

CITY OF LOS ANGELES

CALIFORNIA

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ECONOMIC AND WORKFORCE
DEVELOPMENT DEPARTMENT



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LOS ANGELES, CA 90017

ERIC GARCETTI
MAYOR

DATE: July 20, 2017

TO: LA's Workforce Development System

FROM: Gerardo Ruvalcaba, Director
Workforce Development System

SUBJECT: WDS DIRECTIVE NO. 18-02
(Supersedes WDS Directive No.17-03)

**REQUEST FOR EQUAL OPPORTUNITY (EO) COMPLAINTS OFFICER,
DISABILITY COORDINATOR, AND LIMITED ENGLISH PROFICIENCY
(LEP) COORDINATOR**

EFFECTIVE DATE

This directive is effective upon date of issue.

PURPOSE

The purpose of this directive is to request the Equal Opportunity (EO) Complaints Officer's, the Disability Coordinator's, and the Limited English Proficiency (LEP) Coordinator's information per the Equal Opportunity/Non-discrimination Obligations and Assurances under the City of Los Angeles WIOA Title I financially assisted programs. This directive also delineates the roles and responsibilities of the three mentioned positions.

BACKGROUND

The non-discrimination regulations of the Workforce Investment Act, Section 188 of the WIA, are referenced and incorporated into the Workforce Innovation and Opportunity Act (WIOA). Section 188 of the WIA lays out the Methods of Administration, a framework for the delivery of services in a non-discriminatory manner.

The City of Los Angeles previously issued an Equal Opportunity/Non-Discrimination Policy, based on Section 188 of the WIA. [See City WDS Directive 8-15.] The final rule now being published at 29 CFR part 38, contains substantive changes necessary to address developments in equal opportunity and non-discrimination law since the Department's Civil Rights Center (CRC) first issued regulations implementing WIA in 1999. The rule's updated provisions generally reflect obligations already imposed by changes to other non-discrimination and equal opportunity laws that expanded, for example, protections against unlawful discrimination on the basis of disability, national origin (including limited English proficiency), and sexual orientation. This rule will ensure recipients understand how their obligations in this regard have changed over the past 17 years. The final rule also includes

updates reflecting changes in the increased use of online service delivery models in the workforce development system since 1999. [This rule became effective on January 3, 2017.]

The Equal Opportunity/Non-Discrimination Policy details the requirement that each WorkSource Center/America's Job Center of California and YouthSource Center appoint an Equal Opportunity (EO) Complaints Officer. This individual is responsible for coordinating the Center's obligations under Federal, State, and City regulations. This includes handling, at the primary level, complaints brought under the WIOA. Handling complaints at the earliest level consists of acknowledging receipt of the complaint and scheduling an informal resolution meeting; facilitating the informal resolution meeting; and preparing the settlement agreement. If a complaint proceeds to administrative hearing, the Center's EO Complaints Officer is expected to coordinate the presentation of the Center's position on the complaint case before the administrative hearing officer, and possibly make the presentation for the agency.

The Center's EO Complaints Officer is also responsible for ensuring that the WIOA programs are delivered in full compliance with all non-discrimination regulations and the State Methods of Administration. The Center's EO Complaints Officer should routinely provide training to all staff on EO topics, and should coordinate with the Disability Coordinator and LEP Coordinator to have them provide training. The name and phone number of the Center's EO Complaints Officer should be widely publicized to clients and staff. It is mandatory that the Center's EO Complaints Officer attend all EO Officer training, as well as Legacy I training; even if Legacy live training is not offered because of funding issues, designated individuals are expected to complete the on-line course. The module "Roles and Responsibilities," provided in the EO Officer's handbook, details the duties of these positions.

The EO Complaints Officer is responsible for completing the biennial Physical and Program Accessibility Checklist (PPA). Although it is assumed that the Disability Coordinator and others will assist on this project, the EO Complaints Officer is ultimately responsible for completion of this project.

The Equal Opportunity/Non-discrimination Policy also requires that each WIOA service provider designate a person to coordinate the agency's efforts in complying with the Section 504 Rehabilitation Act regulations. This individual should develop expertise in serving people with disabilities, particularly through training offered through the EmployABILITY Partnership and the Legacy program. The Disability Coordinator must:

- Attend all EO Officer training;
- Complete Legacy I, II, and III training;
- Regularly attend meetings of the EmployABILITY Partnership; and
- Disseminate the information learned at these meetings to all staff in training sessions and at staff meetings.

In response to Executive Order 13166, and in order to ensure compliance with the Dymally-Alatorre Bilingual Services Act, the City of Los Angeles Local Workforce

Development Area (LWDA) requires each WorkSource/America's Job and YouthSourceCenter to appoint an LEP Coordinator. The LEP Coordinator is responsible for coordinating service to persons with Limited English Proficiency. The LEP Coordinator should:

- Attend all EO Officer training.
- Complete Legacy I training.
- Attend all LEP Coordinator meetings.
- Disseminate the information learned at these meetings to all staff in training sessions.
- Maintain a list of staff members, including partner staff, who are bilingual.

It is useful, but not mandatory, to have designated alternates for each of these positions who have completed the training and are able to assist each of the coordinators. Designated alternates are especially useful when the coordinator is on vacation or leave. It is also very useful to have a trained alternate when it is necessary to make a change in the designated individual.

Performance Evaluation Criteria

Response to this directive will have an influence on two administrative capability factors. The response will be judged as to its timeliness (received by the deadline stated). The designated Center's EO Complaints Officer, Disability Coordinator, and LEP Coordinator will be evaluated to determine if they have completed the requisite training(s).

It is the responsibility of the Centers to notify the EO Compliance Unit promptly when there is a change in the designated individuals.

ACTION REQUESTED

Each WorkSource/America's Job Center and YouthSource Center is requested to submit **in writing, on its own letterhead:**

- 1) The Center's name and address where city-funded WIOA services are being provided.
- 2) The name and email address of the Program Director.
- 3) The name, address, phone number, fax number, TTY number, and email address of the Center's designated EO Complaints Officer.
- 4) The name, address, phone number, fax number, TTY number, and email address of the designated Disability Coordinator.
- 5) The name, address, phone number, fax number, TTY number, and email address of the designated LEP Coordinator.

If there are designated alternates, please provide the same information for the alternates. The response to this directive should be signed by the Center's Executive Director.

DEADLINE FOR RESPONSE

The deadline for response is **August 18, 2017**. Please submit the requested information to

Maureen Brown
EO Compliance Officer
City of Los Angeles
Economic and Workforce Development Department
1200 W. 7th Street, 6th floor
Los Angeles, CA 90017

The response may be submitted electronically, as a scanned attachment, to Maureen.Brown@lacity.org. The response may also be faxed to (213) 744-7118.

CONTACT

If you have any questions or require further information, please contact Maureen Brown at (213) 744-7272 or TTY (213) 744-7290.

GR:RC