

WIOA Guidance Notice No. 3-16

TO: Workforce Investment Boards

FROM: Angela Fry
Assistant Director
Workforce Programs

SUBJECT: Accessibility for Individuals with Disabilities

EFFECTIVE DATE: July 1, 2015

I. REFERENCE(S):

Workforce Innovation & Opportunity Act of 2014, 188

II. PURPOSE:

The purpose of this guidance notice is to ensure all partners in the workforce and education system described in this plan will ensure the physical, programmatic, and communications accessibility of facilities, programs, services, technology, and materials for individuals with disabilities in One-Stop Career Centers and training facilities.

III. BACKGROUND:

Section 188 of the Workforce Innovation & Opportunity Act (WIOA) of 2014 prohibits against discrimination on the basis of disability under section 504 of the Rehabilitation Act of 1973. No individual in the United States may 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 Title I financially assisted program or activity, on the ground of race, color, religion, sex, national origin, age, disability, or political affiliation or belief and for beneficiaries only, citizenship or participation in any WIA Title I program.

IV. ACTION:

All entities receiving funding under Workforce Innovation & Opportunity Act Title I must provide initial and continuing notice that it does not discriminate on any prohibited ground.

Notice must be provided to:

- a. Registrants/applicants and eligible applicants/registrants;
- b. Participants;
- c. Applicants for employment and employees in WIA funded programs;
- d. Unions or professional organizations that hold collective bargaining or professional agreements with the recipient; and

- e. Members of the public, including those with impaired vision, hearing, or of limited English speaking ability.

Appropriate steps must be taken to ensure that communications with individuals with disabilities are as effective as communications with others.

“Equal Opportunity is the Law” notices which are printed in English and Spanish, must be posted in prominent common areas in all WorkForce West Virginia One Stop Career Centers, LWDB offices and all training provider facilities. This notice must also be provided to, registrants, applicants, participants, applicants for employment and employees, unions or professional organizations that hold collective bargaining or professional agreements, subrecipients that received WIOA Title I funds, and members of the public, including those with visual or hearing impairments. The language on this poster must contain specific wording and is to be obtained from the WorkForce West Virginia Equal Opportunity Office.

Entities funded by WIOA Title I must provide notice that programs or activities are an **“equal opportunity employer/programs”** and that **“auxiliary aids and services are available upon request to individuals with disabilities”** in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe programs financially funded through WIOA Title I.

Recipients that publish or broadcast WIOA Title I program information on news media must ensure that such publications and broadcasts state that the program or activity is an equal opportunity employer/program (or otherwise indicate that discrimination in the WIOA Title I financially assisted program or activity is prohibited by Federal law) and indicate that auxiliary aids and services are available upon request to individuals with disabilities. Where materials indicate that the recipient may be reached by telephone, the materials must state the telephone number of the TTY/TDD or relay services used by the recipient.

WorkForce West Virginia has designated an individual in each One Stop Career Center to ensure that communications with individuals with disabilities are as effective as communications with others. Assistance in serving individuals with disabilities may also be obtained by calling the WorkForce West Virginia Equal Opportunity office or a LWDB EO Officer.

V. IMPLEMENTATION DATE:
Effective 7/01/2015

VI. INQUIRIES:

Please direct any questions regarding this Guidance Notice to WorkForce West Virginia/Workforce Programs Division.