

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

COMPLIANCE, COLLABORATION, COOPERATION, COMMUNICATION, AND INCLUSION



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



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1. Introductory Statement

Discrimination is against the law in any program funded by the U.S. Department of Labor (USDOL). 29 CFR Part 37 implements the nondiscrimination and equal opportunity provisions of the Workforce Investment Act of 1998 (WIA). The purpose of this self-evaluation tool is help grant recipients in local areas and contract providers, having 15 or more employees, (37.23) to assess themselves by using written monitoring procedures to implement Section 188 of the WIA, which contains the nondiscrimination and equal opportunity provisions of the WIA.

Section 188 of the Workforce Investment Act of 1998 (WIA) states, in part: “No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color religion, sex, national origin, age, disability, or political affiliation or belief. Participation in programs and activities or receiving funds under this Title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.”

This instrument was developed to comply 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;
- The Age Discrimination ACT of 1975, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended, Parts B,C, Appendix A
- Title IX of the Education Amendments of 1972, as amended;
- Section 188 of the Workforce Investment Act of 1998;
- U.S. DOL Regulations at 29 CFR Parts 31 and 32;
- The Illinois Human Rights Act, as amended and its Rules and Regulations;
- Civil Rights Restoration Act of 1987;
- American with Disabilities Act of 1990;
- Nontraditional Employment for Women Act of 1991;
- U.S. DOL Regulations at 29 CFR Part 37;
- U.S. DOL Regulations at 20 CFR 627.210; 627.501 – 627.504;
- Executive Order 12250;
- U.S. DOL Regulations 29 CFR Part 1604, Guidelines on Discrimination because of Sex, Sexual Harassment;
- Fair Labor Standards Act of 1938, as amended;
- Illinois’ Victim’s Economic Security and Safety Act of 2003;
- Equal Pay Act of 1963; and
- Minimum Wage Act of 1938, as amended.



Name and Contact Information for Person (s) Completing Self-Evaluation Tool	
Name:	
Job Title:	
Telephone No:	E-Mail Address:
Address:	
LWIA#	
Date Submitted to DCEO, Bureau of Workforce Development Equal Opportunity Officer:	
Comments: (If more space is needed, use additional paper and attach to end of the evaluation)	



2. Significant Considerations When Developing EO/ADA Monitoring Visit

Element › Measure V	PLANNING VISIT	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a.	Develop and coordinate staff visit plan with your supervisor, and selected site manager. Identify problems, set monitoring goals and objectives, establish priorities, develop a support system, and determine what records and reports you will need.			
b.	Conduct Desk Review and prepare for the visit			
c.	Develop and coordinate official visit notification letter. This letter sets the tone for your visit; it outlines the dates of the review, who will be on the review team, it states the reason for your visit, and it clearly states what you will monitor.			
d.	Prepare an agenda, talking points, and handouts (only if needed) for the entrance briefing.			
e.	Coordinate your visit with other internal staff as necessary.			
	ENTRANCE BRIEFING			
a.	Establish meeting date and time with Site's senior representative, and staff critical to your visit.			
b.	Keep briefings short; as a minimum introduce your team, purpose of the review, answer questions about your notification letter and/or why you are there.			
c.	State your objectives and establish points of contacts about agency's staff who can help you meet your objectives.			



Element › Measure √	Entrance Briefing (Continued)	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
d.	Review IWDS and Census Data if applicant enrollment is less than Demographic Data ranges for employment or population.			
e.	Discuss Desk Audit Findings i.e. 5-year Plan's Inclusiveness for minorities & Website Accessibility			
f.	Walk through work areas and meet Review Site Personnel			
g.	Request working area to conduct interviews and file analysis.			
h.	Keep key names and telephone numbers of review site handy for emergencies.			
	NOTE: Start monitoring immediately after you completed appropriate protocol.			
Comments:				



Element › Measure V	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 Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Has an Equal Opportunity Officer been designated? (Get copy of EO Designation Letter) [37.23]				
b. Does the EO report directly to the Director or most senior member of the Agency? [37.25]				
c. Is there a Job Description stating the EO reporting chain and job duties? (Get copy of job description)[37.25]				
d. Is there an organizational chart reflecting the EO reporting to the Director or a senior person in the organization? (Get copy of the organizational chart) [37.25.e]				
e. Has the EO's name or title, address, telephone number, TDD/TTY, location, and E-Mail address been made public? How - Explain in box on right. [37.26]				
f. Does the EO have sufficient authority, resources, and WIA leadership support to conduct monitoring, investigations, review written policies, and all functions of an EO per the job description? [37.26 (c)]				
g. Is the EO and or staff provided annual training opportunities necessary and appropriate to maintain competency? [37.26 (d)] (Get training certificates)				
h. Does any of the job duties create a conflict of interest or the appearance of a conflict of interest? [37.24]				
i. Does the EO Officer education, training, and experience (skill, ability, and knowledge) to perform assigned duties regarding non-discrimination and equal opportunity include people with disabilities and language difficulties?				
NOTE: Small recipients and service providers are not required to designate an EO Officer [37.23 & 37.28]				
Comments:				



