

Southwest Wisconsin Workforce Development Board

- Workforce Innovation and Opportunity Act Section 188 Assessment
- Accessibility Plan Document



Name – Agency Southwest Wisconsin Workforce Development Board (SWWDB)		Date October 18, 2012	
Division/Office Not Applicable		Bureau Not Applicable	
Address 1370 N. Water Street, P.O. Box 656		City Platteville	State WI
		Zip Code 53818-0656	
County Grant, Green, Iowa, Lafayette, Richland, and Rock Rock County Job Center 1900 Center Avenue Janesville, WI 53546		Secondary Site SWTC Career Center (APS) 1800 Bronson Blvd. Fennimore, WI	
Name – Person Completing Plan Ryan Schomber		Date Completed (updated) 1.12.2018	

Item	Compliance Status	Comments
<p>1.</p> <p>ELEMENT 1: DESIGNATION OF EQUAL OPPORTUNITY OFFICER</p>		<p>Overview:</p> <p>The Civil Rights Center (CRC) of DOL is charged with enforcing Section 188 of WIOA, which prohibits exclusion of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration of or in connection with, any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA because of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries, applicants, and participants only, citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA.</p> <p>WIOA prioritizes serving vulnerable populations, individuals with multiple barriers to employment, for example, individuals with disabilities, youth disconnected from school and from work, older workers, and individuals with limited English proficiency who are English language learners.</p>

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		<p>Section 188 of WIOA helps ensure all people, including those with multiple barriers to employment, have access to the job training, education and employment services and benefits the workforce system provides, so they acquire the tools and skills they need to access good jobs.</p> <p>In addition: Section 504 of the Rehabilitation Act prohibits discrimination against qualified individuals with disabilities by federal agencies, or by programs or activities that receive federal financial assistance or are conducted by a federal agency.</p>
<p>1.1. Has the recipient (except small recipients and service providers) designated an Equal Opportunity Officer who meets the eligibility criteria and assumes prescribed responsibilities (such as monitoring, investigating, reviewing written policies, undergoing training) with regard to persons with disabilities? <u>29 CFR 38.28</u></p>	<p>Yes</p>	<p><u>The SWWDB Equal Opportunity Officer and Section 504 Coordinator is:</u></p> <p>Ryan Schomber – 1900 Center Ave. – Janesville, WI 53546 - Email: r.schomber@swwdb.org – Faxed: (608) 741-3528 – Phone: (608) 314-3300 (#303) – Wisconsin Relay Service: #7-1-1</p>
<p>1.2. Has the recipient satisfied the prescribed general obligations relating to the Equal Opportunity Officer in regard to persons with disabilities (such as making public EO Officer's TDD/TTY number, assigning sufficient staff and resources and ensuring training necessary and appropriate to maintain competency)? <u>29 CFR 38.29 and 38.30</u></p>	<p>Yes</p>	<p>SWWDB adheres to the general provisions in complying with Equal Opportunity.</p> <p>SWWDB’s EO Officer contact information is properly posted on internal and external WIOA and American Job Center (AJC) communications. The EO Officer’s contact information includes email and #711 (TRS).</p> <p>SWWDB management is fully supportive of it’s EO Officer. The EO Officer works out of the comprehensive AJC located in Janesville.</p> <p>SWWDB’s EO Officer has received various trainings necessary and appropriate to maintain competency.</p> <p><u>On 9.6.2016 EO Officer completed WI DWD (12.9.2013) TA Webcast “CR Compliance Training Part 1 and 2.</u></p>

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		<p>As of 9.6.2017 all SWWDB and program operator staff has registered on WorkforceGPS.org. This online system provides a “one-stop-shop” venue for workforce practitioners to find and share high quality information about how to better provide integrated, seamless, and accessible services and programs to individuals with disabilities and/or other individuals facing challenges to employment.</p> <p>In addition operator staff completed the webcourse, At Your Service: Welcoming customers with Disabilities (project of the ADA National Network)</p> <p>Here is a list of other trainings completed by the EO Officer, SWWDB staff along with program operator staff (participation varies depending on specific training).</p> <ul style="list-style-type: none"> • <u>WIA Title 1, Section 188 Checklist Training</u> conducted by Robin Jones - September 11, 2012 • <u>Serving Jobseekers with Disabilities in the One-Stop Career Centers</u> - April 19, 2012 • <u>Dislocated with a Disability: Understand Awareness, Responsibilities, Referrals and Supports</u> - September 27, 2011 • <u>Section 188/Universal Access Training</u> held by Robin Jones - September 1, 2011 • <u>Asset Development and Schedule A Hiring</u> Disability Employment Initiative Grant – July and August 2014 • <u>Civil Rights Compliance Training Part 1 and 2</u> (webcast) held by William Franks (DWD) - May and June 2015 • <u>Creating an Inclusive Workforce System: Implementing WIOA Section 188’s Equal Opportunity Provisions</u> held by LEAD Center (Archived Training) January 29, 2016 • <u>What Disability Service Professionals Need to Know About the ADA</u> live webinar held by Cornell University March 9, 2016 • <u>WIOA Section 188 (EO and UA Refresher)</u> presented by Ryan Schomber, SWWDB, March 14, 2016 Operators Meeting • <u>WIOA Final Rule Title 1 Disability Perspective (4 part presentation)</u> presented by LEAD Center 8.1.2016

