. Reflecting surface of mirrors shall be no higher than 40"

23. Paper towels, dryers, controls shall be no higher than 48"





## ADA Inspection Form

This an inspection form and does not suggest full compliance

Property Location/Name:	Greenfield WO
Inspected by:	Cindy Gosser
Inspection Date/Time:	6/8/2020

Note: Item # corresponds to diagram on following pages.

Item #	Description	Good	Needs Repair	Comments
<b>A</b>	<b><i>Parking Space</i></b>			
1	Vertical Sign (note height from bottom edge of sign)	X		
2	"Van Accessible" on sign		X	1 "Van Accessible" sign needed
3	Access aisle (60") / Vehicle space (96")	X		
4	Van Space (132")	X		
5	Blue Lines	X		
<b>B</b>	<b><i>Access Route</i></b>			
6	Access Route (36" minimum width)	X		
7	Grades/Cross Slope (5%/2%)	X		
8	Surfaces firm, stable and slip resistant	X		
9	Openings (1/2" max)	X		
10	Change in Level (1/2" max)	X		
<b>C</b>	<b><i>Doors</i></b>			
11	Levered Handle	X		
12	Opening Force (5 pounds)		X	1 door force needs lowered
13	Signage on pull side	X		
14	Opening (32" min width)	X		
<b>D</b>	<b><i>Restroom (Water Closet)</i></b>			
15	Clear Space (60" clearance)	X		
16	Grab Bars (side and back)		X	need to add 1 back grab bar
17	Flush on wide side	X		
18	Toilet paper w/in reach	X		
19	Toilet Seat Height (17-19")	X		
<b>E</b>	<b><i>Restroom (Sink)</i></b>			
20	Sink Height (34" max)	X		
21	Faucet Handles	X		
22	Mirror reflecting surface height (40" max)	X		
23	Paper Towel/dryer 48" height max	X		
<b>F</b>	<b><i>Maintained</i></b>			
24	Clean / Working order	X		
25	Area free of liter and hazards	X		

Item #	ABATEMENT SECTION: Narrative of Action Taken	Date
	All items are in progress	11/17/2017
	All remaining items are in progress	6/8/2020



- 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



**For Immediate Release | 3/23/2016**

Contact: Al Ensley

Phone: 317-232-7358

Email: [aensley@dwd.in.gov](mailto:aensley@dwd.in.gov)

## **DWD Unveils Assistive Technology at WorkOne Career Centers**

**INDIANAPOLIS** (March 23, 2016) – As part of Disability Awareness Month, the Indiana Department of Workforce Development (DWD) and its WorkOne partners are unveiling new workstations that contain assistive technology designed to help Hoosiers with disabilities in their search for gainful employment. These workstations can be found at twelve WorkOne Career Centers throughout the state, with nine more being added by the end of the year.

WorkOne assistive technology workstations include adjustable workstations, articulating arm supports, large print keyboards, and ultra HD video magnifier. WorkOne team members have been participating in regular training sessions to learn new strategies for assisting individuals with disabilities in their job search.

“The Department of Workforce Development exists to provide access to tools and services that enable Hoosiers to prepare for, obtain and retain employment,” said Steven J. Braun, Commissioner of the DWD. “Every job seeker has a different set of barriers to employment, and it is important that DWD staff and our WorkOne partners are trained and ready to assist Hoosiers with disabilities in their search for gainful, integrated employment. The addition of new assistive technology will enable us to better serve some of our most vulnerable and underemployed citizens.”

In addition to the assistive technology at WorkOne offices, DWD staff will join hiring managers, HR professionals and business owners from across Indiana for a disability inclusion conference on March 24, 2016. [“The Successful Recipe for Disability Inclusion”](#) is a day-long training seminar that will focus on ways organizations can improve accessibility in the hiring process, modernize digital and physical infrastructure and raise staff awareness of disability etiquette.

The workstations and conference are part of the Disability Employment Initiative (DEI), which is jointly funded and administered by the U.S. Department of Labor’s Employment and Training Administration and its Office of Disability Employment Policy. The DEI grant is designed to improve education, training and employment opportunities for adults with

disabilities (ages 18-64) who are unemployed, underemployed and/or receiving Social Security disability benefits.

Visit [www.in.gov/dwd/2416.htm](http://www.in.gov/dwd/2416.htm) for more information about DEI, other WorkOne initiatives to assist Hoosier with Disabilities and a list of locations with assistive technology. For more information on the March 24th Disability Inclusion Conference, please visit [www.makingdiversitywork.org](http://www.makingdiversitywork.org).

-30-



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This service is provided to you at no charge by [Indiana Department of Workforce Development](#).

---

This email was sent to [ceberry@dwd.in.gov](mailto:ceberry@dwd.in.gov) using GovDelivery, on behalf of: Indiana Department of Workforce Development  
· Indiana Government Center South  
10 North Senate Avenue · Indianapolis, IN 46204 · (800) 891-6499



## Accessible Hardware Overview Outline:

### Infinity **Adjustable Workstation:**

This workstation is a height adjustable workstation that allows the user to independently raise and lower the workstation surfaces with an easy-to-use switch located at the front of the workstation. This workstation will be helpful for persons who are in a wheelchair or those who have musculoskeletal issues that require periodic movement to control pain.



### **Articulating Arm Supports:**

Clients who suffer from repetitive stress injuries (i.e. carpal tunnel) will utilize these articulating arm supports while using the computer to relieve stress in their wrists and arms. Additionally, these arm supports are fully adjustable.



### **Viewsonic 24" Monitor:**

This is a larger screen display that will allow persons with visual impairments more screen surface to view information better. Larger screen monitors automatically make the viewable information larger and when coupled with the Windows Built-in Magnifier access to the computer will become much easier.



### **Merlin Elite Full HD Video Magnifier:**

The Merlin Elite Full HD Video Magnifier has an 24 inch HD monitor and is used by persons with visual impairments to view printed materials (ex. applications, resumes, reading materials, etc.). It comes with controls on the middle front of the monitor to control magnification, color contrast, and focus adjustments. Additionally the X-Y table is used to easily maneuver printed documents for ease of access.



### **Kensington Expert Mouse:**

The Kensington Expertmouse trackball is a pointing device that reduces the amount of movement needed to move a mouse pointer around the computer screen. Clients who have limited mobility or repetitive stress injuries (i.e. carpal tunnel) will benefit from using this pointing device by reducing fatigue and strain that results from using a standard pointing device. Additionally, this pointing device features four programmable buttons and 6 quick launch buttons that can increase a person's efficiency by opening programs and dragging items across the screen with the click of a button.



### **Microsoft LX-3000 Headset:**

The Microsoft LX-3000 headphones are designed to limit outside noises while listening to audio output from the computer. They also double as a microphone for using voice-input software such as the built-in Windows Speech Recognition software. Persons with visual, cognitive and/or physical impairments will use this Headset as they use audio output software (ex. Jaws, NaturalReader) or voice input software (ex. Windows Speech Recognition).



**EnableMart Large Print Keyboard:**

The Large Print Keyboard enlarges the letters and symbols that are on a standard keyboard by almost four times the actual size. This keyboard allows clients with low vision to more easily access the computer keyboard.



**LSS Video Magnifier Cart:**

The LSS Video Magnifier Cart will provide a portable station for the Merlir Elite Full HD Video Magnifier. This portable cart will allow staff to transport the video magnifier to their workspaces should they be meeting with someone with a visual impairment. The cart has a large surface to hold the video magnifier and other materials. It also has locking casters that will keep it from rolling around when in use.



**Ergonomic Office Chair:**

The ergonomic office chair will allow persons with musculoskeletal issues to properly position themselves while using the workstation. The chair offers several adjustments for proper positioning including seat height, seat tilt, seat depth, back height, arm height, and lumbar support.



## Accessible Software Overview Outline:

### Windows Speech Recognition:



Windows Speech Recognition is a voice input program that allows a person to access the computer without the use of the keyboard or mouse. By taking spoken language and translating it into text and system commands a person can operate the computer by simply talking to it. This includes opening up programs, operating the mouse, dictating text, scrolling web pages, using program menus, etc.

### Natural Reader 13:



Natural Reader is a text-to-speech program that will allow persons who have difficulty with reading (ex. Literacy, Dyslexia, etc.) to read Word, PDF, Internet files.. This program reads e-text verbally to the user in naturally sounding voices and will assist with both reading and reading comprehension.

### Windows Magnifier:



Windows Magnifier magnifies the computer screen for persons with visual impairments. It provides incremental magnification and multiple viewing options (full, docked, lens) to assist folks with viewing information that is displayed on the screen.

### Jaws for Windows (Screen Reader):



Jaws is a screen reading system which will allow users who are blind or visually impaired to access the computer. Jaws (Screen Reader) reads information that is displayed on the computer screen and provides context to the user so they know how to navigate or interact wherever the computer's focus is. This program also provides accelerator keystrokes for accessing a variety of productivity tools such as MS Word, Internet, Email, etc.



## Allen County Auxiliary Area Guide



### **Turning on:**

Turn on computer (underneath the desk) if it is not already on  
Login to public account  
Use same password as the IRA computers  
Desktop is set up the same as IRA computers

### **Arm supports:**

There are arm supports on both sides of the desk for customers who need the additional support when typing or using the mouse.



### **Keyboards:**

There are two keyboards that may be utilized.  
Both are connected to the computer so nothing needs to be plugged in or unplugged.  
The keyboard setting on the desk has larger font than the keyboards in the IRA.



The second keyboard is attached by Velcro so it can moved and utilized on the desktop of on the customer’s lap.



### **Speakers/Headphones:**

There are multiple speakers connected to the computer but they are set to off. If a customer needs the volume louder please have them use the headphones so other customers will not be able to hear the information being presented. If the customer is not able to utilize the headphones you may have them use a private room or have them come in outside of our normal office hours.

There is a set of headphones with a microphone on the desk.

You will need to plug into the telephone or the computer for the customer to utilize.

There are two connectors on the headphones- one is for the headphones and one is for the microphone. If you are using for listening only, you don’t have to plug in the microphone portion.

## Zoom

When the customer has physical documents they need to view. You will utilize the Clearview system for this.



You need to click on the red power button to turn on the system.



Place the document on the base of the system. (Where it says Optelec).

The document will appear on the monitor of the system.

Turn the dial to decrease or increase the size of the document.

If you push in the center of the dial it will change the background from white to black. This helps many customers with visual impairments. Clicking the button again will revert back to a black background.



**TTY:**

TTY is Text Telephone which may be used for customers that have a hearing impairment.

Turn the power on with the button located to the right of the display screen.



Pick up the receiver on the phone, push 9 for an outside line and dial the number.



Place the phone receiver on top of the TTY machine.

Dial 9 (to get outside line if applicable), then dial 711 or 800-743-3333

Operator at Relay Indiana will answer and type "RELAY INDIANA, #, M or F (operator gender), and NUMBER CALLING PLS GA". (Which means please go ahead).

Type number you wish to call and the name you wish to speak with and then GA.

They must read everything you type to the person they are calling and they must tell you everything the person states also. They are not able to make judgment calls on what to share.

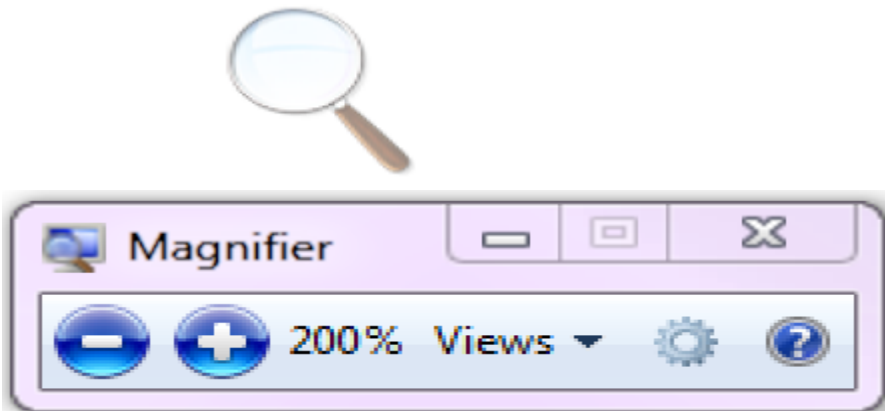
TTY abbreviation guide:

Type: GA= Go Ahead      PLS GA= Please Go Ahead      SK= Stop Keying (done talking)      Q= Question      GA  
to SK= you are done unless he or she has more to add

### **Magnifying:**

There are a few different ways to increase the size of font on the computers:

Click on the start button on the bottom left corner of the screen, type magnifier in the search box, then click on the magnifier icon. To change the size of the font on the screen: click on the magnifying glass, then click on – or + to decrease or increase the size. To close the magnifier: click on the magnifying glass and then click on the x.



Many programs, including Microsoft Outlook, Word and Excel all have magnifying controls on the bottom right hand corner. Click on the – or + to decrease or increase the size.



Most programs also allow keyboard or mouse cheats to do this as an alternative method. Click Ctrl while using the mouse scrolling function to decrease or increase the size.

## On screen keyboard

Click on Start bottom, in Search box- type Ease of Access Center, Click on Start on-Screen Keyboard.

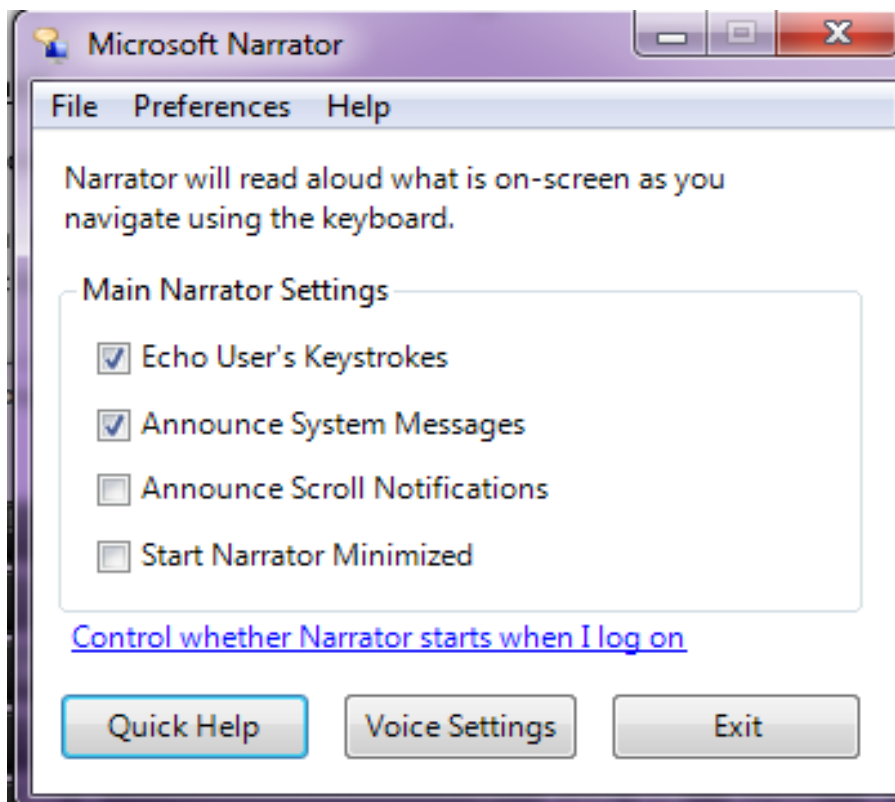
The below keyboard will appear on the screen for customers that only have ability to use the mouse. When done, you click on the box in the right hand corner of the on screen keyboard.



## Narrator

Click on Start bottom, in Search box- type Ease of Access Center, Click on Start Narrator.

Choose the settings requested. Click on the red box when done or click on exit.



## Other options in the Ease of Access Center

### Explore all settings

When you select these settings, they will automatically start each time you log on.



Use the computer without a display

Optimize for blindness



Make the computer easier to see

Optimize visual display



Use the computer without a mouse or keyboard

Set up alternative input devices



Make the mouse easier to use

Adjust settings for the mouse or other pointing devices



Make the keyboard easier to use

Adjust settings for the keyboard



Use text or visual alternatives for sounds

Set up alternatives for sounds



Make it easier to focus on tasks

Adjust settings for reading and typing

**From:** [Gault, Steve](#)  
**To:** [Maxey, Bonnie](#)  
**Cc:** [Long, Jennifer](#)  
**Subject:** FW: Assistive Workstation Training  
**Date:** Friday, May 04, 2018 1:26:01 PM  
**Attachments:** [Accessible Hardware Overview 1 page.pdf](#)  
[Accessible Software Overview 1 page.pdf](#)  
[DWD 2015 Hardware Quick Reference Guides.pdf](#)  
[Jaws Quick Reference.pdf](#)  
[Natural Reader Quick Reference.pdf](#)  
[Windows Magnifier Quick Reference.pdf](#)  
[Windows Speech Recognition Quick Reference.pdf](#)  
[YouTube Training Video - workstation.docx](#)  
[DWD Field Operations Assistive Work Station Training Survey.xlsx](#)  
[Assistive Workstation Equipment and Software.docx](#)

Bonnie,

This is the email we sent with the self-training materials. I've also attached an Excel spreadsheet with the survey results and a Word doc listing of the hardware and software that the workstations contain. Questions, let me know.

Thanks.

---

**From:** Gault, Steve

**Sent:** Friday, December 01, 2017 3:48 PM

**To:** Angie Crossley ([acrossley@workforcenet.org](mailto:acrossley@workforcenet.org)) <[acrossley@workforcenet.org](mailto:acrossley@workforcenet.org)>; Deb Waymire ([dwaymire@tap.lafayette.in.us](mailto:dwaymire@tap.lafayette.in.us)) <[dwaymire@tap.lafayette.in.us](mailto:dwaymire@tap.lafayette.in.us)>; Edmond O'Neal ([eoneal@neinworks.org](mailto:eoneal@neinworks.org)) <[eoneal@neinworks.org](mailto:eoneal@neinworks.org)>; Jacqueline James ([jjames@workoneregion10.com](mailto:jjames@workoneregion10.com)) <[jjames@workoneregion10.com](mailto:jjames@workoneregion10.com)>; Kay Johnson <[Kay.Johnson@workonesw.org](mailto:Kay.Johnson@workonesw.org)>; Krystal Levi ([klevi@gotoworkone.com](mailto:klevi@gotoworkone.com)) <[klevi@gotoworkone.com](mailto:klevi@gotoworkone.com)>; Patricia Griffin ([pgriffin@workonecentral.org](mailto:pgriffin@workonecentral.org)) <[pgriffin@workonecentral.org](mailto:pgriffin@workonecentral.org)>; Richard Sewell ([richards@workonesoutheast.org](mailto:richards@workonesoutheast.org)) <[richards@workonesoutheast.org](mailto:richards@workonesoutheast.org)>; Robyn Minton <[rminton@innovativeworkforce.com](mailto:rminton@innovativeworkforce.com)>; Marie Mackintosh ([MMackintosh@EmployIndy.org](mailto:MMackintosh@EmployIndy.org)) <[MMackintosh@EmployIndy.org](mailto:MMackintosh@EmployIndy.org)>; Shannon Laurent <[slaurent@hotmail.com](mailto:slaurent@hotmail.com)>; Lisa Price ([lprice@asgcorp.org](mailto:lprice@asgcorp.org)) <[lprice@asgcorp.org](mailto:lprice@asgcorp.org)>

**Cc:** Davisson, Nancy <[ndavisson@dwd.IN.gov](mailto:ndavisson@dwd.IN.gov)>; James, Kalena F <[KJames@dwd.IN.gov](mailto:KJames@dwd.IN.gov)>; Wray, Connie E <[CWray@dwd.IN.gov](mailto:CWray@dwd.IN.gov)>; Boyd, Marcus B ([MBoyd2@dwd.IN.gov](mailto:MBoyd2@dwd.IN.gov)) <[MBoyd2@dwd.IN.gov](mailto:MBoyd2@dwd.IN.gov)>; Ouattara, Ibrahim <[IOuattara@dwd.IN.gov](mailto:IOuattara@dwd.IN.gov)>

**Subject:** FW: Assistive Workstation Training

All,

Our approach to provide initial training on the Assistive Workstations is to provide the attached video training and product guides for staff to use to train themselves. The advantage of this approach is that it:

- Provides training now,
- Can be used in the future by new staff,
- Serves a refresher for those trained in past,
- Provides a reference available when needed,
- Provides hands on training,
- Avoids travel and time out of the office.

