

<b>TULARE COUNTY WORKFORCE INVESTMENT BOARD, INC.</b>  <b>WORKFORCE INVESTMENT ACT</b> <b>TITLE I ACTIVITIES</b>	<b>DATE:</b>  <b>October 30, 2000</b>
	<b>SUBJECT:</b>  <b>Nondiscrimination &amp; EEO</b> <b>Procedures</b>

**WIB DIRECTIVE**

**WIBD-00-9**

**TO:** Service Providers, WID Staff

**SUBJECT:** NONDISCRIMINATION AND EQUAL OPPORTUNITY PROCEDURES

**EXECUTIVE SUMMARY**

**Purpose:**

This Directive establishes policy on the nondiscrimination and equal opportunity procedures for the Workforce Investment Act (WIA) Title I-financially assisted programs or activities in the County of Tulare.

**Scope:**

This Directive applies to Local Workforce Investment Area recipients, WIB grant recipients, substate grantees and other WIA Title-I grant .

**Effective Date:**

This Directive is effective immediately.

**REFERENCES:**

- Section 188 of the Workforce Investment Act of 1998
- Americans with Disabilities Act (ADA) of 1990
- Age Discrimination Act of 1975, as amended
- Section 504 of the Rehabilitation Act of 1973, as amended
- Title IX of the Education Amendments of 1972
- Titles VI and VII of the Civil Rights Act of 1964, as amended
- Title 20 Code of Federal Regulations (CFR) Section 667.275
- Title 29 Code of Federal Regulations (CFR) Parts 31, 32, and 37
- Title 41 CFR Subpart 101-19.6
- Dymally-Alatorre Bilingual Services Act, Government Code Section 7290-7299.8

**TULARE COUNTY WORKFORCE INVESTMENT BOARD, INC. (WIB) – IMPOSED REQUIREMENTS:**

This directive contains WIB-imposed requirements. These requirements are indicated by *bold, italic type*.

## **FILING INSTRUCTIONS:**

Retain this directive until further notice.

## **BACKGROUND:**

The WIA Section 188 contains the nondiscrimination and equal opportunity provisions, which prohibit discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title I financially assisted program or activity. Title 29 CFR part 37 implements the nondiscrimination and equal opportunity provisions specified in Section 188 of WIA.

## **POLICY AND PROCEDURES:**

### **Definitions:**

Recipient, taken from Title 29 Part 37, means any entity to which financial assistance under WIA Title I is extended, either directly from the Department of Labor (DOL) or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient), but excluding the ultimate beneficiaries of the WIA Title-I funded program or activity. In addition, One-Stop partners, as defined in Section 121 (b) of WIA, are treated as “recipients” and are subject to the nondiscrimination and equal opportunity requirements of Title 29 CFR Part 37, to the extent that they participate in the One-Stop delivery system.

Complaint, for this directive only, means an allegation of a violation of the nondiscrimination and equal opportunity provisions.

### **General Provisions:**

Title 29 CFR Section 37.54 (a) requires that each Governor must establish and adhere to a Methods of Administration (MOA) for state programs. The MOA is a state-level document that reflects the Governor’s commitment to nondiscrimination and equal opportunity. It outlines the activities required to comply with the provisions of WIA and Title 20 CFR Part 37. The provisions of the MOA apply to California Job Service, Unemployment Insurance, and WIA Title-I financially assisted programs, activities, and recipients.

The MOA contains nine distinct elements. *The attached EQUAL OPPORTUNITY – NONDISCRIMINATION POLICY OF THE TULARE COUNTY WORKFORCE INVESTMENT BOARD, INC., outlines these elements and highlights compliance requirements that are significant to the local workforce investment area and local recipients and subrecipients of WIA Title-I financially assisted programs and activities.*

*The nine elements are:*

1. *Designation of Local-Level Equal Opportunity (EO) Officer*
2. *Notice and Communication Requirements (Notice of Nondiscriminatory Practices attached)*
3. *Review Assurances in Job Training Plans, Contracts and Policies and Procedures*
4. *Universal Access*
5. *Compliance With Section 504 of the Rehabilitation Act of 1973, as Amended and Title 29 CFR Part 37*
6. *Data and Information Collection and Maintenance*
7. *Monitor Recipients for Compliance*
8. *Complaint Processing Procedures*
9. *Corrective Actions/Sanctions*

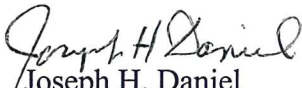
*The WIB, and Title-I financially assisted entities will ensure that all policies, programs, services, activities, and practices do not discriminate and offer equal opportunities. Any policies, programs, services, activities, and practices determined to be inconsistent with these requirements will be corrected immediately.*

**ACTION:**

*It is the responsibility of the WIB to establish and maintain these policies, procedures and practices and requires them of recipients.* Bring this directive to the attention of affected staff.

**INQUIRIES:**

Please direct inquiries about this Directive to the Tulare County Workforce Investment Board, Inc., Administrative Office at (559) 713-5200 or 1-800-367-8742.

  
Joseph H. Daniel  
Administrator

JHD:VT:mb

Attachment – EEO Text

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