ENCLOSURE 9

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		<ul style="list-style-type: none"> • <u>WIOA Wednesday (on Thursday): CRC Updates Section 188 WIOA Equal Opportunity Regulations</u> presented by WorkforceGPS (live webinar) 12.15.2016 (completed by EO Officer and EO Support Staff) • <u>Best Practices for Adopting or Implementing Updated EEO Regulations</u> presented by WorkforceGPS (live webinar) 9.25.2017 (completed by EO Officer) • <u>Innovating Services, Improving Outcomes: A VR Model for Serving SSDI Clients</u> presented by Mathematica (live webinar) 9.28.2017 (completed by EO Officer)
2.	ELEMENT 2: NOTICE AND COMMUNICATION	
2.1.	<p>Is the recipient providing for initial and continuing notice that the recipient does not discriminate on the basis of disability? <u>29 CFR 38.34 through 38.40</u></p> <p>Equal Opportunity Notice/Poster must be displayed. <u>29 CFR 38.35</u></p>	<p>Yes</p> <p><u>SWWDB provides proper equal opportunity notice</u> that it does not discriminate on any prohibited ground. SWWDB provides notice throughout internal and external communications.</p> <p>The notice combines EO and limited English proficiency (LEP) language.</p> <p><i>Southwest Wisconsin Workforce Development Board is an Equal Opportunity Employer/Service Provider. Auxiliary Aids and services are available upon request to individuals with disabilities.</i></p> <p><i>If you need this printed material interpreted to a language you understand or in a different format, or need assistance in using this service, please contact us: _____</i></p> <p><i>Deaf, hearing or speech impaired callers may reach us by the Wisconsin Relay number 711.</i></p> <p>SWWDB properly displays the Equal Opportunity Is the Law poster in identified Job Centers and “affiliate sites”.</p> <p>In addition to the “EO is the Law” poster SWWDB is committed with posting all other required labor law and program notices. Notices are posted in English and Spanish.</p>

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2.2.	Is the Notice provided by the recipient to persons with disabilities who are: registrants, applicants, eligible applicants/registrants; participants; applicants for employment and employees; unions or professional organizations that hold collective bargaining or professional agreements with the recipient; WIOA Title I subrecipients; and members of the public, including those with impaired vision and hearing? <u>29 CFR 38.36</u>	Yes	<p>SWWDB is obligated to provide EO notice to registrants, applicants, eligible applicants/registrants; participants; applicants for employment and employees; unions or professional organizations that hold collective bargaining or professional agreements with the recipient; WIOA Title I subrecipients; and members of the public, including those with impaired vision and hearing?</p> <p>SWWDB’s EO notice is provided to and explained to each WIOA client by their case manager at the time of initial eligibility determination and enrollment into WIOA programs. The client signs an acknowledgment that they understand the EO provisions and how to file a complaint if necessary.</p>
2.3.	Is the recipient taking appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others? <u>29 CFR 38.15</u>	Yes	<p>SWWDB takes appropriate steps (when needed) to ensure that communications with individuals with disabilities are as effective as communications with others.</p> <p>Appropriate steps include: proper staff training for example, At Your Service: Welcoming Customers with Disabilities, providing “best practices” at regular staff and operator’s meetings and internal monitoring activities.</p>
2.4.	Does the recipient indicate in recruitment brochures and other materials that the WIOA Title I-financially assisted program or activity is an "equal opportunity employer/program" and that "auxiliary aids and services are available upon request to individuals with disabilities"? <u>29 CFR 38.14, 39.15 and 38.38</u>	Yes	<p><u>SWWDB uses a statement that includes EO/LEP language:</u></p> <p>(FULL STATEMENT) Southwest Wisconsin Workforce Development Board is an Equal Opportunity Employer/Service Provider. Auxiliary Aids and services are available upon request to individuals with disabilities.</p> <p>If you need this printed material interpreted to a language you understand or in a different format, or need assistance in using this service, please contact us: _____</p> <p>Deaf, hearing or speech impaired callers may reach us by the Wisconsin Relay number 711.</p> <p>(SHORT STATEMENT) <i>SWWDB is an Equal Opportunity Employer/Service Provider.</i></p>
2.5.	Does the recipient that publishes or broadcasts program information in the news media indicate that auxiliary aids and services are available upon request to individuals with disabilities? <u>29 CFR 38.38</u>	NA	<p>Information relayed either on SWWDB’s website, social media and local media (if used) all proper EO notices are used. See 2.4</p>

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2.6.	<p>Does the Notice meet the general posting and dissemination requirements <u>29 CFR 38.36</u> and is the Notice provided in appropriate formats to individuals with visual impairments?</p> <p>Where the Notice has been given in an alternate format to a participant with a visual impairment, is a record that such Notice has been given made a part of the participant's file? <u>29 CFR 38.36 (a4)</u></p>	Yes	<p>SWWDB has posted its EO / LEP notice prominently and in reasonable numbers and places. The notice can be found posted throughout the job center including electronic signage. The notice is disseminated in internal memoranda and other written or electronic communications.</p> <p>The notice is included in WIOA materials distributed to clients. Clients are provided a copy of the notice and it is explained to clients by their case manager. The client signs a certification form acknowledging that the EO policy has been explained and their understanding of complaint procedures.</p> <p>Notices can be made available in appropriate formats to individuals with visual impairments upon request.</p>
2.7.	<p>Where marketing, recruitment, and other materials indicate that the recipient may be reached by telephone, do the materials state the telephone number of the TDD/TTY or relay service used by the recipient? <u>29 CFR 38.38</u></p>	Yes	<p><u>Yes. The EO/LEP statement includes necessary relay services information –</u></p> <p><i>(FULL STATEMENT) Southwest Wisconsin Workforce Development Board is an Equal Opportunity Employer/Service Provider. Auxiliary Aids and services are available upon request to individuals with disabilities.</i></p> <p><i>If you need this printed material interpreted to a language you understand or in a different format, or need assistance in using this service, please contact us: _____</i></p> <p><i>Deaf, hearing or speech impaired callers may reach us by the Wisconsin Relay number 711.</i></p> <p>In addition SWWDB has an email address available to individuals wishing to file a complaint. The email address complaints@swwdb.org is available to all individuals including individuals with hearing impairments.</p>

