



SUMMARY OF COMMENTS

There were 27 comments to the draft version of this policy:

Comment #1 - Section II(A)(4) page 3: Equal Opportunity is the Law notice/poster in each employee file? To prove compliance with this request will confidential files of the County of Marin be accessed by the WANB and therefore the State during audits and/or monitoring? If so, the Union will need to be consulted prior to implementation.

Resolution – This matter was referred to the EDD, Equal Employment Opportunity Office for clarification. The EEO Office representative stated the EO Notice is applicable to all entities that receives and accepts WIOA funds, this includes employees providing WIOA funded services. At this time, reviewing employees' files is not part of the EDD EEO Office compliance monitoring guide; however, it may change in the future.

Comment #2 - Section II(B) page 3: Equal Opportunity is the Law notice/poster shall be provided to "applicants for employment", this request is unclear. Is the WANB requesting that this notice be provided to applicants for employment within the County of Marin ran CareerPoint center or participants applying for employment thru the services provided by CareerPoint Marin (OJT)? To establish a new hiring process within the County of Marin, Human Resources will need to review and make the final determination.

Resolution – This matter was referred to the EDD, Equal Employment Opportunity Office for clarification. The EEO Office representative stated the EO Notice is applicable to all entities that receives and accepts WIOA funds, this includes employees providing WIOA funded services. The subrecipient should notify those applicants that receives and accepts WIOA funds.

Comment #3 - Section II(E) page 3: The County of Marin is required to list its own TTY service number on all documents, is the WANB requiring we list the California Relay Service (CRS) line in addition?

Resolution – This section of the policy was updated to require a TTY service number. The TTY number can be the service provider's and/or the CRS line.

Comment #4 - Section III(B) page 4: The County of Marin County Counsel (and possibly the Union) will need to review the WANB request for demographic data collection on employees and applicants for employment.

Resolution - This matter was referred to the EDD, Equal Employment Opportunity Office for clarification. The EEO Office representative stated this is applicable to all entities that receives and accepts WIOA funds, this includes employees providing WIOA funded services. However, the Alliance expects the service providers to maintain their own employee demographic data should the data be requested by the Governor and/or the CRC as referenced.

Comment #5 - Section III(C) page 4: Within the WIOA application, both electronic and hard copy, disability information is requested that requires a disclosure of a disability will the State and Geographic Solutions (CalJOBS vendor) be adjusting this document to allow for our compliance.

Resolution – Yes, this has been announced as in progress.

Comment #6 - Section III(C) page 4: Please clarify the secure filing requirements. The County of Marin employees must use a proximity card to access any area where case files are located. Additional cabinets lock and exited participant folders are kept in a locked file room. If this level does not satisfy the secured requirement, please suggest additional steps.

Resolution – This matter was referred to the EDD, Equal Employment Opportunity Office for clarification. The EEO Office representative stated files must be stored in a secure location. In addition, confidential files are to be stored separately from the non-confidential files and secured with limited access.

Comment #7- Section III(C) page 4: The current paper file system used allows for the hard copy materials concerning an individual's disability be separated, but how will this translate with the 2019 paperless implementation planned by the WANB? CalJOBS saves all documents to a central location within each participant electronic case file.

Resolution – The EDD, EEO Office has stated they are aware of this issue with document storage in CalJOBS and until the CalJOBS system is enhanced all documents will be stored in CalJOBS is considered secure.

Comment #8 - Section V(B) page 5: At what point in the process of dealing with a complaint does the WANB want the information (initial, during investigation or after resolution) or is there a set timeframe they should be provided (monthly, quarterly or annually)?

Resolution – As the receiving entity for complaints filed, the Alliance should have immediate notification unless the complaint is filed directly with the CRC at DOL.



Comment #9 - Section V(D) page 5: Will the WANB compile and submit the complaint logs annually for all services providers? What date should the log be submitted?

Resolution – Yes, the Alliance will maintain the complaint log and submit it annually as directed by the EEO Office.

Comment #10 - Policy Update History: The WANB has not provided a previous “Nondiscrimination and Equal Opportunity” policy to service providers and/or posted one to the Alliance website. Indicate of previous history from 2017 implies guidelines and rule for compliance for service providers that did not exist. We request the “Policy Update History” reflect the approval by the Local WDB and an amendment thereafter.

Resolution – The Regional Workforce Development Board Executive Committee approved the first Alliance Equal Employment Opportunity Policy on December 13, 2017. This revision has been updated to reflect that date.

Equal Opportunity is the Law form questions:

Comment #11 - As a participant utilized form per the branding requirements for all AJCC you must add the AJCC appropriate branding.

Resolution – This form is to be used by all WIOA funded programs and activities and is not limited to the AJCC.