These materials were provided by Easter Seals and were used as a part of the training the provided.



Regional Administrators should appoint at least two staff per WorkOne with an Assistive Workstation to complete this training as soon as practical but no later than January 15, 2018. When the training has been completed, Please provide the names and contact information of the trained staff to Steve Gault, DWD Field Operations. After the training has been completed, we will follow up with a survey on the effectiveness of this training method and whether additional is needed to complete this first round. Note that some WorkOnes may not have the exact hardware or software covered by these guides but a different kind that performs a similar function. In these cases, search the internet for guides and videos that can be used for training and reference or refer to materials that may have been shipped with it. If you need assistance using these materials or have other questions, please contact Steve Gault, [sgault@dwd.in.gov](mailto:sgault@dwd.in.gov) or 812.675.2481 for assistance.

We are committed to ensuring staff can be effective and feel comfortable in using the tools of the Assistive Workstations to help customers receive the services they desire and this is a step in doing so.

Thanks.

## Element 6: Data and Information Collection and Maintenance

[29 CFR 38.41 through 38.45]

Recipients must collect and maintain records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment and must record race/ethnicity, sex, age, and where known, disability status. Beginning on January 3, 2019, each recipient must also record LEP and preferred language. Data collected must be stored in a manner that ensures confidentiality and used only for purposes of recordkeeping and reporting, determining eligibility for WIOA Title I-funded programs or activities, or other uses authorized by law.

### Systems

Indiana Career Connect (ICC) is Indiana's job-matching and client tracking system. The web-based system may be accessed online or at terminals in WorkOne offices by both employers and job seekers to facilitate job-matching.<sup>81</sup> Employers may post job openings and find candidates. Job seekers can register for work, find job openings, and use other services, such as resume drafting, available on the website.

As part of DWD's demand-driven workforce system (DDWS) that provides job-matching, case management, and data collection services, ICC also collects and reports data for the programs administered by DWD. ICC collects data for applicants and participants receiving WIOA career services.<sup>82</sup> The State EO Officer is able to retrieve and cross-reference Job Service and demographic information from ICC. The collected information is examined during the monitoring process using a participant file review tool.<sup>83</sup> **We continue to expand our efforts in collecting meaningful data.**

Uplink is Indiana's portal for filing Unemployment Insurance (UI) claims, and is accessible online and in WorkOne offices. The State EO Officer is currently working with UI management to develop better system integration and enrich the quality and understanding of participant data. **As a result, DWD has an assigned UI liaison who will be working closely with the state EO Officer which will expand our efforts in educating UI in the requirements of EO and section 188 of WIOA.**

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<sup>81</sup> See <http://www.indianacareerconnect.com>

<sup>82</sup> Documentation 6.1: WIOA ICC Application

<sup>83</sup> Documentation 6.2: WIOA Adult Participant File Review Checklist; See Element 7 for further detail on monitoring.

## Records and Resources

Demographic information is collected at Hoosiers by the Numbers,<sup>84</sup> which provides a demographic breakdown by workforce service area and counties. This is used in conjunction with the ICC reporting system, as outlined in Element 7's monitoring procedures.

Certain participant records, such as those containing medical information, are secured and kept separate from other information to ensure confidentiality.<sup>85</sup> All participant data collected is retained for a period of three years from the date of application, and for complaints, three years after resolution of the complaint.<sup>86</sup>

Each LWDA utilizes a formal Complaint Log<sup>87</sup> to record complaints filed that allege discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship status and/or participation in a WIOA Title I-financially assisted program or activity. The Local EO Officers submit the Complaint Log on a quarterly basis (April 5, July 5, October 5 and January 5) to the State EO Officer.

## Enforcement

WIOA grant applicants and recipients must notify the State EO Officer of any administrative enforcement actions or lawsuits filed regarding discrimination. Additionally, the Director of CRC will be notified of any administrative enforcement actions and lawsuits against recipients that allege discrimination on one or more of the bases prohibited by WIOA Section 188.

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<sup>84</sup> See <http://www.hoosierdata.in.gov>

<sup>85</sup> 29 CFR 38.41. See also DWD Policy 2016-09 (Documentation 1.5) and Documentation 6.3: DWD Policy 2013-03: Confidential and Privileged Information.

<sup>86</sup> 29 CFR 38.43; See Indiana Record Retention guidelines at <https://www.in.gov/iara/files/gr.pdf>.

<sup>87</sup> Documentation 6.4: Complaint Log

## Element 6 Documentation

Documentation 6.1: WIOA ICC Application

Documentation 6.2: WIOA Adult Participant File Review Checklist

Documentation 6.3: DWD Policy 2013-03: Confidential and Privileged Information

Documentation 6.4: Complaint Log

**WIOA APPLICATION  
Indiana Career Connect**

General Information				
Application Status:				
Name:		SSN:		
AppID:		WIA Converted App ID:		
State ID:		User ID:		
LWIA:		Office: Office of Responsibility:		
Assigned Case Manager:				
Application Date:		Login Name:		
Eligibility Dates				
Basic Core Date:	Adult Date:	Dislocated Worker:	Youth Date:	Incumbent Worker Date:
Contact Information				
Current Address:		County:		
Mailing Address:				
Eligibility Address:		County:		
Primary Phone:		Primary Phone:		Fax:
Phone Type: Cell/Mobile Phone		Phone Type: Cell/Mobile		1
Phone Mode:		Phone Mode:		
Email:				
Demographic Information Date				
of Birth:		Age:	Gender:	
Selective Service: Not applicable Verified		Authorized to work in US: Citizen of U.S. or U.S. Territory		
Selective Service Registration Number: Not Available		Verified		
Selective Service Registration Date:		Alien Registration Number: Not Available		
		Alien Registration Expiration Date: Not Available		
Hispanic:		Race:		
Considered to have a Disability:		Category of Disability:		
Received services from a State Development Disabilities Agency (SDDA):				
Received services from a State or Local Mental Health Agency (LSMHA):				
Received services from a Home & Community Based Service Provider Under a State Medicaid (HCBS) Waiver:				
Disability Work Setting:				
Type of Customized Employment Services Received:				
Received Disability Financial Capability:				
Section 504 Plan:				
Received services from Vocational Rehabilitation:				
Transitioning Service Member Information				
Type of Transitioning Service Member:			Estimated Discharge Date:	
Veteran Eligible Spouse Information				
Veteran Status: No		Disabled Veteran:		
Homeless Veteran: No		Received Services from Veteran VR:		

**WIOA APPLICATION  
Indiana Career Connect**

**Multiple Tours of Duty:** No

**Veteran Separation Dates:**

- 
- 
-

**WIOA APPLICATION**  
**Indiana Career Connect**

Employment Information		
Employment Status: Not Employed Verified	If employed, under-employed: Not Applicable	
Unemployment Eligibility Status: Claimant Verified	UI Referred By: RESEA	
Claimant has been exempted from work search: No	Date claimant exempted from work search:	
Number of weeks Unemployed:	Meets Long Term Unemployed Definition: No	
Current or most recent Hourly Wage:	Occupation of Most Recent Employment Prior to WIOA Participation:	
Termination/Layoff Information		
Reason for Layoff: Category 1: Terminated or laid off, or has received notice of termination or layoff, and is eligible for or has exhausted entitlements to UC, and is unlikely to return to previous industry or occupation. Verified		
Is unemployed due to general economic conditions in the community lived in, or worked in, or related to a military installation realignment:		
Is unemployed as result of an emergency or natural disaster in the community lived in, or worked in:		
Is considered long term unemployed, as defined by the state in the NDWG grant:		
Actual Layoff Date: 01/21/2018	Projected Layoff Date:	
Dislocation Employer Name:	Employer Address:	
Dislocation Hourly Wage:		
Attended Group Orientation: No		
Most Recent Date Attended Rapid Response Service:	Rapid Response Event:	
Education Information		
School Status: Not attending school; Secondary School Graduate or has a recognized equivalent - Verified		
Highest School Grade Completed: 12th Grade Completed		
High School Diploma or Equivalent received: Yes		
Highest Educational Level Completed: Attained a high school equivalency		
Education Partner Services		
Receiving services from Adult Education (WIOA Title II): Did not self-identify		
Receiving services from YouthBuild: Not Applicable	YouthBuild Grant Number:	
Receiving services from Job Corps: Did not self-identify		
Receiving Services from Vocational Education (Carl Perkins): Did not self-identify		
Individualized Education Program Participant: Not Applicable		
Barriers		
English Language Learner: No	Basic Skills Deficient/Low Level of literacy: No	Homeless: No
	Ex-Offender: No	
Barriers to Employment		
Displaced Homemaker: No	Within 2 years of exhausting TANF lifetime eligibility: No	
Hawaiian Native: No	American Indian/Alaskan Native: No	Single parent including pregnant women: No
Cultural barriers: No	Eligible migrant and seasonal farmworker as defined in WIOA Sec. 167(i) : No	Meets Governors special barriers to employment: No
Public Assistance		

**WIOA APPLICATION  
Indiana Career Connect**

Temporary Assistance for Needy Families (TANF):No	TANF Recipient:	
Supplemental Security Income (SSI): No	SSI Recipient:	
General Assistance (GA): No	GA Recipient:	
Refugee Cash Assistance (RCA): No	RCA Recipient:	
Social Security Disability Income (SSDI): No		
Supplemental Nutrition Assistance Program (SNAP): No	Receiving services under SNAP Employment & Training Program: No	
Foster Child (state or local payments are made for applicant): No	Youth currently living in high-poverty area: No	
Youth currently receives, or is eligible to receive free or reduced lunch under the Richard B. Russell National School Lunch Act : No	Receiving or been notified will receive any Pell Grant Monies: No	
Ticket to Work Holder issued by the Social Security Administration: No		
<b>Income Information</b>		
Due to disability, qualifies as Family of One:No	Family Size: 1 Verified	
Annualized Family Income: \$17,062.00 Verified		
<b>Eligibility</b>		
Applicant meets the definition for Low Income:No	Youth applicant meets low income based upon living in a high poverty area or free/reduced school lunch:No	
Dislocated Worker Eligibility:Yes Adult Eligibility: Yes	Youth Eligibility: Youth exception:Meets the 5% Exception and/or 5% Limitation (checkbox is displayed and is NOT checked)	
<b>WIOA Grant Eligibility</b>		
National Dislocated Work Grant NDWG (formerly NEG):	Statewide Adult Eligibility:	
Statewide Dislocated Worker Eligibility:	Statewide Youth Eligibility:	
Incumbent Worker Eligibility:	Statewide Rapid Response Additional Assistance:	
<b>Non-WIOA Program Eligibility</b>		
Non-WIOA Special Grants:		
Local Funded Grants:		
<b>Staff Eligibility Information</b>		
Comments:		
Adult Review: Met Requirements :Not Applicable	Adult Review Date:	Adult Review Staff:
Dislocated Worker Review: Met Requirements :Not Applicable	Dislocated Worker Review Date:	Dislocated Worker Review Staff:
Youth Review: Met Requirements :Not Applicable	Youth Review Date:	Youth Review Staff:
<b>WIOA Miscellaneous Information</b>		
Meets the Additional Priorities established by the Governor and/or Local Board:		
Youth of Incarcerated Parent: No		
Substance Abuse: No		
Lacks Transportation: No		
Lacks Child Care: No		
<b>Signatures</b>		



**WIOA APPLICATION  
Indiana Career Connect**

**Applicant Certification Statement:** *(Not to be signed and dated until all documentation has been provided.)* I certify that the information on this application is accurate to the best of my knowledge. I understand that my willful misstatement of the facts may cause my forfeiture of rights in the WIOA Program and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify my eligibility for WIOA. I further understand and agree that my social security number and other information on this application will be provided to other government agencies if required by law.

I acknowledge I have received an Equal Opportunity is the Law Notice.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Parent/Guardian Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Staff Signature**

\_\_\_\_\_  
**Date**

# SOLICITUD DE WIOA

Fecha de la solicitud: \_\_\_\_\_

OrgID: \_\_\_\_\_

Information de contacto			
Apellido, Nombre, Inicial segundo nombre			
Dirección (Calle, Ciudad, Estado)		Condado	Código Postal
Correo electrónico		Teléfono (    )	Cel / Casa (marque uno)
Información demográfica			
Número de Seguro Social	Fecha de nacimiento (mm/dd/aaaa)	Edad	Género Masculino _____ Femenino _____
<b>Discapacidades</b>	<b>Raza (marque todo lo que corresponda)</b>	<b>Ciudadanía</b>	<b>Servicio Selectivo</b>
<input type="checkbox"/> Sí <input type="checkbox"/> No No deseo divulgarlo Salud física/crónica Física/Discapacidad movimiento Discapacidad mental o siquiátrica Relacionada con la vista Relacionada con la audición Discapacidad de aprendizaje Cognitiva/Intelectual	<input type="checkbox"/> Afroamericano/Negro <input type="checkbox"/> Indio americano/Nativo de Alaska <input type="checkbox"/> Asiático <input type="checkbox"/> Hawaiano/Isleño del Pacífico <input type="checkbox"/> Blanco/Caucásico <input type="checkbox"/> No identificó <input type="checkbox"/> <b>Hispano/ Latino</b> <input type="checkbox"/> Sí <input type="checkbox"/> No	<input type="checkbox"/> Ciudadano de Estados Unidos <input type="checkbox"/> Residente permanente de Estados Unidos <input type="checkbox"/> Extranjero/Refugiado admitido legal en Estados Unidos Número de registro : _____ Fecha de vencimiento: _____ <input type="checkbox"/> Ninguno de los anteriores	<input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Exento <input type="checkbox"/> No corresponde  Número de registro _____
Información de educación			
Encierre en un círculo el grado más alto completado: 0 1 2 3 4 5 6 7 8 9 10 11			
<input type="checkbox"/> 12° grado, sin diploma <input type="checkbox"/> Diploma de escuela secundaria <input type="checkbox"/> HSE/GED <input type="checkbox"/> Certificado de finalización/asistencia <input type="checkbox"/> 1 año Universidad/Técnica/Vocacional <input type="checkbox"/> 2 años Universidad/Técnica/Vocac <input type="checkbox"/> Certificado de escuela vocacional u otro certificado de educación superior <input type="checkbox"/> Título de dos años <input type="checkbox"/> Licenciatura <input type="checkbox"/> Maestría <input type="checkbox"/> Doctorado <input type="checkbox"/> Título con especialización (MD, DDS)			
<b>Situación escolar:</b>			
<input type="checkbox"/> En escuela, HS o grados inferiores <input type="checkbox"/> En escuela, alterna <input type="checkbox"/> En escuela, post HS <input type="checkbox"/> No asiste, abandonó estudios <input type="checkbox"/> No asiste, graduado de HS Asiste a la escuela (según la definición del estado): <input type="checkbox"/> Sí <input type="checkbox"/> No Edad 16-17, no asistió a la escuela en el último trimestre del calendario escolar <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> N/A			
Información de veteranos			
<b>Miembro de las Fuerzas Armadas en transición</b>	<b>Condición de elegibilidad</b>	<b>Veterano sin hogar</b>	
<input type="checkbox"/> No aplica <input type="checkbox"/> Jubilación en un plazo de 24 meses <input type="checkbox"/> Baja en un plazo de 12 meses Fecha de baja estimada: _____	<input type="checkbox"/> Sí, <=180 días <input type="checkbox"/> Sí, veterano elegible <input type="checkbox"/> Sí, otra persona elegible Tipo de baja _____ Veterano discapacitado: <input type="checkbox"/> Sí, discapacitado <input type="checkbox"/> Sí, discapacitado especial (30%) <input type="checkbox"/> No	<input type="checkbox"/> Sí <input type="checkbox"/> No  Recibió servicios de rehabilitación vocacional para veteranos <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Desconocido	
Servicio militar			
<b>Los veteranos y sus cónyuges pueden tener derecho a beneficios estatales y federales. Conteste las siguientes preguntas.</b>			
¿Es usted un cuidador (cónyuge/familiar) de un miembro de las fuerzas armadas herido, enfermo o lesionado que está recibiendo tratamiento? <input type="checkbox"/> Sí <input type="checkbox"/> No			
¿Es usted un miembro de las Fuerzas Armadas que está herido, enfermo o lesionado y recibe tratamiento? <input type="checkbox"/> Sí <input type="checkbox"/> No			
¿Está actualmente en el servicio militar, es veterano o cónyuge de un veterano? <input type="checkbox"/> Sí <input type="checkbox"/> No			
¿Es usted cónyuge/dependiente de alguien en servicio militar activo, Guardia Nacional/Reservas y actualmente está activo? <input type="checkbox"/> Sí <input type="checkbox"/> No			

Nombre: \_\_\_\_\_ Número de Seguro Social: \_\_\_\_\_

Información laboral		
<b>Situación laboral:</b>	<b>Desempleo</b>	
<input type="checkbox"/> Empleado <input type="checkbox"/> Empleado, recibió notificación de terminación/separación de servicio militar <input type="checkbox"/> Sin empleo Ocupación deseada _____	Semanas desempleado _____ Desempleado > 27 semanas (empleo a largo plazo) <input type="checkbox"/> Sí <input type="checkbox"/> No	Compensación por desempleo <input type="checkbox"/> No <input type="checkbox"/> Sí, reclamante descrito y remitido <input type="checkbox"/> Sí, reclamante no ha sido descrito y remitido <input type="checkbox"/> Sí, Exhaustee Exento de búsqueda de empleo <input type="checkbox"/> Sí <input type="checkbox"/> No Fecha de exención    / /
¿Ha trabajado en la agricultura durante 12 meses consecutivos en los últimos dos años? <input type="checkbox"/> Trabajador agrícola <input type="checkbox"/> Migrante <input type="checkbox"/> Trabajador agrícola migrante Tipo de trabajo agrícola elegible: <input type="checkbox"/> Producción y servicios agrícolas <input type="checkbox"/> Establecimientos de procesamiento de alimentos		
Antecedentes laborales (proporcione información de los últimos 6 meses)		
Empleador #1: _____	Empleador #2: _____	

Ciudad: _____ Estado: _____ Código Postal: _____	Ciudad: _____ Estado: _____ Código Postal: _____
Puesto: _____	Puesto: _____
Fecha de inicio: ____/____/____ Fecha de finalización: ____/____/____	Fecha de inicio: ____/____/____ Fecha de finalización: ____/____/____
Salario/hora: _____ Horas/semana: _____ Código oNET: _____	Salario/hora: _____ Horas/semana: _____ Código oNET: _____
Motivo de salida: _____	Motivo de salida: _____