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<p>3. ELEMENT 3: ASSURANCES Does the assurance provided by each grant applicant and subrecipient (such as each training provider) in applications for WIOA Title I financial assistance and the assurances incorporated into each grant, cooperative agreement, contract, or other arrangement include the assurance not to discriminate on the basis of disability under Section 188 of WIOA and Section 504 of the Rehabilitation Act of 1973?</p> <p>Does the grant applicant also assure that it will comply with 29 CFR Part 38. <u>29 CFR 38.25</u></p>	<p>Yes</p>	<p><u>SWWDB and its subrecipients assure that it will comply fully with all nondiscrimination and equal opportunity provisions required by:</u></p> <ul style="list-style-type: none"> • Section 188 of the Workforce Innovation and Opportunity Act (WIOA) – 29 CFR Part 38 • The Americans with Disabilities Act (ADA), Title I and Title II and as amended by the Americans with Disabilities Act Amendments Act (ADAAA), • Title VI of the Civil Rights Act of 1964, as amended; • Section 501, 503, 504 and 508 of the Rehabilitation Act of 1973, as amended; • Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) • The Age Discrimination Act of 1975, as amended; and • Title IX of the Education Amendments of 1972, as amended. • All other applicable laws <p><u>SWWDB agrees to implement the requirements of the CRC Letter of Assurance. (Current CR compliance period 1.1.2018 through 12.31.2021)</u></p> <p>SWWDB and its subrecipients also assure that it will comply with <u>29 CFR Part 38</u> and all other regulations implementing the laws listed above. <u>SWWDB Policy C.401 Procurement Policy</u></p> <p>SWWDB further certifies that it requires all entities it holds agreements with for WIOA Title I programs and/or activities also comply with the provisions of the laws stated above. <u>(Section 5 of SWWDB Service Provider Contracts)</u></p>
<p>4. ELEMENT 4: UNIVERSAL ACCESS Is the recipient taking appropriate steps to ensure that it is providing universal access to its WIOA Title I-financially assisted programs and activities? Do these steps involve reasonable efforts (including advertisement, recruitment, outreach, and targeting) to include participation of persons with disabilities in the recipient's programs and activities? <u>29 CFR 38.12</u></p>	<p>Yes</p>	<p><u>SWWDB has and does take appropriate steps to ensure that it is providing universal access to its WIOA programs and activities.</u> These efforts include, when appropriate:</p> <ul style="list-style-type: none"> • Program outreach so various target populations become aware of programs and/or activities – • Sending notices about openings in the recipient's programs and/or activities to Job Center partners, schools and/or Community Based Organizations that serve various populations; and • Consulting with appropriate service groups about ways in which the recipient may improve its outreach and service to various populations. • A Reasonable Accommodation and LEP policy developed with clear language that is understood by SWWDB and operator staff

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5.	ELEMENT 5: OBLIGATION NOT TO DISCRIMINATE ON THE BASIS OF DISABILITY		
5.1.	<p><u>GENERAL PROHIBITIONS</u> Does the recipient prohibit discrimination in the administration of WIOA Title I—funded programs or activities providing aid, benefits, services, training, or facilities in any manner on the basis of disability <u>29 CFR 38.12</u>, including the types of discrimination listed in <u>29 CFR 38.6</u>.</p> <p>For the purposes of this section, “prohibited ground” means race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIOA Title I—financially assisted program or activity.</p>	Yes	<p><u>SWWDB Policy B-110 - Equal Employment Opportunity and Affirmative Action Policy</u></p> <p>SWWDB does not discriminate against clients in its service actions on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act of 2014 (WIOA), on the basis of the beneficiary’s citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I-financially assisted program or activity.</p> <p>SWWDB is obligated not to discriminate against employees and applicants on the basis of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability, genetic information, retaliation (against a person who files a complaint of discrimination) and any other category protected by applicable law</p>
5.1.1.	In providing any aid, benefits, services, or training, a recipient must not deny the opportunity to participate in or benefit from the aid, benefits, services, or training; afford an opportunity that is not equally effective; provide different, segregated or separate aid, benefits, services, or training unless such actions are necessary to provide effective opportunity; deny the opportunity to participate as a member of planning or advisory boards; or otherwise limit enjoyment of any right, privilege, advantage, or opportunity enjoyed by others.	Yes	<p>SWWDB does not intentionally deny or otherwise limit the right, privilege, advantage, or opportunity of any person to participate in or benefit from WIOA Title I—funded programs, activities providing aid, benefits, services, training, or facilities.</p> <p>Furthermore, SWWDB does not provide segregated, separate or unequal programs and services, and/or afford any opportunity that is not equally effective.</p>
5.1.2.	The recipient must not aid or perpetuate discrimination by providing significant assistance to a person or an entity that discriminates on the basis of disability.	Yes	<p>SWWDB does not aid or perpetuate discrimination by providing significant assistance to an agency, organization, or person that discriminates on a prohibited ground in providing any aid, benefits, services, or training to registrants, applicants or participants in a WIOA Title I—funded program or activity.</p> <p>SWWDB and its subrecipients assure that it will comply fully with all nondiscrimination and equal opportunity provisions.</p>

