



Gulf Coast Workforce Board

Equal Opportunity Officer Responsibilities

The Gulf Coast Workforce Board Equal Opportunity Officer is responsible for coordinating the recipient's obligations and compliance activities under the nondiscrimination and equal opportunity provisions of WIA. Those responsibilities include, but are not limited to:

- Serving as the liaison with TWC or the U.S. Department of Labor (DOL), Civil Rights Center (CRC);
- Monitoring the recipient's activities and the activities of the entities that receive WIA Title I funds from the recipient to ensure they are not violating nondiscrimination and EO provisions of WIA §188;
- Reviewing the recipient's written policies to ensure that policies are not discriminatory;
- Developing and publishing procedures for processing discrimination complaints and ensuring those procedures are followed;
- Reporting directly to the appropriate official (TWC, Governor, or other appropriate authority) about EO matters; and
- Undergoing training to maintain competency.

The Gulf Coast Workforce Board Equal Opportunity Officer (GCWBEOO) follows the nine elements of the provisions or the Texas Workforce Commission's Methods of Administration.

Element 1: Designation of State and Local Level Equal Opportunity Officer

GCWBEOO ensures all employees receive and pass the TWC Equal Opportunity computer based training no later than 90 days of employment.

GCWBEOO's identity and all related information is made public to all applicants, eligible applicants, participants, employees, applicants for employment, and members of the public in compliance with 29 CFR 37.26. The EO officer must be senior-level recipient employee. The EO Officer does not have other responsibilities or activities that create a conflict with the responsibilities of an EO Officer.

A written description of the EO Officer's responsibilities and documentation regarding the EO Officer's placement within the organizational structure must also be maintained. As required by 29 CFR 37.26, dissemination of the EO Officer designation must include but is not limited to: identification by name, position, title, business address, e-mail address (if applicable), and telephone number (including TDD/TTY number) on all internal and external communication regarding nondiscrimination and equal opportunity provisions. (<http://wrksolutions.com/staff/issuances.html#1105> Orientation to Complaint Procedure Form.)

The local-level EO Officer must have the necessary education and experience, and receive required training on a regular basis to maintain competency. (See Attachment 1: GCWB EO Officer Job Description.)

GCWBEOO's duties as designated by 29 CFR 37.25 include, but are not limited to: coordinating responsibilities under 29 CFR 37; development and review of written policies to ensure that all policies are nondiscriminatory; monitoring and investigating recipient's activities related to nondiscrimination and equal opportunity obligations; implementation of the complaint procedure and monitoring the established complaint procedures for compliance with 29 CFR 37.76 through 29 CFR 37.79; and liaison with the state-level EO Officer and/or the CRC.

Element 2: Notice and Communication

Gulf Coast Workforce Board complies with the requirements of 29 CFR 37.29 through 29 CFR 37.36 related to the establishment of a notice and communication system. GCWB provides initial and continuing notice that we do not discriminate on any prohibited ground and assure that communication with persons with disabilities are as effective as communication with others.

We post the notice, contained in 29 CFR 37.30, prominently in reasonable numbers and places; disseminate it in appropriate written electronic formats; include it in handbooks or manuals; and make it available to each participant as well as a part of each participant's individual record. The notice must also be provided in appropriate formats to individuals with visual impairments. When the notice is given in an alternative format to a participant with a visual impairment, this must be documented in the participant's individual record. We use the current required wording. The notice is on our website, www.wrksolutions.com, on prominently displayed posters in our career offices and on orientation to complaint forms. (See link in Element 1)

Additionally, the current required "tag lines" are noted on all official publications including brochures, office calendars and broadcasts.

GCWB has a Limited English Proficiency plan and a procedure in place to quickly get interpreters for languages other than English and the deaf. (Attachment 2 & 3) This plan is reviewed annually and updated according to the most recently available census information for our geographical area.

Each subcontractor of the GCWB provides required EO training to their staff annually. The GCWBEO officer conducts training every 2 years to the subcontractor EO officers and office managers. A written record is maintained for all training.

Element 3: Assurances

GCWB complies with the requirements of 29 CFR 37.20 through 29 CFR 37.22 related to the review of assurances, job training plans, contracts, and policies and procedures. Each request for proposal, proposal, and application for financial assistance under WIA Title I shall contain the current required assurance.

<http://wrksolutions.com/staff/contractmanagementpp/2010%20Contract%20Management%20Policies%20and%20Procedures%20August%2030%202010.pdf> The assurance is passed on to the subcontractors to include in their vendor agreements.

Element 4: Universal Access

GCWB provided universal access to all programs and activities funded by the Workforce Investment Act. This access is detailed in the Equal Opportunity Standards and Guidelines posted on our website.

http://www.wrksolutions.com/staff/eo/TWS%20SG%20304%20Equal%20Opportunity%20Final%206_27_11.pdf

We partner with community based organizations to assist customers with special needs to give assistance in meeting these needs. <http://wrksolutions.com/staff/dpn.html>

Element 5: Compliance with Section 504 of the Rehabilitation Act of 1973, as amended and 29 CFR 37

GCWBEO ensures we provide architectural accessibility to all our customers. This is accomplished through annual desk reviews of job descriptions, on-site compliance reviews of career offices and conducting a WIA 188 checklist review at the career offices and subcontractor administrative offices. (See attachments 4, 5, 6) The EO accessibility check is performed annually at all the above mentioned locations. The amended WIA 188 checklist is used at career offices and the complete WIA 188 checklist is used at subcontractor's administrative offices. Any deficiencies are noted in the annual office monitoring report, with a dead line to correct the deficiency. The contractor is required to provide proof in the form of work orders and/or photographs of the correction.

