

GL Attachment L – Local Area Equal Opportunity Policy Statement

LOCAL AREA EQUAL OPPORTUNITY POLICY STATEMENT

Under Section 188 of the Workforce Innovation and Opportunity Act, the Act prohibits discrimination on the basis of race, color, national origin, sex, age, disability, religion, political affiliation or belief, participant status, and against certain non-citizens. This includes:

1. Prohibition of Discrimination regarding Participation, Benefits and Employment. No individual is to 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 such program or activity because of race, color, religion, sex (except as permitted under Title IX of the Education Amendments of 1972), national origin, age, disability or political affiliation or belief.

2. Prohibition Involving Facilities for Sectarian Instruction or Religious Worship. Participants shall not be employed under WIOA Title I to carry out the construction, operation or maintenance of any part of any facility that is used or is to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to the WIOA participants).

3. Prohibition on Discrimination on Basis of Participant Status. No person may discriminate against an individual who is a participant in a program or activity that receives funds under WIOA Title I with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.

4. Prohibition on Discrimination Against Certain Noncitizens. Participation in programs and activities or receiving funds under WIOA Title I shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

5. Verification. Greater Lincoln shall determine eligibility for WIOA benefits and will:
- A. Have each applicant for WIOA services attest that he or she is a U.S. citizen or a qualified alien. This will be done using the format prescribed by the Nebraska Department of Administrative Services (DAS).
 - B. If the applicant indicates he or she is an alien, then his or her lawful presence in the United States will be verified using the SAVE (Systematic Alien Verification for Entitlements) Program operated by the U.S. Department of Homeland Security.

6. Prohibition of Discrimination on the Basis of Disability. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. For the purpose of applying these prohibitions against discrimination on the basis of disability, programs and activities funded or otherwise financially assisted in whole or in part under WIOA are considered to be programs and activities receiving Federal financial assistance. A recipient is obligated to provide physical and programmatic accessibility and reasonable accommodation/modification in regard to the WIOA program, as required by section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, and Section 188 of WIOA. Financial assistance provided under Title I of WIOA may be used to meet this obligation.

7. Equal Opportunity Officer. Every recipient must designate an Equal Opportunity Officer (EO Officer). The City of Lincoln is the WIOA Title I recipient agency and has designated Kimberly Taylor Riley, Director of Equity and Diversity, City of Lincoln, 402-441-7624, as the EO Officer. The EO Officer is responsible for monitoring and investigating obligations under 29 CFR Part 37 and WIOA Title I obligations regarding nondiscrimination and equal opportunity.

8. Notice and Communication. As the recipient the City provides initial and continuing notice to registrants, applicants, participants and employees that it does not discriminate on any prohibited grounds as provided in 29 CFR 37.30. Alternative and appropriate formats will be provided to individuals with visual impairments and will be recorded in the participant's file. If a significant number of the population eligible to be served needs services in a language other than English to be effective, then the City will consider the scope of the program/activity and size of the population that needs services or information and take reasonable steps to provide services and information in appropriate languages. Auxiliary aids or services will be furnished where necessary.

9. Other Requirements. The Nebraska Department of Labor has issued a Preliminary Policy on Equal Opportunity and Nondiscrimination which the City of Lincoln as the local area recipient will follow. The policy includes:

- A. Assurances for compliance with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of WIA, Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, American with Disabilities Act, Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972. All as amended.
- B. Assurances for a discussion with new participants and employees and/or the general public of rights under the non discrimination and equal opportunity provisions of WIOA including the right to file a complaint of discrimination with the recipient or Civil Rights Center Director.
- C. The provision of reasonable accommodation to qualified individuals with disabilities who are applicants, registrants, participants, or employees unless the accomodation would cause undue hardship.
- D. A complaint procedure as outlined in the State's policy for any person who believes that he or she had been subjected to discrimination prohibited by WIOA or the regulations implenting the nondiscrimination provisions.

10. The City of Lincoln also follows Fair Employment Practices under Lincoln Municipal Code Chapter 11.08 as provided on the Attachment.