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5.1.3.	The recipient must not deny the opportunity to participate in WIOA Title I-financially assisted programs or activities despite the existence of permissibly separate programs or activities.	Yes	<p>SWWDB and program operator staff is fully supportive of program co-enrollment and does not deny any person the opportunity to participate in WIOA Title I programs or activities despite the existence of permissibly separate programs or activities.</p> <p>SWWDB fully supports co-enrollment activities to ensure participants have full access to the benefits and services available in local workforce and assistance programs.</p> <p>SWWDB requires subrecipients to not discriminate in the delivery of programs and services, and monitors agencies for compliance.</p> <p><u>Annual monitoring tools include:</u></p> <ul style="list-style-type: none"> • WIOA Section 188 Assessment • Section 504 Self-Assessment • LEP Data Analysis
5.1.4.	The recipient must administer its programs and activities in the most integrated setting appropriate. <u>29 CFR 38.6</u>	Yes	SWWDB administers its programs and activities in a setting that is open, accessible and appropriate for the delivery of WIOA Title I programs and activities in compliance with <u>29 CFR Part 38.6</u> and other applicable laws
5.1.5.	The recipient must not use standards, procedures, criteria or administrative methods that have the purpose or effect of discrimination; defeating or substantially impairing the accomplishment of the objectives of the WIOA Title I-financially assisted programs or activities; or perpetuating discrimination of another entity if both entities are subject to common administrative control. <u>29 CFR 38.6 (d)(1)</u>	Yes	SWWDB does not use any standards, procedures, criteria or administrative methods that have the purpose or effect of discrimination or impairing the accomplishment of the objectives of the WIOA Title I programs or activities, or perpetuating discrimination by another entity.
5.1.6.	In determining the site or location of a facility, the recipient must not make selections that have a discriminatory effect. <u>29 CFR 38.6 (3)</u>	Yes	SWWDB and WIOA Title I program operator staff considers accessibility when determining the site or location of WIOA Title 1 programs or activities.
5.1.7.	The recipient, in the selection of contractors, may not use discriminatory criteria.	Yes	<p>SWWDB uses competitive procurement processes that ensure non-discrimination when selecting of contractors for programs and services.</p> <p>SWWDB and its subrecipients assure that it will comply with <u>29 CFR Part 38</u> and all other regulations implementing the laws listed above.</p> <p><u>SWWDB Policy C.401 Procurement Policy</u></p>

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			<p>SWWDB further certifies that it requires all entities it holds agreements with for WIOA Title I programs and/or activities also comply with the provisions of the laws stated on page 7. <u>(Section 5 of SWWDB Service Provider Contracts)</u></p>
5.1.8.	<p>A recipient must not administer a licensing or certification program in a discriminatory manner.</p>	<p>Yes</p>	<p>SWWDB does not administer directly any type of licensing or certification program.</p> <p>When approving eligible training providers that deliver training that may lead to licensure or certification, SWWDB ensures that the institution has proper EO policies and does not administer its programs in a discriminatory manner in accordance to WIOA Section 188, Section 504 and other applicable laws.</p>
5.1.9.	<p>The recipient must not impose or apply eligibility criteria that screens out an individual with a disability or class of individuals with disabilities unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered.</p>	<p>Yes</p>	<p>SWWDB does not impose or apply any type of eligibility criteria that intentionally or unintentionally screens out any individual with a disability or class of individuals with disabilities.</p>
5.1.10.	<p>The recipient must not place a surcharge on an individual with a disability to cover the cost of measures such as provision of auxiliary aids.</p>	<p>Yes</p>	<p>SWWDB does not charge any client, including any individual with a disability, for the use of equipment, including auxiliary aids, used for the delivery of WIOA Title 1 programs and activities.</p>
5.1.11.	<p>The recipient must not discriminate against an individual or an entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or an association.</p>	<p>Yes</p>	<p>SWWDB provides services and administers its programs and activities according to <u>its Equal Employment Opportunity and Affirmative Action Policy (SWWDB Policy B-110)</u> and does not discriminate against an individual or an entity because of disability or other protected class.</p>
5.1.12.	<p>An individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that such individual chooses not to accept.</p>	<p>Yes</p>	<p>SWWDB requests any person with a disability to voluntarily request an accommodation prior to any type of aid or accommodation is provided.</p> <p>If an accommodation is needed, SWWDB does not mandate or force any individual to accept any accommodation, aid, benefit, service, training, or opportunity unless the person does so freely of their own choice.</p> <p><u>B.560 Reasonable Accommodation Policy</u></p>
5.2.	<p><u>PROVIDE REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES</u></p> <p>Does the recipient provide reasonable accommodations regarding registration for and the provision of aid, benefits, services or training,</p>	<p>Yes</p>	<p>In compliance with <u>29 CFR Part 38.6</u> and in accordance with our Federal obligations under the Americans with Disabilities Act, Section 503 of the Rehabilitation Act, and other applicable state and local disability related regulations.</p>

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including core, intensive, training, and support services to qualified individuals with disabilities? <u>29 CFR 38.6(2)</u> ; see also <u>29 CFR 38.4 (e)(iii)</u>		SWWDB is committed to providing reasonable accommodations to qualified persons with disabilities who are employees, applicants for employment and program participants unless to do so would cause an undue hardship or pose a direct threat.
<p>5.3. <u>PROVIDE REASONABLE MODIFICATIONS OF POLICIES PRACTICES, AND PROCEDURES</u></p> <p>Does the recipient provide reasonable modifications regarding its policies, practices, and procedures for the registration for and provision of core, intensive, training, and support services to individuals with disabilities? <u>29 CFR 38.14</u></p>	Yes	With regard to aid, benefits, services, training, and employment, SWWDB will provide reasonable accommodation/modifications to qualified individuals with disabilities who are applicants, registrants, eligible applicants/registrants, participants, employees, or applicants for employment, unless providing the accommodation/modification would cause undue hardship or pose a direct threat.
<p>5.4. <u>ADMINISTER PROGRAMS AND ACTIVITIES IN THE MOST INTEGRATED SETTING APPROPRIATE</u></p>		
<p>5.4.1. Does the recipient administer its programs and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities? <u>29 CFR 38.12(6)(d) and 29 CFR 38.13</u></p>	Yes	<p><u>WIOA programs and activities at:</u></p> <ul style="list-style-type: none"> • Rock County Job Center (comprehensive AJC) – Janesville • Southwest Wisconsin Technical College (affiliate) – Fennimore, main campus • Southwest Wisconsin Technical College (affiliate site) – Richland Center • SWCAP Metropolitan Building (affiliate site) – Dodgeville • Blackhawk Technical College, main campus (pending) and Monroe campus (affiliate site) • SWWDB Main Office (affiliate site) - Platteville <p>These locations are accessible and considered to be the most integrated setting appropriate to the needs of individuals with disabilities.</p> <p><u>Recent CR (accessibility) for all locations were verified with 2017 Section 504 self-assessment, 9.2017</u></p> <p>Overall - SWWDB and WIOA program operator staff considers accessibility when determining the site or location of WIOA Title 1 programs or activities.</p>

