

MONITORING YOUR LWIA

FOR COMPLIANCE

This training program will assist the local Equal Opportunity Officers in conducting effective monitoring of their local area, ensuring all WIA Title I funded programs are conducted in a non-discriminatory manner.

**Department of Commerce and
Economic Opportunity**
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MONITORING FOR COMPLIANCE

Section 188 of the Workforce Investment Act (WIA) of 1998 prohibits discrimination by recipients on the basis of race, color, national origin, sex, religion, disability, political affiliation or belief, age, and for beneficiaries only, citizenship or participation in any WIA Title I program or activity. Such discrimination in the provision of services under WIA Title I, as well as in employment “in the administration of, or in connection with,” any program or activity that receives financial assistance under WIA Title I is prohibited. Final Rule 29 CFR 37 covers the implementation of the nondiscrimination and equal opportunity provisions of the Workforce Investment Act. A recipient is any entity that receives federal financial assistance to provide programs, services, or activities under WIA. This applies to recipients who receive the funds directly or indirectly (sub-recipients or contractors).

These provisions are outlined in the State's Methods of Administration (MOA) and include: Equal Opportunity Officer designation; notice and communication; assurances; universal access to programs and activities; compliance with Section 504 of the Rehabilitation Act of 1973, as amended; data collection and analysis; a compliance monitoring system; complaint processing procedures; and corrective actions and sanctions.

In order to ensure all recipients are fulfilling this obligation, monitoring of each recipient is required. Monitoring reviews occur on three levels: the State, the Local Workforce Investment Area, and the recipients. A monitoring system will provide basic steps to ensure that recipients, sub-recipients, and contractors operate in a manner that ensures equal opportunity and nondiscrimination in their programs, services, and employment. The monitoring system is comprised of desk audits, on-site reviews, report preparation, follow-up visits, and technical assistance. A self-assessment monitoring tool will guide the monitoring team members through the process of compliance monitoring.

Monitoring occurs on a regular basis so that discrimination may be detected early, forestalling potential complaints and ensuring corrective actions are prompt.



Who has responsibility for Compliance Monitoring?

Monitoring at all levels ensures equal opportunity to programs and services is available through WIA funding. Cooperation between the State and Local EO Officers, as well as recipient representatives will also ensure that all applicants, participants, and employees who are limited in English proficiency or who may be an individual with a disability will have access to WIA services, programs, and employment.

At the state level, the State designated Equal Opportunity (EO) Officer has the overall responsibility of ensuring that all recipients of WIA funding comply with the requirements of Section 188 and Final Rule 29 CFR Part 37.

At the local level, each Local Workforce Investment Area (LWIA) has the obligation of assigning a local EO Officer to their area. The EO Officers in each local area will work with the State EO Officer to develop a system of evaluation and monitoring the measure to which each recipient is complying with the obligations of the federal regulations.

Recipients of WIA funding are required to designate an Equal Opportunity Officer who meets the eligibility criteria and assumes prescribed responsibilities (such as monitoring, investigating, reviewing written policies, undergoing training). Small recipients are not required to designate an EO Officer, but must assign the responsibility of developing and publishing of complaint procedures, and the processing of complaints. A small recipient is one who serves less than 15 beneficiaries during the grant year and employs less than 15 employees on any given day during the grant year.



What are the Components of an Effective Monitoring System?

An effective monitoring system ensures the identification of potential non-compliance or discriminatory acts that may prohibit or limit an equal opportunity to access the programs and services administered by the State through the LWIAs. The monitoring system is comprised of many parts, each designed to address specific areas of the MOA. Element Seven of the MOA addresses the expectations of an efficient compliance monitoring system.

There are two steps to the monitoring process the desk review and on-site visit. Desk reviews analyze the statistical or quantifiable data available for the recipients. On-site reviews measure compliance with the architectural and programmatic requirements of the law. A monitoring tool serves as a checklist by both State and local EO Officers to facilitate EO monitoring. Local monitoring activities address the day-to-day effectiveness of the MOA plan in the LWIAs.

Once concluded, a written report of findings with an expectation that a corrective plan be developed to address and correct any deficiency identified during the monitoring survey. A follow-up survey will ensure the implementation of the corrective action plan and that the steps taken were in fact effective in eliminating the cause of non-compliance. If the corrective actions taken do not eliminate the initial finding or if no action occurred, technical assistance to the recipient to assist in understanding the regulatory requirements and acceptable methods of compliance will occur.



What are Desk Audits Designed to Identify?

The desk review begins with a self-evaluation conducted by the local EO Officer. The Self-Evaluation Tool is both a monitoring device and a training tool. This tool, while comprehensive in nature to identifying the majority of requirements of the Nine Elements of the MOA, is not the sole evaluation means. It is only one utensil in the desk review process.

Specifically, the desk review consists of reviewing and evaluating local policies and procedures to ensure they eliminate the potential for discrimination. These would include:

- previous monitoring reports and other documentation for areas of concern;
- program accessibility reports;
- procedures to ensure compliance with requirements pertinent to individuals with disabilities or persons with limited English proficiency; and
- discrimination complaint files and corrective actions taken as a result of discriminatory findings

In addition, desk audits are a means to evaluate and analyze available data and information specific to the local area and its recipients. A compilation of statistical reports on employment services, WIA services, program performance, and applicant and customer data is the basis for the analytical evaluation. Demographic information, EO reports, random sample applications, and other employment services information is included in the analysis.

This analysis compares local market information (LMI) and data available from other local workforce investment areas. Analysis by race/ethnicity, sex, age, English proficiency and disability status, of programs, activities, and employment, including application rates, placement and termination, is performed to determine if any significant differences exist. Also included in the analysis is a comparison of applicant and customer data to the census and unemployment data for the LWIA. Further evaluation and comparison may occur for a particular county in the local area. If identification of significant differences arises, on-site monitoring would be a means to determine the reasons behind such differences.

When significant disparity appears in the data analysis performed during the desk review, the workforce board should explore the causes of the disparity and determine if:

- the disparity is from a neutral practice or procedure. If so, a valid reason must exist or the practice discontinued.



- the disparity is a difference in treatment. If so, the manager must articulate a nondiscriminatory reason for such practice or the practice discontinued.

Speculation in explaining the reasons for the practice or procedure is not acceptable. The only acceptable explanation is that which is based on the record.



What are the Steps in an On-Site Review?

The desk audit is the initiation of an effective on-site review. The information gathered during the desk audit should build the basis for a focused visit that reviews significant differences identified during the desk review analysis. An on-site review is not just the physical evaluation of the facility(s) and programs. It is a formal meeting with the directors or administrators (or a designated representative) of each location to discuss the scope of the review and make appropriate arrangements to conduct client and staff interviews or file reviews. It is also an opportunity to conduct further analysis of the data and discuss findings of the analysis.

