



STATE OF IDAHO NONDISCRIMINATION PLAN 2022-2024

Implementing Section 188
of the Workforce
Innovation and
Opportunity Act

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Purpose

The purpose of this Nondiscrimination Plan (NDP) is to provide a reasonable guarantee of the State of Idaho's (State) compliance with Section 188 of the Workforce Innovation and Opportunity Act (WIOA), the Americans with Disability Act (ADA), Title VI of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, Title IX of the Education Amendments Act of 1972, as amended, 29 CFR Part 38 and any other applicable federal and state civil rights laws or codes.

The NDP applies to:

1. a recipient of Title I WIOA financial assistance;
2. programs and activities that are part of the WIOA One-Stop delivery system and that are operated by One-Stop partners (OSP) listed in section 121(b) of WIOA, to the extent that the programs and activities being conducted as part of the One-Stop delivery system; and
3. the employment practices of a recipient and/or OSPs, as provided in 29 CFR 38.2, to the extent that the employment is in the administration of or in connection to programs and activities that are being conducted with WIOA Title I funds or a one-stop delivery system.

The NDP will be renewed every two years, and the State will advise the United States Department of Labor's (USDOL) Civil Rights Center (CRC) promptly of substantive updates to the NDP, and of changes to the State-level WIOA Equal Opportunity (EO) Officer (hereafter State EO Officer) to ensure compliance with 29 CFR 38.28. Additionally, the State EO Officer will not be in a position that would constitute a conflict of interest. The State assures that on equal opportunity matters, the State EO Officer reports directly to the Governor.

Element 1: Assurances

(29 CFR 38.25 through 38.27 and 38.54)

The State ensures that nondiscrimination and equal opportunity provisions of WIOA are incorporated in all grants, agreements, or other similar applications for federal financial assistance under WIOA. Each application for WIOA funds includes the specified assurance committing the potential sub-recipient to comply fully with the nondiscrimination and equal opportunity provisions of WIOA. The assurance is deemed

incorporated, whether or not it is physically incorporated in the resulting contract or other arrangement.

As a condition to the award of financial assistance from the US Department of Labor (USDOL) 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:

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

The grant recipient must also assure compliance with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant recipient's operation of the WIOA Title I financially assisted program or activity and to all agreements the grant recipient makes to carry out the WIOA Title I financially assisted program or activity. Finally, the grant recipient understands that the United States has the right to seek judicial enforcement of this assurance.

The required assurances are incorporated into each grant, cooperative agreement, contract, or other arrangement whereby Federal financial assistance under Title I of WIOA is made available. (29 CFR 38.25(a)(2)) The State provides funds to all approved grant applicants. Contracts provided for each recipient include nondiscrimination assurances required by the Federal regulations, the State, Idaho Department of Labor (IDOL) and the Idaho Workforce Development Council (WDC) in each, assuring each entity complies with this requirement. The required assurances are also incorporated into cooperative agreements, contracts, and Memorandums of Understandings (MOUs),

thereby Title I is made available. Additionally, compliance is ensured by continued monitoring where corrective action, if needed, is required.

Each grant applicant, and each training provider seeking eligibility, must provide programmatic and architectural accessibility for individuals with disabilities. (29 CFR 38.13) Every training provider that applies to be listed on the Eligible Training Provider List (ETPL) must sign a Training Provider Assurances (TPA) electronic form before receiving final approval to be added to the ETPL. The TPA electronic form indicates the training provider will comply with nondiscrimination and equal opportunity provisions of all federal and state applicable laws. As programs come up for continued eligibility, current training providers must sign this TPA form.

The EO Officers will utilize a monitoring tool to guide them in monitoring the contracts established by the recipients for activities, trainings, and services. Compliance results from reviews completed by the EO Officers show that the recipients, sub-recipients, and service providers are meeting the programmatic and architectural accessibility guidelines. If accessibility guidelines are not met, the State requires that corrective action plans are developed, and follow-up monitoring conducted to ensure any noncompliance findings are corrected within the identified timeframes.

Job training plans, contracts, assurances, and other similar agreements entered into by recipients are both nondiscriminatory and contain the required language regarding nondiscrimination and equal opportunity. (29 CFR 38.25)

The State ensures the EO Officers check job training plans, contracts, assurances, and other similar agreements entered into by the grantee and its recipients to ensure compliance with the requirement that these documents contain the required language regarding nondiscrimination and equal opportunity. State and local level policy issuances, or issuances from other recipients, are not discriminatory either in intent or effect. (29 CFR 38.25)

The State requires equal opportunity policies for all recipients and sub-recipient programs receiving financial assistance through WIOA Title I. The policies developed are checked by the State EO Officer to ensure they are not discriminatory either in intent or effect. Policies on WIOA Title I nondiscrimination and/or equal opportunity issues are developed and implemented in a timely manner.

The State has made a concerted effort to ensure all needed nondiscrimination and/or equal opportunity policies are published as quickly as possible. The State reviews and rewrites all policies to ensure that our directives are in compliance with the federal

regulations. EO Officers throughout the State have made a commitment to ensure that all recipients are in full compliance with all parts of WIOA Section 188 and the requirements of 29 CFR Part 38.

Element 1: Documentation

[Workforce Development Council- Main Webpage](#)

[Workforce Development Council – WIOA Landing page](#)

[2022 WIOA State Plan Update](#)

[Idaho Policy for WIOA Eligible Training Providers](#)

[Governor’s WDC Memo](#)

[IDOL State Quality Service Plan FY 2023-2024](#)

[IDOL Integrity Action Plan](#)

[UI Equity Grant Application](#)

[Equity Grant](#)

[Idaho Commission for the Blind and Visually Impaired \(ICBVI\) State Plan](#)

[Idaho Vocational Rehabilitation \(IDVR\) State Plan](#)

[Jobs for Veterans’ State Grants](#)

[Idaho State Plan: Title IB Adult, Dislocated Worker, and Youth Programs for the State of Idaho](#)

[Trade Adjustment Assistance](#)

[Wagner-Peyser Program](#)

[WIOA Law and Policies](#)

[Request for Proposal \(RFP\) Example](#)

[Senior Community Services Employment Program](#)

[Application Instructions for Idaho WIOA Eligible Training Providers](#)

[WIOA Nondiscrimination Policy](#)

[WDC Statement of Work](#)

[Subaward Budget](#)

[WIOA Provisions and Assurances](#)

[WIOA Grant Terms](#)

[Monthly Project Report](#)

Element 2: Equal Opportunity Officers

(29 CFR 38.28 through 38.33)