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5.4.2.	Does the recipient not provide different, segregated, or separate aid, benefits, services, or training to individuals with disabilities or any class of individuals with disabilities unless such action is necessary to provide qualified individuals with disabilities with aid, benefits, services, or training that are as effective as those provided to others? <u>29 CFR 38.12(a)(4)</u>	Yes	SWWDB does not provide different, segregated, or separate aid, benefits, services, or training to individuals with disabilities or any class of individuals with disabilities unless such action is necessary.
5.4.3.	Does the recipient permit a qualified individual with a disability the opportunity to participate in WIOA Title I-financially assisted programs and activities despite the existence of permissibly separate or different programs or activities? <u>29 CFR 38.12(6)(c)</u>	Yes	<p>SWWDB and WIOA program operator staff, in accordance with its EO and Affirmative Action policy, permits a qualified individual with a disability the opportunity to participate in WIOA Title I equally and without regard to the existence of permissibly separate or different programs or activities.</p> <p>SWWDB and WIOA program operator staff understands that even if an American Job Center Network (AJC) participant qualifies for VR services, they are not required to use VR services. Individuals who choose to use or not to use VR services, have the opportunity to utilize WIOA Title I, and any other AJC service they qualify for. The goal is to assist a participant with a disability in achieving positive employment outcomes in the most integrated setting appropriate.</p>
5.5.	<p><u>ABLE TO COMMUNICATE WITH PERSONS WITH DISABILITIES AND WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP) AS EFFECTIVELY AS WITH OTHERS</u></p> <p><u>29 CFR 38.15 and 29 CFR 38.9</u></p>		
5.5.1.	<p>Are steps being taken to ensure that communications with individuals with disabilities are as effective as communications with others?</p> <p>Furthermore, a significant number or proportion of the population eligible to be served, or likely to be directly affected, by a WIOA Title I-financially assisted program or activity may need services or information in a language other than English in order to be effectively informed about, or able to participate in, the program or activity. Where such a significant number or proportion exists. Based on those considerations, take reasonable steps to provide services and information in appropriate languages. <u>29 CFR 38.9</u></p>	Yes	<p>SWWDB and WIOA program operator staff is committed with providing equal opportunity, this includes effective communication in all program services and activities to persons with disabilities as well as with individuals with limited English proficiency (LEP).</p> <p>To assist with complying with all applicable LEP rules, regulations and guidelines <u>SWWDB has appointed Jimmy Watson as LEP Coordinator.</u></p> <p>Jimmy Watson – Rock County Job Center - 1900 Center Ave. Janesville, WI 53546 – 608.314.3300 – TRS #711 – j.watson@swwdb.org – Fax: 608-741-3528</p>

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		<p><u>The Limited English Proficiency – Four Factor Analysis is used to assess overall program accessibility for persons with LEP. For example:</u></p> <ul style="list-style-type: none"> • Use Census data to help determine proportion of LEP persons served • Tracking WIOA Title I participant demographics including individuals using comprehensive AJC facility that disclose LEP • Assess the importance of programs, services, or activities that would have a serious consequence if language barriers prevented LEP person’s access to them • Weigh the demand for language assistance against the organization’s current and projected financial and personnel resources <p><u>LEP Data Analysis Completed 1.10.2018</u></p> <p>Staff takes advantage in trainings and continued education opportunities when available that enhance their customer service skills with providing equal opportunity communication to all individuals.</p> <p>SWWDB is committed to properly post “I Speak...” cards and “Your Right To An Interpreter Poster”.</p> <p>SWWDB has a created list of vital document and is working on translating those documents from English to Spanish.</p> <p>If interpreter or translation services (vital documents) are needed SWWDB may request services from Southern Wisconsin Interpreting & Translation Services, Ltd (SWITS). SWITS provides spoken and sign language interpreters to serve local healthcare systems, government and judicial organizations, and businesses.</p>

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		<p><u>SWITS</u>: 110 S 3rd St, Delavan, WI 53115 / (262) 740-2590 / https://swits.us/ To request a quote: https://swits.us/request-quote/</p> <p><u>Language Line Solutions</u>: 1 Lower Ragsdale Drive, Building 2 Monterey CA, 93940 - CustomerCare@LanguageLine.com or (800) 752-6096.</p> <p><u>12.2017 SWWDB revised Language Assistance Policy, E-111 and Language Assistance Procedures, E-111-1.</u></p> <p><u>The following is a list of the ways Manpower G.S. has reached out to LEP speaking communities (as of 1.2017)</u></p> <ul style="list-style-type: none"> • Attended the Latino Service Providers Coalition meeting to provide attendees an overview on available WIOA services. • Distribute the Spanish language WIOA brochure throughout WDA 11. • We have the Language Line set up so we always have a way to communicate with all potential participants. • Attended BTC’s Latino Open House- Resource Fair • Attend Rock County’s Resource Fair where all members of the community are invited and encouraged to attend. • Overall, Manpower’s manager (Casey Dobson) has made outreach a required and focal point of staff. Outreach activities are conducted on a monthly basis crossing over all demographics.
<p>5.5.2. Does the recipient furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the WIOA Title I-financially assisted program or activity? Does the recipient give primary consideration to the requests of the individual with a disability when determining what type of auxiliary aid or service is appropriate? <u>29 CFR 38.15(2)</u></p>	<p>Yes</p>	<p>With regard to aid, benefits, services, training, and employment, SWWDB will provide reasonable accommodation/modifications to qualified individuals with disabilities who are applicants, registrants, eligible applicants/registrants, participants, employees, or applicants for employment, unless providing the accommodation/modification would cause undue hardship or pose a direct threat.</p> <p><u>B.560 Reasonable Accommodation Policy</u></p>

