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DEPARTMENT OF LABOR AND EMPLOYMENT

WORKFORCE DEVELOPMENT PROGRAMS

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TECHNICAL ASSISTANCE NOTICE 06-2

SUBJECT: Guidelines for Equal Opportunity Notification to Wagner-Peyser Applicants

DATE: February 13, 2006

Please Note: The following Technical Assistance Notice (TAN) should be viewed as an official state communication from the Colorado Department of Labor and Employment's (CDLE) Workforce Development Programs Office. The contents of this TAN may be incorporated into future PGLs on related subjects.

Purpose: To communicate CDLE's requirement of non-discrimination and equal opportunity notifications as it relates to the Wagner Peyser Program (WP). This TAN clarifies the requirement of PGL 02-07-L to provide an equal opportunity notice to each WP applicant.

References:

- PGL 02-07-L Discrimination and Equal Opportunity
- PGL 02-03-L Non-Discrimination and Equal Opportunity Assurance.
- PGL 02-04 L Non-Discriminating and Equal Opportunity Sanctions.
- Workforce Investment Act, Section 111 (d) (2).
- Department of Labor, Employment and Training Administration, 20 CFR Part 652, ET at.
- Workforce Investment Act; Final Rule, August 11, 2000.
- 29 CFR Part 37, Department of Labor, Office of the Secretary, Implementation of the
- Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act; Final Rule, November 12, 1999.

Other Federal laws, regulations, guidelines, and directives may also apply, and their omission here is not to be construed as exclusions.

Policy Statement:

CDLE is committed to providing access to all individuals with respect to the delivery of programs and services associated with the Wagner Peyser Act of 1933 (WP) as amended by the Workforce Investment Act (WIA) of 1998.

Consistent with legal and regulatory requirements of WIA, local One-Stop Centers and Contractors shall establish and maintain a comprehensive Equal Opportunity program that includes written policies and procedures covering all employment and service programs they offer. All One-Stop Centers and Contractors shall ensure compliance with CDLE's equal opportunity and related policies, procedures, and administrative directives as applicable.

The CDLE Equal Opportunity Officer monitors each Workforce Region for equal opportunity compliance and enforcement of these laws as they relate to the WIA and the WP Program.

I. Minimum Requirements Regarding the EO notification for all Wagner-Peyser applicants:

A. When does the EO notice have to be provided?

A copy of the EO notice shall be provided to a Wagner-Peyser client as follows:

1. By each Workforce Region whenever a client first registers in that Region; however, this requirement only applies to the Regions themselves, not to individual Workforce Centers or satellite offices located within the **same** Region.
2. Each and every time a client is reactivated within the Region.
3. Anytime a client requests information contained in the EO notice.

B. What documentation is required when the EO notice is provided?

The provision of the EO notice service shall be documented in a client's JobLink record each time Workforce Center staff provides the EO Notice. The EO service is to be entered via the F-8 screen.

C. Specific Instructions for EO Notices at Registration:

1. IN PERSON REGISTRATIONS. When a client is physically present at a Workforce Center, an EO notification shall be provided by each Workforce Region when initially registering them into the WP program. This is a one-time notice, except that it shall be repeated if and when a client is reactivated after having been deactivated, whether or not the client has received a previous notice in that Region.

2. TELEPHONE REGISTRATIONS. Applicants who contact a Workforce Center by telephone for an initial registration shall be told about their EO rights during the telephone conversation, and the Workforce Center must offer to send the EO notification by mail or email to the applicant. If the applicant rejects the offer to receive the EO notice by mail, staff shall document the refusal on the F10 notes screen in JobLink.

3. INTERNET REGISTRATIONS. Web based EO notifications are provided when applicants register or are reactivated in the system via the Internet. This complies with the preceding one time EO notification requirement as the applicant must acknowledge receipt of the EO notice when so registering.

II. Compliance Monitoring: Programs, services and activities are monitored by the State EO Officer to assure nondiscrimination with respect to staffing, contracting, and program participation. Workforce System Specialists (WSSs) will monitor Workforce Region's JobLink records to ensure compliance with this TAN.

Please address any questions to your Workforce System Specialist.