The Governor of Idaho has designated Lori Wolff, as the State EO Officer responsible for ensuring all WIOA Title 1, OSPs, and Idaho Workforce Development Council (WDC) programs are operated in a nondiscriminatory manner. The State EO Officer reports directly to the Governor and has full accessibility to the Governor's Office for matters related to equal opportunity and nondiscrimination. The State EO Officer is responsible for ensuring the OSPs, that receive federal financial assistance, are in compliance with the nondiscrimination and equal opportunity provision in Section 188 of WIOA and 29 CFR Part 38. The State EO Officer has knowledge of WIOA, principles and practices of compliance monitoring, federal and state laws, as well as rules and regulations. In Fiscal Year 2023 the State EO Officer created and filled a Civil Rights and ADA Manager position to assist with duties as outlined above. Lori Wolff has designated Janelle McDonald Civil Rights and ADA Manager as the Deputy State EO Officer. The State EO Officer attends annual EO training(s), and the Deputy State EO Officer attends at least four EO related trainings annually as allowed by the State's administrative budget to maintain these competencies in order to oversee and assist in the development and implementation of the State's NDP. (29 CFR 38.54)

With the hire of the Civil Rights and ADA manager the State has expanded its Civil Rights and ADA program. This program assists the State EO Officer as well as develops processes, policies, and trainings regarding the ADA and Civil Rights for all State agencies. This program will also modify the current respectful workplace training for employees, supervisors, and Human Resource personnel; and is developing policies and best practices to ensure Equal Opportunity for all employees, applicants, and Idahoans seeking to enjoy State programs, services, and activities.

Local EO Officers have been designated for the Idaho Department of Labor (IDOL) and the Workforce Development Council (WDC). The State EO Officer will act as

EO Officer for all other entities as the State EO Officer reports directly to the Governor who is the highest-level position of authority over the agencies that are also recipients. The State-level EO Officer, the Deputy State EO Officer, each individual designated as the Local EO Officer, and each Local Recipient Contact are listed by name, position title, state agency, agency address, telephone number, email address, and TTY/TDD. If the EO Officer or EO Contact does not have a TTY/TDD, 711 relay service will be listed. (29 CFR 38.29)

Idaho EO Officer and Deputy EO Officer:

Lori Wolff
Administrator
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Janelle McDonald
Civil Rights and ADA Manager
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Local EO Officers:

Amy Hohnstein
Appeals Bureau Chief
Idaho Department of Labor
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Paige Nielebeck
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Local Recipient Contacts:

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EO Officer Responsibilities:

- Serving as a recipient's liaison with CRC;
- Monitors and investigates the recipient's activities, and the activities of the entities that receive WIOA Title I-financial assistance from the recipient, to make sure that the recipient and its subrecipients are not violating their nondiscrimination and equal opportunity obligations under WIOA Title I and 29 CFR Part 38. This includes monitoring the collection of data required in this part to ensure compliance with the nondiscrimination and equal opportunity requirements of WIOA and 29 CFR Part 38.
- Review the recipient's written policies to make sure that those policies are nondiscriminatory;
- Develop and publish the recipient's procedures for processing discrimination complaints under 29 CFR §§ 38.72 through 38.73. This includes tracking the discrimination complaints filed against the recipient, developing procedures for investigating and resolving discrimination complaints filed against the recipient, making sure that those procedures are followed, and making available to the public, in appropriate languages and formats, the procedures for filing a complaint;
- Conduct outreach and education about equal opportunity and nondiscrimination requirements consistent with 29 CFR § 38.40 and how an individual may file a complaint consistent with 29 CFR § 38.69;
- Undergo training (at the recipient's expense) to maintain competency of the EO Officer and staff, as required by the Director; and
- Oversee the development and implementation of the recipient's Nondiscrimination Plan under 29 CFR § 38.54

The notice/poster, "Equal Opportunity Notice", is distributed by the State EO Officer to all OSPs electronically (English and Spanish) and includes EO Officer information before being printed and posted. The "Equal Opportunity is the Law" notice/poster is included with workforce forms, such as participant enrollment forms, polices, etc. Registrants, eligible applicants, participants, claimants, employees, and applicants for employment and interested members of the public

are made aware of the EO Officer's information through the nondiscrimination posters, policies, and letters. The EO Officer's name and contact information appear on any communications regarding nondiscrimination and equal opportunity programs. Policies are posted on each agency's website.

The State ensures they have staff and other resources available to the State and Local EO Officer(s) and EO Contacts to ensure WIOA Title I financially assisted programs and activities operate in a nondiscriminatory way. The State employs sufficient staff and adequate resources to ensure the State EO Officer is in compliance with the nondiscrimination and equal opportunity provisions of Section 188 of WIOA and with 29 CFR 38.28.

The State EO Officer and/or Deputy EO Officer meet and correspond with the Local EO Officers and Contacts, at a minimum, quarterly to train or discuss updates in regulations, monitoring strategies, data analysis, and other EO matters, as needed. Communication may be in the form of telephone, email, video conferencing and in person regarding equal opportunity and nondiscrimination issues, policies, training opportunities, and other relevant matters as they are presented for public knowledge by USDOL.

The State's plan for ensuring the State and Local EO Officers and their staff are sufficiently trained to maintain competency. The State EO Officer, Deputy EO Officer, and Local EO Officers attend regular Equal Opportunity Trainings, classes, and conferences in person and through webinars to maintain competency. Local EO Contacts are required, at a minimum, to attend the annual EO Training.

The State requires that the State EO Officer, and/or the Deputy EO Officer, and agency EO Officers train staff annually on equal opportunity and nondiscrimination topics. Training is available to the State EO Officer and agency EO Officers in the areas related to equal opportunity and nondiscrimination, such as the Section 504 of the Rehabilitation Act, Age Discrimination Act, Fair Labor Standards Act, Family Medical Leave Act, Sexual Harassment and Diversity, Limited English Proficiency, Equal Employment Opportunity principles and practices, and Americans with Disabilities Act, etc. These trainings help to ensure the EO Officers and EO Contacts understand the responsibilities required in the enforcement of equal opportunity and nondiscrimination laws under WIOA.