Every on-site visit, whether it is a formal monitoring review or an informal request for information, should begin with an entrance conference. This is an opportunity to inform the director/administrator of the facility of the purpose of your visit and receive their consent to proceed. It is also a chance to share your preliminary analysis of the data and reports reviewed during the desk audit. In some instances, there will have remained questions that need addressed to fully understand the data analysis. Clarification at this time will provide the final pieces to the analysis puzzle.

Applicant and participant file reviews assist in understanding the reasoning behind the choices made in the eligibility determination. Unsuccessful applicant files may provide indications of discrimination of a particular protected class. Those files for applicants that are successful in becoming participants or customers may have indicators of preferential treatment towards those individuals not in a protected class. Employment decisions may also include a bias towards an unprotected class, thus a comparison of files on those employment applicants and hired employees must take place.

As a part of the initial phase of the on-site review, a discussion of the self-evaluation findings with the contact individual and/or any designated representatives will occur. At this point, it may be advisable to gather those individuals in the organization who have responsibility for directly addressing the findings. They will better understand comments and suggested remedies of any deficiencies found in the self-evaluation if they are hearing them firsthand. They may also want to suggest ideas for alternative corrective measures.



Additional staff may be involved during interviews to determine the validity of information and identify specific reasoning for decisions made during the application review process. Staff will discuss how they handle intake for those individuals with disabilities or who may be limited in English proficiency. They will also discuss applicant notification of the local area complaint procedures and if they are aware of any reported discrimination complaints.

Staff interviews assure the monitor that every level of the organization is in receipt of the necessary information regarding equal opportunity requirements related to their work. Interviews with several employees should occur amongst the various departments or units. Adequate representation of management and front line staff in the process is crucial.

Customer (applicant and participant) interviews are necessary to ensure non-discrimination in the activities and programs provided by the organization. However, a customer may decline to participate. A customer choosing to participate has the following assurances:

- they do not need to divulge any information that makes them uncomfortable;
- they may give any concerns they have encountered during their visit(s);
- they are encouraged to provide recommendations on how the facility may better provide universal access;
- the information provided will not affect their eligibility to receive benefits or services; and
- information regarding race/ethnicity, age, gender, disability, or proficiency in English is confidential.

Compliance with Section 504 of the Rehabilitation Act of 1973, as amended, assures nondiscrimination and equal opportunity for various categories of persons, including persons with disabilities, who apply for and participate in programs and activities operated by recipients of WIA Title I financial assistance. To assure this compliance a facility accessibility survey addresses both programmatic and architectural accessibility. This survey is part of the overall monitoring review. While a thorough accessibility survey is part of the scheduled monitoring, ongoing assessments of the physical aspects of the site ensure continuous compliance.

The State has developed, with assistance from the Disability Program Navigators, a checklist to conduct an accessibility survey for both programmatic and architectural accessibility. The EO Officer in each of the LWIA's locations, as well as affiliate sites should utilize the accessibility checklist. Those recipients of an LWIA who want to conduct their own periodic evaluations of their facilities, equipment, and environment may also use the checklist.



Architectural accessibility is an assurance that the design and construction of all facilities allows any applicant, client, and employee access. The accessibility checklist references the standards found in the federal regulations. The organization must meet the requirements regardless of whether they currently have customers or employees with disabilities. Architectural access may require creativity in designing or altering the current methods and may involve the redesign of equipment or facilities, provision of services at alternate locations, or use of aides such as accessible lifts, vehicles, or other technology. In the extreme cases, moving to a new location or construction of an entirely new facility may be required.

Many times, people think of accessibility only in terms of the physical factors that make an Illinois workNet™ Center usable to the public and its employees. Accessibility extends beyond the visible issues and includes programs, processes, policies, and procedures of services and activities available through WIA funds. These are programmatic accessibility. TTY availability and interpreter services, as well as variable format materials are necessary to ensure access to information for all applicants and customers. Technologically provided information and materials must also meet the requirements for programmatic accessibility. The monitor should be aware of the various innovative ways to provide accessibility to the information and services available.

Alternate formats are required for any materials available to customers and clients. For example, copies of handouts might need to be available in multiple languages as well as large print and Braille to ensure customer access to vital information about the services and programs available. The monitor should be verifying that this information is available.

In areas of the state where a higher need for a specific language exists, evaluation should include that need. This is where data analysis conducted during the desk review might detect a specific issue in a given area of the state. For example, several areas of Cook County are highly populated with Hispanic, Polish, and Asian speaking residents. In these areas, pamphlets, brochures, and applications should be readily available in versions understandable to these populations.

The communities that make up a given LWIA can be a key resource in ensuring accessibility to all. These community contacts may provide needed services to persons with special needs. Through reviewing agreements with local organizations, the EO Officer can ensure all recipients have met their obligation for universal access. The programs provided by these organizations are invaluable to the community and the LWIA.



The community-based organizations (CBOs) mentioned above may be called upon to assist in reviewing complaints of discrimination. Complaints expressed by customers or employees may be addressed with the intervention of and assistance by CBOs. Interviews of representatives of these organizations may provide insight to past or potential complaints.

When all attempts and practices by a recipient fail to provide full universal access and a client or employee feels wrongfully discriminated against in the selection or hiring process, complaints will occur. These complaints provide the monitor with a background to the policies or actions that lead to the suspected discriminatory act. The monitor will review each complaint and receive an assurance from the recipient that as necessary corrective measures are in place to prevent future injustices.

The State has a detailed discrimination complaint policy. Part of monitoring is ensuring this policy is available and properly followed by the recipients. Generally, the complaints made against a recipient by an applicant, participant, or client result from feeling unfair treatment occurred during the reception, intake and/or assessment process. For example, an individual may indicate he feels he received an inappropriate assessment and should receive a denied service or program.

The monitor should therefore determine if a recipient's process for conducting intake and assessments violates any of the nondiscrimination requirements. They should review the process and observe an intake assessment. Discussions with the case manager or individual making the assessment might identify areas of concern prior to an actual act of discrimination. This discussion and observation should include the provisions for serving persons with disabilities or those who are non-English speaking.

Review contracts, assurances, and other similar agreements to confirm that they are nondiscriminatory and contain the required documentation and language regarding nondiscrimination and equal opportunity. If the assurance listed below is not found or referenced in contract documents or agreements with recipients, a plan for incorporating the language is required as part of corrective action. .



29 CFR 37.20 requires that each application for financial assistance under Title I of WIA, as defined in 29 CFR 37.4, must include the following assurance:

As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA 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 of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I-financially assisted program or activity, and to all agreements, the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.



Following the formal on-site review, the EO monitor must sit down with the director/administrator or representative to discuss their findings. Clarify areas of question to ensure the monitor has a full understanding of their observations and discoveries. Provide a preliminary evaluation with some suggested methods of correction.