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5.5.3.	Where a recipient communicates by telephone with beneficiaries and others, does the recipient use telecommunication devices for individuals with hearing impairments (TDDs/TTYs) or equally effective communication systems, such as telephone relay services? <u>29 CFR 38.15(b)</u>	Yes	<p>SWWDB offers various methods when communicating with individuals with a hearing impairment. TTY/TTD 1-800-947-3529, #711 Telecommunications Relay Service (TRS), interpreter services, email as well as texting (between Case Manager and Participant).</p> <p>Communication methods vary depending on the need and request made by each program participant.</p>
5.5.4.	Does the recipient ensure that interested individuals, including individuals with visual and hearing impairments, can obtain information as to the existence or location of accessible services, activities, and facilities, including the provision of appropriate signage at the primary entrances to its inaccessible facilities? <u>29 CFR 38.15(3)(c)</u>	Yes	<p>SWWDB delivers programs and activities in accessible facilities and ensures that individuals with visual and hearing impairments can obtain information about WIOA Title 1 programs and activities.</p> <p>SWWDB is committed in taking appropriate steps to ensure communications with individuals with disabilities, such as beneficiaries, registrants, applicants, eligible applicants/registrants, participants, applicants for employment, employees, members of the public, and their companions are as effective as communications with others.</p>
5.6.	<u>PROVIDE PROGRAMMATIC ACCESSIBILITY FOR PERSONS WITH DISABILITIE</u>		
5.6.1.	<p>A recipient's compliance with this part will satisfy any obligation of the recipient to comply with 29 CFR part 31, the Department's regulations implementing Title VI of the Civil Rights Act of 1964, as amended (Title VI), and with subparts A, D, and E of 29 CFR part 32, the Department's regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (Section 504).</p> <p><u>29 CFR part 32, subparts B and C and appendix A</u>, the Department's regulations which implement the requirements of Section 504 pertaining to employment practices and employment-related training, program accessibility, and reasonable accommodation, are hereby adopted by this part. Therefore, recipients must comply with the requirements set forth in those regulatory sections as well as the requirements listed in this part.</p>	Yes	<p>SWWDB operates its programs and activities with complete awareness of it's obligations imposed by Titles II and III of the Americans with Disabilities Act of 1990 (ADA) as well as requirements set forth by Section 504 pertaining to employment practices and employment-related training, program accessibility, and reasonable accommodation.</p> <p>SWWDB is operating each WIOA Title 1 program and activity in a manner that is accessible and usable by individuals with disabilities.</p> <p><u>Section 504 Self-Assessment – completed 9.2017</u> Over the past 19 years while administering WIA/WIOA programs SWWDB has not received any type of complaint from any individual or entity stating that programs and services were not fully accessible.</p> <p>In addition with assuring all WIOA Title 1 programs and activities are accessible, SWWDB offers select support services to persons with disabilities. These services include: Ticket to Work (Employment Network) including Partnership Plus with WI DVR, Work Incentive Benefits Counseling and Resource Coordination.</p>

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<p>5.6.2. Does the recipient comply with its obligation to operate its program or activity so that, when viewed in its entirety, it is readily accessible to qualified individuals with disabilities, through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternative accessible sites, alteration of existing facilities and construction of new facilities in conformance with standards for new construction, or any other method that results in making its program or activity accessible to individuals with disabilities? <u>29 CFR 32.27</u></p> <p>In choosing among available methods, does the recipient give priority to those methods that offer programs and activities to individuals with disabilities in the most integrated setting appropriate? <u>29 CFR 32.27(c)</u></p>	<p>Yes</p>	<p>SWWDB leases facilities used for the delivery of programs and activities. SWWDB facilities used are in compliance with current accessibility standards making the building readily accessible to and usable by qualified individuals with disabilities.</p> <p>The SWWDB’s EO/Affirmative Action policy provides for reasonable accommodations that are program/job specific and do not create an undue hardship.</p>
<p>5.7. <u>PROVIDE ARCHITECTURAL ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES</u></p>		
<p>5.7.1. Is each facility or part of a facility constructed by, on behalf of, or for the use of a recipient designed and constructed in such a manner that the facility or part of the facility is readily accessible to and usable by qualified individuals with disabilities? <u>29 CFR 32.28 – Architectural Standards and 29 CFR 38.13</u></p>	<p>Yes</p>	<p>SWWDB leases facilities used for the delivery of programs and activities. SWWDB facilities used to provide WIOA Title I services are in compliance with current accessibility standards making the building readily accessible to and usable by qualified individuals with disabilities.</p> <p><u>Comprehensive and Affiliate Sites – Physical Accessibility</u></p> <ol style="list-style-type: none"> 1. Rock County Job Center (comprehensive AJC) – Janesville – last review, Access Survey by Independence First, Jan. 2015 – nearly all of the non-conforming items on that Accessibility Report have been remedied – Example Need: parking stall lines. 2. Southwest Wisconsin Technical College (AJC) – Fennimore, main campus – last review, required CR audit, Oct. 2016 – nearly all of the non-conforming items on that Accessibility Report have been remedied. Federal Office of Civil Rights requires the Wisconsin Technical College System (WTCS) to audit each Technical College District once every 8 years. SWTC has up to two years to remedy any violation in that report. Note: SWTC’s Richland Center location was not included in their 2016 audit. SWWDB is working with affiliate partners in securing a accessibility audit for 2018