Element 2: Documentation

[Governor Little EO Officer Designation Lori Wolff](#)

[Idaho NDP Correspondence to CRC 2022](#)

[USDOL Equal Opportunity Notice- Multiple Languages](#)

[EO Officer EO Notices- English](#)

[EO Officer EO Notices- Spanish](#)

[Recipient Contact EO Notices- English](#)

[Recipient Contact EO Notices- Spanish](#)

[WIOA Nondiscrimination Policy](#)

[IDOL UI Contact Information](#)

[IDOL Complaints](#)

[October 2021 DHR Forum](#)

[2022 EO Training Agenda](#)

[2022 EO Training PowerPoint](#)

[Asst Technology Slides](#)

[Effective Communication- Equal Access for Deaf and Hard of Hearing Slides](#)

[2022 EO Training Video](#)

Element 3: Notice and Communication

(29 CFR 38.34 through 38.39)

The State ensures recipients will provide initial and continuing notice that it does not discriminate on any prohibited basis. The notice and communication system will be accessible to all registrants for WIOA funded services., applicants for employment, employees, interested members of the public, any organization that holds collective bargaining or professional agreements with any recipient, and subrecipients. The notice

and communication system will make all aware of the WIOA One-Stop's requirements to operate its programs and activities in a nondiscriminatory manner and the extent of the rights of members of these groups to file complaints of discrimination.

The State ensures that, at a minimum, the "Equal Opportunity Notice" required by 29 CFR 38.34 and 38.35 will be, by each recipient:

- (1) Posted prominently by the recipient, in reasonable numbers and places, in available and conspicuous physical locations and on the recipient's Web site pages;
- (2) Disseminated in internal memoranda and other written or electronic communications with recipient staff;
- (3) Included in recipient employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available; and

(4) Provided to each recipient participant and employee; the notice must be made part of each recipient employee's and participant's file. It must be a part of both paper and electronic files, if both are maintained. The methods and frequency of dissemination of the notice/poster, including initial dissemination. (29 CFR 38.34) The " Equal Opportunity Notice" notice/poster (English and Spanish), is distributed annually and sent electronically, or by other methods, to all offices. As changes occur, a notice is sent out electronically to all WIOA recipients and includes the name of any new State and/or Local EO Officer(s). All WIOA EO complaints may be filed at the local level, the state level or directly with the U.S. Department of Labor/Civil Rights Center (USDOL/CRC).

The means by which the notice is made available to individuals with disabilities (29 CFR 38.34) and the instructions for posting the " Equal Opportunity Notice" notice/poster, the local offices and OSPs are instructed to read the notice/poster to anyone who requests assistance or when staff observe the customer has a visual impairment or might have difficulty reading the poster without assistance.

Auxiliary aids must be obtained for an individual who requests an aid, or staff have observed the customer has a visual impairment, or is deaf or hard of hearing, or might have difficulty reading, etc. Auxiliary aids and services may include: qualified interpreters, qualified readers, note takers, transcription services, recorded texts, audio recordings, written materials, telephone handset amplifiers, telecommunications devices for persons who are deaf (TDDs/TTYs), videotext displays, Braille materials, large print materials, or other effective means of making materials available to individuals who have hearing, vision, or other disabilities affecting communication.

The State ensures that recipients and service providers post the notice/poster. The State has notified each of the WIOA Title I recipients and service providers in writing as required by the law under WIOA Section 188 to clearly display the " Equal Opportunity Notice" notice/poster in all recipients and service provider facilities throughout the State.

The State EO Officer completes on-site monitoring of a sample of at least one Center in each Local Workforce Development Area on an annual basis to ensure that the recipients have the required posters in place. Local Workforce Development Boards complete a self-evaluation of compliance with the Nondiscrimination Plan yearly. The review includes review of the required postings.

The means by which a copy of the notice is placed in the participant's file (29 CFR 38.37), or where the files are maintained electronically, how the requirement of 29 CFR 38.38 is and will continue to be met. The State requires a permanent paper file or electronic record be maintained on all participants. All OSPs in the state are required, at the time of orientation whether in a group setting or one on one, to include the document detailing the equal opportunity law and all other WIOA documentation in the participant's permanent paper or electronic file.

The State ensures that recruitment brochures and other materials routinely made available to the public include the statements "equal opportunity employer/program" and "auxiliary aids and services are available upon request to individuals with disabilities." (29 CFR 38.38) The language was updated for statewide recruitments on the Division of Human Resources Career webpage in November of 2022.

In accordance with 29 CFR 38.38, all recipient publications must include the equal opportunity policy statement that indicates the recipient is an "an equal opportunity employer/program". Additionally, all recipient publications must include the appropriate tag lines "auxiliary aids and services available upon request to individuals with disabilities". The State's WIOA section and OSPs include the equal opportunity policy statement and the appropriate tag lines in publications, and other broadcasts it disseminates. Each recipient is responsible for including the equal opportunity policy statement and the appropriate tag lines on all brochures, publications, web sites, and broadcasts. The State ensures each recipient is in compliance with this requirement during compliance reviews using the State Section's "Equal Opportunity Monitoring Checklist".

Where a telephone number is included on recruitment brochures and other materials, the means by which the State ensures that the materials indicate a TDD/TTY number or

provide for an equally effective means of communication with individuals who are deaf or hard of hearing. (29 CFR 38.15)

During the desk and on-site compliance reviews, the State checks each of the OSP sites for recruitment brochures and other materials ensuring that such materials provide for an equally effective means of communication with individuals who are deaf or hard of hearing, or have visual impairments. This ensures compliance with 29 CFR 38.15 is met. The State also requires that OSPs utilize an effective telecommunications system. The State has in place 7- 1-1 system that ensures communication is as available to individuals with disabilities as other participants.

The steps taken to ensure that communications with individuals with disabilities are as effective as communications with others. (29 CFR 38.39) The State EO Officer ensures that communications, offices, and programs are physically accessible to individuals with disabilities during on-site compliance reviews. The State ensures materials indicate a TDD/TTY number or an equally effective means of communication and all other materials routinely made available to the public include the statements "equal opportunity employer/program" and "auxiliary aids and services available upon request to individuals with disabilities". All current available aids in the comprehensive offices throughout the State are to be maintained and staff trained in the One-Stop Centers to assist individuals with disabilities in using them.

The means by which program-related information is published or broadcast in the news media (e.g., youth summer employment/training programs; job fairs) and the means by which the State ensures that publications/broadcasts state that the program is an equal opportunity employer/program, and that auxiliary aids and services are available upon request to individuals with disabilities. (29 CFR 38.38) As required by law under WIOA, the State requires that all recipients of WIOA Title I financially assisted programs advertise in their broadcasts or media publications that they are an equal opportunity employer/program with auxiliary aids and services available upon request for individuals with disabilities. During desk reviews, the State EO Officer will check the OSP for statements that the program is an equal opportunity employer/program and that auxiliary aids and services are available upon request to individuals with disabilities. During desk reviews and on-site compliance reviews, the State checks each of the One-Stop sites for evidence that program-related information published in the news media (e.g., publication of Requests for Proposal) include statements that the program is an equal opportunity employer/program, and that auxiliary aids and services are available upon request to individuals with disabilities. The Local staff are trained to recognize and alert the appropriate EO Officer when an employer uses any discriminatory practices.