Element › Measure V	Element 2: Notice and Communication References: <ul style="list-style-type: none"> • Methods of Administration, Element 2 • 29 CFR Part 37.29 • EO Is the "Law" Posters 	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Does the "Equal Opportunity is the Law" notice bear the EO Officer's name or title, location, and telephone number? [37.26 (a)]				
b. Is the EO Officer's name or title, location, and telephone number posted prominently in places where registrants applicants, employees, or the public can see it? [37.29]				
c. Is the EO information provided during orientation?				
d. Do registrants, applicants, employees files contain a signed statement indicating the EO notice was received? [37.31(a)]				
e. Is the EO notice in alternate formats i.e. Braille? Large letters? Languages other than English? [37.35]				
f. Do current policies, manuals, and procedures contain the EO notice? [37.31]				
g. Has the EO notice been distributed to service providers? [37.33]				
h. Do recruitment materials, media-releases, program brochures, job-fairs, and similar publications contain the statement "equal opportunity employer/program" and auxiliary aids and services are available upon request to individuals with disabilities? [37.34] (Tag Lines)				
i. Does the agency have TDD/TTY service? [37.34 (a)] Illinois Relay or Computer Communication System i.e. Next Talk?				
j. Does the agency have language line? [37.34]				
k. Does the agency have an LEP Program? 37.35]				
l. Has the agency made arrangements to have sign language interpreters?				
m. Is information about American with Disabilities Act posted? [PL 92-324]				



Element › Measure V	Element 2: Notice and Communication Continued References: <ul style="list-style-type: none"> • Methods of Administration, Element 2 • 29 CFR Part 37.29 • EO Is the "Law" Posters 	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
n. Does the personnel manuals, posters, policies, and procedures include information about the prohibition of sexual harassment? [PL 92-337]				
o. Is there evidence of sexual harassment training to all employees?				
p. Has Executive Order No. 16, "Sexual Harassment Prohibited in LWIA Programs", issued by the Governor been displayed conspicuously?				
q. Has the LWIA communicated the requirement not to discriminate on the basis of disability and the obligation to provide reasonable accommodation to it subrecipients? [37.29]				
Comments:				



Element › Measure V	Element 3: Contract/Assurances Clauses References: <ul style="list-style-type: none"> • Methods of Administration, Element 3 • 29 CFR Part 37.20 & Sect. 188 of WIA • Contracting Information 	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Do all requests for proposals and contracts contain the appropriate WIA Nondiscrimination Assurance and contract clauses and necessary certifications? [37.20]				
b. Has each contractor or each training provider provided an assurance statement or certification that it's programmatically and architecturally accessibility for individuals with disabilities? [Sub Part C of 29 CFR part 32]]				
c. Does the organization have policies and procedures to ensure that contracting and procurement officers are instructed to include WIA Nondiscrimination Assurance and contract clauses? [37.54]				
d. Does the contracting policy have language that considers women and minority owned businesses for job training service and other contract awards? [37.54(d)(2)]				
Comments:				



Element › Measure V	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 Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Is a demographic assessment plan, survey, or study of the population served by the LWIA available? [37.42]				
b. Does the LWIA maintain systemic contact with community-based organizations represent substantial population segments? [37.42]				
c. Does the LWIA have a Limited-English Proficiency Plan (LEP) or Program?				Note: Use LEP Checklist.
d. Does this outreach plan or program reach out to a substantial population segment to include people with disabilities? [37.4] and 29CFR 35.104				NOTE: 35.104 defines "qualified interpreters"
e. Does this Agency have qualified interpreters and signers on retainers or contracts?				
Comments:				