In addition, let the LWIA know that the release of the final report of findings will occur within 30 days of the visit. This final report will detail all of the findings and suggest more concrete methods of corrective action. The report should also mention areas in compliance to indicate the positive measures the recipient has taken to comply with the regulations against discrimination.

The monitor should indicate a follow-up visit, within six-months from the date of the initial monitoring review would occur, to ascertain corrective actions addressed.



SELF-EVALUATION TOOL

The State has developed a Self-Evaluation Tool to assist EO monitors in conducting an effective and efficient compliance monitoring of their LWIA and its recipients. The comprehensive self-evaluation must be completed on an annual basis and submitted to the IL Department of Commerce and Economic Opportunity WIA EO Officer by June 30. (Exceptions exist for LWIAs included in a State accompanied visit as described under the Monitoring Schedule of this manual.)

The self-evaluation tool allows the monitors to appraise the conditions currently existing within their local area. This tool may be provided up front to each recipient of the LWIA so that they can do preliminary evaluations of their operations and conditions.

What are the Elements of the Methods of Administration?

Incorporated in the tool are the Nine Elements of an effective Methods of Administration (MOA). Within each element, there is an attempt to assure observation or evaluation of each requirement. The nine elements are:

- *Element 1 - Designation of an EO Officer*
- *Element 2: Notice and Communication*
- *Element 3: Contract Assurances*
- *Element 4: Universal Access*
- *Element 5: Compliance w/Section 504*
- *Element 6: Data Collection, Information Collection, & Records Maintenance*
- *Element 7: Compliance Monitoring*
- *Element 8: Compliant Processing Procedures*
- *Element 9: Corrective Actions/Sanctions*



REPORTS

Any thorough investigation, evaluation, or monitoring must be accompanied by a report of findings. This report may be in the form of a letter indicating the events and outcome of the review process. It might entail a descriptive outline of each of the steps taken to review and evaluate the operations and processes of the organization monitored. Checklists, data analysis forms and spreadsheets, or other documentation may be included. The documentation should ensure the information they provide is accurate, concise, and provides the needed information necessary to convey their concerns and promote change where necessary.

What Reports Need Prepared Following Monitoring?

Several reports and letters are required upon completion of a compliance monitoring. The following outlines these correspondences.

Report of Findings

When the monitoring review occurs with the State EO Officer or their representative, a letter acknowledging the visit will be forthcoming from the State EO Officer to the local EO Officer. This is a confirmation of the accompanied visit and provides an opportunity to acknowledge the findings of the visit. The letter will reiterate the timelines for completion of a detailed report of findings and includes both the EO Officer and the recipient(s) surveyed.

If the State EO Officer has completed only a desk review of information provided by the local EO Officer, a letter will follow that indicates their findings and concerns identified. Any deficiencies found require corrective action, along with suggested actions.

Letters of findings from the State EO Officer to the local EO Officer will be completed and mailed within 30 days of the review. The letter will request submission of a plan regarding needed corrections.



Similarly, if a monitoring visit occurred between the local EO Officer and a recipient letters must be prepared and sent to both the State EO Officer and the administrator/director of the recipient. These letters are the responsibility of the local EO Officer. They must be sent within 30 days of the visit and outline the findings of the review. This should also include specific detailed information such as a copy of the Self-Assessment Tool and Accessibility Monitoring Checklist. The State EO Officer for further clarification may request additional documentation and information.

Corrective Action Plan

Within 60 days of receipt of the letter of findings, a corrective action plan must be submitted to the outlining any outstanding items, proposed correction dates, and the anticipated corrective measures. For items that have been completed prior to submission of the corrective action plan, the date(s) the corrections were completed must be included as well as supporting documentation such as photographs, work orders, or other positive indications of completion. Any items that remain outstanding after the submission of the corrective action plan must be included along with an estimated completion date.

When the monitoring occurs between the State and Local level, submit the corrective plan to the State. In instances when the monitoring occurs at the Local level with the contractors and service providers, the Local EO Officer receives the plan.

Acceptance of Corrective Action Plan

Once received, a review of the corrective action plan will occur for completeness and acceptability of terms. Upon acceptance, the local Administrator/Director will receive a letter of acceptance including one of two determinations:

- compliance; or
- compliance, with deficiencies

A determination of "compliance" indicates agreeing to the corrective action plan as submitted and all deficiencies or concerns are adequately addressed. A letter indicating "compliance, with deficiencies" indicates an acceptable corrective action plan with the acknowledgement that minor program related problems remain and have an acceptable target date for correction.



If the plan is unacceptable, a certified letter, return receipt requested, will go to the local administrator/director requesting additional information or clarification. reasons for such unacceptable plans may include one or more serious deficiencies identified during the review, an inappropriate target date(s) for completion of all corrective measures, or an inordinate number of deficiencies identified or outstanding.

A copy of the response received from the administrator/director will be included with a copy of the final report of findings and corrective action plan and sent to the Deputy Director of the Bureau of Workforce Development (BoWD), as well as the Local Workforce Investment Board (LWIB) Chairperson.

Such measures in instances of unacceptable plans of action ensure the programs and services provided through the funding received under WIA are available to each applicant and client of the system. These actions ensure the State remains in compliance with its obligations to the United States Department of Labor (USDOL).

The process for reviewing and accepting corrective action plans is the same at the State and Local level.

Follow-Up Reports

Letters and reports following a monitoring visit are handled much in the same manner as those produced following a general monitoring visit. Issuance of the letter on the report of findings will occur within 30 days of the visit. A corrective action plan is submitted within 60 days. A determination is then made on whether the plan is acceptable or not. Further follow-up visits may be necessary to provide continued assistance during the correction of deficiencies.



FOLLOW UP

The State's dedication to the fair and equitable treatment of all applicants and clients is in the design of the Methods of Administration to ensure the prevention of discrimination. In situations where a particular local area is having difficulty in complying with their obligations under Section 188 of WIA or 29 CFR 37, the State will provide necessary technical assistance through a follow-up visit.

What is a Follow Up Visit?

Upon the conclusion of a monitoring visit letters and reports outlining the findings sent, and corrective actions accepted, the State might conduct a follow-up visit to ensure adequate compliance. The follow-up visit is a focused appointment designed to address specific areas of concern. Follow-up will occur within six (6) months of the initial on-site monitoring or a desk review of a local area's monitoring activities. The visit ensures the corrective action plan is on target and measures put in place to ensure continued compliance.

In cases where there is an unacceptable corrective action plan, the State will return the plan and conduct a follow-up visit to discuss revising the plan. This provides the opportunity to evaluate the conditions in a more in depth nature and allows for on-the-spot corrections when possible.

In instances where the follow-up monitoring identifies initial findings as remaining deficient, technical assistance is given and further corrective actions determined. Additional follow-up visits may occur until a resolution of concerns occurs and continued compliance measures implemented.



TECHNICAL ASSISTANCE

What Type of Technical Assistance and Training are Available?