Comment #12 - Section: Acknowledgment Form page 2: Can each service provider insert their location in the “My service provider is” space prior to providing the form to participants?

Resolution – Yes, the form is intended to be customized by the service provider in this area.

Comment #13 - Form footer: As this is the initial offering of this form to service providers, we request the “Rev” date is not a valid and implies previous forms were required. We suggest the date only, until such times as true revisions have been made to the form.

Resolution – A previous version of this form has been published and a revision date is appropriate to reflect that.

Discrimination Complaint Form questions:

Comment #14 - As a participant utilized form per the branding requirements for all AJCC you must add the AJCC appropriate branding.



Resolution - This form is to be used by all WIOA funded programs and activities and is not limited to the AJCC.

Comment #15 - How would the WANB like this form distributed to complainants? Available in AJCC or upon requested?

Resolution – This form should be made available upon request. In addition, complainants may file complaints using the CRC’s Complaint Form or choose not to use a specific form or format.

Comment #16 - Form footer: As this is the initial offering of this form to service providers, we request the “Rev” date is not a valid and implies previous forms were required. We suggest the date only, until such times as true revisions have been made to the form.

Resolution -The Alliance will modify the form footer to remove the “Rev.”

Discrimination Reporting Form comments:

Comment #17 - Explain briefly what happened and how you were discriminated against. I would ask that the language be changed to read: Explain briefly what happened and how you believe you were discriminated against.

Resolution – The Alliance has modified the document.

Comment #18 - Indicate who discriminated against you. Include names and titles, if possible. I would ask that the language be changed to read: indicate who was involved in the incident or indicate the name of their person you believe discriminated against you.

Resolution – The Alliance has modified the document.

Comment #19 - Also, the first two sentences sound duplicative. Can they be combined using the language I am proposing?

Resolution – These bullets are prompts for the complainant and may seem duplicative but maybe helpful.

Nondiscrimination and equal opportunity policy comments:

Comment #20 - Napa County has a policy around this and an assigned Equal opportunity officer. How does this policy impact our current internal policy? I ask because our process is for all programs within our division. Complaints go directly to our EOO. Would this policy require that we change our internal process? If so, Tamara could end up receiving complaints from the



CalWORKs program or other programs and not just WIOA. We do not want that to happen. This policy would require us to put notices up with Tamara's contact information in locations where clients of all programs frequent. If we have a policy and procedure in place is it necessary for clients to send complaints directly to Tamara rather than our EOO and then having our EOO notify your office?

Resolution – The Alliance, as the recipient of the Title I WIOA funding, must have their EO Officer receive all complaints from programs and activities financially assisted with these funds. Subrecipients operating these programs and activities must post the notice specific to recipients of federal financial assistance under Title I of the WIOA. Subrecipients may have additional posting requirements related to other funding services they receive.

Comment #21 - The policy states in section II. C that the notice must be provided in appropriate languages. Will the WANB provide those notices or are we required to have the document translated? Do we need to say which languages it must be provided in?

Resolution – The Alliance will work with subrecipients to ensure equal access to the notice.

Comment #22 - The first paragraph under "Purpose" is one sentence. Can it be broken in two sentences? I think there should be a period after "Part 38". Then start a new sentence with "These provisions prohibit discrimination..."

Resolution – The Alliance has made that change to add clarification to this policy section.

Comment #23 - Part VIII B 4 – Disabilities is misspelled.

Resolution – This has been corrected.

Comment #24 - Part XII A – I'm a little confused with the complaint process and how it's described in this section versus the Acknowledgement Form. See my comments below.

Resolution – The Acknowledgement Form ensures the participant has received and understands their rights to file a complaint.

EQUAL OPPORTUNITY IS THE LAW Acknowledgement Form comments:

Comment #25 - In the bolded section with Tamara's contact information, can "California Relay Service 711" be on its own line? Also, move the Email down so that's also on just one line.

Resolution – Yes, this has been reformatted.



Comment #26 - The last paragraph doesn't seem to be consistent with the policy. It says you have to wait to file with CRC if you file with the recipient, but the policy says you can file with either. The policy says the complaint has to be in writing, but the form does not say this. Will people be given the form or do they have to call and ask for the form? I'm mostly concerned with the complexity of the last paragraph. Is there a way to simplify the instructions?

Resolution – This notice includes the federal language required to notice on filing a complaint. Contact information is provided should a complainant have questions or need clarification about the process.

Comment #27 - In reading this, I'm wondering if the customer will know who the "recipient" is. Is it the County/WIOA staff?

Resolution – This notice includes the federal language required to notice on equal opportunity. Contact information is provided should a complainant have questions or need clarification about the recipient.

