

## NORTH CENTRAL COUNTIES CONSORTIUM

**NONDISCRIMINATION AND EQUAL OPPORTUNITY POLICY****I. Purpose**

This policy establishes the North Central Counties Consortium's (NCCC) Nondiscrimination and Equal Opportunity Policy for the Workforce Innovation and Opportunity Act (WIOA) Title I-financially assisted programs or activities.

**II. Scope**

This policy applies to all NCCC America's Job Centers of California (AJCC) and all mandated AJCC partners, to the extent that they participate in the One Stop delivery system.

**III. References**

- WIOA Section 188
- Americans with Disabilities Act of 1990, Title II, Subpart A
- 20 CFR Section 658.400
- 29 CFR Part 31, 32, 38
- WSD17-01 Nondiscrimination and Equal Opportunity Procedures
- WSD17-03 Limited English Proficiency
- WSD17-05 Oversight and Monitoring of Nondiscrimination and EO Procedures

**IV. Background**

WIOA Section 188 contains the nondiscrimination and equal opportunity provisions of the Act. Title 29 CFR Part 38 implements the nondiscrimination and equal opportunity provisions specified in Section 188 of WIOA and states: No individual in the United States may discriminate against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, marital status, sexual orientation, political affiliation or belief.

**V. General Provisions**

In order to provide a reasonable guarantee of compliance with the nondiscrimination and equal opportunity provision of Section 188 of the WIOA and 29 CFR Part 38, Local Workforce Development Areas must establish and implement a Nondiscrimination Plan for state programs as outlined in 29 CFR Section 38.54. North Central Counties Consortium, to be in compliance with rules and regulations, will include in the Nondiscrimination Plan the following components:

1. Assurances – all contracts, cooperative agreements, job training plans and policies and procedures must contain the nondiscrimination assurances in 29 CFR Section 38.25 and 38.26. The nondiscrimination assurances must state that the grant applicant will “comply fully with the nondiscrimination and equal opportunity provisions of WIOA”.
2. EO Officer – NCCC will designate an EO Officer who is responsible for coordinating its obligations under the regulations.
3. Notice and Communication – NCCC Program Operators must provide initial and continuing notice that it does not discriminate on any prohibited basis. Notices and posters related to Equal Opportunity is the Law and how to file a complaint will be used.
4. Data and Information Collection and Maintenance – NCCC recipients shall collect and maintain nondiscrimination data. Each recipient must record the race/ethnicity, sex, age, and where known, disability status for every applicant, registrant, participant, trainee, applicant for employment, and employee. This information must be used only for the purposes of any of the following:
  - a. Recordkeeping/reporting
  - b. Determining eligibility for WIOA Title I activities
  - c. Determining the extent to which the recipient is operating its WIOA Title I program in a nondiscriminatory manner
  - d. Other use authorized by the law

This information is collected on the State of California’s CalJOBS system.

5. Affirmative Outreach – NCCC Program Operators are required to take appropriate steps to ensure that they are providing equal access to their WIOA Title I financially assisted programs and activities.
6. Complaint Processing Procedures – NCCC will develop and publish a process for resolving allegations within the Local Area for noncompliance with Nondiscrimination and Equal Opportunity laws and regulations.
7. Additional Components of the Plan – NCCC Staff will conduct monitoring of all NCCC WIOA Title I programs to assure compliance with all rules regulations and policies set out by DOL, EDD and NCCC.

The above information will be implemented in the NCCC Nondiscrimination and Equal Opportunity Procedure.