**Trabajador desplazado (despedido sin que sea su culpa en los últimos 3 años)**

Empleador del desplazo:			
Puesto:	Fecha de inicio:	Fecha de finalización:	Salario:
Categoría del trabajador desplazado:			
___ Categoría 1: Recibe IU, cesado/despedido, elegible o exhaustó UC, y poco probable que regrese a la industria u ocupación previa			
___ Categoría 2: Cesado/despedido, no es elegible para UC debido a ingresos insuficientes, la ley estatal de UC no cubre al empleador			
___ Categoría 3: Cesado/despedido, recibió notificación de cierre permanente o considerables despidos			
___ Categoría 4: Empleado en una instalación cuyo empleador ha hecho un anuncio general de que la instalación cerrará			
___ Categoría 5: Anteriormente trabajaba por cuenta propia pero está desempleado debido a situaciones económicas o desastres naturales			
___ Categoría 6: Ama desplazada			
___ Categoría 7: Cónyuge del miembro de servicio militar activo con pérdida de empleo como un resultado directo de la reubicación			
___ Categoría 8: Cónyuge de un miembro de servicio militar activo que está desempleado/subempleado y tiene dificultades para encontrar empleo			
Motivo de salida: _____		Salario: _____	
Asistió a una Orientación Grupal (Respuesta rápida): ___Sí ___No		En caso afirmativo, fecha de asistencia reciente: _____ Núm. Evento : _____	

**TAA**

Empleador de TAA :			
Dirección:		Código Postal:	
Puesto:			
Fecha de inicio:	Fecha de separación:	Meses que fue empleado:	Salario:
Respuesta rápida: ___Sí, asistió a una orientación grupal ___No, no asistió a una orientación grupal			
Número de evento de respuesta rápida: _____		Número de solicitud de TAA: _____	
Ha sido empleado de nuevo desde el despido del trabajo afectado por el comercio: ___Sí, ha sido empleado de nuevo desde el despido ___No, no ha sido empleado de nuevo desde el despido			

Nombre: \_\_\_\_\_ Número de Seguro Social: \_\_\_\_\_

Ingreso Familiar		
Debido a una discapacidad, ¿clasifica como familia de 1?	Tamaño de la familia	Ingreso anualizado (últimas 26 semanas X 2)
___ Sí ___ No	_____	\$ _____

Asistencia pública	
<b>Individual/Miembro de la familia</b> <b>Recibe ahora o en los últimos 6 meses o es elegible para recibir (marque todo lo que corresponda)</b>	<b>Solo individuo</b>
SNAP: ___ Sí mismo ___ Miembro de la familia	SSDI: ___ Actualmente ___ Últimos 6 meses
TANF: ___ Sí mismo ___ Miembro de la familia	<b>Individuo actualmente cumple</b>
SSI: ___ Sí mismo ___ Miembro de la familia	___ Hijo de crianza temporal
Asistencia general: ___ Sí mismo ___ Miembro de la familia	___ Jóvenes en zonas de extrema pobreza
Refugiado: ___ Sí mismo ___ Miembro de la familia	___ Almuerzos gratis para jóvenes (actualmente recibe/elegible para recibir)
	___ Recibe/recibirá Subsidio de Pell
	___ Titular de "Ticket to Work" de la Administración del Seguro Social
	___ Recibe SNAP bajo el programa de empleo y capacitación
	___ Apoyo a través del sistema estatal de cuidado de crianza temporal

Barreras	
<b>Barreras individuales (adultos/jóvenes)</b>	<b>Barreras para el empleo</b>
___ Estudiante del idioma inglés	___ Ama de casa desplazada
___ Habilidades básicas insuficientes	___ Desempleado 27 o más semanas consecutivas, a largo plazo
___ Sin hogar/indigente	___ Ha agotado TANF en los últimos dos años
___ Exdelincuente	___ Nativo de Hawái
<b>Barreras individuales (solo jóvenes)</b>	___ Indio americano
___ Persona que se fugó de casa	___ Padre/madre soltero
___ Embarazada, adolescente criando hijos	___ Individuo enfrentando barreras culturales considerables
___ Jóvenes requieren asistencia adicional	___ Trabajador agrícola migrante elegible
___ Colocación fuera del hogar	___ Cumple con las barreras especiales del Gobernador
___ Jóvenes en crianza temporal o que han sobrepasado edad límite para crianza temporal (Sección 477 de la SSA)	<b>Otras barreras</b>
	___ Cumple con las prioridades adicionales establecidas por Gobernador/Junta Local
	___ Joven con padre/madre encarcelado
	___ Abuso de sustancias
	___ Carece de transporte
	___ Carece de cuidado infantil

\_\_\_\_ Antecedentes laborales deficiente

\_\_\_\_ Sin beneficios de atención médica

**La firma del solicitante a continuación confirma lo siguiente:**

1. Bajo pena de perjurio, hago constar que he representado mi verdadera identidad y que soy ciudadano de Estados Unidos o soy elegible para trabajar en Estados Unidos
2. Certifico que toda la información es verdadera y correcta a mi leal saber y entender y autorizo la verificación de la información que he proporcionado. Entiendo que mi número de seguro social solo será utilizado por los programas para proporcionar una asistencia óptima de empleo y capacitación, para identificar y verificar mis registros en el sistema del Departamento de Desarrollo de la Fuerza Laboral y la Administración de Servicios Sociales de Indiana, y para la evaluación y presentación de informes estadísticos del programa. Entiendo que puedo ser enjuiciado por proporcionar información falsa. Me han presentado mis derechos y responsabilidades como solicitante y participante.
3. Yo, el solicitante/participante de los Programas de la Ley de Oportunidades e Innovación de la Fuerza Laboral, autorizo al Departamento de Desarrollo de la Fuerza Laboral a divulgar las contribuciones anteriores del empleador hacia el desempleo por hasta un año antes de mi inscripción y las contribuciones hasta un año después de haber salido del programa para fines de seguimiento del rendimiento. Esta información no se compartirá y se mantendrá confidencial a menos que haya dado mi consentimiento por escrito para divulgar esta información.
4. He recibido una copia del proceso para presentar una queja basada en la presunta violación de la Ley de Oportunidad e Innovación de la Fuerza Laboral. También recibí una copia del proceso para presentar una queja basada en una supuesta discriminación. Entiendo ambos procesos.
5. Reconozco que recibí un Aviso de que la Igualdad de Oportunidades es la Ley.

Firma del solicitante: \_\_\_\_\_ Fecha: \_\_\_\_\_

Otra firma: \_\_\_\_\_ Fecha: \_\_\_\_\_

Firma del personal: \_\_\_\_\_ Fecha: \_\_\_\_\_

**Información de contacto: Indique dos personas (que no sean parte de su hogar) con las que podemos comunicarnos para mandarle un mensaje a usted**

Nombre: \_\_\_\_\_ Relación: \_\_\_\_\_ Número de teléfono: \_\_\_\_\_

Nombre: \_\_\_\_\_ Relación: \_\_\_\_\_ Número de teléfono: \_\_\_\_\_

**DISPONIBILIDAD DE FONDOS Y PROCEDIMIENTOS PARA QUEJAS**

Entiendo y acepto las siguientes limitaciones del programa y las he discutido con un miembro del personal de WorkOne. La inscripción en programas disponibles a través de una oficina de WorkOne, que administra la Ley de Oportunidades e Innovación de la Fuerza Laboral, está sujeta a la disponibilidad de fondos. La oficina de WorkOne no garantiza un empleo y/o la capacitación a participantes. Cualquier cambio en el énfasis del programa de financiamiento puede requerir cambios en las actividades de los participantes. La utilización de los fondos disponibles será a la discreción absoluta del personal administrativo de WorkOne. Este acuerdo se aplica a todos los participantes en todos los programas en esta zona de prestación de servicios.

**Procedimientos para quejas**

Como solicitante/participante en los programas de la Ley de Oportunidad e Innovación de la Fuerza Laboral, tiene derecho a presentar una queja si considera que ha habido una violación de la implementación de la ley, los reglamentos, el subsidio, o de cualquier otro acuerdo en virtud de la ley o leyes; si siente que ha sido discriminado debido a la edad, discapacidad, género, raza, color, religión, origen nacional o afiliación política, o creencia, o si cree que ha habido fraude, abuso criminal u otra actividad criminal. Si desea hablar sobre una queja, comuníquese con WorkOne Center en el condado en el que ocurrió el incidente. Si su queja no se resuelve a su satisfacción en un plazo de tres días hábiles; será remitido a un Funcionario de Quejas. El Funcionario de Quejas lo asistirá con los siguientes pasos del proceso. Una copia completa del Procedimiento para Quejas está disponible si la desea.

Al firmar a continuación, usted reconoce que se le ha explicado su derecho a presentar una queja, se le ha entregado un resumen de los procedimientos, y se ha puesto a su disposición una copia completa del proceso.

**AUTORIZACIÓN PARA LA DIVULGACIÓN DE INFORMACIÓN Y CONSENTIMIENTO PARA LA DIVULGACIÓN DE INFORMACIÓN**

**Autorización para la divulgación de información**

Yo, el abajo firmante, autorizo a todas y cada una de las personas, empresas y entidades de cualquier tipo o carácter a divulgar al Centro WorkOne tras la presentación de esta autorización, cualquier y toda la información que dichas personas, empresa o entidad puedan tener con respecto a mí, incluyendo, entre otras, copias de archivos personales, antecedentes, o estado actual. Se puede divulgar esta información al Centro WorkOne con previa solicitud por escrito acompañada de una copia firmada de esta autorización. Se libera a cualquier persona, empresa o entidad, gubernamental o de otro tipo, que divulgue la información a continuación, de toda responsabilidad de cualquier tipo o carácter con respecto a la divulgación de información autorizada en este documento. Los registros así divulgados serán en la más estricta confidencialidad y solo para los fines para los que se formó WorkOne.

**Consentimiento para la divulgación de información**

Yo, el abajo firmante, autorizo a WorkOne a divulgar cualquier información de mis archivos personales a cualquier agencia o individuo con el fin de acelerar el servicio que WorkOne obtendrá para mí. Entiendo que tengo derecho a revisar toda dicha información personal u otra información que esté relacionada conmigo, con una solicitud por escrito. Además, entiendo que esta información se utilizará para determinar la elegibilidad para la verificación, el análisis estadístico y para reportar datos según lo requerido por la ley federal, y para ayudar en la adquisición de servicios para mí. Por la presente libero y descargo a WorkOne de toda responsabilidad de cualquier tipo o carácter con respecto a la divulgación de información aquí autorizada. Los registros así divulgados serán en la más estricta confidencialidad y se utilizarán solo para aquellos fines para los que se formó WorkOne.

**VERIFICACIÓN DE ELEGIBILIDAD DE EMPLEO (FORMULARIO I-9)**

Yo, el abajo firmante, doy fe, bajo pena de perjurio, que los documentos que he presentado como prueba de identidad y elegibilidad para el empleo son genuinos y se refieren a mí. Estoy consciente de que la ley federal estipula el encarcelamiento y/o multa por cualquier declaración falsa o uso de documentos falsos en relación con este certificado.

**MI FIRMA CERTIFICA QUE HE LEÍDO Y ENTIENDO TODA LA INFORMACIÓN EN ESTE FORMULARIO**

FIRMA DEL SOLICITANTE: \_\_\_\_\_ FECHA DE LA FIRMA: \_\_\_\_\_

FIRMA DE \_\_\_\_\_ FECHA DE LA FIRMA: \_\_\_\_\_ FIRMA DEL PERSONAL DE WORKONE: \_\_\_\_\_  
PADRE/MADRE/TUTOR (SI CORRESPONDE)

**LA FIRMA DEL PERSONAL CERTIFICA QUE LOS DOCUMENTOS SE HAN EXAMINADO**

CERTIFICACIÓN: Doy fe, bajo pena de perjurio, de que he examinado los documentos presentados por la persona mencionada anteriormente que parecen ser genuinos y de la persona nombrada, y que la persona, según mi leal saber y entender, es elegible para trabajar en Estados Unidos

FIRMA: \_\_\_\_\_ NOMBRE (ESCRIBIR CON LETRA DE MOLDE O A MÁQUINA): \_\_\_\_\_ PUESTO: \_\_\_\_\_

NOMBRE DEL EMPLEADOR: \_\_\_\_\_ DIRECCIÓN: \_\_\_\_\_ FECHA: \_\_\_\_\_

# LA IGUALDAD DE OPORTUNIDAD ES LA LEY

La ley prohíbe que este beneficiario de asistencia financiera federal discrimine por los siguientes motivos: contra cualquier individuo en los Estados Unidos por su raza, color, religión, sexo (incluyendo el embarazo, el parto y las condiciones médicas relacionadas, y los estereotipos sexuales, el estatus transgénero y la identidad de género), origen nacional (incluyendo el dominio limitado del inglés), edad, discapacidad, afiliación o creencia política, o contra cualquier beneficiario, solicitante de trabajo o participante en programas de capacitación que reciben apoyo financiero bajo el Título I de la ley de Innovación y Oportunidad en la Fuerza Laboral (WIOA, por sus siglas en inglés), debido a su ciudadanía, o por su participación en un programa o actividad que recibe asistencia financiera bajo el Título I de WIOA.

El beneficiario no deberá discriminar en los siguientes áreas: decidiendo quién será permitido de participar, o tendrá acceso a cualquier programa o actividad que recibe apoyo financiero bajo el Título I de WIOA; proporcionando oportunidades en, o tratar a cualquier persona con respecto a un programa o actividad semejante; o tomar decisiones de empleo en la administración de, o en conexión a un programa o actividad semejante.

Los beneficiarios de asistencia financiera federal deben tomar medidas razonables para garantizar que las comunicaciones con las personas con discapacidades sean tan efectivas como las comunicaciones con los demás. Esto significa que, a petición y sin costo alguno para el individuo, los recipientes están obligados a proporcionar ayuda auxiliar y servicios para individuos con discapacidades calificados.

## QUE DEBE HACER SI CREE QUE HA SIDO DISCRIMINADO

Si usted piensa que ha sido discriminado en un programa o actividad que recibe apoyo financiero bajo el Título I de WIOA, usted puede presentar una queja no más de 180 días después de la fecha en que ocurrió la presunta violación, ya sea con: El oficial de igualdad de oportunidad del recipiente (o la persona que el recipiente haya designado para este propósito);

O:

**Director, Civil Rights Center (CRC), U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210**

o electrónicamente como indica el sitio web del CRC [www.dol.gov/crc](http://www.dol.gov/crc).

Si usted presenta una queja con el recipiente, usted debe esperar hasta que el recipiente emita una decisión final escrita o que pasen por lo menos 90 días (lo que ocurra primero), antes de presentar una queja con el Centro de Derechos Civiles (CRC, por sus siglas en inglés) a la dirección mencionada previamente. Si el beneficiario no le entrega una decisión final escrita dentro de 90 días después de la fecha en que presento su queja, usted puede presentar su queja con el CRC antes que reciba la decisión final. Sin embargo, es necesario presentar su queja con el CRC dentro de 30 días después de la fecha límite de 90 días (en otras palabras, dentro de 120 días después de la fecha en que presento la queja con el recipiente). Si el recipiente emite una decisión final escrita, pero usted no está satisfecho con el resultado o resolución, usted puede presentar una queja con el CRC. Usted debe presentar su queja con el CRC dentro de 30 días después que reciba la decisión final escrita.

**Indiana Department of Workforce Development - Regulatory Oversight and Compliance (ROC) Division  
Participant File Review Checklist - ADULT**

Documentation 6.2

<b>Participant Name:</b>		<b>State ID #:</b>	
<b>Region:</b>	<b>Office:</b>	<b>Participation Date:</b>	<b>Highest Education:</b>
<b>Reviewer:</b>	<b>Review Date:</b>	<b>Service Provider:</b>	

**PARTICIPANT DATA & CASE DOCUMENTS**

Yes  No Local application signed and dated  
Date: \_\_\_\_\_

Yes  No Participant Rights signed and dated

Yes  No Complaint/grievance process signed and dated

Yes  No Release of Information signed and dated

Yes  No  N/A If a veteran, there is a DD-214 or acceptable documentation

**Authority:**  
WIOA Memo: Interim Guidance on Eligibility and Data Validation, Except Youth and Adult Education – Version 3, 12-02-15

NOTE: Documentation may exist as paper and/or electronic.  
NOTE: When reviewing records, be sure the application being reviewed corresponds with the current monitoring time period of the record for review (in case the client has more than one application).

**Comments:**

**ADULT GENERAL ELIGIBILITY CRITERIA**

Yes  No 18 years of age or older    DOB \_\_\_\_\_    Docu & Date \_\_\_\_\_

Yes  No Eligible to work in the USA    Docu & Date \_\_\_\_\_

Yes  No Registered with the Selective Service  
(if male born on/after Jan 1, 1960)    Docu & Date \_\_\_\_\_

**Authority:**  
TEGL No. 11-11

**Comments:**

**LOW INCOME DETERMINATION & DOCUMENTATION**

*Not an eligibility requirement, but impacts Priority Of Service; USDOL reporting requirement.*

**BASED ON BENEFIT(S) RECEIVED:** If data fields show the participant is receiving any one of the following benefits (except SSDI), they meet the low income definition.

Cash Public Asst:  Federal  State  Local  No    Docu & Date \_\_\_\_\_

SNAP:  Currently Receiving  Received in Past 6 mos  Not Receiving    Docu & Date \_\_\_\_\_

**Authority:**  
DWD Memo: Publication of 2018 Economically Disadvantaged Criteria  
DWD Memo: Publication of 2019 Economically Disadvantaged Criteria

NOTE: Be sure income documentation is signed and dated by the client.

**Comments:**

<p>TANF: <input type="checkbox"/> Currently Receiving <input type="checkbox"/> Received in Past 6 mos <input type="checkbox"/> Not Receiving Docu &amp; Date_____</p> <p>SSI/SSDI: <input type="checkbox"/> SSI Only <input type="checkbox"/> SSDI Only <input type="checkbox"/> SSI &amp; SSDI <input type="checkbox"/> No Docu &amp; Date_____ (Note: SSI counts as a low income benefit, SSDI does not.)</p> <p>General Assistance: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response Docu &amp; Date_____</p> <p>Refugee Cash Assistance: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response Docu &amp; Date_____</p> <p>Homeless: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response Docu &amp; Date_____</p> <p><b>BASED ON INCOME PREVIOUS SIX MONTHS:</b> If the participant is <u>not</u> receiving one of the above listed benefits defining s/he as low income, then the family's income for the previous six months should be calculated to determine if the participant meets the low income definition (100% FPL or 70% LLSIL, whichever is higher).</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No The participant is an individual with a disability whose own income meets the income requirements above, but who is a member of a family whose income does not meet the requirement</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Household members reported meet the WIOA definition of family</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Family size recorded is accurate</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Family income is tallied for past six months and annualized properly Annual Income_____ Documentation_____</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Income shown for each family member, is documented with allowable sources, and complies with inclusions &amp; exclusions of the WIOA program</p>	
<b>PRIORITY OF SERVICE (POS)</b>	
<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No A determination of the POS category was made during eligibility determination for veteran/eligible spouse status</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No ICC data fields are completed to support the individual is in a POS category (when verification is required per DWD policy).</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Participant file contains documentation to support the individual is in a POS category.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No File documentation indicates the participant received services according to the <u>state</u> POS policy</p>	<p><b>Authority:</b> DWD Policy 2015-08 WIOA Memo: Interim Guidance on WIOA Title I Adult Priority of Service, 07-02-2015 20 CFR 680.600 TEGL No. 10-09</p> <p>Note: Veterans and eligible spouses have priority of service for all programs.</p> <p><b>Comments:</b></p>

INITIAL, COMPREHENSIVE & SPECIALIZED ASSESSMENTS																					
<input type="checkbox"/> Yes <input type="checkbox"/> No   Provided Objective Initial Assessment (basic skill levels)	<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 15%;">File Doc</th> <th style="width: 30%;">Assessment tool</th> <th style="width: 45%;">Areas Assessed</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p><b>Comments:</b></p>	Date	File Doc	Assessment tool	Areas Assessed																
Date		File Doc	Assessment tool	Areas Assessed																	
<input type="checkbox"/> Yes <input type="checkbox"/> No   Provided documented self-assessments (prior work experience, interests/aptitudes, abilities)																					
INDIVIDUAL EMPLOYMENT PLAN (IEP)																					
<input type="checkbox"/> Yes <input type="checkbox"/> No   Initial IEP is completed, signed and documented (based on assessments and employment/training goals jointly developed with the participant) Initial IEP Date: _____	<p><b>Authority:</b> WIOA Sec. 134(c)(2)(A)(xii)(II) 20 CFR 680.170</p> <p><b>Comments:</b></p> <p><b>Goals:</b></p>																				
<input type="checkbox"/> Yes <input type="checkbox"/> No   IEP is reviewed, updated, signed, dated, and properly documented in the participant file																					
CAREER SERVICES																					
<input type="checkbox"/> None Provided	<p><b>Authority:</b> TEGL No. 19-16 20 CFR 678.430 20 CFR 678.100-195 WIOA Sec. 134(c)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 15%;">File Doc</th> <th style="width: 50%;">Services</th> <th style="width: 25%;">Case Notes</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p><b>Comments:</b></p>	Date	File Doc	Services	Case Notes																
Date		File Doc	Services	Case Notes																	
<input type="checkbox"/> Yes <input type="checkbox"/> No   Acceptable file documentation.																					
<input type="checkbox"/> Yes <input type="checkbox"/> No   Appropriate services related to assessment.																					