GCWB has a disability navigator who also actively inspects our offices, provides training and technical assistance to our contractors in serving persons with disabilities. The disability navigator regularly provides CBT and in person training as required. She maintains good working relationships with CBO's in providing support services to our disabled customers. She

is a “go to” subject matter expert on all disability issues. She has created aids for our offices. (Attachment 7).

All the GCWB offices have TTY phone instruments. As part of the annual review, the office is required to demonstrate the use of the TTY phone. They also demonstrate the computer assistive devices in their resource room.

GCWBEOO evaluates job qualifications annually to ensure that the qualifications do not discriminate on the grounds of disability.

Part of the annual on-site office review includes physical inspection to ensure private medical information is filed in a secure locked cabinet in the office manager’s office.

Element 6: Data and Information Collection and Maintenance

GCWB complies with the requirements of 29 CFR 37.37 through 29 CFR 37.41 related to data and information collection and maintenance.

As required by 29 CFR 37, four pieces of demographic information are gathered in individual records for each applicant, eligible applicant, participant, terminnee, employee, and applicant for employment: sex, race/ethnicity, age, and disability status. The customer must self identify disability information. They are not required to disclose a disability. This data is contained in The Workforce Information System of Texas (TWIST), a single automated system separate from the applicant’s individual records.

Complaints alleging discrimination on one or more of the following bases; race, color, religion, sex, national origin, age, disability, political affiliation or belief, participation in any WIA Title I-financially assisted programs and/or activities, and/or for beneficiaries only, citizenship; may be filed at the local level, the state level, or with the CRC. Each written complaint filed at the local level is noted on a local-level complaint log by each designated local-level EO Officer and then forwarded to the state-level EO Officer for processing. (Attachment 8)

GCWB will notify the state-level EO Officer and the CRC within five business days of receipt of any administrative enforcement action and/or lawsuit brought against them that allege discrimination on one or more of the following bases: race, color, religion, sex, national origin, age, disability, political affiliation or belief, participation in any WIA Title I-financially assisted programs and/or activities, and/or for beneficiaries only, citizenship.

Element 7: Equal Opportunity Monitoring

GCWB complies with the requirements of 29 CFR 37.54 (d)(2)(i-iv) related to monitoring. All WIA Title I-financially assisted programs and/or activities in the GCWB are monitored for

compliance with the requirements of Section 188 of the WIA; Title VI of the Civil Rights Act of 1964, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

As mentioned in element 5, GCWB monitors the career offices for program and physical accessibility and compliance with the WIA 188 check list annually. The order that the offices are monitored is developed by the use of an annual risk assessment. The risk assessment is performed by the Regional Quality Assurance team. This assessment is used for both program and fiscal monitoring review scheduling.

Any deficiencies identified are included in the monitoring report with a correction deadline. Should the contractor require technical assistance, it will be provided by appropriate GCWB staff and/or the disability navigator. We also have a contract with the National Workforce Institute to provide staff training.

Element 8: Complaint Processing Procedures

GCWB complies with the requirements of 29 CFR 37.70 through 37.81 related to discrimination complaint processing procedures. Early informal resolution is encouraged with all complaints. TWC has developed and published complaint procedures for use by all recipients as required by 29 CFR 37. (See TWC Letter 18-07 Discrimination Complaint Procedures Attachment 9.) GCWB adheres to these procedures. The GCWB complaint procedures are outlined in Workforce Solutions Equal Opportunity Policies and Procedures for Serving Customers with Disabilities, Standard 304.

http://www.wrksolutions.com/staff/eeo/TWS%20SG%20304%20Equal%20Opportunity%20Final%206_27_11.pdf

Complaints are accepted orally or in writing. Each career office has a prominent display of complaint forms, both in English and Spanish. <http://wrksolutions.com/other/complaint/TWS-Complaint%20Brochure%20update%205.10.07.pdf> & <http://wrksolutions.com/other/complaint/EO%20Complaint%20Spanish%20FINAL.pdf>

Element 9: Corrective Actions and Sanctions

GCWB complies with all requirements of 29 CFR 37.97 related to corrective actions and sanctions. Should the GACWEOO find it necessary to pursue deficiencies that have not been corrected in a reasonable amount of time, we will use the TWC Corrective Action and Sanctions procedure contained in the State of Texas MOA. We will immediately notify the State EO officer of any actions we may take if a deficiency is not handled appropriately. Sanctions will be assessed according to the GCWB repeat findings policy found in the Contract Management Policies.

<http://wrksolutions.com/staff/contractmanagementpp/2010%20Contract%20Management%20Policies%20and%20Procedures%20August%2030%202010.pdf>