

4-03 WIOA EEOC Policy - WIOA Section 188

Updates:

4/14/17: Added yearly training info and WIOA 188 section

7/1/2015: Updated for WIOA

10/2004: originally posted

Policy: WOW Workforce Development Inc. assures that it will avoid discrimination and follow equal employment opportunity practices in the administration and delivery of services and benefits to eligible participants and applicants of DWD funded programs and staff persons or applicants for a staff position and that it will comply with the provisions of nondiscrimination and equal employment opportunity. This policy applies to the operations of any sub-agency that receives Workforce Innovation and Opportunity Act funds and assurances to this effect are incorporated into the contracts of all sub-agencies. [EEOC Policy Statement](#)

Yearly Compliance Training: Once per year, the local EEOC Compliance Officer sends an email announcing training which must be completed by all staff within a designated time frame. The training typically consists of webinars and reading material.

WIOA 188 Compliance Items:

All new WIOA staff are trained on items outlined in WIOA 188 legislation, as outlined below.

Staff Knowledge:

- Staff recognize the importance of making people with disabilities feel welcome and a basic awareness of how to meet the needs of customers with disabilities
- Staff know how to assist people with disabilities during emergency evacuations, including the evacuation of persons with mobility impairments
- Staff know how to procure and use various equipment and materials for assisting people with disabilities, including the Center's telecommunications device for the deaf (TT/TTY/TDD), accessible work stations, accessible materials, etc.
- A list of the One-Stop's auxiliary aids and services for communication, assistive technology devices, and material in accessible formats is provided in writing for those who request it

Disclosure of Disability

- When working with customers with disabilities, staff discuss disability only as it pertains to the customer's need to access employment and training services
- Staff who are working with a customer with a disability get permission from the customer, utilizing the internal referral form, before discussing information about the individual's disability with other One-Stop staff or external individuals and discuss the customer's disability only as needed
- Staff understand that under the ADA, the One-Stop Center may ask whether a customer has a disability (under Title II), but that employers are prohibited from doing so during the job application process (under Title I). As a result, staff also understand that they may not disclose the fact that an individual has a disability to an employer without the customer's permission.
- Staff educate employers about the limits of inquiry under the ADA
- Staff discuss with customers with disabilities the issue and implications of disclosure of disability to employers and potential employers

Accommodation Requests

- All customers are given the opportunity to request some type of accommodations or special assistance to take full advantage of One-Stop services

- Staff in the One-Stop Center understand the procedures and guidelines for handling requests for reasonable accommodations and reasonable modifications
- Staff do not make decisions on what is an allowable accommodation/modification. These decisions are made only by senior management based on individual company policies on what constitutes an undue burden on the organization.
- The One-Stop Center has identified a source for sign language interpreters, and can respond quickly to interpreter requests

Registration and Orientation

- Staff offer customers who need it assistance with filling out forms and application materials and, when filling out forms, this is done one-on-one in a private room, where the individual's responses will not be overheard
- If customers are asked whether they have a disability, this is asked of every customer, and asked in writing, not verbally
- Information in orientation sessions is explained slowly and clearly, with plenty of time and opportunities for questions
- As required by WIA regulations, every orientation session includes a presentation of customers' rights to nondiscrimination and equal opportunity, including the right to file a complaint

Service Delivery

- People with disabilities are served in integrated settings; people with disabilities participate in the programs and services of the One-Stop Center alongside people without disabilities
- If people with disabilities are served separately from other customers, doing so meets the legal requirement that this be necessary in order for people with disabilities to have opportunities as effective as those provided to other customers. If permissible separate programs exist at the One-Stop Center, people with disabilities are not required to participate in such programs
- People with disabilities have the access to the full range of core, intensive, and training services available to all customers, and are not served exclusively via services from Vocational Rehabilitation
- The eligibility criteria for intensive and training services do not discriminate against people with disabilities, either overtly or inadvertently [by design or in effect]
- All customers are routinely offered the option of meeting with staff in private offices
- Services are designed so that individuals who are not knowledgeable, comfortable with, or able to use electronic technology (i.e., computers) can fully benefit from One-Stop services
- Quiet work space is available for people with Attention Deficit Disorder and hearing impairments to thoroughly read and comprehend materials

General Communication Requirements

- The One-Stop Center has taken appropriate steps to ensure that communication with customers and potential customers with disabilities is as effective as communication with other customers
- Information is presented in a way that is understandable to people who have limited or no reading skills
- Information that is presented orally is also available in writing for people who are deaf or hard of hearing, and for people whose learning style requires reinforcement of items in writing
- Large text versions of any WDC handouts or forms are provided for those who request it