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		<p>3. SWCAP Metropolitan Building (affiliate site) – Dodgeville - had a physical accessibility review during construction of ACHC dental building (adjacent to Metro building) in 2012 in order to obtain funding for project, both buildings had to pass physical accessibility review and meet ADA compliance.</p> <p>4. Blackhawk Technical College, main campus (pending) and Monroe campus (affiliate site) - last review, required CR audit, Jun. 2013</p> <p>5. SWWDB, main office (affiliate site) – physical site reviewed as part of DWD WIA monitoring March 2015 – the non-conforming door handles have been remedied. Note: Independence First conducted an ADA audit on 12.7.2017. As of 1.11.2018 SWWDB is reviewing the findings and will be developing a timeline for completing upgrades.</p> <p>These locations are accessible and considered to be the most integrated setting appropriate to the needs of individuals with disabilities.</p> <p>Recent CR (accessibility) for all locations were verified with 2017 Section 504 self-assessment, 9.2017</p> <p>SWWDB is also committed with ensuring accessibility with it’s online presence. Section 508 Amendment to the Rehabilitation Act of 1973 was enacted to eliminate barriers in information technology.</p> <p>To assess it’s online accessibility SWWDB conducts an annual review of its web applications, web pages and attached media files.</p> <p><u>SWWDB uses WAVE (Web Accessibility Evaluation Tool) – Last Review: 2.20.2018.</u> For www.swwdb.org and www.jobcenter.org. Both sites returned zero errors.</p>
<p>i. Is each facility or part of a facility which is altered by, on behalf of, or for the use of a recipient in a manner that affects or could affect the usability of the facility or part of the facility altered in such a manner that the altered portion of the facility is readily accessible to and usable by qualified individuals with disabilities? <u>29 CFR 32.28(b) – Alteration</u></p>	<p>Yes</p>	<p>SWWDB leases facilities used for the delivery of programs and activities. SWWDB facilities used to provide WIOA Title I services are in compliance with current accessibility standards making the building readily accessible to and usable by qualified individuals with disabilities.</p>

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<p>i. Does the design, construction, or alteration of facilities meet the most current standards for physical accessibility prescribed by the General Services Administration under the Architectural Barriers Act at <u>41 CFR 101-19.6</u> or does the recipient adopt alternative standards when it is clearly evident that equivalent or greater access to the facility or part of the facility is thereby provided?</p> <p><u>29 CFR 32.28(c) - Standards for architectural accessibility</u></p>	<p>Yes</p>	<p>See Page 16.</p>
<p>b. <u>EMPLOYMENT PRACTICES</u></p>		
<p>i. Harassment of an individual based on race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in any WIOA Title I-financially assisted program or activity, is a violation of the nondiscrimination provisions of WIOA and this part.</p> <p>Does the recipient prohibit discrimination on the basis of disability and other protected classes in employment practices engaged in by recipients?</p> <p><u>29 CFR 38.10 and 29 CFR 38.12</u></p>	<p>Yes</p>	<p><u>SWWDB Policy B-110 - Equal Employment Opportunity and Affirmative Action Policy</u> state the commitment of SWWDB to provide equal opportunities to its employees, and prohibit discrimination on a variety of factors including disability. This policy provides for continuing reinforcement of SWWDB’s intent not to discriminate.</p> <p>All employment notices include the statement “SWWDB is an equal employment opportunity (EEO) and affirmative action employer.”</p>
<p>i. Provide Reasonable Accommodation for Individuals with Disabilities Does the recipient require the provision of reasonable accommodation, when appropriate? <u>29 CFR 38.13 and 29 CFR 38.14</u></p>	<p>Yes</p>	<p>With regard to aid, benefits, services, training, and employment, SWWDB will provide reasonable accommodation/modifications to qualified individuals with disabilities who are applicants, registrants, eligible applicants/registrants, participants, employees, or applicants for employment, unless providing the accommodation/modification would cause undue hardship or pose a direct threat.</p>

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<p>i. Provide for and Adhere to a Schedule to Evaluate Job Qualifications to Ensure That the Qualifications Do Not Discriminate on the Basis of Disability For employment, does the recipient review job qualifications to ensure that it does not use qualification standards, employment tests or other selection criteria that screen out or tend to screen out an individual with a disability on the basis of that disability, unless the standard, test or other selection criteria, as used, is job-related for the position in question and consistent with business necessity? <u>29 CFR 38.18(b) and 29 CFR 32.14</u></p> <p>For employment-related training, does the recipient review selection criteria to ensure that they do not screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered? <u>29 CFR 38.18(d) and 29 CFR 32.14</u></p> <p>For employment and employment-related training, does the recipient select and administer employment and training tests that, when administered to an individual with a disability that impairs sensory, manual, or speaking skills, accurately reflect the skills, aptitude, or other factors that the test purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of the individual? <u>29 CFR 38.18(d) and 29 CFR 32.14</u></p>	<p>Yes</p>	<p>Job descriptions are reviewed as essential functions change. The job description format includes a section related to the physical demands of the job. The review verifies the physical demands are relevant to essential job requirements/duties and do not create an unreasonable, discriminatory impact or screen out an individual with a disability on the basis of that disability.</p> <p>SWWDB encourages staff to participate in employment-related training. All employees may participate in training that is job related and provided that necessary resources are available.</p> <p>SWWDB does not use employment and/or employment-related training tests as a criterion for selection for employment or participation in training.</p>
<p>v. Limit Preemployment/Employment Medical Inquiries/Confidentiality. Does the recipient prohibit preemployment inquiries and pre-selection inquiries regarding disability? <u>29 CFR 32.15</u></p>	<p>NA</p>	<p>SWWDB does not use any type of pre-employment inquiries and pre-selection medical testing and there are no plans to begin doing this type of inquiry.</p>