**TRAINING SERVICES**

- None Provided
- Yes    No   The need for training is documented in the participant's file as described in the Local Plan
- Yes    No   Participant has the skills and qualifications to complete training
- Yes    No   The training program is directly linked to employment opportunities
- Yes    No   The training program was selected from the State ITA list
- Yes    No   The file contains documentation showing the participant has the necessary resources (loans, grants, personal funds, etc.) to attend and complete the training
- Yes    No   The participant's progress in training is monitored by the case manager to ensure positive performance credit
- Yes    No   ITA Vouchers authorizing training is included in the file
- Yes    No   Training is related to the IEP
- Yes    No   Other grants/financial assistance applied for
- Yes    No   Job search assistance was provided after completion
- Yes    No   Measurable Skills Gains were achieved and reported

**Authority:**  
WIOA Sec. 134(c)(3)  
TEGL No. 19-16  
20 CFR 680.200-230  
20 CFR 680.300-350

NOTE: Training service date corresponds with the date of the first service, not the voucher date.  
NOTE: Once a client becomes TAA eligible, any existing WIOA-paid training must be moved over to TAA funding within 45 days or at the next natural break in training.

Program Yr	Measurable Gain	File Doc	Case Notes

**Comments:**

**SUPPORTIVE SERVICES**

- None Provided
- Yes    No   Participant received supportive services based on an assessment.
- Yes    No   Documentation validates that the supportive services are necessary in order for the individual to participate in WIOA services.
- Yes    No   Documentation of referrals to other resources.
- Yes    No   Services coordinated with dual-enrollment programs.
- Yes    No   Other sources were sought before using WIOA funds.

**Authority:**  
TEGL No. 19-16  
20 CFR 680.900-970  
WIOA Sec. 3(59)

Date	File Doc	Services	Case Notes

**Comments:**

<b>OJT &amp; REGISTERED APPRENTICESHIP</b>																										
<input type="checkbox"/> None Provided  <input type="checkbox"/> Yes <input type="checkbox"/> No   Determined eligible prior to hire date with OJT company  <input type="checkbox"/> Yes <input type="checkbox"/> No   Contract contains the required elements found in DWD Policy WIOA 1 (134)-P1-Attachment B  <input type="checkbox"/> Yes <input type="checkbox"/> No   OJT identified on the IEP  <input type="checkbox"/> Yes <input type="checkbox"/> No   Assessment used to determine OJT training plan  <input type="checkbox"/> Yes <input type="checkbox"/> No   Contract signed and dated by all parties before OJT start date  <input type="checkbox"/> Yes <input type="checkbox"/> No   Timesheets, vouchers, or other reimbursement docs in participant file  <input type="checkbox"/> Yes <input type="checkbox"/> No   On-site monitoring performed by WDB or service provider staff  <input type="checkbox"/> Yes <input type="checkbox"/> No   Document the factors used for any reimbursement over 50%  <input type="checkbox"/> Yes <input type="checkbox"/> No   Region utilizes Registered Apprenticeships	<p><b>Authority:</b>            TEGL No. 19-16            DWD Policy (134)-P1 (under WIOA on DWD website)            20 CFR 680.700-840            WIOA Sec. 3(44)</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 10%;">Elig Dt</th> <th style="width: 15%;">Dt Contract Signed</th> <th style="width: 15%;">OJT Start Date</th> <th style="width: 15%;">OJT End Date</th> <th style="width: 45%;">On-site Monitoring Dates</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p><b>Comments:</b></p>	Elig Dt	Dt Contract Signed	OJT Start Date	OJT End Date	On-site Monitoring Dates																				
Elig Dt	Dt Contract Signed	OJT Start Date	OJT End Date	On-site Monitoring Dates																						
<b>PLANNED GAP IN SERVICE</b>																										
<input type="checkbox"/> None Provided  Planned gap inclusive dates: _____ to _____  <input type="checkbox"/> Yes <input type="checkbox"/> No   Properly documented  <input type="checkbox"/> Yes <input type="checkbox"/> No   Valid reason  <input type="checkbox"/> Yes <input type="checkbox"/> No   Other services were closed and documented	<p><b>Comments:</b></p>																									
<b>EXIT INFORMATION</b>																										
<input type="checkbox"/> Not Yet Exited  <input type="checkbox"/> Yes <input type="checkbox"/> No   Exit completed per criteria described in local plan (V1.C.10)  Exit Reason: <input type="checkbox"/> Employment <input type="checkbox"/> Education <input type="checkbox"/> Exclusion <input type="checkbox"/> Other   Exit Date: _____  <input type="checkbox"/> Yes <input type="checkbox"/> No   Exclusionary exit documentation   Document _____	<p><b>Comments:</b></p>																									

**FOLLOW-UP & PERFORMANCE TRACKING**

- Not Applicable
  
- Yes    No   First date of employment documented
  
- Yes    No   Follow-up conducted properly
  
- Yes    No   Quarterly follow-up surveys completed
  
- Yes    No   Supplemental employment data documentation

**Authority:**  
TEGL No. 26-16

Date	Q1	Q2	Q3	Q4

**Comments:**

**CASE NOTES**


- Yes    No   Case notes demonstrate the WDB's process for contacting participants
  
- Yes    No   Case notes are comprehensive
  
- Date of last direct contact: \_\_\_\_\_

**Comments:**



INDIANA  
**WORKFORCE**  
 DEVELOPMENT  
 AND ITS **WorkOne** CENTERS

**TO:** Indiana's Workforce Investment System

**FROM:** Jeffrey M. Gill  
 General Counsel 

**DATE:** August 13, 2013

**SUBJECT:** DWD Policy 2013-03  
 Requirements Pertaining to Confidential and Privileged Information

**PURPOSE:**

This policy establishes guidelines and requirements for the appropriate use, storage, and access of Confidential and/or Privileged Information maintained by the Indiana Department of Workforce Development ("Department") and/or any entity providing customer services connected to or through the WorkOne system.

**RESCISSION:**

DWD Policy 2007-45, "Requirements Pertaining to Confidential and Privileged Information," issued June 28, 2008

**CONTENT:**

All individuals, organizations, business entities, and Department staff with access to Confidential and/or Privileged Information have an obligation to ensure the protection and appropriate business use of the information. This policy provides a definition for Confidential and Privileged Information and specifies the requirements for the use, storage, and access to this information.

State employees, and those who have a business relationship with the Department, are subject to the Indiana Code of Ethics. These ethics rules and the Indiana Code of Ethics apply to any entity, organization, or individual providing customer services connected to or through the WorkOne system. The ethics rules prohibit those subject to the rules from benefiting from, or permitting any other person to benefit from, information confidential in nature and from divulging Confidential Information. For a complete copy of the ethics rules, visit <http://www.in.gov/ig>.

**Definitions**

Confidential Information

Confidential Information is that which has been so designated by statute or by promulgated rule or regulation based on statutory authority. Information and records of the Department relating to

the unemployment tax or the payment of benefits, including that which may reveal the individual's or the employing unit's identity, are confidential pursuant to IC 22-4-19-6(b).

#### Privileged Information

Privileged Information is that which is available only to authorized persons and is gained access to by one's position within the Department or through partnership in contractual relationships with the State of Indiana or any subcontracted entity funded in whole or in part by Department grants/contracts. This information is not confidential pursuant to the law but is sensitive in nature. Privileged Information is subject to the same restrictions as Confidential Information for purposes of this policy.

#### Personally Identifiable Information

Personally Identifiable Information (PII) is any information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Both Confidential Information and Privileged Information may contain PII. PII can be further delineated as Sensitive PII (or Protected PII) and Non-Sensitive PII. See the Training and Employment Guidance Letter ("TEGL") No. 39-11.

Sensitive PII, or Protected PII, is any information that if disclosed could result in harm to the individual whose name or identity is linked to that information. Examples include, but are not limited to, social security numbers, credit card numbers, bank account numbers, personal telephone numbers, ages, birthdates, marital status, spouse names, educational history, medical history, financial information, and computer passwords.

Non-Sensitive PII is information that if disclosed, by itself, could not reasonably be expected to result in personal harm. Examples include, but are not limited to, first and last names, general education, credentials, gender, or race. However, depending on the circumstances, a combination of those items could potentially be categorized as Protected or Sensitive PII.

#### State Property

All information including but not limited to documents, software, files, and e-mail, created, accessed, transmitted, or stored, electronically or in paper form while employed by or partnered in contractual relationships with the State of Indiana or any of its subcontracted entities shall be considered the exclusive property of the State of Indiana.

#### **Data Security Requirements**

##### Storage of Confidential and/or Privileged Information

When an employee's desk is unattended, it is the employee's responsibility to ensure that Confidential and/or Privileged Information, including that containing PII, is properly filed and stored. This means that all documents containing Confidential and/or Privileged Information must not be left on desks, fax machines, printers, or photocopiers unattended. When not working directly with these documents, they must be filed or stored in drawers to prevent inadvertent disclosure of information.

#### Access to Confidential and/or Privileged Information

Employees may only access Confidential and/or Privileged Information, including that containing PII, to the extent they have permission and/or authority to access it. Accessing, processing, and storing of any data containing PII on personally owned equipment, at off-site locations, e.g., employee's home, and non-grantee managed IT services, e.g., Yahoo mail, is strictly prohibited unless otherwise approved by the Department. Wage data may only be accessed from secure locations.

#### Electronic Data

Any and all Confidential and/or Privileged Information containing PII transmitted via e-mail or stored on CDs, DVDs, thumb drives, mobile or portable devices, etc. must be encrypted using a Federal Information Processing Standards ("FIPS") 140-2 compliant and National Institute of Standards Technology ("NIST") validated cryptographic module. WorkOne employees or Department staff are prohibited from e-mailing unencrypted Confidential or Privileged Information containing Sensitive PII to any person or entity. *See* TEGl No. 39-11.

#### Additional Security Measures

The unauthorized use of cameras, including cell phone cameras, is prohibited from use at all times while on WorkOne or Department premises. Cameras that are used for business reasons or to document special occasions, such as retirements and birthday parties, must be used with management approval and all photographs limited to the subject area.

#### Security Breach

Any WorkOne employee and Department staff who becomes aware of any security breach resulting from the inadvertent or intentional leak or release of Confidential and/or Privileged Information, including that containing PII, shall immediately inform their direct supervisor as well the General Counsel of the Department.

#### **Violation of Data Security Requirements**

WorkOne employees and Department staff that fail to abide by the storage and filing requirements listed herein for Confidential and/or Privileged Information, including that containing PII, may be subject to disciplinary action.

WorkOne employees and Department staff that access and/or use Confidential and/or Privileged Information, including that containing PII, beyond the scope of the authority granted or without legitimate business reason to do so will be subject to immediate disciplinary action, up to and including termination of employment.

In addition, a person who knowingly or intentionally exerts unauthorized control over the property of another commits criminal conversion, which is a Class A misdemeanor under IC 35-43-4-3(a). Therefore, WorkOne employees and Department staff who take State electronic or paper records off work premises to be utilized for personal reasons can expect to be charged with committing criminal conversion.

Failure to adhere to any other requirements or terms of this release may result in disciplinary action.

**Acknowledgement Release**

All WorkOne employees and Department staff shall sign an Acknowledgement Release that they have read DWD Policy 2013-03 as well as TEGL No. 39-11 and agree to use Confidential and/or Privileged Information, including that containing PII, for authorized work-related purposes only and to abide by all other requirements and terms contained therein.

If an employee has signed State Form 54116, Acknowledgement of Agency Policies and Procedures, as part of the hiring process at the Department, that will satisfy the Acknowledge Release requirement of this policy. State Form 54116 may be found at:

<http://www.in.gov/spd/2599.htm>.

**Effective Date:**

Immediately

**Ending Date:**

Upon Rescission

**Ownership:**

DWD Field Operations and DWD Legal Affairs  
Indiana Department of Workforce Development  
10 North Senate Avenue  
Indianapolis, Indiana 46204  
Field Operations telephone: 317.233.6078  
Legal Affairs telephone: 317.232.0198

**Action:**

All WorkOne Centers and WorkOne Express sites and Indiana Department of Workforce Development staff shall adhere to the requirements of this policy. All employees of organizations partnered in direct or indirect contractual relationships with the State of Indiana or any of its subcontracted entities shall adhere to the requirements of this policy.





## Element 7: Monitor Recipients for Compliance

[29 CFR 38.51 and 38.53]

Monitoring in the form of desk reviews, on-site reviews, and data analysis contribute to continued, robust implementation of WIOA Section 188 and 29 CFR Part 38. The coordinated efforts of the State and Local EO Officers and the DWD **Compliance and Policy Division** Monitoring Unit ensure monitoring and compliance of the Local Areas.

### Monitoring

Each of the twelve LWDAs are reviewed annually for compliance with the nondiscrimination and EO requirements of WIOA Section 188 and 29 CFR Part 38 through a combination of desk review, on-site monitoring, and data analysis. If the review reveals disparities in services rendered, the State and/or Local EO Officer will conduct a follow-up investigation to determine if the differences are due to discrimination. This will be done through a variety of techniques such as interviews and records review.<sup>88</sup>

Monitoring is based on:

- Desk reviews;
- On-site reviews;
- Complaint records;
- The review and analysis of data output reports from the ICC System and the Hoosiers by the Numbers website, using the 80 Percent Rule;<sup>89</sup>
- Reports from DWD Oversight Program Monitors or other interested parties; or
- Demographics and geography.<sup>90</sup>

At the regional level, Local EO Officers are responsible for monitoring in their respective LWDAs. In addition to the training powerpoints, the State EO Officer disseminated an optional sample Local Monitoring Tool to the Local EO Officers to help guide their monitoring and provide a framework for their efforts.<sup>91</sup>

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<sup>88</sup> Documentation 7.1 **Excerpt from Local EO Officer NDP Training Element 7 PowerPoint**

<sup>89</sup> Documentation 7.2: ICC Reports; Documentation 7.3: Sample Data Analysis Tools

<sup>90</sup> Documentation 7.4: Hoosiers by the Numbers Sample Demographics; See also: <http://www.stats.indiana.edu/>

<sup>91</sup> Documentation 7.5: Local EO Monitoring Tool

## Desk Review

The state-level annual EO monitoring process begins with desk review, where each LWDA completes a pre-monitoring tool and submits relevant documentation to the **Compliance and Policy Division** Monitoring Unit and State EO Officer.<sup>92</sup> LWDA's submit information such as:

- Local EO policies
- Job description of the Local EO Officer
- EO Notice requirements
- Complaint procedures
- Contracts, training agreements, and Memoranda of Understanding (to review for required nondiscrimination language)

The State EO Officer reviews the survey responses on the pre-monitoring tool along with the document assessment and data review to make an initial evaluation of compliance and prepare for on-site reviews.

## On-site Reviews

The State EO Officer conducts annual on-site reviews concurrently with the **Compliance and Policy Division** monitoring team to ensure compliance with the equal opportunity and nondiscrimination provisions of Section 188 and 29 CFR Part 38.<sup>93</sup> These reviews consist of interviews with the Local EO Officer as well as assessments of the WorkOne offices.

The interviews are guided largely by the EO Monitoring Tool, which is modeled after the nine elements of this NDP and 29 CFR Part 38.<sup>94</sup> On-site structural accessibility, parking for individuals with disabilities, designated restrooms, appropriate notice and signage, program accessibility, and effective communication with persons with disabilities are some of the elements monitored by the State EO Officer and/or **Compliance and Policy Division** Monitoring staff.

## Data Analysis

The State EO Officer is currently working with DWD's Business Intelligence Division to complete an adverse impact data analysis on each LWDA's WIOA participant demographics. The data analysis will include race, gender, and disability status and will analyze if there is potential discrimination in basic career services, individualized career services, and training services for WIOA participants.

