

CATAWBA WIA INSTRUCTION PY00-006

TO: All PY'00 WIA Grantees

SUBJECT: 29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity

ISSUANCE DATE: October 4, 2000

EFFECTIVE DATE: Immediately

EXPIRATION DATE: Indefinite

Purpose: This instruction transmits 29 CFR Part 37 that implements the nondiscrimination and equal opportunity requirements under WIA.

Policy: No individual in the United State may, on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I financially assisted program or activity, 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 WIA Title I funded program or activity.

Action: To comply with 29 CFR Part 37 each Workforce Investment Area Grantee shall:

1. Designate an individual who will be responsible for implementing this regulation to ensure equal opportunity in WIA-funded programs and activities at the local grantee level. The individual job description should reflect such duties.
2. Ensure that each application for federal financial assistance under WIA includes the assurances in subpart B, 37.20(a), of these regulations with respect to the operation of the WIA-funded program or activity and all agreements or arrangements to carry out the WIA-funded program or activity.

3. Comply with subpart B, 37.22 relating to personal or real property or interest therein or structures thereon.
4. Disseminate policy in accordance with the notice requirement in subpart B, 37.29.
5. When passing on federal financial assistance under WIA to a subgrantee, provide the entity receiving the assistance with the notice prescribed in paragraph 37.20(a)(1).
6. In all publications, recruitment brochures and other materials which are usually distributed to the public to describe programs funded under WIA and requirements for participation, indicate that the WIA-funded program or activity is an “equal opportunity employer/program” and that “auxiliary aids and services are available upon request to individuals with disabilities.” Where the materials indicate that the recipient may be reached by telephone, the materials shall state the telephone number of the TTD or relay service used by the recipient, as required by 37.9(c).
7. During each presentation to orient new participants and/or new employees to its WIA-funded program or activity, include a discussion of participants’ and/or employees’ rights under the non-discrimination and equal opportunity provisions of WIA and this part, including the right to file a complaint of discrimination with the EO Officer, SC Employment Security Commission, P.O. Box 995, Columbia, SC 29202, or the Director, Civil Rights Center, US Department of Labor, 200 Constitution Avenue, Room 4123, Washington, DC 20210.
8. Have a system for periodically monitoring subgrantees for compliance with the equal opportunity provisions of 29 CFR part 37, including a determination as to whether the subgrantee is conducting its WIA-funded program or activity in a nondiscriminatory way, for monitoring the procedures for ensuring that subgrantees provide accessibility to individuals with disabilities, and policy dissemination.
9. Have procedures for obtaining prompt corrective action or, as necessary, applying sanctions when noncompliance is found. These procedures should include obtaining supporting documentation to show that commitments made in the corrective action plan have been carried out, or are being carried out.
10. Maintain a grievance/complaint and hearing procedure for resolving issues arising in connection with programs and activities under WIA.

These regulations are available in large print upon request to accommodate individuals with vision impairments.

INQUIRIES: To receive a copy of 29 CFR Part 37 in large print, or if you have any questions regarding this instruction, please contact me at 327-9041.

Robert A. Barber
SDA Administrator

Attachments