State and Local Equal Opportunity Officers and their designees are required to receive training and education necessary to maintain an acceptable level of knowledge and expertise of the laws and regulations that address discrimination by recipients of federal funds under the Workforce Investment Act. The receipt of training and education may occur in a number of ways:

- formal training provided by an instructor in a group setting on a particular topic or subject matter;
- informal training received during meetings with constituents holding similar positions in the field of equal opportunity,
- online courses directed towards compliance with standards and regulations, or during on-the-job training accompanied by senior employees

The State has committed to providing quarterly training sessions with the local EO Officers. These training sessions are held to address the various aspects of an EO Officer's job duties. Past training sessions have include; data analysis, discrimination complaint processing, accessibility surveys, and other topics.

All EO Officers are encouraged to participate in the training by voicing their experiences relative to the training topic. Roundtable discussion time allows the participants of the training to ask questions and voice opinions of the activities of their job.

The State, through its Technical Assistance (TA) Unit can provide specific training upon request to select groups or individuals as necessary. This may occur if a group of EO Officers needs specific training because they are new to their positions; a specific local area is encountering special needs and has requested assistance from the State, or for other reasons that are as deemed necessary.



MONITORING SCHEDULE

The State is responsible for ensuring each WIA financially assisted program complies with the nondiscrimination and equal opportunity provisions. Monitoring may include one or all phases of the evaluation process including comprehensive visits, self-evaluations, desk audits, or accessibility surveys.

When Will Monitoring Be Scheduled?

Facilitation of compliance is through annual, periodic, and on-going monitoring conducted by both the State and local EO Officers. Annual monitoring occurs at least once each calendar year. LWIAs must send in a self-evaluation review within 45 days of June 30 of each year. Periodic monitoring occurs on an irregular schedule, depending upon the needs of a specific local area, recipient, condition, or other factor. On-going monitoring is that review of information and facilities of the recipients as determined necessary at the State or Local level.

State EO Monitoring

The State is obligated to conduct an on-site monitoring survey of each of its local areas at least once every three years. At least nine LWIAs will receive an onsite monitoring visit by the State EO Officer or designee. All State conducted monitoring visits will be accompanied by the local EO Officer and recipient representatives (as necessary). **disabilityworks** Resource Coordinators (dRC) may also be included when available. On-site monitoring includes completion of the self-evaluation tool, an accessibility survey, and desk audit prior to the visit.

The initial phase of visits will take place for those LWIAs that have recently appointed a new Equal Opportunity Officer in their area. The remaining visits will include those LWIAs who have encountered a high level of non-compliance as evaluated during previous comprehensive monitoring visits or recent self-evaluations and desk audits.



The second phase of the State's comprehensive monitoring schedule will include those LWIA's that have had multiple compliance issues during previous monitoring surveys or who have appointed new EO Officers since the initial phase of visits were completed.

The third year surveys will include all remaining local areas that have not received a State directed comprehensive survey during the first two years. Additional LWIAs may receive another visit if an annual desk audit identifies concern necessitating an on-site visit or who may have appointed a new EO Officer since their last comprehensive visit.

The State EO staff will be conducting annual desk audits of all local areas on an annual basis. June 30 is the date all local EO Officers must submit their annual self-evaluation documentation and any other supporting information as necessary, including accessibility survey data, results of data analysis, and other information to support the findings of the self-evaluation tool.

As noted in the three-year schedule of comprehensive visits by the State EO Officer or their designee, the State may conduct a comprehensive survey of an LWIA based on the findings of a desk audit, results of a discrimination complaint finding, changes in the EO Officer of a local area, or as otherwise necessary. These periodic visits will be schedule with the local EO Officer, and if possible a dRC.

Local EO Monitoring

The local area EO Officer is required to complete a self-evaluation of its sites and recipients on an annual basis. A result of this evaluation is due to the State EO Officer by June 30 each year. An LWIA, scheduled for a State comprehensive survey within 45 days prior to or after June 30, will submit their documentation two weeks prior to the visit date to allow for preparation by the State EO Officer or designee.

Periodic monitoring locally will include visits to recipients to ensure their continued compliance or assist in correcting any conditions of non-compliance. The needs of the local area and recipients determine the frequency of periodic monitoring. Activity can range from an annual review, survey, or analysis based on an infrequently changing environment, program, condition, or requirement to a more frequent (weekly or monthly) schedule based on ever-changing situations, new expectations, or knowledge of a specific problem.

An example of less frequent (annual) visits to a recipient might be based on (but not limited to) the following criteria:



- the recipient has been associated with the LWIA for several years,
- past monitoring visits have revealed few or no concerns in compliance,
- no new discrimination complaints have been submitted related to their operations or employment, or
- the demographics of the local area or a specific county have not changed in the past year.

Reasons for frequent visits to a recipient include:

- a new discrimination complaint requiring a visit including a survey of the facility and interviews of clients or employees,
- follow-up visits to assist in the correction of identified deficiencies,
- changes to existing programs, policies, or procedures, or
- technical assistance requested by the recipient.

On-going monitoring is the daily activity of the local EO Officer involving assurances in contract documents and grants, addressing suspected complaints, review of the local demographics that might prompt a more in-depth analysis, or other necessary tasks to ensure recipients are complying with the provisions of the law pertaining to nondiscrimination. In essence, the local EO Officer is performing on-going monitoring in everything they do that is associated with equal opportunity activities.



MONITORING FOR ACCESSIBILITY

State and local governments have a high level of discretion in the development and implementation of the programs and services provided through the Workforce Investment Act of 1998. Although there is increased flexibility in the administration of these programs, there remains an obligation to assure fair and equitable access to all services, programs and facilities for members of the sexes, various racial and ethnic groups, age groups, and individuals with disabilities. This obligation, along with other obligations relating to nondiscrimination and equal opportunity, is set forth in the regulations (29 CFR part 37) implementing Section 188 of WIA, the statute's provision regarding nondiscrimination.

What are the Tools Used in Ensuring Accessibility?

Employers are finding it difficult to hire qualified employees and are looking to the workforce investment system to help meet their labor force requirements. As a result, there is increased demand to serve people with disabilities. With this increase in demand, comes the necessity to ensure access is available to all individuals.

Access to services and programs includes both programmatic and architectural accessibility. To assist the LWIAs in ensuring their services and programs are fully accessible, the State has developed an Accessibility Checklist as an aid to performing monitoring. The checklist is a systematic approach to address the physical conditions of a facility, the environmental concerns of the workplace, and the technological tools provided for clients and employees.