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<sup>92</sup> Documentation 7.6: DWD EO Pre-Monitoring Tool

<sup>93</sup> Documentation 7.7: **PY 2019-20** LWDA Monitoring Schedule

<sup>94</sup> Documentation 7.8: DWD EO Monitoring Tool

### Findings & Resolution

A formal monitoring report is issued to each LWDA following the annual monitoring review process. The State EO Officer collaborates with **Compliance and Policy Division** Monitoring staff to incorporate an EO segment into each report. The monitoring reports recognize best practices, areas of concern, and compliance findings that require corrective action.<sup>95</sup> All findings are detailed and tracked through report close-out utilizing a formal resolution process.<sup>96</sup>

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<sup>95</sup> Documentation 7.9: Sample Monitoring Report

<sup>96</sup> See Element 9, Documentation 9.1

## Element 7 Documentation

Documentation 7.1: Excerpt from Local EO Officer NDP Training Element 7 PowerPoint

Documentation 7.2: ICC Reports

Documentation 7.3: Sample Data Analysis Tools

Documentation 7.4: Hoosiers by the Numbers Sample Demographics

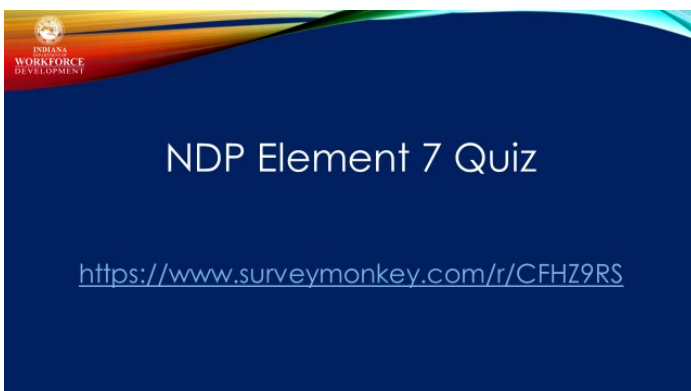
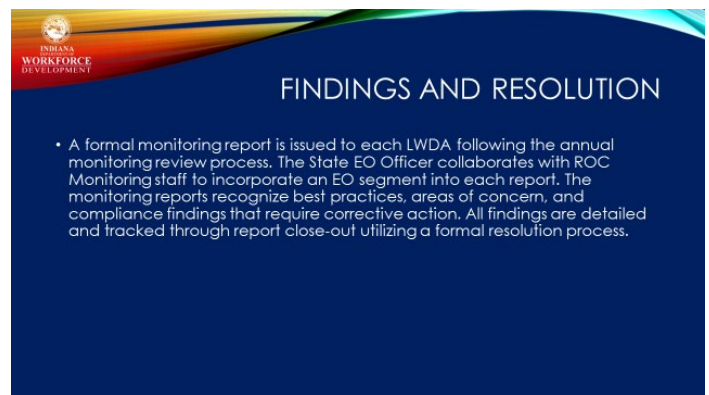
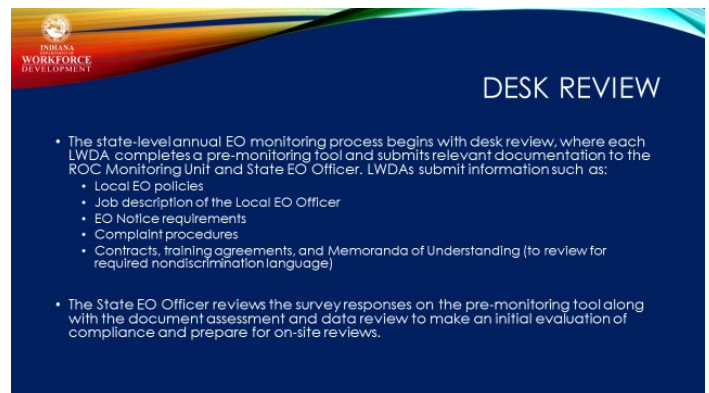
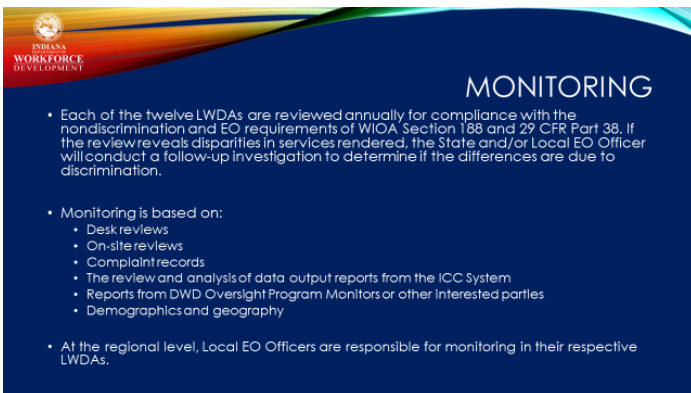
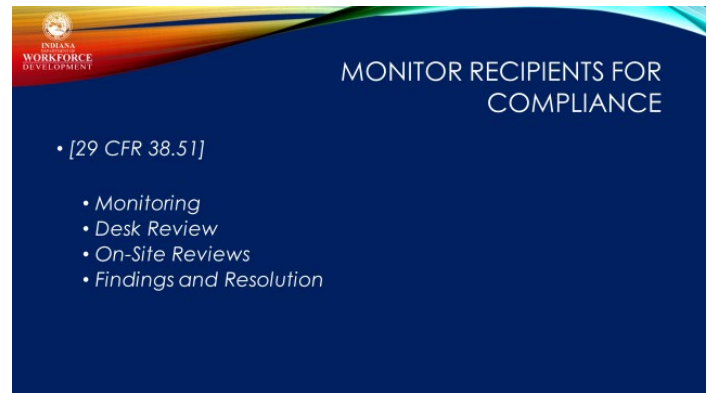
Documentation 7.5: Local EO Monitoring Tool

Documentation 7.6: DWD EO Pre-Monitoring Tool

Documentation 7.7: PY 2019-20 LWDA Monitoring Schedule

Documentation 7.8: DWD EO Monitoring Tool

Documentation 7.9: Sample Monitoring Report



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INDIAN/CAREERCONNECT

### EEO Reports

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- Wagner Peiser - Age and Disability Status
- WIOA Youth Program - Detailed
- WP Participant Services by Race, Ethnicity and Gender

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- Wagner Peiser - Ethnicity and Race
- WIOA Youth Program - Summary

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Federal Reports

EEO Display EEO Reports

ETA 9048 Profile Display ETA 9048 Profile Report

ETA 9127

ETA WIOA 9090 Quarterly Display ETA WIOA 9090 Quarterly Reports

ETA WIOA 9091 Annual Display ETA WIOA 9091 Annual Reports

ETA WIP 9002/VETS200 Quarterly Display ETA WIP 9002/VETS200 Quarterly

MIC Display MIC Report

Veteran Priority of Service Survey Display the Veteran Priority of Service Survey Report

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INDIANA CAREER CONNECT  
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Selection Criteria  
Location

Region/LWDB Status:  Active  Inactive  All

Region/LWDB:   
Region 10  
Region 11  
Region 12  
State Contractor

Office Status:  Active  Inactive  All

Office Location:   
None Selected  
College Park - Parkstone WorkOne Express  
DWD Admin  
Fathers & Families

Date

Date Range Type:  Annual  Quarter  Month  Manual

Date Range:  [v]

From:  (mm/dd/yyyy)

To:  (mm/dd/yyyy)

[Reset Dates](#)

**Run Report**

[\[Save to My Reports\]](#)

[\[Select Another EEO Report\]](#)

[\[Select Another Federal Report\]](#)



WIOA-Adult Characteristic	Total Clients	Basic Career Services	Individualized Career Services	Training Services	% of Total	BCS Rate	Adverse Impact	ICS Rate	Adverse Impact	TS Rate	Adverse Impact
All Gender	7557	3645	3000	902	100.00%	48.23%		39.70%		11.94%	
Male	3891	2079	1370	438	51.49%	53.43%	Best	35.21%	79.14%	11.26%	88.72%
Female	3657	1560	1627	464	48.39%	42.66%	79.84%	44.49%	Best	12.69%	Best
All Race	7557	3645	3000	902	100.00%	48.23%		39.70%		11.94%	
Hispanic/Latino	576	236	275	65	7.62%	40.97%	81.21%	47.74%	Best	11.28%	63.83%
American Indian or Alaskan Native	79	28	31	20	1.05%	Insuf Data	N/A	Insuf Data	N/A	Insuf Data	N/A
Asian	53	21	23	9	0.70%	Insuf Data	N/A	Insuf Data	N/A	Insuf Data	N/A
Black or African American	1799	630	849	318	23.81%	35.02%	69.41%	47.19%	98.85%	17.68%	Best
Native Hawaiian or Other Pacific Islander	16	3	11	2	0.21%	Insuf Data	N/A	Insuf Data		Insuf Data	N/A
White	4805	2424	1858	516	63.58%	50.45%	Best	38.67%	81.00%	10.74%	60.74%
More Than One Race	122	22	66	34	1.61%	Insuf Data	N/A	Insuf Data	N/A	Insuf Data	N/A
All Disability	7557	3645	3000	902	100.00%	48.23%		39.70%		11.94%	
Disabled	387	86	245	54	5.12%	22.22%	44.77%	63.31%	Best	13.95%	Best
Not Disabled	7170	3559	2755	848	94.88%	49.64%	Best	38.42%	60.69%	11.83%	84.76%
English Language Learner	7557	3645	3000	902	100.00%	48.23%		39.70%		11.94%	
Yes	705	305	295	105	9.33%	43.26%	88.75%	41.84%	Best	14.89%	Best
No	6852	3340	2705	797	90.67%	48.74%	Best	39.48%	94.34%	11.63%	78.10%
Native Language	705	305	295	105	9.33%	43.26%		41.84%		14.89%	
Spanish	400										
French	55										
Portugese	45										
Burmese	45										
Chinese	40										
Korean	30										
Arabic	25										
Indian/Hindustani	20										
Russian	10										
Other	35										

Source: Indiana Career Connect - all WIOA-Adult program participants during calendar year 2019  
 Note: Analysis is suppressed (Insuf Data) for characteristic cohorts that represent less than 3% of Total Clients

# HOOSIERS BY THE NUMBERS

Your premier source for labor market information for Indiana.

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- Home
- Data by Region
- Data by Topic
- Tools & Resources
- Data Request Portal
- What's New?

## Race and Ethnicity

- Data
- Help & FAQs
- Additional Resources

- Overview
- Comparison
- Time Series

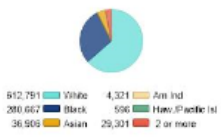
General Area: Indiana Counties | Year: 2019 | Format: Web Page

Select Geography: Marion | Get Data

### Race and Ethnicity

Printable Version

Population by Race in 2019



	Total	Percent Change From 2000	Percent Distribution
Marion Co., IN in 2019			
All Races	964,582	12.1%	100.0%
White	612,791	-1.7%	63.5%
Black	280,667	33.3%	29.1%
Asian	36,906	187.3%	3.8%
American Indian/Alaska Native	4,321	77.0%	0.4%
Hawaiian and Other Pacific Islander	596	33.3%	0.1%
Two or more races	29,301	159.9%	3.0%
Hispanic or Latino	105,062	207.4%	10.9%

# Race and Ethnicity

[Data](#) [Help & FAQs](#) [Additional Resources](#) [Overview](#) [Comparison](#) [Time Series](#)

General Area:  Year:  Major Topic:  Format:

Select Geography:

Group counties in region

## Population by Race & Ethnicity: 2019

[Printable Version](#)

Geography <small>sort</small>	Hispanic or Latino (can be of any race) <small>sort</small>
Adams County, IN	1,623
Allen County, IN	29,356
Bartholomew County, IN	6,019
Benton County, IN	476
Blackford County, IN	206
Boone County, IN	2,157
Brown County, IN	278
Carroll County, IN	869
Cass County, IN	6,207
Clark County, IN	6,704
Clay County, IN	390
Clinton County, IN	5,342
Crawford County, IN	164
Daviess County, IN	1,747
Dearborn County, IN	695

# LOCAL EQUAL OPPORTUNITY AND NONDISCRIMINATION MONITORING TOOL

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Region:

Contact/Name:

Address:

Phone:

Date:

## REFERENCES

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- **Section 188 of the Workforce Innovation and Opportunity Act**  
<https://www.dol.gov/crc/188rule/>
- **Ensuring Equal Access to the Nation’s Workforce Development System *Final Rule to promote nondiscrimination and equal opportunity in WIOA Title I–financially assisted programs and activities FACT SHEET*** (WIOA Section 188 Nondiscrimination and Equal Opportunity, 29 CFR Part 38) <https://www.dol.gov/crc/188rule/fact-sheet.htm>

# Monitoring Review Instrument

**Action:** Please type in your answers. Be as detailed as possible in your response. If you have any questions or need technical assistance in Elements 1 through 9, please state as such.

## Element 1: Designation of Equal Opportunity (EO) Officers

Reference: 29 CFR Part §38.28; §38.29-.33 and DWD Policy 2016-09

1. Name of Local EO Officer:
  
2. To whom does the Local EO Officer report?
  
3. For the Local EO Officer, describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.
  
4. On what internal and external communications concerning the region's nondiscrimination and equal opportunity programs does the Local EO Officer's identity and contact information appear?

5.

Does the Local EO Officer:	Y	N
Process complaints?		
Review participant reports for equity of service?		
Conduct on-site visits to service providers and contractors or review monitoring reports to ensure that the region and its contractors are not violating their nondiscrimination obligations?		
Provide EO training to staff and contractors?		
Review written policies to make sure they are nondiscriminatory?		
Develop and publish discrimination complaint procedures?		

6. What equal opportunity training has been provided to staff within the region? (Please specify dates and locations)
  
7. What training has been provided to service providers and contractors? (Please be specific)
  
8. What professional training has the Local EO Officer attended? Identify the training received and dates:

9. Describe staffing support for the Local EO Officer, if any. For example, is any staff trained to receive a discrimination complaint as well as complete the complaint information form and customer service record log?

## Element 2: Notice and Communication

Reference: 29 CFR §38.34 – §38.39; DWD Policy 2016-09

10. Where are the WIOA “Equal Opportunity is the Law” posters displayed? Are they posted in reasonable numbers and places and located in plain sight?

10a. which versions are displayed?

- English                       Spanish                       Other (please list language(s):

11. How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA “Equal Opportunity is the Law” language?

11a. where paper files are maintained, is the notice included in the participant’s file? Yes\_\_\_\_ No\_\_\_\_

11b. during each presentation to orient new participants, new employees, and/or the general public to its WIOA Title I-financially assisted program or activity, how does the region include a discussion of rights under the nondiscrimination and equal opportunity provisions of WIOA, including the right to file a complaint of discrimination with the region or the Director of the U.S. DOL CRC? For example, is this done in WorkOne orientation sessions?

12. What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need services or information in a language other than English?

13. Is the tagline: *This WIOA Title I-financially assisted program is an “equal opportunity employer/program,” and that “auxiliary aids and services are available upon request to individuals with disabilities”* included in all of the region’s publications, brochures, flyers, announcements, websites, and broadcast and print mass media?

14. How has the region communicated the requirement not to discriminate on the basis of disability and the obligation to provide reasonable accommodations to its sub recipients?
  
15. What efforts does the region make to ensure that communications with individuals with disabilities are just as effective as communications with others?
  
16. In all communications indicating that the recipient/Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?
  
17. How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?

**Element 3: Assurances**

Reference: 29 CFR §38.25 – 38.27; DWD Policy 2016-09

18. Does the region include a written equal opportunity/nondiscrimination assurance in each grant, agreement, contract or other WIOA Title I-financial assistance application? Yes\_\_\_\_ No\_\_\_\_

## **Element 4: Affirmative Outreach**

Reference: §38.40; DWD Policy 2016-09

19. Describe local outreach efforts to provide universal access to persons of various racial/ethnic groups, persons with disabilities, minority groups and persons of different age groups to broaden the applicant pool.
  
20. Does the region review Labor Market, Census or other statistical data to develop outreach strategies to job seekers and employers? Yes\_\_\_\_ No\_\_\_\_
  
21. What reasonable steps has the region taken to ensure services and other information is provided to Limited English Proficient persons?
  
22. In what languages is information within the region provided, other than English?
  
23. What documents have been determined "vital" and translated into languages designated as essential?

## **Element 5: Compliance with Section 504**

Reference: §38.72 – 38.73; DWD Policy 2016-09

24. Have WorkOne offices within the region been assessed to ensure they are physically accessible to persons with disabilities? Yes\_\_\_\_ No\_\_\_\_
  
- 24a. List the offices that have been surveyed within the last two program years and the date the surveys took place.
  
25. Have contractor facilities within the region been assessed to ensure it is physically accessible to persons with disabilities? Yes\_\_\_\_ No\_\_\_\_



26. For necessary modifications or corrections, have corrective measures been put in place to ensure the changes will be made? Yes\_\_\_\_\_ No\_\_\_\_\_

**Please see attached table for corrective measures. (ADA Surveys)**

27. Are contractor and service provider sites accessible to individuals with disabilities? Yes\_\_\_\_\_ No\_\_\_\_\_

27a. is there at least one entrance to the buildings that are wheel chair accessible? If no, explain.

- If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, explain.

27b. Do inaccessible entrances have signs indicating the location of the nearest accessible entrance? Explain.

27c. are there designated restrooms with appropriate signage available for individuals with disabilities? Explain.

27d. Are TTY/TDD or Relay Services available for use? Explain.

27e. how often are contractor's facilities monitored to ensure accessibility?

28. Does the region have any programs or resources designed specifically to assist persons with disabilities? Yes\_\_\_\_\_ No\_\_\_\_\_

29. Describe efforts to prohibit discrimination on the basis of disability in employment practices by the region and its partners.

- Requiring the provision of reasonable accommodations in employment, when appropriate

- Reviewing job qualifications to ensure that it does not use selection criteria that screen out or tend to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity.
- Prohibiting pre-employment inquiries regarding disability except to ask for the individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially.

30. How does the region insure that programs and activities are administered in the most integrated settings possible?

31. How does the region insure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?

32. Please describe the availability of assistive equipment for individuals with disabilities.

33. Please describe the region's web site in regards to its ADA accessibility.

34. Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.

35. How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?

36. Does the region have a written reasonable accommodation policy? Yes\_\_\_\_ No\_\_\_\_

37. Describe how medical condition information is maintained separate from other files and secured.

## **Element 6: Data and Information Collection and Maintenance**

Reference: §38.41 – 38.45; DWD Policy 2016-09

38. How is staff made aware that data must be collected on race, sex, age, disability, etc.?
39. Does the Local EO officer maintain a discrimination complaint log/file? Yes\_\_\_\_\_ No\_\_\_\_\_

## **Element 7: Monitor Recipients for Compliance**

Reference: §38.51 – 38.53; DWD Policy 2016-09

40. Does the region monitor service providers for compliance with WIOA equal opportunity and nondiscrimination regulations? Yes\_\_\_\_\_ No\_\_\_\_\_
41. Describe the EO and general monitoring process.
42. List the Local EO Officer monitoring visits conducted for WorkOne Comprehensive, Affiliates and service providers within the last two program years.
- .
43. How often is on-site monitoring conducted?

## **Element 8: Complaint Processing Procedures**

Reference: §38.60 – 38.73; DWD Policy 2016-09

44. What discrimination complaint policies and procedures are used in the region?
45. Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?

46.

<b>Does the discrimination complaint log for complaints include:</b>	<b>Y</b>	<b>N</b>
Name and address		
Basis of complaint		
Brief description of complaint		
Date filed		
Disposition		

47. Please list any formal complaints that have been filed with the last two program years.

48.

<b>Please respond to the following concerning each complaint:</b>	<b>Y</b>	<b>N</b>
Was the complaint filed within 180 days?		
Was the complainant provided a written notification of receipt of the complaint?		
Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue?		
Was the complainant sent a written notice of lack of jurisdiction when the region determined that it did not have jurisdiction over a complaint?		
Was the complainant notified that they have the right to representation in the complaint process?		
Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?		
Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?		
Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying the decision?		
Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint?		
Has the State EO Officer been advised of the complaint?		

49. How is an individual protected from discharge, intimidation, retaliation, threat or coercion when s/he:
- Filed a complaint;
  - Opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA; or
  - Assisted or participated in any manner in an investigation?

50. Describe the region's policy for handling discrimination complaints from contractors regarding participants.

### **Element 9: Corrective Actions/Sanctions**

Reference: §38.72 – 38.73; DWD Policy 2016-09

51. Describe the region's procedures for obtaining voluntary compliance when equal opportunity violations are found.

52. What is the follow up policy for violations?

53. Describe any corrective actions/sanctions taken against contractors within the last two program years.

**LWDA        Equal Opportunity Survey**  
 IDWD Regulatory Oversight & Compliance (ROC) Division  
 Pre-Monitoring Review Tool

LWDA:	
Local EO Officer:	Date:
Email:	Phone:

### Directions & Interview Preparation

- Review the **“Benchmarks”** and mark the box **“☒”** for each benchmark your LWDA has achieved successfully.
- Add additional information as applicable within the **“Additional Comments”** section.
- Submit the completed survey via email to [oversight@dwd.IN.gov](mailto:oversight@dwd.IN.gov) by the due date.
- The State EO Officer will schedule the specific on-site review time with the Local EO Officer during the week of the on-site monitoring visit to review this survey and discuss your LWDA’s overall EO compliance.

*This survey is used as a pre-monitoring review tool and is NOT all-inclusive or limiting. For questions or concerns while completing the survey, please contact the State EO Officer at [EO@dwd.in.gov](mailto:EO@dwd.in.gov).*

**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

Comments:

Does the Local EO Officer understand their roles and responsibilities?

Benchmarks:

<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 the recipient
<input type="checkbox"/>	The Local EO Officer provides local area staff with EO training

Comments:

**Notice and Communication: 38.34 - 38.40**

What action has the recipient taken to follow notice and communication requirements in 38.34?