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<p>6. ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE</p>		
<p>Does the recipient comply with the requirements of <u>29 CFR 38.41 through 38.45</u> related to data and information collection and maintenance? Does each grant applicant and recipient promptly notify the Director of the Civil Rights Center when any administrative enforcement actions or lawsuits are filed against it alleging discrimination on the basis of disability? <u>29 CFR 38.42</u></p>	<p>Yes</p>	<p>SWWDB only collects data essential to comply with WIOA regulations and outcomes as administered by the Wisconsin Department of Workforce Development. SWWDB has never had any administrative enforcement actions or lawsuits filed against it alleging discrimination on the basis of disability.</p> <p>If such action were to occur, SWWDB would promptly notify the Director of the Civil Rights Center in compliance with <u>29 CFR 38.42</u>.</p>
<p>7. ELEMENT 7: MONITOR FOR COMPLIANCE</p>		
<p>a. Does the EO Officer monitor and investigate 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? <u>29 CFR 38.28 – 38.33</u></p>	<p>Yes</p>	<p>SWWDB's Equal Opportunity Officer is responsible for coordinating it's obligations under 29 CFR Part 38.28 through 38.33. Additional resource: https://www.dol.gov/oasam/programs/crc/rnr.htm</p> <p><u>EOO responsibilities include, but are not limited to:</u></p> <ul style="list-style-type: none"> • Serving as the recipient's liaison with CRC; • Monitoring and investigating the recipient's activities, and the activities of the entities <u>that receive WIOA Title I financial assistance from the recipient</u>, to make sure that the recipient and its sub-recipients are not violating their nondiscrimination and equal opportunity obligations under WIOA Title I and 29 CFR Part 38; • Reviewing the recipient's written policies to make sure that those policies are nondiscriminatory; • Developing and publishing the recipient's procedures for processing discrimination complaints, and making sure that those procedures are followed; • Reporting directly to the appropriate official about equal opportunity matters; • Undergoing training (at the recipient's expense) to maintain competency; and • If applicable, overseeing the development and implementation of the recipient's Methods of Administration under 29 CFR § 38.54

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		<p>The SWWDB Equal Opportunity Officer and Section 504 Coordinator: Southwest Wisconsin Workforce Development Board (SWWDB) Equal Opportunity Officer: Ryan Schomber – 1900 Center Ave. – Janesville, WI 53546 - Email: r.schomber@swwdb.org – Faxed: (608) 741-3528 – Phone: (608) 314-3300 (#303) – Wisconsin Relay Service: #7-1-1</p>
<p>b. Has the recipient conducted a self-evaluation in accordance <u>with 29 CFR 32.6(c)</u> (i.e., evaluate current policies and practices and their effects on persons with disabilities and take remedial steps to eliminate the effects of any discrimination, and consult with interested parties such as individuals with disabilities and organizations representing persons with disabilities)? <u>29 CFR 38.31(b,c,d)</u></p>	<p>Yes</p>	<p><u>As part of the annual WIOA 188 and Section 504 self-assessment process – the following policies, procedures, forms and documents are reviewed.</u></p> <ul style="list-style-type: none"> • WIOA Application (participant form) • WIOA Complaint Grievance Procedure Acknowledgement (participant form) • WIOA Grievance Information Form (participant form) • WIOA Participant Rights Responsibilities • B-631 Grievance and Appeal Process Policy • B-110 EEO and AA Policy • B-111 EEO Complaint Procedure • B.560 Reasonable Accommodation Policy • C-401 – Procurement Policy • E-110 Complaints, Grievances and Appeals Policy • E-111 Language Assistance Policy • E-111-1 Language Assistance Procedures • OJT and Work Experience Related Procedures, Contracts and Supporting Documents
<p>8. ELEMENT 8: COMPLAINT PROCESSING PROCEDURES Does the EO Officer develop and publish the recipient's procedures for processing discrimination complaints and make sure that those procedures are followed? <u>29 CFR 38.69 through 29 CFR 38.85</u></p>	<p>Yes</p>	<p>On 7.26.2016 SWWDB revised it's Complaint Procedure. The purpose of all revisions was to establish a clearer process of each action (complaint and grievance) including flow of appeal and correct point of contact.</p> <p>Three WIOA participant documents were revised. They include: Participant Complaint, Grievance, and Appeal Procedure Acknowledgement, Grievance Information Form and Participant Rights, Responsibilities and Requirements.</p> <p>At the time of WIOA enrollment, case managers explain the EO complaint process to clients who certify their understanding in writing. The written certification is placed in the clients' file.</p>

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<p>9. ELEMENT 9: CORRECTIVE ACTIONS/SANCTIONS Does the EO Officer, after monitoring and investigating the recipient's activities and the activities of the entities that receive WIOA Title I financial assistance from the recipient, take corrective action to ensure that the recipient and its subrecipients are not violating their nondiscrimination and equal opportunity obligations?</p>	<p>Yes</p>	<p>SWWDB expects all employees, clients, program participants, vendors, associates, and agencies receiving funding from SWWDB to participate in its program of non-discrimination and shall, when appropriate, develop and implement their own equal opportunity policies and procedures.</p> <p>The SWWDB EO Officer will take necessary corrective action to remedy any instances where it is determined that discrimination or retaliation has occurred.</p> <p>Employees discriminating against other staff or clients will be subject to discipline under appropriate SWWDB policies.</p> <p>Clients discriminating against another client will be subject to discipline under the applicable participant code of conduct. Any employee or client retaliating against anyone raising concerns about any type of harassment will be subject to disciplinary action up to and including discharge or expulsion from SWWDB sponsored activities.</p>