

SECTION 16 – EQUAL OPPORTUNITY AND NONDISCRIMINATION

16.1 Purpose

The purpose of this section is to establish the Equal Opportunity (EO) and nondiscrimination policy governing all programs and activities administered or overseen by the New River/Mount Rogers Workforce Development Board.

This policy ensures compliance with:

- Workforce Innovation and Opportunity Act (WIOA) Section 188
- 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of WIOA
- Applicable federal civil rights laws
- Virginia Works policy guidance

The Workforce Development Board is committed to providing equal opportunity in all programs, services, and employment practices.

Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance services are available for individuals with limited English proficiency.

16.2 Definitions

Equal Opportunity (EO)

The principle that individuals must not be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity funded under WIOA.

Protected Classes

Discrimination is prohibited based on:

- Race
- Color
- Religion
- Sex (including pregnancy, childbirth, gender identity, and sexual orientation)
- National origin (including limited English proficiency)
- Age

- Disability
- Political affiliation or belief
- Citizenship or participation in any WIOA Title I program

16.3 Policy Statement

The New River/Mount Rogers Workforce Development Board prohibits discrimination in all programs, services, and activities funded in whole or in part by federal workforce development funds.

No individual shall be:

- Denied participation in workforce programs
- Denied benefits
- Subjected to discrimination
- Treated differently in service delivery

on the basis of any protected class identified under WIOA Section 188.

Auxiliary aids and services are available upon request to individuals with disabilities.

Language assistance services are available to individuals with limited English proficiency.

16.4 Equal Opportunity Officer

The Workforce Development Board designates an Equal Opportunity Officer responsible for coordinating compliance with WIOA nondiscrimination requirements.

Local EO Officer

Jenny Bolte
Executive Director and Equal Opportunity Officer
New River/Mount Rogers Workforce Development Board
6580 Valley Center Drive, Suite 119
Radford, VA 24141

Phone: (540) 633-6764

Email: Jenny.Bolte@nrmrworks.org

The EO Officer is responsible for:

- Monitoring nondiscrimination compliance
- Coordinating complaint investigations
- Ensuring required notices are distributed
- Ensuring accessibility and language assistance
- Conducting periodic EO reviews of programs and service providers

16.5 Accessibility Requirements

Programs must ensure equal access to services for all individuals.

16.5.1 Physical Accessibility

All program facilities must be accessible to individuals with disabilities consistent with:

- Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act

16.5.2 Program Accessibility

Programs must provide reasonable accommodations to ensure individuals with disabilities can fully participate in workforce services.

Examples may include:

- Accessible training materials
- Assistive technology
- Alternative testing formats
- Schedule adjustments when necessary

16.5.3 Language Access

Language assistance must be provided to individuals with limited English proficiency (LEP).

Language access may include:

- Interpretation services
- Translated materials
- Bilingual staff when available

Participants must not be required to provide their own interpreter.

16.6 Notice Requirements

The Workforce Development Board and all program operators must provide notice of nondiscrimination rights.

Required notices include:

- “Equal Opportunity is the Law” notice
- Participant nondiscrimination notification
- Complaint filing procedures

These notices must be:

- Posted prominently in program offices
- Included in participant orientation materials
- Provided to participants at enrollment
- Included in participant handbooks when applicable

16.7 Discrimination Complaint Procedures

Individuals who believe they have experienced discrimination under a WIOA Title I program may file a complaint within 180 calendar days of the alleged violation.

Complaints may be filed with:

Local EO Officer

Jenny Bolte
New River/Mount Rogers Workforce Development Board
6580 Valley Center Drive, Suite 119
Radford, VA 24141

Phone: (540) 633-6764
Email: Jenny.Bolte@nrmrworks.org

State EO Officer

Vicki Tanner, MPA
Virginia Works
2221 Edward Holland Drive, Suite 500
Richmond, VA 23230

Phone: (434) 978-8543
Email: vicki.tanner@viriniaworks.gov

U.S. Department of Labor

Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW
Room N-4123
Washington, DC 20210

Phone: (202) 693-6500
Email: CRCEXternalComplaints@dol.gov

16.8 Complaint Investigation Process

When a discrimination complaint is filed locally:

1. The EO Officer will acknowledge receipt of the complaint.
2. The EO Officer will conduct an investigation.
3. The investigation must be completed within 90 calendar days.
4. A written Notice of Final Action will be issued.

If no final action is issued within 90 days, the complainant may file directly with the U.S. Department of Labor Civil Rights Center (CRC).

16.9 Confidentiality and Non-Retaliation

All discrimination complaints will be handled with strict confidentiality consistent with a fair investigation.

Retaliation against any individual who files a complaint or participates in an investigation is strictly prohibited.

16.10 Documentation Requirements

The Workforce Development Board and program operators must maintain documentation demonstrating compliance with nondiscrimination requirements, including:

- EO notices and postings
- Participant notification forms
- Accessibility accommodations provided
- Complaint documentation
- Investigation records

Records must be maintained in accordance with federal record retention requirements and the documentation standards outlined in Section 9 – Privacy, Confidentiality, and Records Protection.

16.11 Monitoring Requirements

The Workforce Development Board will periodically review programs and service providers to ensure compliance with nondiscrimination requirements.

Monitoring activities may include:

- Review of participant files
- Review of complaint logs
- Review of accessibility compliance
- Verification of required EO notices

Monitoring activities must align with the oversight procedures described in Section 12 – Internal Monitoring and Quality Assurance.

Corrective action may be required if deficiencies are identified.

16.12 Equal Opportunity Compliance and Methods of Administration

The New River/Mount Rogers Workforce Development Board maintains procedures designed to ensure compliance with the nondiscrimination and equal opportunity requirements of WIOA Section 188 and 29 CFR Part 38.

The Workforce Development Board maintains internal systems and practices consistent with the Virginia Works Methods of Administration to ensure that:

- Equal opportunity requirements are integrated into all workforce programs and activities
- Staff and service providers receive appropriate training on nondiscrimination requirements
- Required nondiscrimination notices are distributed and publicly posted
- Program operators and service providers comply with accessibility requirements for individuals with disabilities and individuals with limited English proficiency
- Complaints alleging discrimination are processed in accordance with federal regulations
- Monitoring activities include review of equal opportunity compliance

Program operators, contractors, and subrecipients must comply with the nondiscrimination requirements contained in WIOA Section 188 and 29 CFR Part 38 as a condition of receiving workforce development funds.

Failure to comply with nondiscrimination requirements may result in corrective action, funding sanctions, or termination of agreements.