Benchmarks:

<input type="checkbox"/>	"EO is the Law" poster is posted prominently, in reasonable numbers and conspicuous places, on recipient's Web site pages, and in employee and participant handbooks
<input type="checkbox"/>	The EO tagline is printed in recruitment brochures and other materials that are distributed or communicated with participants and staff that describe requirements for participation
<input type="checkbox"/>	All orientation sessions for new employees, new participants, and/or the general public include a discussion of rights and responsibilities of the nondiscrimination and equal opportunity provisions of WIOA and the EO Regulations
<input type="checkbox"/>	Babel Notices written in multiple languages are included with vital documents
<input type="checkbox"/>	Auxiliary aids or services are available in alternate formats (to ensure communication with individuals with disabilities or LEP individuals is as effective as communications with others)

Comments:

**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 and has the ability to comply with the nondiscrimination and equal opportunity provisions for the duration of the grant contract
<input type="checkbox"/>	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 and regional policies

Comments:

**Affirmative Outreach: 38.40**

Has the 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

Comments:

**Accessibility: 38.13**

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

Benchmarks:

<input type="checkbox"/>	Individuals with disabilities have adequate parking spaces
<input type="checkbox"/>	Individuals with disabilities have appropriate wheelchair accessibility (doors, space allowances, ramps, access routes)
<input type="checkbox"/>	Individuals with disabilities have appropriate restroom accommodations
<input type="checkbox"/>	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
<input type="checkbox"/>	Individuals with disabilities have been provided adequate working assistive technology, as needed
<input type="checkbox"/>	Staff has been trained on use of the assistive technology to properly assist participants
<input type="checkbox"/>	Meaningful accommodations are provided regarding registration for the provision of aid, benefits, services or training, including core and intensive training and support services, to individuals with disabilities

Comments:





<b>PY 2019 Approved Monitoring Schedule</b>
---

<b>Week</b>	<b>LWDA</b>
September 9	Region 2
September 30	Region 9
October 21	Region 1
November 18	Region 7
December 16	Region 5
January 13	Region 6
February 3	Region 8
February 24	Region 4
March 16	Region 3
April 6	Region 11
April 27	Region 12
May 18	Region 10

**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	
<b>Local Equal Opportunity Officer: 38.28 - 38.31</b>	
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
<b><u>Interview Questions and Responses:</u></b>	
<ul style="list-style-type: none"> <li>• Where is the EO information and notice on your regional and board websites? Where is your contact information?</li> </ul>	
<ul style="list-style-type: none"> <li>• Where is the EO information and notice in the office? Where is your contact information?</li> </ul>	
<p><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. <b>Local EO Officer has sufficient staff and resources to carry out the EO requirements</b></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><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

Notice and Communication: 38.34 – 38.40		<i>Requirement:</i>
What action has the recipient taken to follow notice and communication requirements in 38.34?		Recipients' obligations to disseminate equal opportunity notice.
<b>Benchmarks:</b>		
<input type="checkbox"/>	"EO is the Law" poster is posted prominently, in reasonable numbers and conspicuous places, on recipient's Web site pages, and in employee and participant handbooks	The notice must contain the specific wording of 38.35
<input type="checkbox"/>	The EO tagline is printed in recruitment brochures and other materials that are distributed or communicated with participants and staff that describe requirements for participation	Recipients' obligations to publish equal opportunity notice.
<input type="checkbox"/>	All orientation sessions for new employees, new participants, and/or the general public include a discussion of rights and responsibilities of the nondiscrimination and equal opportunity provisions of WIOA and the EO Regulations	Notice requirement for service providers.
<input type="checkbox"/>	Babel Notices written in multiple languages are included with vital documents	Publications, broadcasts, and other communications.
<input type="checkbox"/>	Auxiliary aids or services are available in alternate formats (to ensure communication with individuals with disabilities or LEP individuals is as effective as communications with others)	Communication of notice in orientations.
<b>Interview Questions and Responses:</b>		<i>Additional Documents:</i>
•	How do you incorporate the EO notice about rights and responsibilities into orientation sessions for both participants and employees?	<ul style="list-style-type: none"> <li>▪ Copies of brochures and other materials that contain tag line</li> </ul>
•	How are you incorporating the EO tagline into various marketing materials?	<ul style="list-style-type: none"> <li>▪ Copies of documents with Babel Notice attached</li> <li>▪ Copies of employee and participant handbooks</li> </ul>
		<i>Comments:</i>

- 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:
<b>Benchmarks:</b>		
<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	
<b>Interview Questions and Responses:</b>		
<ul style="list-style-type: none"> <li>• What are some affirmative outreach efforts occurring in your region?</li> </ul>		<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"> <li>• 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?</li> </ul>		<p><i>Additional Documents:</i></p> <ul style="list-style-type: none"> <li>▪ Copies of their outreach efforts, such as advertisements to the newspaper, radio, recruitment brochures, and presentations</li> </ul> <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?																			
<p>Benchmarks:</p> <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Regional staff tracks applicants, registrants, eligible applicants, eligible registrants, participants, exited participants, employees, and applicants for employment</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Regional staff tracks race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, exited participant, applicant for employment, and employee</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Regional staff tracks limited English proficiency and preferred language of each applicant, registrant, participant, and exited participants</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Beneficiaries/participants files are free of subjective and/or inappropriate remarks and comments such as on medical and disability information</td> </tr> <tr> <td><input type="checkbox"/></td> <td>All medical or disability-related information, whether in hard copy, electronic, or both, is maintained in a SEPARATE file and treated as confidential</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Beneficiaries/participants sign the state's program application/enrollment form (i.e., client application for ICC); acknowledgment of EO notice</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Beneficiaries/participants files are retained for at least three (3) years after close of the applicable program year</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Such information above is used only for the purposes of recordkeeping, reporting, and determining eligibility where appropriate</td> </tr> <tr> <td><input type="checkbox"/></td> <td>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</td> </tr> </table>		<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
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<p><u>Interview Questions and Responses:</u></p> <ul style="list-style-type: none"> <li>• What procedures are in place to ensure that medical and disability related information is being maintained securely and separately from other client information?</li>   <li>• Who has access to medical and disability related information for applicants, registrants, eligible applicants, participants, exited participants, employees, and applicants for employment?</li> </ul>																			
<p><b>OVERALL CONCLUSION:</b></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>																			

*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.

<b>Complaint Records: 38.69 – 38.72</b>		<p><i>Requirement:</i>  A person, or any specific class of individual, has been or is being discriminated against 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, political affiliation or belief, citizenship status, or participation in any WIOA Title I-financially assisted program or activity as prohibited by WIOA or EO Regulations.</p> <p>Generally, a complaint must be filed within 180 days of the alleged discrimination or retaliation. However, for good cause, the CRC Director may waive this requirement</p> <p><i>Additional Documents:</i></p> <ul style="list-style-type: none"> <li>▪ Copy of complaint processing procedures</li> </ul> <p><i>Comments:</i></p>										
Has Recipient addressed and logged complaints in accordance with EO Regulations?												
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<b><u>Interview Questions and Responses:</u></b> <ul style="list-style-type: none"> <li>• How are staff made aware of the policy and the procedures for complaint processing?</li>   <li>• How are you keeping track of your region’s complaints?</li>   <li>• Do you have any specific and/or current complaints that you would like to share or need assistance with?</li> </ul>												
<b>OVERALL CONCLUSION:</b> The Region: <ul style="list-style-type: none"> <li><input type="checkbox"/> has taken minimal action</li> <li><input type="checkbox"/> is working toward compliance</li> <li><input type="checkbox"/> is in compliance</li> </ul>												

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

Revised July 2019



**COMPREHENSIVE MONITORING REPORT  
PROGRAM YEAR 2019-20**

Local Workforce Development Area 5  
Region 5 Workforce Board, Inc.  
c/o Interlocal Association  
836 S State St  
Greenfield, IN 46140

**On-Site Visit:** December 16-20, 2019

**Review Period:** July 2019 – December 2019

**Compliance Team:** Connie Wray, Larry Upchurch, Brandi Carroll, Amy Summers, Carmen Upchurch, Jennifer Long & Jennifer Greimann

## **I. REPORT STRUCTURE**

The Indiana Department of Workforce Development (DWD) Compliance and Policy Division (Compliance Team) conducts annual monitoring of each Local Workforce Development Area (LWDA or Local Area) to examine compliance with statutory, regulatory, and policy-driven requirements, and identify areas in need of administrative, financial management, programmatic, and/or systemic improvement. This Comprehensive Monitoring Report (Report) includes compliance findings, areas of concern, noteworthy efforts, and performance data for the Local Area during the monitoring review period.

Workforce Innovation and Opportunity Act (WIOA) compliance terminology, for purposes of this Report, is explained below:

**Compliance Findings.** Items identified as non-compliant with federal, state, or local regulations, policies, or procedures shall be classified as compliance findings (Findings). Compliance Team staff will provide citations from appropriate authorities, identify specific areas of non-compliance, and prescribe the corrective measures necessary for resolution.

**Areas of Concern.** Items that may or may not be compliance-based, but may impede effectiveness and efficiency of service delivery to individual and business clientele shall be classified as areas of concern (Concerns). The Compliance Team may offer suggestions or assistance to the Local Area in making qualitative improvements, or may make a referral to appropriate DWD staff for further technical assistance.

**Noteworthy Efforts.** New, unique, significant, or innovative initiatives and results, and/or notable or exemplary practices shall be classified as Noteworthy Efforts.

**Scope of Review.** The Compliance Team begins the monitoring of each Local Area by performing desk reviews of LWDA-specific input and feedback gathered from DWD Program Directors and Subject Matter Experts, inspecting and testing various electronic documents submitted by the LWDA, and conducting a risk assessment using DWD's Risk Assessment Tool. The Risk Assessment Tool, based on knowledge of, history with, and learned information about the Local Area, generates a risk score (i.e., low, medium, high) that may influence areas of focus during the monitoring review. Local Area information, systems, policies, procedures, and documents at all management and service levels are subject to review under, but not limited to, four (4) major subject areas (Review Areas):

1. **Administrative & Financial Management.** This area includes, but is not limited to, an evaluation of Workforce Development Board (WDB) structure and governance, the WorkOne American Job Center (WorkOne) system, administrative and financial policies and practices, prior audit and monitoring results, and subrecipient monitoring

and oversight according to applicable federal and state legislation, regulations, policies, guidance, and Office of Management and Budget (OMB) Uniform Guidance. The Compliance Team conducts this evaluation via on-site visits, document inspection, and sample testing.

- 2. Workforce Development Programs.** This area includes, but is not limited to, an evaluation of the Local Area's programs and services for eligible participants pursuant to WIOA requirements and related federal and state legislation, regulations, policies, and guidance. A computer-generated, randomly-selected file sample of at least 30 Adult, Dislocated Worker (DW), In-School Youth (ISY), and Out-of-School Youth (OSY) participant files are examined for proper maintenance and content, inclusion of pertinent forms and data, appropriate and adequate case notes to ensure continuity from the time of application through the completion of services, as well as verification that all relevant data has been entered into the Indiana Career Connect (ICC) case management system. On-site visits to various WorkOne centers within the Local Area and interviews with local management, staff, and clientele are conducted to observe operations (e.g., security, building function, appearance, convenience to customers, safety concerns, etc.) and gain insight into the WorkOne center's environment, processes and procedures, and overall customer service efforts and effects.

This area may also include a review of other active grants and programs funded by DWD within the Local Area during the monitoring period. During the review, Compliance and Policy Division staff correspond with applicable grant and program management staff to obtain information and status updates for potential inclusion in this Report.

- 3. Equal Opportunity & Nondiscrimination.** This area includes, but is not limited to, an evaluation of the Local Area's Equal Opportunity (EO) and Nondiscrimination policy and practices, including implementation of and adherence to Indiana's Nondiscrimination Plan<sup>1</sup> (NDP). All WIOA Title I recipients and one-stop partners (OSPs), to the extent the OSPs participate in the one-stop delivery system, must comply with EO and nondiscrimination requirements in the administration and operation of programs, activities, and employment as provided by WIOA Section 188 and its implementing regulations under 29 CFR Part 38 (Final Rule). DWD Policy 2016-09<sup>2</sup> provides a summary of the major content areas covered in the Final Rule and includes important procedures recipients must follow to maintain compliance.
- 4. Performance.** This area includes, but is not limited to, data concerning the Local Area's fiscal status and performance against applicable WIOA and Wagner-Peyser (WP) requirements. WIOA significantly advances the strategic alignment of the U.S. Department of Labor's (USDOL) core workforce development programs: Adult, Dislocated Worker, and Youth programs; the WP Employment Service; the Adult Education and Family Literacy program; and Vocational Rehabilitation. WIOA performance accountability provisions<sup>3</sup> became effective on July 1, 2016.<sup>4</sup> The five (5) WIOA Performance Metrics (primary performance indicators) tracked by DWD include: 1) Employment Rate - 2<sup>nd</sup> Quarter After Exit, 2) Employment Rate - 4<sup>th</sup> Quarter After Exit, 3) Median Earnings, 4) Credential Attainment, and 5) Measurable Skill Gains.<sup>5</sup> The three (3) WP Performance Metrics tracked by DWD include: 1) Employment Rate - 2<sup>nd</sup> Quarter After Exit, 2) Employment Rate - 4<sup>th</sup> Quarter After Exit, and 3) Median Earnings. The three (3) Regional Performance Metrics (RPM) tracked by DWD include: 1) Client Engagement, 2) Job Connectedness, and 3) Wage Change.<sup>6</sup> The federal<sup>7</sup> and regional<sup>8</sup> WIOA Performance Metrics are updated quarterly and are also available online.

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<sup>1</sup> <https://www.in.gov/dwd/3195.htm>

<sup>2</sup> DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter

<sup>3</sup> WIOA Section 116

<sup>4</sup> Training and Employment Guidance Letter WIOA No. 26-15: Operating Guidance for the Workforce Innovation and Opportunity Act

<sup>5</sup> The LWDA's WIOA performance measure for *Effectiveness in Serving Employers* is not yet available or included in this Report, but is expected to be included in future Reports.

<sup>6</sup> 20 CFR 677.205

<sup>7</sup> <https://www.in.gov/dwd/FedArchive.htm>

<sup>8</sup> <https://www.in.gov/dwd/RPM.htm>

## II. LOCAL AREA SUMMARY

<i>Counties within LWDA:</i>	Boone, Hamilton, Hancock, Hendricks, Johnson, Madison, Morgan, & Shelby
<i>Grant Recipient:</i>	Interlocal Association (IA)
<i>Administrative Entity/Staff-to-the-Board:</i>	IA
<i>Fiscal Agent:</i>	IA
<i>One-Stop Operator (OSO):</i>	IA
<i>Service Provider:</i>	IA
<i>Prior Monitoring Findings:</i>	None
<i>PY2018-19 Assessed Risk:</i>	Low
<i>PY2019-20 Assessed Risk:</i>	Low

Interlocal Association is the grant recipient on behalf of the Region 5 Workforce Board, Inc. WIOA Adult, Dislocated Worker, and Youth client services are provided by IA. The seven WorkOne sites operating within this eight county LWDA include:

### Comprehensive Sites

Johnson County / Franklin  
Madison County / Anderson

### Affiliate Sites

Boone County / Lebanon  
Hamilton County / Noblesville  
Hancock County / Greenfield  
Hendricks County / Plainfield  
Shelby County / Shelbyville

### Access Points

None

On-site monitoring was conducted in December 2019 by DWD's Compliance Team at the IA office located in Greenfield and various WorkOne centers within the LWDA. An Entrance Conference was held on-site at the IA headquarters with the Executive Team attending. WorkOne sites visited included Franklin, Greenfield, Noblesville, and Plainfield. A summary of the week's activities, including a non-exhaustive list of potential findings and areas of concern, were presented during an Exit Conference call at the end of the on-site monitoring week.

## III. ANALYSIS

Information within this section summarizes the Compliance Team's overall evaluation of the LWDA relative to the Review Areas described herein.

### 1. **Administrative & Financial Management**

Specific subject areas where documentation and practices were inspected and tested by the Compliance Team include: contracts and agreements; prior monitoring and audit findings; subrecipient monitoring and audit oversight; property leases; administrative and financial policies and procedures; required local reporting to various DWD programs; internal and budget controls; cash draws, cash management and reconciliations; general ledgers and disbursements; cost classification and allocation; record retention; WDB structure and governance; implementation of the Local Plan; and compliance with other applicable regulations, policies, and guidance.

## Compliance Findings:

There were no administrative or fiscal compliance findings identified within the scope of this review.

## Areas of Concern:

### Concern #1: No Pre-Approval for Phone System Procurement

Documentation for the Anderson office phone system replacement in the amount of \$16,115.49 shows that LWDA 5 failed to obtain the required pre-approval from DWD.<sup>9</sup> DWD Policy 2015-2: *Property Management/Surplus Property Policy* (DWD Pre-Approval Policy), outlines the required steps in the pre-approval process and sets guidelines applicable to all property “purchased with DWD funding.” The DWD Pre-Approval Policy states that “[i]n all cases, equipment purchases with a unit acquisition cost of \$5,000.00 or greater require prior approval from the Chief Financial Officer of [DWD].” Further, the Policy directs that “[w]hen all levels of approval are complete, the approved Request Form will be sent back to the program that may then proceed in purchasing the item.”

DWD acknowledges that replacement of the phone system was encouraged by both DWD and the Indiana Office of Technology (IOT) and that DWD staff were aware that the procurement was taking place. Since the time of the monitoring review, DWD and Region 5 staff discussed conflicting information that was provided to Region 5 regarding the requirement (i.e., that the pre-approval form was submitted after the purchase was complete and that DWD advised Region 5 of proper procedure but acknowledged confusion and requested no further action on the part of Region 5). Because similar pre-approval issues have been discovered during monitoring reviews in other local areas, DWD is currently reviewing Policy 2015-2 and anticipates restructuring and clarifying the pre-approval process in early 2020. Revised guidance will be issued to reaffirm and clarify the pre-approval requirement and procedures.

Because the pre-approval process was not followed prior to the purchase, DWD considers the \$16,115.49 to be a questioned cost. However, because of inconsistencies identified at both the state and local level, these costs are not disallowed. Region 5 is encouraged to review the current federal and state procurement policies, including the preapproval process, and ensure procedures are followed.

## 2. Workforce Development Programs

A computer-generated, randomly-selected file sample of at least 30 participant files were examined. The sample included Adult, DW, ISY, OSY, Veterans, Low-Income Individuals, and On-the-Job Training (OJT) participants, as applicable. The sample consisted of participants who were active or exited during the current program year. Desk reviews and interviews were utilized to evaluate overall compliance with applicable regulations, policies, and guidance. Compliance Team staff also visited WorkOne centers within the LWDA; observed operations first-hand; conducted interviews with various WorkOne management, staff, and clientele; and gained insight regarding the WorkOne centers’ operations and outcomes.

## Compliance Findings:

There were no programmatic compliance findings identified within the scope of this review.

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<sup>9</sup> §200.318 General procurement standards and DWD Policy 2015-2: *Property Management/Surplus Property Policy* (DWD Pre-Approval Policy).

## **Noteworthy Efforts:**

### Noteworthy Effort #1: Dislocated Worker Grant (DWG)

Midwest Urban Strategies (MUS) has been awarded a WIOA National Dislocated Worker Grant to serve 1034 dislocated workers; recently dislocated workers; mature dislocated workers (55+); dislocated workers with less than a high school diploma; and underemployed workers. MUS granted one million dollars to LWDA 12, who in turn has shared \$300, 000.00 of the grant with LWDA 5.