The EO Officer will take the necessary corrective actions and appropriate enforcement remedies.

The manner in which and the extent to which information in languages other than English is provided, and the manner in which the State ensures that persons of Limited English Proficiency (LEP) have access to its programs and activities on a basis equal to that of those who are proficient in English (29 CFR 38.35) It is the policy of the State to provide services and information in a language other than English for customers with LEP in order to effectively inform or enable those customers to participate in departmental programs or activities. When an OSP determines a significant proportion of the population eligible to be served are more likely to be directly affected by a program/activity needs information in a single language other than English, the OSP must translate its written program materials into that language and provide effective interpretation services to members of the significant LEP group.

The State can provide interpreters for LEP customers who are not part of a significant group in order to provide the customer meaningful access to programs and services. When an interpreter for the needed language cannot be located, the CTS Language Link service (1-877-738-8111) is used to serve the customer.

The manner in which and the extent to which orientations for registrants, applicants, eligible applicants/registrants, employees, applicants for employment, and members of the public include a discussion of the rights of such persons under WIOA Section 188 and 29 CFR Part 38 (29 CFR 38.36)

OSPs include a discussion of equal opportunity and nondiscrimination rights as part of their orientations for registrants, applicants, eligible applicants/registrants, and employees. OSPs are required, at the time of orientation, to include a written copy of the notice detailing the equal opportunity law and all other WIOA documentation in the participant' s permanent file. The State EO Officer checks the participant's permanent paper files or electronic records for these documents during the on-site monitoring.

Idaho utilizes group trainings to communicate policy related to nondiscrimination and equal opportunity. Policy development is standardized across the WIOA system, and Title I programs, often incorporating local input. (29 CFR 38.54(c)(2)(viii)(C), and 38.54)

Element 3: Documentation

[EO statement example IDOL](#)

[IDOL Guide to Labor Laws](#)

[IDOL Guide to Labor Laws \(Spanish\)](#)

[EO Labor Posters \(English\)](#)

[EO Labor Posters \(Spanish\)](#)

[Checklist for Local EO Officers](#)

[Checklist for Recipient Contacts](#)

[Recruitment Equal Opportunity Statement](#)

[Idaho Division of Purchasing On-Demand Remote Interpreting \(OPI & VRI\) and Document Translation](#)

[Babel Notice](#)

[IDOL LEP processes](#)

Element 4: Affirmative Outreach

(29 CFR 38.40)

It is the intent of Element Four to address how the State and its recipients are complying with the requirements of 29 CFR 38.40 relating to the provision of affirmative outreach to programs and activities. The State has communicated the obligation of recipients (e.g., One-Stop Partners (OSPs), Unemployment Insurance (UI) Wagner-Peyser (WP) and all service providers) to conduct outreach efforts in order to broaden the composition of the pool of those considered for participation or employment in their programs and activities. The State will ensure that recruitment of potential participants is conducted in a nondiscriminatory manner and that the participant pool is a proportionate reflection of the local area including individuals with disabilities.

The State uses monitoring tools to ensure that all EO Officers are kept cognizant of their Affirmative Outreach obligations by inquiring into their process of broadening the participation in their programs. Recipients have made and will continue to make efforts to broaden the composition of those considered for participation or employment in their programs and activities, as described above.

All comprehensive One-Stop Centers must be physically and programmatically accessible to individuals with disabilities, as described in 29 CFR Part 38, the

implementing regulations of WIOA Section 188. Technology is a key component in ensuring affirmative outreach by employing a number of strategies to include the following:

- Increased referral services;
- Provision of equal opportunities for workforce training services for both rural and urban areas, as well as for persons with disabilities or other barriers to communication;
- Access to services for persons of all levels of computer literacy; and
- Assistance in using the self-service component of the One-Stop Center.

All recipients and sub-recipients work to enhance the employability and increase the earning potential of individuals with multiple barriers to employment. Strategies to address individual needs include:

- assessments of skills and abilities,
- basic skills programs,
- occupational skill training,
- job analyses,
- job accommodations,
- disability awareness training,
- and other activities that address barriers and support achievement of positive employment outcome.

Individuals with multiple barriers to employment are offered a continuum of education, job training, career counseling and job development to enhance attainment and retention of employment. To enhance the employability skill of individuals with disabilities, Local Workforce Development Boards, One-Stop Centers and providers assure:

- Priorities of services for participants beyond the self-service phase are implemented;
- Representation of individuals with disabilities on staff, where feasible;
- Cross-training of staff;
- Disability awareness training for staff;
- Outreach programs for individuals with disabilities;
- Technical assistance to employers including information regarding ADA requirements.

The One-Stop system provides the broadest possible menu for all job seekers.

Recipients and their service providers strive to provide access to services to all clients which includes:

- Publicity materials (brochures, letters) designed to provide an overview of employment services to the general public;
- Participation: in local and statewide job-related events; and
- Coordination and involvement with various agencies, committees, task forces, and projects that focus on employment-related functions, and Wagner-Peyser special programs for targeted groups (e.g., Veterans, Youth, Dislocated Workers, etc.)
- One-Stop Centers (OSC) have taken the following actions to ensure affirmative outreach:
 - Signs have been posted to inform customers of telephone numbers to call or to see a staff member if an accommodation is needed to receive services;
 - Individuals and organizations have been identified and are available if assistance is needed to provide services or information in a language other than English and written procedures are available to staff to assist LEP individuals;
 - Employees who have skills in languages other than English have identified themselves and offered their services in assisting any customers by providing instruction, conveying information, or assisting with completing forms;
 - Contacts have been developed and maintained with community-based organizations and advocacy groups to ensure the center meets the specific needs of each constituency;
 - Coordination linkages with other federal, state, and local agencies serving the various segments of the populations have been developed;
 - Participation in community employment events such as job fairs, seminars, and public recruitment for employers has publicized the services of One-Stop Centers; and
 - On-site visits with employers and community agencies, participation in job fairs, special recruitment efforts, employer seminars, and public relations campaigns have encouraged employer use Idaho's workforce system.

The State monitors and evaluates the success of recipient efforts to broaden the composition of those considered for participation and employment in their programs and activities as described above.