Element › Measure V	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 Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Does this Agency have a Disability Resource Coordinator assigned?				
b. Does the Agency have a copy of a recent ADA One-Stop and Affiliate Assessment Survey on file?				
c. Is communications with individuals with disabilities as effective as communications with others? [37.9]				
d. Does this facility 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.
e. Are programs and activities physically accessible to individuals with disabilities? [37.7(d)]				
f. Do written policies and procedures in effect address reasonable accommodations, auxiliary aids and services, and proper protocol (etiquette) to interact with individuals with disabilities? [37.8 - 9]				
g. Has the staff been notified of the agency's policy regarding reasonable accommodations, auxiliary aids and services. Are there samples of training rosters, posters, or policies posted?				
h. Are inaccessible entrances marked and are directions to accessible entrances posted? [34.6 (e)]				
i. Are language line cards posted? Staff know how to use Language Line?				
j. Is there a TTY/TDD system? Illinois Relay				Note: Explain if Computer friendly systems are used.
k. Is the staff trained to use the TTY/TDD System? or Illinois Relay?				
Comments:				



Element › Measure V	Element 6: Data Collection, Information Collection, & Records Maintenance References: <ul style="list-style-type: none"> • Methods of Administration, Element 6 • 29 CFR Part 37.37 Thru 37.39 	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Is there a system that collects and maintains characteristic data (i.e. race/ethnicity, sex, age, and where known, disability) on applicants, participants, eligible applicants, and terminees? [37.37 (b) (2)]				
b. Is EO information being properly secured to ensure confidentiality and being used only for record keeping and reporting, determining applicant eligibility, and determining program compliance with nondiscrimination requirements? [37.37 (b) (2) and 29 CFR 32.15]				
c. Are records 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, employee, terminees, applicants records, complaints, etc				NOTE: Records connected to legal issues are kept open until 3yrs after the issue is resolved.
d. Does the Agency have a written policy regarding pre-employment/employment medical inquiries? [WIA Sect. 188, Section 504, the ADA Act of 1990, 29CFR 32.15]				
Comments:				



Element Measure V	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 Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Are there written procedures for conducting EO/Non Discrimination reviews for service providers?				
b. Is there a monitoring instrument used by the LWIA and/or local level staff to monitor recipient EO activities?				
c. Are monitoring reports kept on file?				
d. Is there a schedule for monitoring recipients?				
e. Is the State's MOA available?				
f. Are there recent records of EO/ADA and sexual-harassment training for the staff on file? (At least 2-yrs)				
g. Organizational Bulletin Board: Does it have the required posters? (See DCEO's Website.) (1)EO is the Law, (2) EO Officer Information, (3) Equal Pay Act, (4) Victim Economic Security and Safety Act, (5) Minimum Wage Act, (6) Your rights under the Fair Labor Standards Act, (7) Current Complaint Procedures, (8) EO Policy, (9) Sexual Harassment Policy, (10) Reasonable Accommodation Policy, and (11) Family Medical Leave Act				
h. Does the Agency have an EO Administrative checklist?				
i. Do applicant files contain confidential information? Randomly check at least 10 files and make a record of your findings. (Info about disabilities & medical info)				
j. Are confidential files secured				
k. Is there a policy on whom may see confidential information i.e. supervisors, designated counselor, emergency personnel, and Inspectors from DCEO or CRC.				
l. Is there a list of Assistive Technology Posted in the resource room or where applicants can see the list?				
m. Is the staff familiar with Assistive Technology? Has there been recent training?				



Element › Measure V	Element 7: Compliance Monitoring (cont'd) References: <ul style="list-style-type: none"> • Methods of Administration, Element 7 • 29 CFR Part 37. 51 Thru.54(d) (2) (ii)] 	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
n. Is the Assistive Technology Operable?				
o. Is the staff familiar with Assistive Technology policy?				
p. Does the staff know how to handle EO complaints?				
q. How and when is Assistive Technology Equipment Replaced?				
r. Who Is the disability Resource Coordinator assigned to this Agency?				
s. Are the programs accessible to disabled individuals?				
t. Is the facility accessible to disabled individuals?				
u. Is the staff familiar with the LEP Program?				
v. I there a list of community action groups?				
Comments:				



Element › Measure V	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 Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Is there a written complaint procedure which complies with State's MOA and CRC policies?				(Get a copy)
b. Is there a complaint log?				
c. Is there a posted copy of the complaint procedures?				
d. Does the staff know how to handle EO Complaints?				
e. Is a copy of the complaint procedures distributed to applicants, participants, and staff?				
f. Are there currently any complaints pending?				
g. Is mediation and/or alternate dispute resolution (ADR) a part of the Agency's complaint procedures?				
h. Is the complaint procedure in a language other than English?				
Comments:				



Element › Measure V	Element 9: Corrective Actions/Sanctions References: <ul style="list-style-type: none"> • Methods of Administration, Element 9 • 29 CFR Part 37.54 	Measure Has Been Met		Briefly explain if measure is not met; state corrective action on extra sheet if needed (How/When)
		YES	NO	
a. Are procedures written to effect corrective actions and applying sanctions. [37.54)				
b. Are corrective actions and prospective relief plans being implemented and maintained? [37.95 - .98]				
c. Are supporting documentation to support violations kept on file? [37.38]				
d. Is there a checklist used to effect corrective action procedures?				
Comments: Corrective Actions/Sanctions taken would depend on the nature of the infraction.				



