

NEW RIVER/MOUNT ROGERS WORKFORCE INVESTMENT BOARD EQUAL OPPORTUNITY POLICY FOR WIA PROGRAMS

Purpose

To communicate the non-discrimination and equal opportunity requirement of the Workforce Investment Act to the local One-Stop Centers, Program Operators and Training Providers.

References

P.L 105-220 Workforce Investment Act, Section 111, (d) (2).

Department of Labor, Employment and Training Administration, 20 CFR Part 652, et al.,
Workforce Investment Act; Final Rule, August 11, 2000.

29 CFR Part 37, Department of Labor, Office of the Secretary, Implementation of the
Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment
Act; Final Rule, November 12, 1999

Civil Rights Act of 1964, Title VI

Age Discrimination Act of 1975

Rehabilitation Act of 1973

Education Amendments Act of 1972, Title IX

Policy Statement

The New River/Mount Rogers Workforce Investment Board is committed to providing access to all individuals with respect to the delivery of programs and services associated with the Workforce Investment Act of 1998 (WIA), which was implemented on July 1, 2000.

Section 188 of the WIA, prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship¹ or participation² in a WIA Title I financially assisted program or activity. The following requirements are taken from regulation at 29 CFR Part 37 and must be incorporated into the systems and practices of all recipients for assurances of nondiscrimination. Any program or activity that receives federal financial assistance under WIA Title I is a recipient and therefore subject to these requirements.

¹ These regulations do not limit eligibility or impose preferences for services on the basis of citizenship.

² An example of discrimination on the basis of participation would be denying an employment opportunity to an individual based on the individual's training in a WIA program.

Equal Opportunity Requirements For WIA

Programs and activities funded or otherwise financially assisted in whole or in part under the Workforce Investment Act (WIA) are subject to federal equal opportunity (EO) laws and regulations based on the following:

- ❖ Title VI, Civil Rights Act of 1964
- ❖ Age Discrimination Act of 1975
- ❖ Rehabilitation Act of 1973
- ❖ Title IX Education Amendments Act of 1972
- ❖ 29 CFR Part 37
- ❖ State's Methods of Administration (MOA); and
- ❖ DOL Civil Rights Center and state policy directives

Other Federal laws that impact the operations of State and local level WIA programs include, but are not limited to, the following:

- ❖ Immigration Reform and Control Act of 1986
- ❖ Title VII, Civil Rights Act of 1964
- ❖ Equal Pay Act
- ❖ Age Discrimination in Employment Act; and
- ❖ Americans with Disabilities Act of 1990

Consistent with the legal and regulatory requirements of WIA and the New River / Mount Rogers Workforce Investment Board's Methods of Administration (MOA) the local One-Stop Centers, Program Operators & Training Providers will establish and maintain a comprehensive equal opportunity program to include written policies and procedures that cover all employment & services programs as covered by WIA.

All One-Stop Centers, Service and Training Providers shall ensure compliance with the New River / Mount Rogers Workforce Investment Board's equal opportunity and related policies, procedures, and administrative directives and the WIB's Methods of Administration as applicable. This includes the following:

- ❖ Designation of an Equal Opportunity Officer or Liaison to coordinate the organization's WIA EO responsibilities;
- ❖ Notification of the right to file a complaint by posting "Equal Opportunity Is the Law" notices in prominent locations that are available to registrants, applicants, eligible applicants/registrants, applicants for employment, employees and interested members of the public;
- ❖ Requirement to include assurance of nondiscrimination and equal opportunity laws and regulations in contracts, cooperative agreements, memorandums of understanding, applications and other similar agreements to carry out WIA funded programs;
- ❖ Written Nondiscrimination Policy for hiring and program participation practices, and to distribute and post these policies as required by law;

- ❖ Administration of WIA-funded programs and activities to ensure physical as well as program accessibility to individuals with disabilities, that programs are provided in the most integrated environment appropriate to individuals with disabilities, and that communications with individuals with disabilities are as effective as communications with others;
- ❖ Collection and maintenance of EO data and provision of reports on applicants, registrants, eligible applicants/registrants, participants, employees and applicants for employment;
- ❖ Compliance with the WIA Discrimination Complaint Procedures established by the NR/MR WIB and maintenance of a log of discrimination complaints. One-Stop Centers, Service and Training providers shall promptly notify the NR/MR WIB's EO Officer of any complaints or lawsuits filed against it alleging discrimination;
- ❖ Furnish all necessary books, records, accounts, etc. to the NR/MR WIB for purposes of investigation to ascertain compliance with these provisions; and
- ❖ Be responsible for, and agree to indemnify and hold harmless, the Commonwealth of Virginia and the New River / Mount Rogers Workforce Investment Board from all losses, damages, expenses, claims, demands, suits and actions brought by any party against the Commonwealth of Virginia or the New River / Mount Rogers Workforce Investment Board as a result of a party's failure to comply with these provisions.