The State takes reasonable steps to ensure that policies and procedures do not deny equal access to individuals with LEP. The State implements, evaluates and documents programs, activities, and services to customers with LEP. The EO Officers and EO Contacts are responsible for monitoring recipient programs and ensuring compliance with the affirmative outreach element of and discrimination and equal opportunity provisions of Section 188 of WIOA. The State continually stresses to recipients the importance of their obligation to expand the participant pool and staffing selections.

The State annually monitors the recipients to measure the effectiveness of their efforts to serve and employ Idahoans of various backgrounds, including individuals with disabilities and LEP. In the selection of center locations, consideration is given to accessibility to members of the general population for all programs, services, and benefits.

Current State practices designed to broaden the composition of those considered for participation and employment at the One-Stop Centers include the following:

- Identification of staff with bilingual skills;
- Information exchange and collaboration with community organizations regarding translators, interpreters, and resources for LEP;
- Publication of selected materials in languages other than English
- Use of interpreters, telephone interpreters and contract interpreters as needed to provide language assistance to customers on an individual basis.

Element 4: Documentation

[IDOL Claimant Portal](#)

[IDOL Claimant Portal- Spanish](#)

[IDOL LEP Processes](#)

[IDOL WIOA Information Pamphlet](#)

[Division of Purchasing Interpreting Contract](#)

[Language Link Instructions](#)

[LEP Claimant Services Improvement Plan- Unemployment](#)

[Resources for Individuals with Disabilities](#)

Element 5: Compliance with Disability Nondiscrimination Requirements (29 CFR 38.12 through 38.17)

The State of Idaho addresses how the State and its recipients comply with the disability related requirements of WIOA Section 188; Section 504 of the Rehabilitation Act of 1973, as amended; and their implementing regulations, including, but not limited to, 29 CFR 38.7, 38.8, and 38.90 and Subparts B and C of 29 CFR Part 31, 29 CFR 32.12(a), and 32.26.

The State is committed to making all services, facilities, and information accessible for individuals with disabilities. This applies to all programs, activities, and services provided by or made available to potential employees, volunteers, contractors, service providers, licensees, clients, and potential clients within the One-Stop system. To reinforce this commitment, all recipients and service providers are required to provide written assurance in their agreements, grants, and contracts that they are committed to and will comply with the requirements of the WIOA Section 188, Americans with Disabilities Act (ADA), Rehabilitation Act of 1973, and with 29 CFR Part 32 and Part 38.

Recipients meet their obligation not to discriminate on the basis of disability. (29 CFR 32.12(a), 32.26, and 38.6) When applicable, the recipients must have established policies and procedures addressing reasonable accommodations, auxiliary aids and services, effective communication; and site selection assuring accessibility. These recipients must also conduct self-evaluations which include corrective action plans, when necessary, that are developed to ensure compliance with obligations not to discriminate on the basis of disability and to provide reasonable accommodations.

In addition, when the State enters into contractual agreements with WIOA recipients, compliance with program-specific laws and regulations are specified as standard boilerplate language. This same language further specifies that sub-recipients are required to comply as well. Ongoing training and monitoring ensure that the OSPs, Wagner Peyser (WP), and UI continue to meet their requirements not to discriminate. IDOL will conduct site assessments in accordance with the ADA Checklist for Existing Facilities. In the written contracts Terms and Conditions require all contractors meet the requirements of the ADA.

The WDC requires the OSPs complete an ADA self-evaluation checklist of its facilities utilizing the ADA Checklist for Existing Facilities version 2.1. The EO Officers are trained and made aware of ADA regulations and implementation processes. The State's monitoring procedures for the recipients include documentation where all areas are reviewed. If any area(s) of noncompliance findings are noted, the EO Officer or EO

Contact must submit a corrective action plan to ensure compliance. The monitoring includes structural, programmatic accommodations, and technical assistance, if requested.

Recipients provide reasonable modification of policies, practices, and procedures as required. (29 CFR 38.14) Title II of the ADA requires that programs, services, and activities of State and local governments are accessible to and usable by individuals with disabilities. The State provides general guidance on reasonable accommodation for program participants, and fair and equal access to communication for individuals with disabilities.

Recipients provide architectural accessibility for individuals with disabilities. The EO Officer performs annual site visits to ensure a facility remains in compliance unless compliance issues require more frequent visits. The ADA Checklist for Existing Facilities is utilized as a field evaluation. Site reviews for accessibility to individuals with disabilities include wheelchair accessible entrances, signs indicating the nearest accessible entrance, designated restrooms, and TTY/TDD or Relay Services. Additionally, we recommend that all OSPs conduct annual facility self-assessment using the ADA Checklist for Readily Achievable Barrier Removal and inform the State EO officer of any potential deficiencies.

Recipients provide programmatic accessibility for persons with disabilities. Entities within the One-Stop delivery system, including system/center operators and partners, will comply with Section 188 of WIOA, if applicable, and applicable provisions of ADA regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities.

The OSPs are committed to complying with the requirements of WIOA Section 188 and the ADA to maximize access to services for people with disabilities. Entities within the One-Stop delivery system (including One-Stop operators and One-Stop partners) are required to comply with WIOA Section 188 and the ADA by implementing policies, procedures, protocols, and practices for programmatic accessibility of facilities, programs, and services. The One-Stop Centers will comply with the ADA by promoting inclusion, choice, and accessibility. The One-Stop Operator ADA coordinator and staff will assure that job seekers with disabilities have programmatic access to all services.

The State is committed to working with our partners to expand access to employment and training, education, and supportive service. The State will encourage and promote continued education and training on topics related to Section 188 and ADA programmatic and facility accessibility.

The State does utilize auxiliary aids and a telephone system (7-1-1) that meets this "equally effective" requirement. These aids include, but are not limited to, TTY /TDD services for those individuals that rely on these services.

Recipients provide for and adhere to a schedule to evaluate job qualifications to ensure that the qualifications do not discriminate on the basis of disability. State job postings for hiring are reviewed by Human Resources staff at the time of each job posting to ensure the requirements do not allow for discrimination. When employers utilize IDOL to post jobs, the IDOL staff ensures job listings satisfy nondiscrimination requirements. They review the documentation and job description to make sure there are no discriminatory requirements. IDOL job descriptions are sampled during annual monitoring to review to ensure the qualifications do not discriminate on the basis of disability.

Pre-employment/employment medical inquiries are limited to those permitted by and in accordance with WIOA Section 188, the ADA, and Section 504. (29 CFR 32.4) All questions regarding the nature and severity of any disability are generally prohibited. Any response is voluntary and does not change the scope of services available for the customer.