The architectural accessibility concerns include:

- Access to the sites of the recipients,
- Mobility through common spaces and workrooms of a facility,
- Audible or visual alarms,
- The facility amenities, and
- The workstations and surfaces of the facility



The programmatic accessibility concerns include:

- The telephone and computer systems available,
- The programs available to clients and employees,
- Informational materials,
- Audio visual devices, and
- Identification methods

Clear understanding of all of the needs of the individuals requesting the services and programs provided by recipients is vital to ensure those services and programs are available to everyone. The local EO Officer should be prepared to provide technical assistance to any recipient that lacks the necessary means to provide universal access. All recipients of WIA funds can make requests to the State for additional technical assistance and training as may be necessary to ensure full compliance.



disabilityworks

disabilityworks is a statewide initiative operated by the Chicagoland Chamber of Commerce. Primary funding for the **disabilityworks** program is through federal funds administered by the Department of Commerce and Economic Opportunity (DCEO), Bureau of Workforce Development (BoWD). The **disabilityworks** staff is statewide and are known as **disabilityworks** Resource Coordinators (dRCs).

disabilityworks' mission is to promote the economic and employment opportunities of people with disabilities by building collaborative partnerships with both the private and public sectors. Each dRC is located in an Illinois Economic Development Region and networks within at least five Comprehensive Illinois workNet™ Centers to provide resources and staff training that will ultimately enhance the employment opportunities of people with disabilities in each region. dRCs are currently located in Rockford, Chicago, Chicago Metro, Quincy, Mt. Vernon, Mattoon, East St. Louis and Peoria.

How Can disabilityworks Help?

disabilityworks staff are a vital resource to assist recipients to meet their obligation to provide services free of discrimination. While their main focus is to enhance employment and training opportunities for individuals with disabilities, they also assist service providers in ensuring that they are in compliance with all applicable accessibility standards. Specifically, **disabilityworks** provides the following services:

- Ensure that customers with disabilities have access to the same level of services in comprehensive Illinois workNet Centers as customers without disabilities
- Provide training of Illinois workNet staff regarding disability awareness, assistive technology, architectural and programmatic accessibility, available programs and services, etc.



- Develop linkages with Illinois workNet Partners, Business Services Teams, community providers, employers and disability advocacy organizations in order to strengthen the relationships with the centers and with each other
- Work jointly with state and local partners to expand access to employment and training services to people with disabilities through assistive technology, job boards and internet-based services, promotion of self-employment resources and providing technical assistance to non-profits to improve access to people with disabilities.
- Collaborating with service providers and intermediaries to increase recruitment efforts and refer people with disabilities to One-Stop Centers.

Local EO Officers may request the assistance of **disabilityworks** staff expertise in these areas when a recipient is facing a challenge in complying with nondiscrimination provisions. In addition, assistance may be provided during annual compliance monitoring.



REFERENCES

Guide to Conducting Self-Evaluations in the LWIA / Self-Evaluation Tool

Minimum Illinois workNet™ Accessibility Checklist

Workforce Investment Act, Equal Opportunity, *Methods of Administration*

Section 188 of the Workforce Investment Act of 1998 (WIA)

29 CFR Part 37—Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998 (WIA)



LWIA EO Self-Evaluation



COMPLIANCE, COLLABORATION, COOPERATION, COMMUNICATION, AND INCLUSION

Elements

This self-evaluation is the first step in the monitoring process. To be in compliance the LWIA is required to complete on an annual basis and submit to the DCEO EO Officer by June 30 of each year. It is a composite of the entire local area and representative of each Illinois workNet Center, satellite, contractor and service provider. The evaluation is not exhaustive of all the requirements within Section 188 or the implementing regulations. However, it is intended to give a snapshot of compliance with nondiscrimination and equal opportunity for the prior year. Reflected within the evaluation should be the work of the Local EO officer for the prior year (i.e. monitoring training, complaint processing, etc.) When a deficiency is noted, cite which location has the issue.

Element 1: Designation of EO Officer References: <ul style="list-style-type: none"> • Methods of Administration, Element 1 • 29 CFR Part 37.23 - .28 • LWIA Designation Letter 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
Equal Opportunity Coordinator/Officer(s) who meet the eligibility criteria and assume prescribed responsibilities (such as monitoring, investigating, reviewing written policies, undergoing training) have been designated as required. [29 CFR 37.23-.28]				
The name of the EO Officer, address, telephone number, TDD/TTY, and email address are available at all locations.				
Annual training opportunities have been conducted within the LWIA to ensure compliance with nondiscrimination and equal opportunity provisions. [29 CFR 37.26]				

Comments:

Element 2: Notice and Communication References: <ul style="list-style-type: none"> • Methods of Administration, Element 2 • 29 CFR Part 37.29 - 36 • EO Is the "Law" Posters 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
Each location within the LWIA (comprehensive, satellites, recipients, service providers) displays the "Equal Opportunity is the Law" notice with the Local EO Officer's name or title, location, and telephone number. [37.26 (a)]				
Each location within the LWIA provides initial and ongoing notice that they do not discriminate.				
Orientation sessions provide EO information regardless of the location within the LWIA.				
WIA registrants and applicants files contain a signed statement indicating the receipt of the EO Notice.				

Element 2: Notice and Communication References: <ul style="list-style-type: none"> • Methods of Administration, Element 2 • 29 CFR Part 37.29 - 36 • EO Is the "Law" Posters 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
All locations within the LWIA (comprehensives, satellites, recipients, service providers) have the EO notice in alternate formats and languages other than English. [37.35]				
Policies, manuals and procedures at all locations within the LWIA (comprehensives, satellites, recipients, and service providers) contain the EO notice. [37.31]				
The tag line "equal opportunity employer/program" and auxiliary aids and services are available upon request to individuals with disabilities is included on all recruitment materials, media-releases, program brochures, job-fairs, and similar publications. [37.34]				
Each location within the LWIA (comprehensives, satellites, recipients and service providers) has a working TDD/TTY, access to the Relay Service, or and/or language line. [37.34]				

Comments:

Element 3: Contract/Assurances Clauses References: <ul style="list-style-type: none"> • Methods of Administration, Element 3 • 29 CFR Part 37.20 - 22 & Sect. 188 of WIA • Contracting Information 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
When providing grants or sub-contracts for services supported with WIA funds, each grant, cooperative agreement, contract or other arrangement includes the assurance not to discriminate as outlined in Section 188 of the Workforce Investment Act.				

Comments:

Element 4: Universal Access References: <ul style="list-style-type: none"> • Methods of Administration, Element 4 • 29 CFR Part 37.42 • Sect. 188 of WIA 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
The LWIA has a demographic assessment plan, survey, or study of the population served. [37.42]				
An LEP program that covers the entire LWIA is in place and distributed to all locations. [37.35]				
An outreach plan or program is in place that reaches out to a substantial population segment, including people with disabilities. [37.4] and 29CFR 35.104				
A policy is in place for accessing a sign language interpreter and a listing of sign language interpreters is available at all locations.				

