

SUMMARY OF COMMENTS

There were 6 comments to the draft version of this policy:

Comment #1 - Section II(A) page 2: WANB ask that “adequate” notice be given to participants, please define adequate.

Resolution – Adequate notice may be different depending on the situation that is being address, but concludes the notice was satisfactory or acceptable in quality or quantity as to provide equal access to services.

Comment #2 - Section II(A) page 2: The definition of “timely” includes available language assistance avoids the delay of services. Several requests for language assistance cannot be accommodated at the time of request and must be planned for a future date (ex. Participants’ primary language is Cantonese and they would like an interpreter to attend a the CareerPoint MARIN Orientation. This request can be accommodated but will need to be schedule and therefore will delay the service). We suggest a rewording to clarify “timely” is dependent upon the individual circumstances of the request and should be accommodated as soon as possible to avoid further delay in services.

Resolution – The definition of timely in this policy is in alignment with the Title 29 CFR Part 38, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act, Subpart A, Section 38.9(d).

Comment #3 - Section IV (A) page 3: The Federal and State laws require written materials to be translated for those languages that are spoken by a significant portion of the population, The WANB is defining significant as 5%. This low percentage rate differs from the standard 10% and will require a costly adjustment for CareerPoint MARIN. We request an increase to the balance the needs of the community and the cost to the service provides in translation fees.

Resolution – This matter was referred to the EDD, Equal Employment Opportunity Office for clarification. The EEO Office representative provided the following reference for the 5 percent standard. Assembly Bill (AB) 3179 is to change the percentage process from 5% to 3%, but it has not passed yet. If the legislation passes, it will take effect next year. Until then, the Alliance will remain using the 5 percent as referenced in existing Government Code, Section 7296.2.

Comment #4 - Section V(A)(B) page 3: Will a draft of the required Babel Notice be provided by the WANB? Please define “vital information” for service providers.

Resolution – The Babel Notice has been provided by the Workforce Alliance of the North Bay to its service providers. Service providers may contact the Operations Unit if they would like to receive it again. Vital Information, as defined in Title 29 CFR Part 38, has been included in the policy definitions.

Comment #5 - Section VI(A) page 3: The WANB will be requiring each service provide collaborate with the Alliance to develop a LEP Plan, what is the timeline for starting this process?

Resolution – The Operations team will take the lead on the development, implementation and continued review of the LEP written plan; it will be included on the November 2018 Operations Team meeting agenda.

Comment #6 - We agree with Marin's comment regarding the 5% threshold and ask it be increased to 10% as a 5% threshold would cause a hardship for us to meet.

Resolution - This matter was referred to the EDD, Equal Employment Opportunity Office for clarification. The EEO Office provided the following reference for the 5 percent standard. Assembly Bill (AB) 3179 is to change the percentage process from 5% to 3%, but it has not passed yet. If the legislation passes, it will take effect next year. Until then, the Alliance will remain using the 5 percent as referenced in existing Government Code, Section 7296.2.