Recipients ensure the confidentiality of medical information provided by registrants, applicants, eligible applicants/registrants, participants, employees, and applicants for employment. (29 CFR 38.41) The Code of Federal Regulations provides rules for the confidentiality of information collected and maintained regarding all individuals. Medical information obtained in the course of a post-offer medical examination or inquiry may be provided to and used by appropriate decision-makers involved in the hiring process in order to make employment decisions consistent with the ADA. Staff are allowed limited access to relevant confidential information on a need-to-know basis which may include supervisors and managers, first aid and safety personnel, and employers (once a conditional offer of employment has been made).

Recipients administer their WIOA Title I financially assisted programs and activities so that each individual with a disability participates in the most integrated setting appropriate to that individual. The IDOL and partners work to ensure individuals with disabilities participate in the most integrated setting appropriate to each individual. IDOL has supplied the One-Stop Centers with equipment to accommodate individuals with physical disabilities, as well as the hearing and vision impaired, to provide universal access to all customers entering the One-Stop Centers.

Recipients are able to communicate with persons with disabilities as effectively as with others. (29 CFR 38.15) IDOL is working with all the One-Stop Centers in Idaho to ensure effective communication with persons with disabilities by assessing an individual's needs. Assistive technology is available to allow individuals with disabilities to participate in all programs in the most integrated setting appropriate to the individual and to ensure that recipients are able to communicate with persons with disabilities as effectively as with others. In addition, One-Stop Centers have procedures in place to access bilingual staff or services, and to access sign language services.

Element 5: Documentation

[Disability Employment Initiative](#)

[Able to Work](#)

[Willing and Able Job-Hunting Guide](#)

[Accessible Computer User Guide](#)

[Dislocated Worker Program](#)

[Disability Employment Initiative – Training](#)

[American Sign Language Interpreter Directory and Services](#)

Element 6: Data and Information Collection and Maintenance, including Governor's Oversight Responsibility Regarding Recipients' Recordkeeping
(29 CFR 38.41 through 38.45, and 38.53)

The State addresses how it and their recipients are complying and will continue to comply with the requirements of 29 CFR Part 38 related to data and information collection and maintenance. The State ensures a data and information collection and maintenance system, for all its recipients and federal financially assisted programs, are established and maintained. The system and format in which the records and data are kept is designed to allow the Governor and the CRC to conduct statistical or other quantifiable data analyses to verify the recipient's compliance with Section 188 of WIOA.

The State's data and information collection is in compliance with the requirements of the Participant Individual Record Layout (PIRL) as published by DOL. All recipients are

responsible for collecting and maintaining obtained client and potential client information. The State is responsible for reporting the information to DOL via the PIRL. All recipients are monitored annually by the State EO Officer to ensure compliance with record keeping and contract requirements, to assess recipient equal opportunity performance, to identify instances or areas of discrimination, and to identify individuals or groups of individuals who may have been discriminated against on a basis prohibited by WIOA Section 188 and 29 CFR Part 38.

All recipients collect and maintain records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment. (29 CFR 38.41)

The information is collected during the eligibility process and updated as needed throughout the individual's participation in federal programs and activities. The WIOA State EO Officer checks the data via a desk review of the records for a recipient prior to an on-site visit to compare the paper files against the database records for data validity. Records are maintained on each claimant in the system. The collected data is available in a data warehouse where data can be queried at any time.

Recipients record the race/ethnicity, sex, age, and disability status of each applicant registrant, eligible applicant/registrant, participant, employee, and applicant for employment. (29 CFR 38.41) The OSPs collect the demographic (race, ethnicity, sex, age, and disability status) information of each applicant, registrant, eligible applicant/registrant, participant, employee, and applicant for employment. OSPs maintain electronic files for each applicant, employee, and applicant for employment, and electronic records are kept for each registrant and participant for WIOA and OSP services. An individual is considered an applicant when they submit personal information (e.g., name, address, social security number-, etc.).

Idaho is working with our vendor, America's Job Link Alliance (AJLA) to collect LEP data consistent with 29 CFR 38.41(b)(2). The DOL-only PIRL element 803 defines "English Language Learner at Program Entry" as a person who has limited ability in speaking, reading, writing, or understanding the English language. This is a mandatory field that is currently collected on each individual that registers for Wagner-Peyser and Title I services. DOL-only PIRL element 804, Basic Skills Deficient/Low Levels of literacy at Program Entry, is also collected on each individual, it provides the information needed to determine who is unable to compute and solve problems, or read, write, or speak English at a level necessary to function on the job, in the participant's family, or in society.

AJLA is an alliance of workforce organizations across multiple states partnering to produce a cost-effective system, and in order to maintain consistency with federal reporting requirements across programs and states, the specific LEP requirements need to be included in the PIRL to avoid incurring additional programming costs.

Recipients treat records, particularly those containing medical information, in a manner that ensures their confidentiality. (29 CFR 32.15; and 29 CFR 38.41) The State provides, as required in 29 CFR 38.41, for the confidentiality of information collected and maintained regarding the disabilities of individuals. This requirement applies regardless of the status of the individual whether he or she is an applicant, participant or candidate for employment, etc.

When an applicant/participant for any federally funded services provides medical or psychological information to substantiate an eligibility determination or for reasonable accommodations for program participation, the information is kept in a confidential file separate from the participants' record file and in a locked cabinet. If the information is stored electronically, the information is kept in a confidential electronic file separate from the participants' record file and password protected.

Recipients maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIOA Section 188. (29 CFR 38.41)

Complaints alleging discrimination on one or more of the following bases: race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship, and/or participation in a WIOA 1B financially assisted program or activity are kept in an electronic claim filing system/log as required by the Civil Rights Center. Complaints may be filed at the local level, the State level or with the CRC Director. The complaint log contains the name and address of the complainant, the basis of the complaint, a description of the complaint, date complaint was filed, disposition, date of disposition and any other pertinent information relating to the complaint. The Local EO Officer inform the State EO Officer about complaint investigations and submits complaint reports on at minimum, a quarterly basis. The State EO reports to CRC upon request.

Recipients maintain such records for a period of three years. 29CFR 38.43(a) Complaint forms, investigation notes, disposition letters, and other pertinent information on each complaint filed, as well as complaint logs, must be maintained by recipients or sub-recipients for a period of three years from the close of the applicable program year, unless a complaint has been filed and is not yet resolved in which it will be a period of three years from the closure of the open complaint, in accordance with 29 CFR 38.43.

