

**Crater Regional Workforce Development Board
LWDA-15**

**Policy Number 2018-008
Effective Date: March 15, 2018**

**Title: EQUAL OPPORTUNITY POLICY FOR WIOA
PROGRAMS**

Purpose

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

References

[Workforce Innovation and Opportunity Act, Section 188; Workforce Innovation and Opportunity Act – Notice of Proposed Rulemaking, 20 CFR § 683.285; 29 CFR 38; 28 CFR 35; TEGL 37-14 29 CFR Part 37, 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 Crater Regional Workforce Development Board is committed to providing access to all individuals with respect to the delivery of programs and services associated with the Workforce Innovation and Opportunity Act of 2014 (WIOA), which takes the place of the Workforce Investment Act of 1998.

Section 188 of the WIOA, 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 WIOA Title I financially assisted program or activity.

The following requirements are taken from regulation at 29 CFR Part 37 and

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 individuals training in a WIOA program.

must be incorporated into the systems and practices of all recipients for assurances of no discrimination. Any program or activity that receives federal financial assistance under WIOA Title I is a recipient and therefore subject to these requirements.

Equal Opportunity Requirements for WIOA

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

- Section 188 of the WIOA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity.
- Title VI, Civil Rights Act of 1964 as amended which prohibits discrimination on the bases of race, color, religion, sex, national origin in programs or activities that receive federal financial assistance;
- Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- Title IX Education Amendments Act of 1972, as amended, which prohibits discrimination on the basis of sex educational programs;
- 29 CFR Part 37; and
- DOL Civil rights Center and state policy directives

Other Federal laws that impact the operations of State and local level WIOA 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 WIOA, the local One-Stop Centers and Service 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 WIOA.

All One-Stop Centers and Service Providers shall ensure compliance with the Crater Regional Workforce Development Board's equal opportunity and related policies, procedures, and administrative directives as applicable. This includes the following:

- Designation of an Equal Opportunity Officer or Liaison to coordinate the organization's WIOA 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 WIOA funded programs;
- Written Nondiscrimination Policy for hiring and program participation practices, and to distribute and post these policies as required by law;
- Administration of WIOA-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 WIOA Discrimination Complaint Procedures established by the Crater WDB and maintenance of a log of discrimination complaints. One-Stop Centers and Service Providers shall promptly notify the Crater WDB's EO Officer of any complaints or lawsuits filed against it alleging discrimination;
- Furnish all necessary books, records, accounts, etc. to the Crater WDB 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 Crater Regional Workforce Development Board from all losses, damages, expenses, claims, demands, suits and actions brought by any party against the Commonwealth of Virginia or the Crater Workforce Development Board as a result of a party's failure to comply with these provisions.