Comments:

Element 5: Compliance w/Section 504 References: <ul style="list-style-type: none"> • Methods of Administration, Element 5 • 29 CFR Part 37.7-.9, and .54 • Sect. 188 of WIA and 29CFR32 parts B-C 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
All facilities within the LWIA provide communications with individuals with disabilities as effectively as with others. [37.9]				
All facilities within the LWIA comply with ADAAG (Americans with Disabilities Act Accessibility Guide) and the Illinois Accessibility Code, whichever is more stringent.				Note: Buildings built after 1998 must comply! Use Illinois Accessibility Code checklist.
All facilities within the LWIA provide programs and activities physically accessible to individuals with disabilities. [37.7(d)]				
Written policies and procedures in effect at each location within the LWIA address reasonable accommodations, auxiliary aids and services, and proper protocol (etiquette) to interact with individuals with disabilities. Staff knows these policies. [37.8 - 9]				

Comments:

Element 6: Data Collection, Information Collection, & Records Maintenance	Measure Met		Location	State corrective action (How/When)
	YES	NO		
References: <ul style="list-style-type: none"> • Methods of Administration, Element 6 • 29 CFR Part 37.37 Thru 37.49 				
EO information is properly secured to ensure confidentiality and being used only for record keeping and reporting, determining applicant eligibility, and determining program compliance with nondiscrimination requirements. Randomly check at least 10 files. [37.37 (b) (2) and 29 CFR 32.15]				
Records are kept for at least 3-years or long enough for the Governor or the CRC to monitor the records. [§37.37(a)] This includes applicant and employee (past and current) records, complaints, etc.				NOTE: Records connected to legal issues are kept open until 3yrs after the issue is resolved.
A complaint log is maintained within the LWIA and submitted appropriately.				

Comments:

Element 7: Compliance Monitoring References: <ul style="list-style-type: none"> • Methods of Administration, Element 7 • 29 CFR Part 37. 51 Thru.54(d) (2) (ii)] 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
There is an established plan that in place for monitoring and investigating nondiscrimination and equal opportunity provisions.				

Comments:

Element 8: Compliant Processing Procedures References: <ul style="list-style-type: none"> • Methods of Administration, Element 8 • 29 CFR Part 37. 70 Thru 37.89 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
Complaints filed alleging discrimination in the provision of services in the last twelve (12) months was submitted to the State EO Officer.			(Get a copy)	
Responses to complaints were in writing and appropriately recorded on the complaint log.				
Complaint procedures are visibly posted in all locations.				
Staff within the LWIA are aware of the complaint process.				
Complaint procedures are distributed to applicants, participants, and staff.				

Comments:

Element 9: Corrective Actions/Sanctions References: <ul style="list-style-type: none"> • Methods of Administration, Element 9 • 29 CFR Part 37.54 	Measure Met		Location	State corrective action (How/When)
	YES	NO		
Corrective actions and prospective relief plans are being implemented and maintained as appropriate.				
Supporting documentation that justifies corrective action is on file.				

Comments:

Overall Comments

Comments:

DRAFT

IF EO IS GOING TO BE, IT IS UP TO ME



COMPLIANCE, COLLABORATION, COOPERATION, COMMUNICATION, AND INCLUSION

WIA leadership dutifully meets daily challenges
reflecting on the past, focusing on the present, and preparing for the future



DCEO is an Equal Opportunity Employer

EO Officer: Tel: 217-558-2418 Fax: 217-558-2444

Auxiliary aids and services are available upon request to individuals with disabilities

Introduction

Section 188 of the Workforce Investment Act (WIA) of 1998 prohibits discrimination by recipients on the basis of race, color, national origin, sex, religion, disability, political affiliation or belief, age, and for beneficiaries only, citizenship or participation in any WIA Title I program or activity. Such discrimination in the provision of services under WIA Title I, as well as in employment “in the administration of, or in connection with,” any program or activity that receives financial assistance under WIA Title I is prohibited. Final Rule 29 CFR 37 covers the implementation of the nondiscrimination and equal opportunity provisions of the Workforce Investment Act.

To ensure all recipients are fulfilling this obligation, monitoring of each recipient is required. Monitoring reviews occur on three levels: by the State, by the Local Workforce Investment Area, and by the recipients. A monitoring system will provide basic steps to ensure that recipients, sub-recipients, and contractors in a manner that ensures equal opportunity and nondiscrimination provide programs, services, and employment. The monitoring system is comprised of desk audits, on-site reviews, report preparation, follow-up visits, and technical assistance.

This monitoring tool will guide the team members through the process of compliance monitoring. The instrument complies with the standards reflected in the U.S. DOL Methods of Administration and in accordance with the following federal and state laws for EO/Nondiscrimination:

- Title VI and VII of the Civil Rights Act of 1964, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended, Parts B,C, Appendix A
- American with Disabilities Act of 1990;
- Title IX of the Education Amendments of 1972, as amended;
- The Age Discrimination ACT of 1975, as amended;
- Section 188 of the Workforce Investment Act of 1998;
- Equal Pay Act of 1963 as amended
- U.S. DOL Regulations at 29 CFR Parts 37, All bases below plus religion, political belief, (beneficiaries only citizenship or participation in WIA Title 1 program/activity;
- U.S. DOL Regulations at 29 CFR Parts 31, Race, Color, Nat’l Origin and 32, Disability;
- U.S. DOL Regulations at 29 CFR Part 35, Any Age;
- U.S. DOL Regulations at 28 CFR Part 35, Disability;
- U.S. DOL Regulations at 49 CFR Part 25, Sex;

Pieces of this tool are adapted from the *NASWA Guide to Conducting Equal Opportunity Monitoring Reviews*. Specific forms found in this appendix are from the *NASWA Guide*.



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Steps in Monitoring Locally

Just as the State is responsible for ensuring each WIA financially assisted program complies with the nondiscrimination and equal opportunity provisions, the Local Area has a responsibility for monitoring its contractors and service providers.

Monitoring may include one or all phases of the evaluation process including comprehensive visits, self-evaluations, desk audits, or accessibility surveys. Facilitation of compliance is through annual, periodic, and on-going monitoring. Annual monitoring occurs at least once each calendar year. Periodic monitoring occurs on an irregular schedule, depending upon the needs of a specific local area or other factor. On-going monitoring is that review of information and facilities of the recipients as determined necessary.