Grant applicants and recipients notify the CRC Director of administrative enforcement actions and lawsuits brought against them that allege discrimination on one or more of the bases prohibited by WIOA Section 188. 29 CFR 38.42. Idaho acknowledges that it, as well as each grant applicant and recipient, is required to promptly notify the CRC Director when any administrative enforcement actions or lawsuits are filed against it alleging discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation, or belief. In addition, Idaho policy requires recipients to notify the CRC Director under 29 CFR 38.42(a) and the State concurrently.

Grant applicants and recipients will permit access by the Director or the Director's designee during its hours of operation to its premises and to its employees and participants, to the extent that such individuals are on the premises during the course of the investigation, for the purpose of conducting complaint investigations, compliance reviews, or monitoring activities associated with Idaho's development and implementation of a Nondiscrimination Plan, and for inspecting and copying such books, records, accounts and other materials as may be pertinent to ascertain compliance with and ensure enforcement of the nondiscrimination and equal opportunity provisions of WIOA or 29 CFR Part 38.

Idaho informs grant applicants and recipients that any asserted considerations of privacy or confidentiality are not a basis for withholding information from CRC and will not bar CRC from evaluating or seeking to enforce compliance with the nondiscrimination and equal opportunity provisions of WIOA and 29 CFR Part 38.

Finally, Idaho grant applicants and recipients acknowledge and are aware that whenever any information that the Director asks a grant applicant or recipient to provide is in the exclusive possession of another agency, institution, or person, and that agency, institution, or person fails or refuses to furnish the information upon request, the grant applicant or recipient will certify to CRC that it has made efforts to obtain the information and that the agency, institution, or person has failed or refused to provide it. This certification will list the name and address of the agency, institution, or person that has possession of the information and the specific efforts the grant applicant or recipient made to obtain it.

Element 6: Documentation

[Complaint Log Example](#)

[EO Desk Audit](#)

[WIOA Eligible Training Providers](#)

[WIOA Programmatic Assessment Monitoring Tool](#)

[State of Idaho WIOA Annual Report](#)

[Voluntary Self-Identification Survey](#)

[Workforce Development Training Fund Annual Report](#)

Element 7: Governor's Oversight and Monitoring Responsibilities for State Programs; and Corrective Actions/ Sanctions

(29 CFR 38.51 and 38.53; 29 CFR 38.86 through 38.115)

The State of Idaho addresses how WIOA EO Officer(s) monitor the recipients. The State has established procedures to monitor all aspects of the recipient's compliance with the WIOA Section 188 and 29 CFR Part 38. All EO Officers monitoring reviews include a review of compliance and responsibilities that have been assigned through the State's Nondiscrimination Plan (NDP). A review of each recipient's programs and activities to determine whether discrimination is occurring is also included in the monitoring.

The State ensures compliance with its administrative obligations under the WIOA Sections 188 and 29 CFR Part 38 during the monitoring process. Monitoring is conducted by the State EO Officer which includes a desk and field review to determine a recipient's compliance with the provisions of WIOA Section 188. These reviews check for compliance with the administrative obligations including assurances in contracts and agreements, notices, brochures, and communication responsibilities under the State's NDP, as well as its programs and activities.

Monitoring recipients to ensure their programs and activities are operating in a nondiscriminatory manner must involve, at a minimum:

1. Analysis of the data and records collected by the recipient pursuant to 29 CFR 38.41 through 29 CFR 38.45 to determine whether any differences based upon race, ethnicity, sex, age, and disability have practical or statistical significance; and
2. Where significant differences are found, follow-up investigations are done.

3. The system and format in which the records and data are kept must be designed to allow the Governor and CRC to conduct statistical or other quantifiable data analyses to verify the recipient's compliance with Section 188 of WIOA.

In order to ensure that WIOA Title I financially assisted programs and/or activities are operating in a nondiscriminatory manner, the State's monitoring regimen includes a desk analysis of the data and records collected by the recipient pursuant to 29 CFR 38.41 through 29 CFR 38.45. This analysis, conducted by the EO Officer or EO Contact, as applicable, should determine if any differences based upon race, ethnicity, sex, age, or disability exist and whether such differences have a practical or statistical significance.

Complying with the administrative obligations of 29 CFR 38 includes but is not limited to:

1. Assurances. (29 CFR 38.25 through 38.27)
 - a) Assurances are required to be provided by each WDA in their Local Plan.
2. Equal Opportunity Officers. (29 CFR 38.28 through 29 CFR 38.32)
 - a) EO Officers are listed in Element Two: Designation of State and local level Equal Opportunity Officers.
3. Notice and communication. (29 CFR 38.34 through 29CFR 38.39)
 - a) "Equal Opportunity is the Law" notices are listed in Element Two: Notice and Communication.
4. Affirmative Outreach. (29 CFR 38.40)
 - a) Affirmative Outreach is addressed in Element Four to ensure that recipients are required to provide equal access to their programs and activities to include various groups that are protected by these regulations.
 - b) The State utilizes the "Equal Opportunity Monitoring Review Guide" when facilitating on-site monitoring reviews for recipients' programs and activities.
5. Data and information collection and maintenance. (29CFR 38.41)
 - a) Data and information collection and maintenance are kept in a system that allows the Governor and CRC to conduct analysis as described in Element Six: Data and Information Collection and Maintenance.
6. Complaint processing procedures. (29 CFR 38. 72)
 - a) The State provides a nondiscrimination and equal opportunity complaint process and offers Alternate Dispute Resolution (ADR) throughout the complaint processing procedure. All sub- recipients must comply with these procedures which meet the requirements of 29 CFR 38.70 through 29 CFR 38.80.

7. Conducting Equal Opportunity monitoring and evaluation, review of applicants for and recipients of WIOA Title I financial assistance (including assurance of programmatic and architectural accessibility).

The State, through a monitoring process, determines if the EO Officer or designee has reviewed applicants for and recipients of WIOA Title I financial assistance from or through the WDA, including sub-recipient agencies. Monitoring includes the review of:

1. Receipt of the right to file grievance information for applicants and recipients;
2. Records of local discrimination complaint reports and resolution;
3. Applicable equal opportunity notices and signage for individuals with disabilities and other special needs populations;
4. Appropriate signage and equal opportunity information presented in languages other than English;
5. Review participant's case files, both electronic and paper for required notices, signatures, or appropriate documentation.
6. The Local Plan for nondiscrimination and equal opportunity provisions of the WIOA Section 188;
7. Contractual assurances of compliance with the nondiscrimination and equal opportunity provisions of the WIOA;
8. Programmatic and physical accessibility for individuals with disabilities to appropriately receive WIOA services;
9. Staff and participant interviews; and
10. Review of the recipient's policy and procedures to ensure they are not discriminatory.
11. Review the procedures for obtaining prompt corrective action when applying sanction when noncompliance is found.
12. Reports of monitoring reviews and reports of follow-up actions taken under those reviews where violations were found, including the sanctions.

