

ALABAMA WORKFORCE INVESTMENT SYSTEM

Department of Economic and Community Affairs
Workforce Development Division
401 Adams Avenue
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Montgomery, Alabama 36103-5690

October 3, 2003

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY2003- 07

SUBJECT: Workforce Investment Act (WIA) Equal Opportunity (EO) Methods of Administration

- 1. Purpose.** This transmits requirements for designation of Equal Opportunity Officers in WIA programs in the Alabama Workforce Investment System.
- 2. Discussion.** The basic nondiscrimination and equal opportunity obligations of recipients of WIA financial assistance from the U. S. Department of Labor are found at WIA Section 188 and 29 CFR Part 37 (Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998). The regulations at 29 CFR Part 37 require States to establish equal opportunity methods of administration "...designed to give reasonable guarantee that all recipients will comply, and are complying, with the nondiscrimination and equal opportunity provisions of the WIA..." and applicable regulations.

WIA nondiscrimination regulations require that each recipient of WIA Title I funds, except small recipients and service providers, designate an Equal Opportunity (EO) Officer. A small recipient is a recipient that serves a total of fewer than fifteen (15) beneficiaries during the entire grant year, and employs fewer than fifteen (15) employees on any given day during the grant year. A service provider is (1) "...any operator of, or provider of aid, benefits, services, or training to (a) any WIA Title I-funded program or activity that receives financial assistance from or through any State or LWIA grant recipient; or (b) any participant through [an] Individual Training Account (ITA); or (2) any entity that is selected and/or certified as an eligible provider of training services to participants."

In the Alabama Workforce Investment System, the State (i.e., Alabama Department of Economic and Community Affairs [ADECA], Workforce Development Division [WDD]) and each local workforce investment area (LWIA) must designate an Equal Opportunity Officer.

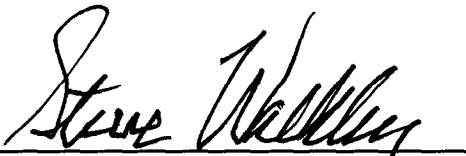
An EO Officer may be assigned other duties and responsibilities, as long as those duties and responsibilities do not create or appear to create a conflict of interest with his/her responsibilities as EO Officer.

Ms. Lillian Patterson is the State WIA EO Officer and the EO Officer for the Alabama Workforce Investment Area (AWIA), the LWIA administratively and organizationally located within the ADECA WDD. Ms. Patterson's address is Workforce Development Division, Alabama Department of Economic and Community Affairs, 401 Adams Avenue, P.O. Box 5690, Montgomery, Alabama 36103-5690.

Basic responsibilities of WIA Equal Opportunity Officers and other obligations of recipients related to the position are described in an attachment to this Directive.

3. Action. Each LWIA must designate a senior-level employee as Equal Opportunity Officer, and make that person's name, position title, address, and telephone number public. Each LWIA must submit the name, position title, job description, address, telephone number, and e-mail address of the EO Officer to Lillian Patterson, State WIA EO Officer, by November 3, 2003. Please include a copy of an organizational chart for the LWIA administrative entity or workforce investment board, as appropriate, that shows the EO Officer's position and to whom he/she reports.

4. Contact. Questions should be directed to Lillian Patterson, Equal Opportunity Officer, Workforce Development Division at (334) 242-5861, or via e-mail at lillianp@adeca.st.al.us.



Steve Walkley, Division Director
Workforce Development Division

Attachment

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Local Workforce Investment Area Designation of Equal Opportunity Officers

Responsibilities of LWIA Equal Opportunity Officers include, but are not limited to:

- Serving as liaison with the State WIA EO Officer and with the Civil Rights Center (CRC), Department of Labor.
- Monitoring and investigating activities of the LWIA and its subrecipients to ensure compliance with WIA nondiscrimination and equal opportunity requirements.
- Reviewing the LWIA's policies to ensure that the policies are nondiscriminatory.
- Assisting and cooperating with the State WIA EO Officer or other authorized ADECA WDD employees in the investigation of discrimination complaints, and ensuring that discrimination complaint procedures are published or otherwise communicated in the LWIA.
- Reporting directly to chief official in the LWIA on equal opportunity matters.
- Participating in training to maintain competency, at the expense of the LWIA, if the Director, USDOL Civil Rights Center, or the Director, Workforce Development Division requires it.

Local Workforce Investment Areas are responsible for:

- Publicizing the name, title, address and telephone number of the LWIA's Equal Opportunity Officer within and throughout the local area, and submitting that information to the State WIA EO Officer.
- Making sure that the EO Officer's name and contact information are included in internal and external correspondence related to the LWIA's equal opportunity and nondiscrimination policies and programs.
- Assigning sufficient staff, resources, and other assistance to the EO Officer to ensure compliance with WIA nondiscrimination provisions to the maximum extent possible.
- Making sure the EO Officer and others involved in coordinating and implementing the LWIA's equal opportunity and nondiscrimination efforts are provided the opportunity to receive appropriate training.