When conducting an EO Monitoring Review, some or all of the following nine elements of the Methods of Administration (MOA) may be covered:

- *EO Officer Designation*
- *Notice and Communication*
- *Contract Assurances*
- *Universal Access*
- *Compliance w/Section 504*
- *Data Collection, Information Collection, & Records Maintenance*
- *Compliance Monitoring*
- *Complaint Processing Procedures*
- *Corrective Actions*

Each local EO Officer, using the guidelines provided by the State, has the responsibility to determine the implementation of monitoring contractors and service providers within the LWIA. Monitoring at the local level minimally should include:

- An annual desk review that analyzes the following:
 - an analysis of computer-based applicant and customer data;
 - review of reports from previous non-discrimination program reports;
 - review of discrimination complaint files;
 - review of program accessibility self-evaluation and procedures to ensure compliance with requirements pertinent to individuals with disabilities; and
 - review of facility accessibility survey

- On-site review that includes the following:
 - an entrance conference, to include discussion of the results of the desk review;
 - file review;
 - staff surveys and interviews;
 - customer surveys and interviews;
 - facility-accessibility survey review and assessment;
 - review of customer information materials, to include materials in alternative formats and languages other than English;
 - review of community contact programs;
 - complaint-file review;
 - discussion of program intake and assessment processes, to include provisions to serve individuals with disabilities or who are non-English-speaking; and
 - an exit conference, to include discussion of preliminary findings, if any.

- Report preparation following the review includes a letter indicating the events and outcome of the review process; as well as any supporting documentation such as checklists, data analysis forms and spreadsheets, or other documentation may be included.

- Follow-up addresses specific areas of concern identified during the monitoring visit and occur within six months from the initial visit.

Preliminary Notification

Prior to conducting a monitoring review, the local EO Officer, will notify the contractors and/or service providers approximately two to four weeks prior to the review. Included in the notification should be a self-evaluation to be completed (**Appendix A**), a staffing form (**Appendix B**), and a request for preliminary data such as such as EO data on applicants and clients, random sample applications, EO reports, discrimination complaints, etc. The request should include instructions that the data should be returned at least 10 days prior to the review.

Desk Review

Upon receiving the information from the preliminary notification, a desk review is conducted. Specifically, the desk review consists of reviewing and evaluating local policies and procedures to ensure they eliminate the potential for discrimination. These would include:

- previous monitoring reports and other documentation for areas of concern;
- program accessibility reports;
- procedures to ensure compliance with requirements pertinent to individuals with disabilities or persons with limited English proficiency; and
- discrimination complaint files and corrective actions taken as a result of discriminatory findings

In addition, desk audits are a means to evaluate and analyze available data and information specific to the local area and its recipients. A compilation of statistical reports on employment services, WIA services, program performance, and applicant and customer data is the basis for the analytical evaluation. Demographic information, EO reports, random sample applications, and other employment services information is included in the analysis.

On-Site EO/ADA Monitoring Visit

An on-site review is not just the physical evaluation of the facility(s) and programs. It is a formal meeting with the directors or administrators (or a designated representative) of each location to discuss the scope of the review and make appropriate arrangements to conduct client and staff interviews or file reviews. It is also an opportunity to conduct further analysis of the data and discuss findings of the analysis.

Pre-Visit Planning

The checklist below is useful in preparing for an on-site visit. It provides a framework for conducting the meeting and sets the tone for the monitoring visit.

PRE VISIT PLANNING	COMPLETED
a. Develop staff visit plan. Identify problems, set monitoring goals and objectives, establish priorities, and determine needed records and reports.	
b. Conduct Desk Review in preparation for the visit. The desk review provides an upfront look at potential issues. It includes an analysis of statistical and other applicable reports; previous monitoring findings; complaint files, unresolved corrective actions, etc.	
c. Develop official visit notification letter. This letter sets the tone for the visit; it outlines the dates of the review, the review team, and clearly states the monitoring visit.	
d. Coordinate materials needed to conduct the review (i.e. accessibility tools, writing materials, handouts, findings from the desk review)	
e. Coordinate visit with other needed internal staff.	
f. Prepare an agenda, talking points, and handouts (only if needed) for the entrance briefing	

Entrance Conference

Every on-site visit, whether it is a formal monitoring review or an informal request for information, should begin with an entrance conference. This is an opportunity to inform the director/administrator of the facility of the purpose of your visit and receive their consent to proceed. It is also a chance to share your preliminary analysis of the data and reports reviewed during the desk audit. In some instances, there will have remained questions that need addressed to fully understand the data analysis. Clarification at this time will provide the final pieces to the analysis puzzle. This checklist will assist in setting the agenda for the entrance briefing. A suggested agenda for the Entrance Briefing is in **Appendix C**.

ENTRANCE CONFERENCE	COMPLETED
a. Establish meeting date and time with Site's senior representative, and staff critical to the visit.	
b. Keep briefings short; as a minimum introduce the team, purpose of the review, answer any questions.	
c. State the objectives and establish points of contact about agency staff that can help meet the objectives.	
d. Walk through work areas and meet Review Site Personnel.	
e. Request working area to conduct interviews and file analysis.	
f. Keep key names and telephone numbers of review site handy for emergencies.	

On-Site Review

Upon completion of the Entrance Conference, the actual review begins. Areas of emphasis during the on-site review may include, but are not necessarily limited to:

1. Staff composition; **(Appendix B)**
2. Staff and client interviews; **(Appendix D and E)**
3. Staff awareness of nondiscrimination and EO laws;
4. Complaint files (if appropriate);
5. Client files; (approximately 10)
6. Physical aspects of the site – programmatic and architectural accessibility (using the developed Minimum Illinois workNet Accessibility Checklist);
7. Observance of reception, intake, and assessment processes - if applicable;
8. Display of announcements, mandatory WIA "Equal Opportunity is the Law" posters, and posters or signs for clients with limited English-speaking abilities.

Exit Conference

Following the formal on-site review, the EO monitor must sit down with the director/administrator or representative to discuss their findings. Clarify areas of question to ensure the monitor has a full understanding of their observations and discoveries. Provide a preliminary evaluation with some suggested methods of correction. An Exit Conference Agenda is found in **Appendix F**.

Reports

Several reports and letters are required upon completion of a monitoring review. These include the Report of Findings, the Corrective Action Plan, Acceptance of the Corrective Action and those reports associated with follow-up.

Report of Findings

Within 30 working days of the visit, a formal report should be prepared that outlines the findings of the review. This report should include specific detailed information and offer suggested corrective action that coincides with the findings. In addition, the report will provide a date for the receipt of the Corrective Action Plan.

Corrective Action Plan

Within 60 days of receipt of the letter of findings, a corrective action plan must be submitted to the outlining any outstanding items, proposed correction dates, and the anticipated corrective measures. For items that have been completed prior to submission of the corrective action plan, the date(s) the corrections were completed must be included as well as supporting documentation such as photographs, work orders, or other positive indications of completion. Any items that remain outstanding after the submission of the corrective action plan must be included along with an estimated completion date.

Acceptance of Corrective Action Plan

Once received, a review of the corrective action plan will occur for completeness and acceptability of terms. Upon acceptance, the local Administrator/Director will receive a letter of acceptance including one of two determinations:

- compliance; or
- compliance, with deficiencies

A determination of "compliance" indicates agreeing to the corrective action plan as submitted and all deficiencies or concerns are adequately addressed. A letter indicating "compliance, with deficiencies" indicates an acceptable corrective action plan with the acknowledgement that minor program related problems remain and have an acceptable target date for correction.

