



State of Indiana Nondiscrimination Plan

Implementing Section 188 of the Workforce Innovation and Opportunity Act

2026 - 2028

Equal Opportunity Employer/ Program

Free auxiliary aids and services are available upon request to individuals with disabilities. Free language interpretation and translation services are also available upon request.

Contents

Element 1: Designation of State and Local Equal Opportunity (EO) Officers	1
Element 1 Documentation	8
Element 2: Notice and Communication	9
Element 2 Documentation	14
Element 3: Review Assurances, Job Training Plans, Contracts, and Policies and Procedures	15
Element 3 Documentation	17
Element 4: Compliance with Disability Nondiscrimination Requirements	18
Element 4 Documentation	24
Element 5: Data and Information Collection and Maintenance	25
Element 5 Documentation	27
Element 6: Monitor Recipients for Compliance.....	28
Element 6 Documentation	31
Element 7: Complaint Processing Procedures	32
Element 7 Documentation	34
Element 8: Corrective Actions/ Sanctions.....	35
Element 8 Documentation	36

Element 1: Designation of State and Local Equal Opportunity (EO) Officers *[29 CFR 38.28 through 38.33]*

The Governor of Indiana has delegated authority to the Commissioner of the Department of Workforce Development (DWD) to administer and oversee the nondiscrimination and equal opportunity (EO) provisions of Section 188 of the Workforce Innovation and Opportunity Act (WIOA) and its implementing regulations at 29 CFR Part 38 (collectively, Section 188).¹ The DWD Commissioner, on behalf of the Governor, is ultimately responsible for Indiana's Section 188 compliance, including development and implementation of this Nondiscrimination Plan (NDP). DWD employs a designated State EO Officer to ensure that Indiana's Local Workforce Development Areas (LWDAs), sub-recipients, and workforce system partners are aware of, and in compliance with, the NDP and all Section 188 responsibilities. Similarly, each LWDA has designated a Local EO Officer to carry out these duties at the local level.

State EO Officer Designation

In compliance with Section 188, Jennifer Greimann has been designated as the State EO Officer.² In this role, she oversees the coordination, implementation, maintenance, and monitoring of the nondiscrimination and EO requirements of Section 188. Ms. Greimann has access to the DWD Commissioner, the Governor's designee, for EO and nondiscrimination matters as needed.³

Ms. Jennifer Greimann, State EO Officer
Indiana Department of Workforce Development
10 N. Senate Avenue, IGCS SE 312
Indianapolis, IN 46204
317-233-4380
TDD/TTY: 800-743-3333

State EO Officer Designation and Program Liaisons

Unemployment Insurance Quality Control Division:

EO Liaisons for the Unemployment Insurance Program are the UI Policy Director and the UI Ombudsman. Both assist the State EO Officer in providing reasonable accommodations for customers and gathering and providing information for unemployment customer discrimination complaints.

Adult Education:

The EO liaison (Associate Director of Adult Education) supports the State EO Officer by coordinating reasonable accommodations for customers and assisting with the collection and coordination of

¹ Governor's Designation Letter: https://www.in.gov/dwd/files/DWD-Section-188-letter.pdf?language_id=1

² Governor's Designation Letter: https://www.in.gov/dwd/files/DWD-Section-188-letter.pdf?language_id=1

³ Documentation 1.1: WIOA Section 188 Equal Opportunity Reporting Structure

information related to Adult Education discrimination complaints.

Workforce Education:

INTraining consists of two lists: the INTraining list and the Eligible Training Provider (ETP) list, which serve as Indiana's resource for identifying quality occupational training options. The EO liaison (Associate Director of Career Training) ensures that all training providers on both lists meet WIOA requirements, including Section 188 compliance. This includes supporting reasonable accommodations for customers and assisting the State EO Officer with gathering and providing information related to discrimination complaints.

Employment Services Field Operations Division:

EO liaisons within the Field Operations Division include staff from Wagner-Peyser, Reemployment Services and Eligibility Assessment (RESEA), Migrant Seasonal Farmworker (MSFW), and Veterans services. Discrimination complaints are forwarded to the State EO Officer. The State EO Officer and EO liaisons collaborate, when needed, on investigations.

Program Administration and Oversight Division:

EO liaisons within the Program Administration and Oversight Division include staff from Trade Adjustment Assistance (TAA), Senior Community Service Employment Program (SCSEP), and WIOA Title I and Youth. Discrimination complaints are forwarded to the State EO Officer. The State Level EO-Officer and EO liaisons collaborate, when needed, on investigations.