The State provides an annual monitoring report identifying all discrepancies found and the actions required to address each specific discrepancy. Each EO Officer bears the responsibility for monitoring these same elements, not only in their internal service delivery system but also for any and all sub-recipients who provide WIOA Title I funded services or activities.

The State EO Officer issues a report summarizing all non-compliance issues found during annual monitoring. These issues are then put into a Corrective Action Plan with timelines that each local area is responsible for implementing. When implementation of

a Corrective Action Plan is incomplete by the specified deadline, the State will issue appropriate sanctions based on the severity of the noncompliance issues identified in the Corrective Action Plans.

The State EO Officer may monitor the local areas at any time without notice. The process outlined above also applies when there is more frequent monitoring. However, the report summarizing issues of noncompliance may be communicated informally, e.g., email.

Sanctions are considered when the recipient fails to adequately implement the Corrective Action Plan by the deadlines specified in the plan. Sanctions may revoke approval of all or part of the recipient's WIOA Title I financial assistance.

The State ensures policy development, communication, and training are implemented. WIOA state policies and procedures are available on the Idaho Workforce Development Council website. Additionally, policy broadcasts or informational broadcasts are sent via email to all OSPs and workforce staff to communicate changes to policy or provide immediate information that may affect Title I programs or activities. The WIOA Policies and Procedures and broadcasts direct recipients of Title I funds to develop local equal opportunity and nondiscrimination policies and procedures that include requirements to ensure sub-recipient agencies meet the same obligation. Recipients' policies are located in each local plan and are updated as needed.

The State ensures the federal programs and activities are operating in a nondiscriminatory manner and provide equal opportunity, including but not limited to:

- Conducting analyses by race, ethnicity, sex, age and disability of program and employment activity including but not limited to rates of application, placement, and termination, to determine if significant differences exist; and
- Conducting follow-up monitoring to determine the cause of any such differences, through the analysis of the records of individual and eligible registrants, applicants, employees and applicants for employment, interviews, and other appropriate techniques.

The UI program housed at IDOL, a required core partner, collects information when initial unemployment claims are filed. Records are maintained on each claimant in a secure system. Data is stored in secure UI databases. Stored data is used to conduct analyses to determine whether any discriminatory issues exist. If any discriminatory issues exist, the IDOL EO Officer will work with the State EO Officer to address them pursuant to policy.

The procedure for reviewing recipient policies and procedures, to ensure that the policies and procedures do not violate the prohibitions contained in 29 CFR 38.5 through 38.19.

The EO Officer conducts a desk audit prior to on-site reviews to analyze program materials and the Local Plan to ensure no discrimination is occurring in local program policies, sub-contracts, and procedures. Plans must have the following assurances:

1. The IDOL will provide a system that includes compliance with Title IV of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, Title IX of the Education Act of 1972, Section 188 of WIOA and the Current State of Idaho Nondiscrimination Plan (NDP).
2. The IDOL will describe how each access site identified in the NDP will ensure compliance with Equal Opportunity and Americans with Disabilities and
3. The IDOL will provide contact information and identification of the Local, State and Federal EO Officers available in all facilities used to conduct WIOA Title I funded trainings, programs, and activities.

Recipients are required to publish the State's Equal Opportunity and Nondiscrimination Complaint statement and procedures on their website. The State EO Officer conducts interviews, as needed, as a part of the monitoring process. The written reports prepared for each review must provide, among other things that the results of the monitoring review will be made available to the recipient(s) reviewed.

An EO Monitoring Review Report is written by the State EO Officer. Copies of the EO Monitoring Review Report are provided to the Local EO Officer by the State EO Officer. The report identifies areas in which the WDA is out of or could be out of compliance (discrepancies) and other areas of concern. The EO Monitoring Review Report may also make recommendations for corrective actions needed to correct deficiencies. The Local EO Officer will maintain communication with the State EO Officer until all equal opportunity related discrepancies have been corrected.

The involvement of the State and local level EO Officer(s) in conducting reviews. Where EO monitoring is carried out by individuals other than the State or local level EO Officer, the narrative should provide the names, titles, and organizations of those persons.

The State EO Officer reviews certain equal opportunity items as a part of the annual reviews. Any issues identified during the annual EO monitoring reviews involving equal opportunity and nondiscrimination are discussed with the IDOL EO Officer to ensure

compliance with applicable regulations. The State EO Officer conducts the review to ensure that past identified issues were appropriately addressed and resolved.

The State reviews each recipient annually through desk reviews and on-site reviews, unless needed more frequently to track and identify compliance issues. A review schedule is developed at the beginning of each program year identifying when each OSP is scheduled for a desk and on-site review. Each recipient is provided with a copy of the review schedule along with a copy of the desk review guides that will be utilized during the review. Regional managers are sent a letter by the State EO Officer notifying them of the review 30 days prior to the review date. In addition to these scheduled monitoring reviews, the State reserves the right to conduct monitoring with increased frequency throughout the program year.

Element 7: Documentation

[WIOA Nondiscrimination Policy](#)

[IDOL Complaint Form](#)

[IDOL Complaint Form Directions](#)

[ADA Accessibility Checklist](#)

[WIOA Provisions and Assurances](#)

[IDOL Final EO Report](#)

[WIOA Compliance Review Schedule](#)

[WIOA Corrective Action Plan Spreadsheet](#)

[WIOA Title I Monitoring Template](#)

Element 8: Complaint Processing Procedures (29 CFR 38.69 through 38.85)

The State and its recipients are complying with the requirements of 29 CFR 38.69 through 29 CFR 38.85 regarding complaint processing procedures. The State has revised and published procedures for processing complaints alleging discrimination by any program or activities funded under the WIOA Title I. These procedures provide the

complainant with the option to file in the automated complaint system, or on a paper form, or directly with the CRC Director, U.S. Department of Labor (DOL). OSPs are required to include complaint procedures which comply with the requirements of 29 CFR 38.72.

Consistent with 29 CFR 38.69 – 38.85, Idaho has developed a thorough procedures detailing the complaint procedure requirements for both recipients and service providers. All documents developed for recipients and service providers can be found below in the Section 8 Documentation section.

Element 8: Documentation

[WIOA EO Complaint Procedures](#)

[WIOA EO Complaint Form](#)

[IDOL Complaint System](#)

[WIOA Information Pamphlet](#)

[Response to Final Determination on CRC Case No. 10-ID-001](#)