If the plan is unacceptable, a certified letter, return receipt requested, will go to the local administrator/director requesting additional information or clarification. reasons for such unacceptable plans may include one or more serious deficiencies identified during the review, an inappropriate target date(s) for completion of all corrective measures, or an inordinate number of deficiencies identified or outstanding.

Follow-Up Reports

Letters and reports following a monitoring visit are handled much in the same manner as those produced following a general monitoring visit. Issuance of the letter on the report of findings will occur within 30 days of the visit. A corrective action plan is submitted within 60 days. A determination is then made on whether the plan is acceptable or not. Further follow-up visits may be necessary to provide continued assistance during the correction of deficiencies.

Follow-Up

Upon the conclusion of a monitoring visit letters and reports outlining the findings sent, and corrective actions accepted, the State might conduct a follow-up visit to ensure adequate compliance. The follow-up visit is a focused appointment designed to address specific areas of concern. Follow-up will occur within six (6) months of the initial on-site monitoring or a desk review of a local area's monitoring activities. The visit ensures the corrective action plan is on target and measures put in place to ensure continued compliance.

In cases where there is an unacceptable corrective action plan, the State will return the plan and conduct a follow-up visit to discuss revising the plan. This provides the opportunity to evaluate the conditions in a more in depth nature and allows for on-the-spot corrections when possible.

In instances where the follow-up monitoring identifies initial findings as remaining deficient, technical assistance is given and further corrective actions determined. Additional follow-up visits may occur until a resolution of concerns occurs and continued compliance measures implemented.

Appendix A

Contractor/Service Provider Evaluation

Complete with each Contractor and Service Provider or have them complete as a Self-Evaluation prior to a visit. This list is not exhaustive and is intended to be only one component of the larger monitoring effort. When during programmatic and physical accessibility the Minimum Illinois workNet Accessibility Checklist should be used in addition to this.

Name: _____

Facility Address: _____

Programs Offered at this Location: _____

Date: _____ **EO Officer:** _____

Measure	YES	NO	Comments
An EO Policy is in place.			
The EO Officer is identified by name, address, phone TTY/TDD (In agencies with less than 15 a liaison is available)			Name, title, telephone #, e-mail, TTY/TDD
The "Equal Opportunity is the Law" notice is posted in a public place.			
The EO notice is in a language other than English.			
Federal and State posters are available and prominently posted.			
All requests for proposals and contracts regarding WIA related training and services contain the appropriate WIA Nondiscrimination Clauses, Certifications, and Assurances.			
Was this facility built before 1998? 29CFR 37.7 – 9			American w/Disabilities Act of 1990. P.L. 92-337
The facility complies with ADAAG.			
There sufficient parking space for individuals with disabilities.			

Measure	YES	NO	Comments
Parking spaces are properly marked and with proper signage.			
The surface of the parking lot will accommodate a wheelchair.			
Sidewalks are at least 36" wide; slope no more than 5% - this includes curb cuts w/domed detectable warnings.			
The entrance to the facility is accessible (at least 32" wide, threshold no higher than ½" and weight of door in accordance with IAC 400-310).			Outside door 8.5 lbs max Interior doors 5 lbs. max
Interior rooms used by applicants are properly marked with raised Braille letters, are accessible.			
Programs are physically and programmatically accessible to individuals with disabilities.			
Reasonable accommodations are provided on request.			Get examples when possible
Policy and procedures are in effect regarding reasonable accommodations and auxiliary aids.			
How are staff and applicants notified of the provider's policy regarding reasonable accommodations?			Get example when possible
Confidential information is stored separately and secured (i.e. medical information, SSN, I-9 Forms).			
There are agreements or contracts in place for interpreters. The staff is versed on working with people with disabilities or Limited English Proficiency.			
Staff aware of the EO/Non-discriminatory policies or procedures and know how to handle discrimination or sexual harassment issues			

Comments

Appendix C

Entrance Conference

Name: _____

Facility Address: _____

Date of Visit: _____ Monitors: _____

Providers Present: _____

Items Covered

- Introduction
- Reason for the review
- Purpose of the review

Elements of the Review

- File Review
- Walk-through
- Employee Interview(s)
- Client Interview(s)
- Other:
-

Exit Meeting/Conference to be held

Questions: _____

Appendix E

Client Interview

Interviews should be conducted in a location that ensures privacy. Use the following introduction or one similar:

“I am conducting a monitoring review of this office. [Provide a business card.] I would like to ask you a few questions regarding your experiences with this office. Your participation is completely voluntary. Neither your participation nor your responses will in any way affect the services you receive from this office. Absolutely none of the information will be recorded in any files pertaining to you. Do you have any questions regarding this?”

Before proceeding, the following statement must be made:

The following is strictly voluntary and will be treated confidentially. It will not affect your status in receiving benefits or services.”

Date of Interview _____ **Interviewer:** _____

Client City of Residence _____

Have the Client indicate the following:

Gender: Male Female

Ethnic Origin: Hispanic or Latino Not Hispanic or Latino

Race (Circle all that apply):
American Indian or Alaskan Native
Asian
Black or African American
Native Hawaiian or Other Pacific Islander
White

Are you an individual with a disability? Yes No

Please describe the frequency of your visits or contacts here:

Do you feel that this office is accessible to all, regardless of their (circle what applies):

- Race/Color/Ethnicity?
- Sex or Gender?
- Disability?
- Religion?
- National Origin?
- Age?
- Limited ability to speak or understand English?
- Citizenship?
- Political Affiliation or Belief?

What recommendations, if any, do you have in order to assist the office in providing universal access

What is your opinion of the quality of service provided here?

Did anyone inform you of your equal opportunity/nondiscrimination rights as a program applicant or participant? (For example, did anyone inform you of what to do if you believe you were discriminated against based on your race, gender, age, disability, national origin, etc.?)
When you registered, did you get a copy of those rights?

Do you have any comments, concerns, or suggestions about the program?

Do you wish to be contacted? (If yes, get name, address, and number)

Appendix F

Exit Conference

Those Present at the Exit Conference:

_____	_____
_____	_____
_____	_____

Preliminary Observations/Findings:

Initial Areas of Concern

Additional Comments

Appendix G

Important Websites

www.cdb.state.il.us Illinois Accessibility Code Booklet

www.dol.gov/oasam/programs/crc/section188.htm WIA Section 188 Disability Checklist

www.ccdi.com Coalition of Concerned Citizens for the Disabled in Illinois

www.eeoc.gov/ EEOC for guidance and/or training

www.contentquality.com Check website for accessibility requirement

http://www.illinoisbiz.biz/dceo/Bureaus/Workforce_Development/Resources/Equal+Opportunity+Resources+-+WIA.htm This is the State's website for EO. Go towards the bottom of the page and use any of the links i.e. Resource, Equal Opportunity, Training Opportunities, etc.