Appendix A

Additional Administrative Monitoring Information

Item	Yes	No	Explain/Describe Corrective Action
a. Are Tag lines used on communications data i.e. letters, training flyers, general correspondence, & business cards?			
b. Was there adequate preparation for your visit? (Information you requested available? Staff you needed to talk to available?)			
c. Was the Website Accessible and conformed to Section 508 of the Rehabilitation Act?			
d. Conduct Staff Survey?			
e. Conduct Client Survey?			
Exit Conference/Briefing			
a. Was an Exit Conference/Briefing scheduled?			
b. Were there findings and/or observations? (Findings must be written; observations may be presented orally)			
c. Was the Agency given the opportunity to provide feedback, discuss, or refute findings?			
d. If there were findings, was the Agency given guidance about how to correct or fix findings?			
e. Did you provide the Agency a "due date" for your report?			
f. Was the Agency given a "due date" to make corrective actions"			
g. Did the Agency request a technical assistance visit to help them with their corrective action plan?			



Appendix B

Training Provider Monitoring Tool

Provider's Name: _____

Facility Address: _____

Programs Offered at this Location: _____

Inspection Date: _____ **Inspector:** _____

	YES	NO	Comments
1. Does this Provider have an EO Policy?			
2. Is the "Equal Opportunity is the Law" notice posted conspicuously? 29CFR 37.29			
3. Is the EO notice in a language other than English? 29 CFR 37.35 (a)1			
4. Has information on the prohibition of sexual harassment been disseminated to Staff? P.L. 92-337			A letter, poster, handbook, manual, policy, etc is acceptable.
5. Has the LWIA EO been identified? 29CFR37.26			Name, title, telephone #, e-mail, TTY/TDD
6. Are the Federal and State posters available and prominently posted? 29CFR37.29			
7. Do all requests for proposals and contracts regarding WIA related training and services contain the appropriate WIA Nondiscrimination Clauses, Certifications, and Assurances? 29CFR37.30			
8. Does the EO/Non-discrimination policy statement indicate that they comply with the provisions of Title VI of the Civil Rights Act of 1964? Executive Order 11246			
9. Does the policy statement indicate that they comply with the provisions of Section 504 of the Rehabilitation Act of 1973 and Section 188 of the WIA Act?			
10. Are the Provider training programs Certified by the State? Or by a bona- fide certification training agency?			
11. Was this facility built before 1998? 29CFR 37.7 – 9			American w/Disabilities Act of 1990. P.L. 92-337
12. Does this facility comply with ADAAG?			
13. Are there sufficient parking space for individuals with disabilities? IAC 400.310 (c) (2)			



14. Are parking spaces properly marked and with proper signage? IAC 400.310			
15. Is the surface of the parking lot hard and will accommodate a wheelchair? ADAAG 4.7.4			
16. Are Sidewalks at least 36" wide; slope no more than 5% - this includes curb cuts w/domed detectable warnings? ADAAG 4.7.3 - 7			
17. Is the entrance to the facility accessible? S/B 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
18. Interior rooms used by applicants properly marked with raised Braille letters, are they accessible?			IAC 400.310 (u)
19. Are programs physically and programmatically accessible to individuals with disabilities? 29CFR 32.27a.			
20. When requested, have reasonable accommodation been provided? 29CFR32.13			Get examples when possible
21. Are there policy and procedures in effect requiring reasonable accommodations and auxiliary aids?			
22. How are staff and applicants notified of the provider's policy regarding reasonable accommodations?			Get example when possible
23. Is confidential information stored separately and secured i.e. medical information, SSN, I-9 Forms			
24. Are there agreements or contracts in place for interpreters? Is the staff versed on working with people with disabilities or Limited English Proficiency?			
25. Is the staff aware of the EO/Non-discriminatory policies or procedures and do they know how to handle discrimination or sexual harassment issues?			
<p>Comments:</p>			



Important Websites

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

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

<http://www.ccdionline.org/links.php> Coalition of Citizens With Disabilities 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/Administration_Directors_Office/State+EO+Officer/ This is the State's website for EO. Click on any of the links you need. Note there is an underscore between administration_director.