LWDA 5 hopes to serve 75+ dislocated workers with their portion of the grant. Services may include outreach to, and recruitment of, participants and employers; enrollment of participants into the National Dislocated Worker program; training and supportive services; placement into occupations in high growth industries; and close monitoring and collection of documentation that is required by the program.

DWG grant funded activities will give priority to training over other types of services. The types of activities and services to be provided include, but are not limited to:

- Traditional classroom training funded through Individual Training Accounts (ITAs); apprenticeship programs on the state's Eligible Training Provider List;
- Connecting businesses and workers to on-the-job or customized training programs, transitional jobs (limited funding) and apprenticeships before or after layoff to facilitate reemployment;
- Providing career counseling to dislocated worker and referring to employers in high growth industries; and
- Job placement of participants upon training completion

The average grant allocation per participant is \$4500. The grant ends September 30, 2020.

### Noteworthy Effort #2: Subcontracted Workshops

In an effort to give a participant the best training possible, the LWDA has subcontracted experts in the field of advanced computer programs such as Excel and PowerPoint to conduct their prospective workshops. Consultants with extensive backgrounds from companies such as Value Stream Consultants and Fusion Creative Consultants instruct participants who in turn gain a solid foundation in each field and can confidently place that skill on their resume. These professionals are well qualified and economical, creating a win/win situation for the LWDA and public at large.

### Noteworthy Effort #3: Lean Six Sigma Certification

In today's labor market, employers are looking for certifications that enhance an applicant's desirability and potential value to their organization. Certifications or experience with the Microsoft Office suite, including Word, Excel and PowerPoint, have become basic expectations. Lean Six Sigma is an employer-desired certification in many cases. Lean Six Sigma is a comprehensive business strategy that encompasses process improvement, project management, customer satisfaction, quality assurance and problem solving. It's becoming more widely used across industries and other sectors of business beyond manufacturing because of its ability to provide organizations with benefits such as lower costs and increased quality. Furthermore, Lean Six Sigma increases employee engagement and productivity.

LWDA 5 offers Lean Six Sigma Yellow Belt training through a certified Lean Six Sigma instructor. Training is delivered to groups of 15 throughout four consecutive evenings. The 12-hour training covers the Tools of Lean, Types of Waste and Cause and Effect analysis among others. Successful completers are awarded the Lean Six Sigma Yellow Belt

certification. LWDA 5 has also offered some Green Belt certification classes for those who first achieve their Yellow Belt certification.

Clients report employment success after attaining the certification, gaining more interviews and job offers in their job search. This is especially helpful for mid-career individuals needing to re-engage with employers. Further, as the non-payroll employment economy increases, individuals have a business-valued certification to offer. LWDA 5 believes the investment in offering Lean Six Sigma training more than pays for itself, with higher job placement and employment rates for those certified.

#### Noteworthy Effort #4: RESEA and TAA Quarterly Meetings

To ensure consistent contact and education to all parties involved, the LWDA holds a quarterly meeting for both RESEA and TAA State and local staff. The quarterly meeting is conducted by the Workforce Board staff itself, and problems of coordination and communication are discussed and resolved as well as discussion of the future welfare of both programs and the LWDA's participation.

#### Noteworthy Effort #5: Anderson Advanced Manufacturing Program (AAMP)

WorkOne staff in Anderson have been collaborating with the City of Anderson to recruit and case manage individuals who have been participating in the Anderson Advanced Manufacturing Program (AAMP) taking place in LWDA 5. This program is proving to be a successful job-readiness program that gives unemployed and underemployed people an opportunity to acquire a new job in advanced manufacturing.

AAMP is modeled after the Lafayette RAMP program created by Subaru and Conexus, which successfully reduced new employee turnover by 60 percent while reducing costs. Purdue Polytechnic in Anderson worked with the City of Anderson to create the AAMP curriculum with coordination from manufacturing partners. The curriculum is 160 hours, four weeks at 40 hours per week. Upon completion, students graduate with an Advanced Manufacturing Certificate issued by Purdue University and have the opportunity to interview with up to seven local manufacturing companies.

In addition to assisting with recruitment and case management, the role of the WorkOne staff is to provide an orientation; assist in initial intake; provide assessments for appropriateness; conduct two workshops, including a mandatory résumé clinic; conduct WorkKeys assessments; and provide Work Indiana (WIN) tuitions. Individuals are enrolled into WIOA programs. For individuals not receiving job offers, WorkOne staff continue working with them for job placement.

This job training program works with both educational and corporate partners to fill vacant positions with graduates who show proper work ethic and basic skill levels required by area manufacturers. Local manufacturers report they are struggling to find qualified employees at every level. Employer partners include: NTN Driveshaft Anderson; NTK Precision Axle Corporation, Anderson; Red Gold, Elwood; Sirmax North America, Anderson; Barber Manufacturing, Anderson; HyPro/Donaldson, Anderson; and Precision Strip in Anderson. Four local manufacturing employers participated in crafting both the employment screening requirements and curriculum development to ensure the graduates of the AAMP program meet minimum employment standards to entry-level jobs.

Target candidates include: workers in transition; displaced workers; formerly incarcerated individuals; college dropouts; veterans; low-wage workers; pending and recent high school graduates; JAG students; and adult education students. Initial recruitment of candidates for AAMP has included multiple local partner agencies: WorkOne Anderson, Anderson IN Impact Center, United Way of Madison County, Madison County Department of Community Corrections, and New Castle Correctional Facility.

AAMP is staffed by four credentialed Purdue instructors, providing curriculum instruction in their content area of expertise. The instructors bring expertise in industry and education to the areas of mechanical engineering technology, industrial engineering technology and organizational leadership. Hard skills in the program curriculum are aimed at addressing the practical requirements of industry partners. Students receive comprehensive introductory training in geometric dimensions, tolerances, calipers and micrometers. Training is modeled after the actual jobs that students will be applying for to ensure their understanding of the necessary functions and quality assurance expected of the partner employers. A minimum of 24 hours of hands-on manufacturing simulation experience is incorporated during the 160 hours of training, as well as additional hours spent on site visiting partner facilities.

Hourly stipends at \$10 an hour are paid by the City of Anderson for Anderson residents during the course of the program. The success rate is excellent to date, with 30 of 36 people completing the program in the first two cohorts securing employment with Madison County companies. The average starting wage is well above \$14 an hour. Data for a third cohort that recently finished is not yet available.

### 3. Equal Opportunity & Nondiscrimination

Compliance and Policy Division staff conducted desk reviews, interviews, and WorkOne site visits to evaluate the Local Area's progress in the implementation and administration of EO and Nondiscrimination programs. The evaluation covered the following areas: Local EO Officer designation and performance; local EO policy and procedures; required notices and communications (e.g., posters, Babel notices, taglines, relay services, etc.); orientations; service delivery for disabled and limited English proficient (LEP) individuals; physical and programmatic accessibility; complaint processing procedures; affirmative outreach; data and information collection and maintenance; and overall compliance with applicable regulations, policies, guidance, and the NDP.

#### Compliance Findings:

There were no EO or nondiscrimination compliance findings identified within the scope of this review.

#### Areas of Concern:

##### Concern #2: Franklin WorkOne Door Accessibility

Upon inspection of the entrance into the Franklin WorkOne, the entrance doors may not be accessible to someone with a disability due to a non-working power-assisted push button.<sup>10</sup> The Local EO Officer is aware of the issue, but stated it is not cost effective to repair at the moment. She plans to review again. For now the front desk staff are watching the front doors for anyone who may need assistance opening the door. For the front door of all American Job Centers to be ADA accessible, they must meet accessibility standards including a certain clear width, weight of door hardware that can be operable without grasping, pinching, or twisting of the wrist, door opening force, and a certain closing speed. The Local EO Officer should check and ensure that these requirements are met without the use of the power assisted push door button.

Recipients must ensure that their facilities are accessible and usable by individuals with disabilities. Recipients must meet applicable accessibility obligations under 29 CFR Part 38, as well as Section 504 of the Rehabilitation Act and the implementing regulations at 29 CFR Part 32 and the Americans with Disabilities Act (ADA). The Local EO Officer should check and ensure that the accessibility obligations are met at all times.

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• <sup>10</sup> 29 CFR 38.13: Accessibility requirements, TEGL 16-16: One-Stop Operations Guidance for the American Job Center Network, & DWD Policy 2016-09: Equal Opportunity & Nondiscrimination Guidance Letter

**Noteworthy Efforts:**

Noteworthy Effort #6: Locally Developed EO Activity Log

The Local EO Officer utilizes a locally developed EO Activity Log that outlines all activities, including training provided to the One Stop Center Staff. This Activity Log is especially beneficial to the LWDA's Equal Opportunity program, as it allows the Local EO Officer to evaluate which EO activities and topics have been included in trainings and which EO topics may need to be reviewed during all-staff WIOA trainings. This tool ensures that the EO Officer is knowledgeable and fully prepared to serve their area in accordance with nondiscrimination/equal opportunity policies and procedures.

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#### 4. Performance

**Fiscal Performance Snapshot.** Table A shows a summary of the LWDA’s fiscal performance for all DWD-issued grants active during the monitoring review period.

<b>TABLE A: LWDA 5 Fiscal Performance Snapshot – October 2019</b>								
<b>Grant Name</b>	<b>Program Name</b>	<b>Start Date</b>	<b>End Date</b>	<b>\$ Allocated</b>	<b>\$ Obligation</b>	<b>% Obligated</b>	<b>\$ Expended</b>	<b>% Expended</b>
WIOA705	WIOA PY17 - ADULT ADMIN	07/01/17	06/30/19	99,629.00	99,629.00	100.00%	99,629.00	100.00%
WIOA705	WIOA PY17 - DISLOC WKKR ADMIN	07/01/17	06/30/19	141,698.00	141,698.00	100.00%	141,698.00	100.00%
WIOA705	WIOA PY17 - YOUTH ADMIN	07/01/17	06/30/19	103,130.00	103,130.00	100.00%	103,130.00	100.00%
WIOA705	WIOA PY17 - DISLOC WRKR TO ADULT	07/01/17	06/30/19	451,669.00	451,669.00	100.00%	451,669.00	100.00%
WIOA705	WIOA PY17 - ADULT	07/01/17	06/30/19	896,665.00	896,665.00	100.00%	896,665.00	100.00%
WIOA705	WIOA PY17 - DISLOC WRKR	07/01/17	06/30/19	823,611.00	823,611.00	100.00%	823,611.00	100.00%
WIOA705	WIOA PY17 - YOUTH	07/01/17	06/30/19	928,172.00	928,172.00	100.00%	894,912.00	96.42%
	<b>WIOA PY17 - TOTAL</b>			<b>3,444,574.00</b>	<b>3,444,574.00</b>	<b>100.00%</b>	<b>3,411,314.00</b>	<b>99.03%</b>
WIOA805	WIOA PY18 - ADULT ADMIN	07/01/18	06/30/20	87,405.00	87405	100.00%	87405	100.00%
WIOA805	WIOA PY18 - DISLOC WKKR ADMIN	07/01/18	06/30/20	129,073.00	129073	100.00%	74434.68	57.67%
WIOA805	WIOA PY18 - YOUTH ADMIN	07/01/18	06/30/20	90,284.00	90,284.00	100.00%	90,284.00	100.00%
WIOA805	WIOA PY18 - DISLOC WRKR TO ADULT	07/01/18	06/30/20	371,731.00	371,731.00	100.00%	371,731.00	100.00%
WIOA805	WIOA PY18 - ADULT	07/01/18	06/30/20	786,658.00	786,658.00	100.00%	786,658.00	100.00%
WIOA805	WIOA PY18 - DISLOC WRKR	07/01/18	06/30/20	789,928.00	789,928.00	100.00%	789,928.00	100.00%
WIOA805	WIOA PY18 - YOUTH	07/01/18	06/30/20	812,558.00	812,558.00	100.00%	812,558.00	100.00%
	<b>WIOA PY18 - TOTAL</b>			<b>3,067,637.00</b>	<b>3,067,637.00</b>	<b>100.00%</b>	<b>3,012,998.68</b>	<b>98.22%</b>
WIOA905	WIOA PY19 - ADULT ADMIN	07/01/19	06/30/21	73,295.00	30,000.00	40.93%	26,240.20	35.80%
WIOA905	WIOA PY19 - DISLOC WKKR ADMIN	07/01/19	06/30/21	125,711.00	0	0.00%	0	0.00%
WIOA905	WIOA PY19 - YOUTH ADMIN	07/01/19	06/30/21	75,689.00	35000	46.24%	22336.52	29.51%
WIOA905	WIOA PY19 - DISLOC WRKR TO ADULT	07/01/19	06/30/21	452,278.00	50,000.00	11.06%	25,452.55	5.63%
WIOA905	WIOA PY19 - ADULT	07/01/19	06/30/21	659,662.00	200,000.00	30.32%	198,200.46	30.05%
WIOA905	WIOA PY19 - DISLOC WRKR	07/01/19	06/30/21	679,129.00	200,000.00	29.45%	196,594.93	28.95%
WIOA905	WIOA PY19 - YOUTH	07/01/19	06/30/21	681,210.00	90,000.00	13.21%	59,275.76	8.70%
	<b>WIOA PY19 - TOTAL</b>			<b>2,746,974.00</b>	<b>605,000.00</b>	<b>22.02%</b>	<b>528,100.42</b>	<b>19.22%</b>
BC905	Business Consultant (BC) PY19	07/01/19	06/30/20	60,000.00	60,000.00	100.00%	60,000.00	100.00%
JAG805	Jobs for America's Graduates (JAG) PY18	07/01/18	12/31/19	764,137.00	727,723.00	95.23%	713,159.03	93.33%
JAG905	JAG PY19	07/01/19	12/31/20	734496	270000	36.76%	255489.22	34.78%
JAGT805	Jobs for America’s Graduates (JAG) Temporary Assistance for Needy Families (TANF) PY18	10/01/18	09/30/19	276,000.00	276,000.00	100.00%	276,000.00	100.00%
JFH705	Jobs for Hoosiers (JFH) PY17	01/01/17	12/31/19	38,800.00	38,800.00	100.00%	29,366.57	75.69%
RESEA705	Re-Employment Services and Eligibility Assessment (RESEA) PY17	01/01/18	09/30/19	337,000.00	337,000.00	100.00%	337,000.00	100.00%
RESEA905	RESEA PY19	01/01/19	08/15/20	300,000.00	194,796.99	64.93%	194,796.99	64.93%
WIN805	WorkIndiana Adult Education Training Program PY18	07/01/17	12/31/19	319,275.00	294,275.12	92.17%	294,275.12	92.17%
WINTANF805	WorkIndiana Adult Education Training Program (WIN) TANF PY18	10/01/18	09/30/19	43,225.00	43,225.00	100.00%	46,605.30	107.82%
WIOASP805	WIOA Performance Support Grant PY18	10/19/18	12/31/19	175,000.00	155,000.00	88.57%	123,844.77	70.77%
WIOASP905	WIOA Performance Support Grant PY19	10/01/19	03/31/21	161,603.00	0.00	0.00%	0.00	0.00%

WIOA, WP & Regional Performance Metrics Snapshot. Tables B, C, and D show the LWDA’s most current PY2019-20 WIOA, WP and RPM Rolling 4-Quarter actual performance and performance goals.

<b>TABLE B: LWDA 5 WIOA Performance Metrics Snapshot</b>					
<i>Performance Indicator</i>		<i>Performance: Actual vs. Goal</i>			
			<b>Actual</b>	<b>Goal</b>	<b>Met?</b>
WIOA Employment Q2 After Exit	ADULT	R5	84.5	76	Yes
		Statewide	82.9	76	Yes
	DW	R5	85.8	76	Yes
		Statewide	81.1	76	Yes
	YOUTH	R5	86.2	73	Yes
		Statewide	80.2	73	Yes
WIOA Employment Q4 After Exit	ADULT	R5	84.3	73	Yes
		Statewide	82.2	73	Yes
	DW	R5	90	74	Yes
		Statewide	81.3	74	Yes
	YOUTH	R5	85.4	71	Yes
		Statewide	82.6	71	Yes
WIOA Credential Attainment	ADULT	R5	61.8	50	Yes
		Statewide	72.8	50	Yes
	DW	R5	33.3	47	No
		Statewide	65.6	47	Yes
	YOUTH	R5	63.9	59	Yes
		Statewide	62.2	59	Yes
WIOA Median Earnings	ADULT	R5	6779	5600	Yes
		Statewide	7240	5600	Yes
	DW	R5	9458	6700	Yes
		Statewide	8035	6700	Yes
	YOUTH	R5	2932	Baseline	NA
		Statewide	3265	Baseline	NA
WIOA Measurable Skill Gains	ADULT	R5	54.4	Baseline	NA
		Statewide	60.9	Baseline	NA
	DW	R5	21.4	Baseline	NA
		Statewide	56.6	Baseline	NA
	YOUTH	R5	61.3	Baseline	NA
		Statewide	60.7	Baseline	NA

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**TABLE C: LWDA 5 WP Performance Metrics Snapshot**

<i>Performance Indicator</i>	<i>Performance: Actual vs. Goal</i>				
			<u>Actual</u>	<u>Goal</u>	<u>Met?</u>
Wagner-Peyser Employment Q2 After Exit		R5	78.4	68	Yes
		Statewide	78.4	68	Yes
Wagner-Peyser Employment Q4 After Exit		R5	76.1	66	Yes
		Statewide	76.1	66	Yes
Wagner-Peyser Median Earnings		R5	7800	5000	Yes
		Statewide	7800	5250	Yes

**TABLE D: LWDA 5 Regional Performance Metrics (RPM) Snapshot**

<i>Performance Indicator</i>	<i>Performance: Actual vs. Goal</i>				
			<u>Actual</u>	<u>Goal</u>	<u>Met?</u>
REGIONAL Client Engagement		R5	6.67	7	<b>NO</b>
REGIONAL Job Connectedness	ADULT	R5	81.46	85	<b>No</b>
	DW	R5	84.97	83	Yes
	YOUTH	R5	66.67	69	<b>No</b>
REGIONAL Wage Change	ADULT	R5	1992	3200	<b>No</b>
	DW	R5	-6754	1	<b>No</b>
	YOUTH	R5	6888	3400	Yes

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## Element 8: Complaint Processing Procedures

[29 CFR 38.69 through 38.85]

DWD published EO complaint processing procedures mirroring those found in 29 CFR Part 38 via the DWD EO Policy.<sup>97</sup> These procedures provide a complainant with the option to file a complaint with the LWDA's Local EO Officer or directly with the CRC Director. Local EO Notices provide filing instructions, the Local EO Officer's name and contact information, as well as CRC contact information.<sup>98</sup>

### Complaints

Applicants, registrants, eligible applicants/registrants, participants, employees and applicants for employment are notified of their right to the complaint process by way of posters and notices in the WorkOne offices with the prescribed language from 29 CFR Part 38. The "Equal Opportunity is the Law" notice communicates that any person who believes that she/he, or any specific class of individuals, has been or is being subjected to discrimination prohibited by WIOA, may file a written complaint within 180 days of the alleged discrimination.

A complainant may file a complaint by completing and submitting CRC's Complaint Information and Privacy Act Consent Forms, which may be obtained either from the Local/State EO Officer or from CRC. The forms are available on CRC's website at <https://www.dol.gov/oasam/programs/crc/filing-complaint.htm>. Complaints must be filed in writing, either electronically or in hard copy, and must contain the following information:

- Complainant's name, mailing address, and if available, email address (or other means of contact);
- Identity of respondent;
- Description of allegations;
- Written or electronic signature of the complainant or complainant's representative.

### Complaint Processing

- Whether a complaint is filed locally with a recipient's Local EO Officer or directly with CRC, established complaint processing procedures must be followed.<sup>99</sup> DWD Policy 2016-09 outlines the procedures that must be followed by recipients. Those procedures must include, at a minimum, the following elements: initial, written notice to complainant acknowledging receipt of complaint, notice of complainant's right to representation, notice of rights contained in the EO poster, and notice that the

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<sup>97</sup> DWD Policy 2016-09 (See Documentation 1.5)

<sup>98</sup> Documentation 8.1: Sample Local EO Notice

<sup>99</sup> Documentation 8.2: [Excerpt from Local EO Officer NDP Training Element 8 PowerPoint](#)

complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that the notice will be translated as required;

- Written statement of the issue(s), provided to complainant, that includes a list of issues raised in the complaint and whether the recipient will accept or reject each issue;
- Period for fact-finding or investigation;
- Period for attempt to resolve complaint, including provision for alternative dispute resolution (ADR);
- Written Notice of Final Action (NFA) provided to complainant within 90 days of filing date.

### Notice of Final Action

Recipients must issue the NFA to the complainant within 90 days of the date on which the complaint was filed. The NFA informs the complainant of the ruling for the issue(s) raised in the initial complaint and an explanation of each decision, or a description of the way the parties resolved the issue. The NFA also advises the complainant of the right to appeal the decision.

If the recipient issues its NFA before the 90-day period ends, but the complainant is dissatisfied with the recipient's decision, the complainant may file a complaint with the CRC Director within 30 days after the date on which the Complainant receives the NFA.

If, by the end of 90 days from the filing date, the Recipient has failed to issue a NFA, the complainant may file a complaint with the CRC Director within 30 days of the expiration of the 90-day period (i.e., within 120 days of the filing date).

### Alternative Dispute Resolution

At any point after complaint filing, but before issuance of the NFA, the parties may request the use of an ADR process such as mediation.<sup>100</sup> Election whether to use ADR is a decision of the complainant. Should an agreement reached under ADR be breached, the non-breaching party may file a complaint directly with CRC within 30 days of the date on which the non-breaching party learns of the alleged breach. If the CRC Director determines that the agreement has been breached, the complaint will be reinstated and processed in accordance with the recipient's procedures.

If the parties are unable to reach an agreement through ADR, the complainant may file the complaint directly with CRC as described in 29 CFR 38.69 – 38.72.

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<sup>100</sup> Documentation 8.3: Sample Mediation Agreement Form from ICRC

## Element 8 Documentation

Documentation 8.1: Sample Local EO Notice

Documentation 8.2: Excerpt from Local EO Officer NDP Training Element 8 PowerPoint

Documentation 8.3: Sample Mediation Agreement Form from ICRC

## EQUAL OPPORTUNITY IS THE LAW

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.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I—financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

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.

### WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

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: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);

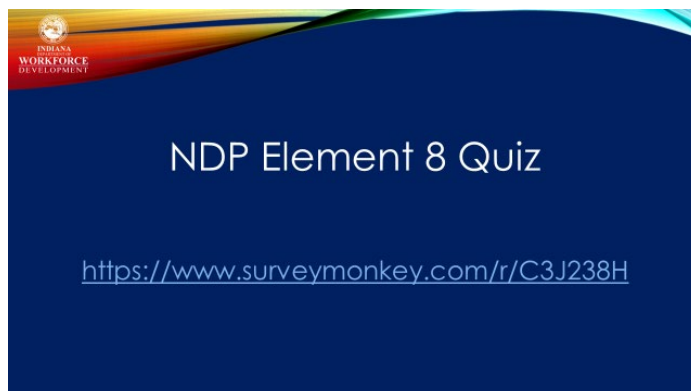
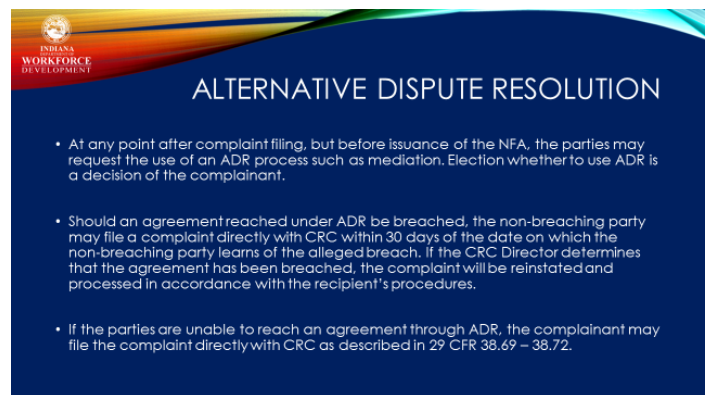
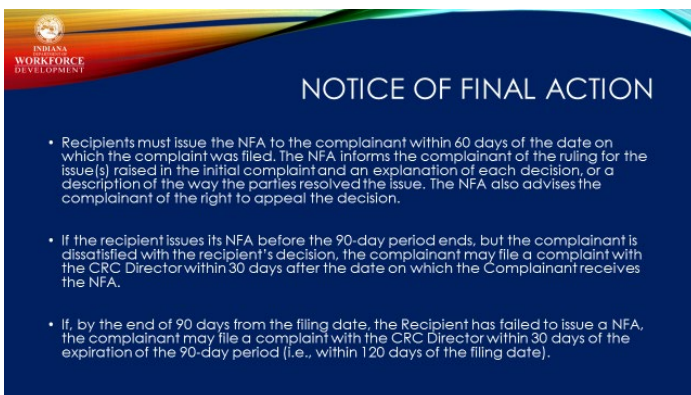
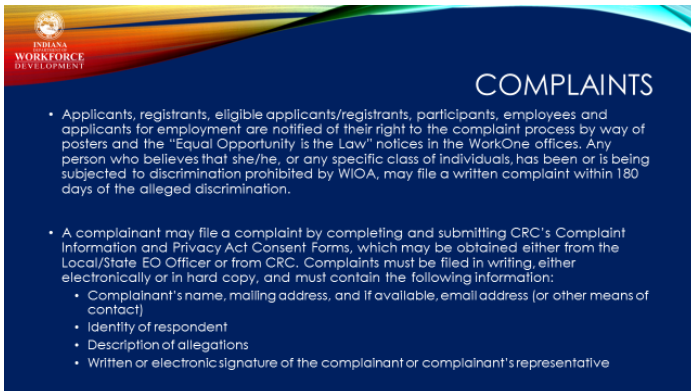
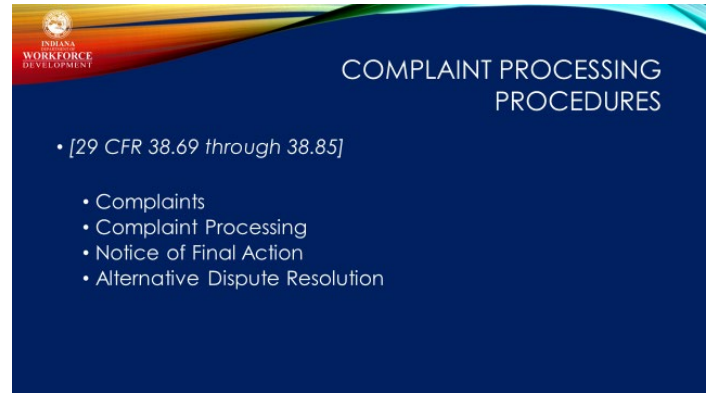
**Mellisa Leaming, Equal Opportunity Officer; Region 4 Workforce Board; 976 Mezzanine Drive, Suite C; Lafayette, IN 47905** or electronically at [mleaming@tap.lafayette.in.us](mailto:mleaming@tap.lafayette.in.us).

or

**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 website at [www.dol.gov/crc](http://www.dol.gov/crc).

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). 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). 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.







### Sample Mediation Agreement Form from ICRC

ERIC HOLCOMB, *Governor*  
GREGORY WILSON, *Executive Director*

#### RESPONDENT'S AGREEMENT TO BEGIN MEDIATION

ICRC No.: [REDACTED] EEOC/HUD No: [REDACTED]

I, Lyndsey Hellem, agree to enter into voluntary mediation and agree to the following:

- Abide by the ground rules established by the mediator;
- Be willing to listen respectfully, sincerely try to understand the other person's needs and interests and work at a reasonable resolution;
- Keep information shared in the mediation session in confidence;
- Come with an open mind, understanding that this is a process where there are no admissions, but rather where negotiations are made to reach a fair solution for all parties;
- To stay away from establishing hard positions, but instead express the outcomes we wish to realize;
- Understand that the mediator will make NO binding determination and the Complainant's right to proceed legally will not be affected in the event that no agreement is reached
- To be polite and respectful of all the parties participating in the mediation and to actively participate in an orderly manner. There will be no blame or attack, refraining from unproductive arguing, venting, or narration, and agree at all times to use our time in mediation to work toward what we perceive to be our fairest and most constructive agreement possible.

Signature: Lyndsey Hellem

Phone Number: [REDACTED] Date: 1/25/2018

Email: [REDACTED]

\*A mediator will contact you as soon as the form is received.



## Element 9: Corrective Actions/ Sanctions

*[29 CFR 38.86 through 38.115]*

If voluntary efforts in seeking compliance fail, corrective actions, or sanctions, may be imposed for violations of EO/Nondiscrimination requirements per 29 CFR Part 38. Sanctions are imposed as a last resort, with technical assistance, guidance, and corrective action opportunities offered first.

### Corrective Actions

Corrective actions must be designed to completely address each violation and may result from an annual monitoring review, a discrimination complaint, or both. Recipients must have procedures in place for obtaining prompt corrective action. Local EO Officers must notify the State EO Officer of violations discovered, corrective actions implemented, and timeframes for completion.

If the State EO Officer determines a violation has occurred, the recipient will be notified and corrective action, including anticipated resolution timelines, will be required.<sup>101</sup> The State EO Officer and/or **Compliance and Policy Division** Monitoring Resolution staff will provide technical guidance and thoroughly track the resolution process. If a recipient does not undertake the corrective actions specified, a conciliation agreement should be initiated and completed based on the model outlined in 29 CFR Part 38.

### Sanctions

Sanctions will be considered as a last resort. DWD is in process of developing updated Sanctions policy and procedure to align with WIOA. Generally speaking and as provided in DWD Policy,<sup>102</sup> sanctions may be necessary when a recipient refuses to implement voluntary corrective action, submit requested data or documentation, or refuses to provide access to premises or records during a compliance review. Sanctions that may be imposed include, but are not limited to:

- Termination or reduction of funding;
- Disallowance of selected costs;
- Restriction from bidding on competitive or discretionary funds.

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<sup>101</sup> Documentation 9.1: Sample Resolution Document

<sup>102</sup> DWD Policy 2016-09 (See Documentation 1.5)

Element 9 Documentation

Documentation 9.1: Sample Resolution Document



Eric J. Holcomb, *Governor*  
 Frederick D. Payne, *Commissioner*

COMPREHENSIVE MONITORING REPORT  
 PROGRAM YEAR 2019-20

# RESOLUTION TRACKING DOCUMENT

## Local Workforce Development Area 7

Western Indiana Workforce Development Board, Inc.  
 630 Wabash Avenue, Suite 205  
 Terre Haute, IN 4780

### Compliance Findings:

#### Finding #1: Conflicting Duties of Local EO Officer<sup>1</sup>

Under 29 CFR 38.31 and DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter the recipient must ensure they designate an individual for EO Officer that can fulfill the responsibilities and that they give sufficient authority, staff and resources to successfully carry out EO functions. The EO Officer must have the knowledge, skills, and abilities necessary to competently fulfill the responsibilities, and if other duties are assigned, such duties must not create a conflict or the appearance of a conflict with the EO responsibilities. During discussions between the State EO Officer and EO Compliance Specialist with the local EO Officer, along with documents submitted for desk review it became apparent there was an overall deficiency in follow through and/or documentation regarding EO responsibilities. The local EO Officer's additional management duties create an apparent conflict with required EO responsibilities, namely probable time constraints. Examples of notable deficiencies are listed below where the local EO Officer:

- a) Could not provide documented EO compliance monitoring and investigations of the LWDA's activities. Investigating the activities of the recipient and any subrecipients for EO and nondiscrimination compliance is outlined as a required duty of the Local EO Officer in 29 CFR 38.31(c), Equal Opportunity Officer Responsibilities and in DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter. The Local EO Officer's job description includes "monitor WIWDB activities to ensure the WIWDB and its sub recipients are not in violation of WIOA guidelines" as an essential job duty, but review of documents and discussion revealed that a documented thorough and formal local monitoring process is lacking.
- b) Could not speak to the content or frequency of the trainings or how EO is presented in onboarding for new staff. Undergoing and providing training for staff and service providers to maintain competency of the EO Officer and staff is a required duty of the Local EO Officer in DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter. Under 29 CFR 38.29 is one of the recipients' obligations to "ensure that the EO Officer and the EO Officer's staff are afforded the opportunity to receive (at the recipient's expense) the training necessary and appropriate to maintain competency." After discussion and observation it was

<sup>1</sup> 29 CFR 38.31: Equal Opportunity Officer Responsibilities, 29 CFR 38.29: Recipients' Obligations Regarding Equal Opportunity Officers, 29 CFR 38.30 Requisite Skill and Authority of Equal Opportunity Officer, DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter.

revealed that a documentable, formal training process is lacking.

- c) Could not identify an EO policy or confirm use of DWD's EO Policy 2016-09. Upon review of the personnel policy that the LWDA submitted as their local EO policy, the DWD Compliance and Monitoring Team noted lengthy discussion of Equal Employment Opportunity (EEO) but found no EO language nor an EO policy. While EEO covers equal opportunity and nondiscrimination in employment matters, EO is the assurance of equal opportunity and nondiscrimination in programs and activities funded in whole or in part under WIOA. The same issue was followed up during the PY2018-2019 on-site monitoring visit from the previous monitoring period. The insistence of the LWDA to use their personnel policy as the EO policy also points to a lack of knowledge of EO regulations as compared to EEO and will confuse the staff.
- d) Stated that there was no process in place to review old and new policies to ensure they are nondiscriminatory. Reviewing the recipient's written policies to make sure that those policies are nondiscriminatory is outlined as a required duty of the Local EO Officer in 29 CFR 38.31(c): Equal Opportunity Officer Responsibilities and in DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter. The Local EO Officer's job description includes "review WIWDB written policies to ensure they are nondiscriminatory" as an essential job duty, but discussion with the Local EO Officer revealed that there was no process in place to review old and new policies to ensure they are nondiscriminatory. The Local EO Officer acknowledged this was not being done.
- e) Could not state with certainty if the EO Notice is being provided to RESEA and Rapid Response participants during orientation sessions. Providing the EO Notice in an appropriate format and language to each participant and employee as well as making it a part of their files is a requirement under 29 CFR 38.36: Recipients' obligations to publish equal opportunity notice and DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter.
- f) Could not speak to who all has access to medical and disability related files of participants. Under 29 CFR 38.41 and DWD Policy 2016-09: Equal Opportunity and Nondiscrimination Guidance Letter, medical and disability related information must be collected on separate forms and must be maintained in separate files and treated as confidential. They should be locked or otherwise secured. Furthermore only a select group of people may be informed about an individual's disability or medical condition and have access to such files. This includes the program staff who are responsible for documenting eligibility if a disability is an eligibility criteria, first aid and safety personnel who need access in case of an emergency and government officials engaged in enforcing 29 CFR 38.

#### Finding #1: Corrective Action Required

The LWDA must review its current Local EO Officer designation and the required Recipient and EO responsibilities stipulated in 29 CFR Part 38 generally, as well as the deficient areas identified above, and make appropriate adjustments to ensure the Local EO Officer has sufficient time and resources to carry out required duties and obligations. To that end, the creation of a Local EO Policy for the LWDA is strongly encouraged to clarify Local EO Officer responsibilities and outline procedures for maintaining compliance. Developing and adopting its own local EO policy will provide the LWDA an opportunity to organize and understand EO regulations and how to best put them into practice in their specific area. The LWDA at minimum should cease to refer to their personnel policy as their EO policy, and adopt and disseminate DWD's EO Policy 2016-09. It is strongly suggested that the LWDA work toward strengthening its EO

monitoring procedures, which include developing a monitoring tool or standardizing the process of review. If EO monitoring happens in conjunction with other subrecipient monitoring, findings, observations, and a discussion specific to EO should either be included in the subrecipient monitoring report already being provided or reported to the subrecipient in another documentable manner. It is strongly suggested that the LWDA work toward strengthening its EO training to AJC staff, which may include developing a training schedule with various topics related to EO and using the EO 101 training provided by the State EO Officer or developing a local training as part of employee onboarding. It is strongly suggested that the LWDA develop a standardized process of review for its local policies. The LWDA should also review all current policies to ensure they are nondiscriminatory.

The LWDA's plan of action and timeline regarding said adjustments, including correction of the deficiencies listed above, must be submitted to [oversight@dwd.in.gov](mailto:oversight@dwd.in.gov) via the attached Resolution Document within 30 days of the date of this Report for inspection and resolution of this finding.

#### **Finding #1 | LWDA 7 - Response #1**

*(Use Tab Key to move between text fields. Please email this completed form and any additional supporting documentation to [oversight@dwd.in.gov](mailto:oversight@dwd.in.gov).)*

**Date:** *January 13, 2020*

**Response:** *The LWDA will review its current Local EO Officer designation and required Recipient and EO responsibilities stipulated in 29 CFR Part 38 generally, as well as deficiency areas identified above, in order to ensure the Local EO Officer can carry out required duties and obligations, which may include clarifying responsibilities and outlining procedures to maintain compliance.*

*Region 7 will adopt a local EO policy, mirroring a strong understanding, organizing EO regulations and reflective of DWD's EO Policy 2016-09. Review of Region 7 EO procedures will be incorporated at the same time as the annual service provider monitoring and will include a standardized monitoring tool. All existing regional policies will be reviewed annually to ensure inclusion of nondiscriminatory language. The EO Officer has ensured the training of staff on all EO material as provided by the State EO Officer, and staff will participate in reviews of the EO 101 training as a refresher. The service provider will be utilizing the EO 101 training in the onboarding of new staff.*

#### **Finding #1 | DWD Compliance Team - Response #1**

**Date:** *January 22, 2020*

**Response:** *UNRESOLVED*

*The DWD Compliance Team has reviewed the WDB's response to Finding #1, and has determined the finding remains unresolved pending receipt of a timeline for the resolution activities described in the WDB's response, including a timeline for the draft, adoption, and dissemination to staff of the referenced local EO policy. The WDB's response must be submitted via the attached Resolution Document, with supporting documentation attached as applicable, to [oversight@dwd.in.gov](mailto:oversight@dwd.in.gov) by February 28, 2020.*

#### **Finding #1 | LWDA 7 - Response #2**

*(Use Tab Key to move between text fields. Please email this completed form and supporting documentation to [oversight@dwd.in.gov](mailto:oversight@dwd.in.gov).)*

**Date:** *February 25, 2020*

**Response:** *Region 7 has created a draft EO Policy which at present time is being review by WDB legal counsel for accuracy. The EO Policy will then be presented to the Workforce Development Board for*

*consideration and adoption. It is our hope to have the policy presented at the March WDB meeting, but given time constraints, it may be presented at the June WDB meeting. In either event, the EO Policy will be adopted by the WDB and disseminated to staff by June 30, 2020, for implementation in PY20.*

**Finding #1 | DWD Compliance Team - Response #2**

**Date:** *March 2, 2020*

**Response:** *RESOLVED*

*The DWD Compliance Team has reviewed the WDB's response, and has determined Finding #1 above to be satisfactorily resolved. This finding and resolution will again be reviewed during the next monitoring visit, and additional monitoring may occur between annual reviews.*