Local EO Officer Designation

Indiana's twelve LWDAs have each designated a senior-level employee as the Local EO Officer.^{4&5} Contact information for each Local EO Officer is listed below.

Indiana Local EO Officer Directory

LWDA 1

Becky Fry, Director of Policy/EO Officer
Center of Workforce Innovations, Inc.
504 Broadway, 4th Floor, Gary, IN 46402
Phone: 219-248-7488
Email: bfry@cwicorp.com

LWDA 2

Barbara White, Executive Assistant/EO Officer
Northern Indiana Workforce Board, Inc.
220 W. Colfax Avenue, Ste 500, South Bend, IN 46601
Phone: 574-233-6175
Email: barbara.white@niwb.org

⁴ Documentation 1.2: Sample Local Level Organizational Chart

⁵ For a map of Indiana's LWDAs, see Documentation 1.3: Indiana LWDAs

LWDA 3

Erica Lillie, Director of Quality Initiatives and EO Officer
Northeast Indiana Works
200 E. Main Street, Ste. 910, Ft. Wayne, IN 46802
Phone: 260-318-2349
Email: elillie@neinworks.org

LWDA 4

Mellisa Leaming, Executive Director/EO Officer
Region 4 Workforce Board
976 Mezzanine Drive, Suite C, Lafayette, IN 47905
Phone: 765-807-0888
Email: mleaming@tap.lafayette.in.us

LWDA 5

Cindy Gosser, PHR/SHRM-CP, Human Resources Manager/EO Officer
WorkOne Central
836 S. State Street, PO Box 69, Greenfield, IN 46140
Phone: 317-467-0248, Ext. 303
Email: cgosser@workonecentral.org

LWDA 6

Kathryn Neely, Information Services Manager/EO Officer
Eastern Indiana Works/ASG
4620 W. Bethel Ave., Muncie, IN 47304
Phone: 765-807-2355
Email: kneely@easternindianaworks.org

LWDA 7

Nikkie Spurr, Chief Operations Officer/EO Officer
Western Indiana Workforce Development Board, Inc.
900 Wabash Ave., Ste. 203, Terre Haute, IN 47807
Phone: 812-238-5616 x 103
Email: Nspurr@workforcenet.org

LWDA 8

Rob King, WDB Executive Director/EO Officer
South Central Region 8 Workforce Board / Vincennes University
333 S Landmark Avenue, Bloomington, IN 47403
Phone: 812-322-6835
Email: reking@vinu.edu

LWDA 9

Amanda Getzendanner, Quality Assurance and Project Manager/EO Officer
Southeast Indiana Workforce Board
500 Industrial Drive, Lawrenceburg, IN 47025
Phone: 513-602-4495
Email: amandag@workonesoutheast.org

LWDA 10

Tim Renners, Director of Operations/EO Officer
Region 10 Workforce Board, Inc.

2125 State St., New Albany, IN 47150
Phone: 812-941-6422
Email: tim@soinworks.com

LWDA 11

Jody Robinson, Administrative Coordinator/EO Officer
Southwest Indiana Workforce Board
4600 Washington Avenue, Suite 113, Evansville, IN 47714
Phone: 812-428-4455
Email: jody.robinson@swinworkforce.org

LWDA 12

Kevin Duffy, Senior Policy Analyst/EO Officer
EmployIndy
101 W. Washington St., Suite 1200, Indianapolis, IN 46204
Phone: 317-289-9781
Email: kduffy@employindy.org

Public Notice of State and Local EO Officers

DWD makes the identity of the State EO Officer known to applicants, registrants, eligible applicants/registrants, participants, employers, employees, applicants for employment, and the public by the following methods:

- Formal notice to Indiana's workforce development system is disseminated through DWD EO Policy.⁶
- Name and full contact information published on DWD's EO webpage at <https://www.in.gov/dwd/eo.htm>.

The Local EO Officers make their identities known to applicants, registrants, eligible applicants/registrants, participants, employers, employees, applicants for employment, and the public by posting notices of "Equal Opportunity is the Law" in the American Job Center offices, which Indiana refers to as WorkOne offices. The notices are posted in languages other than English that reflect the language spoken by significant portions of the population within the relevant service area. DWD provides printable/fillable notice templates on its EO webpage at <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials/>. Additionally, each LWDA has developed local policy in conformance with Section 188 and State guidance. The local policies provide contact information for the respective Local EO Officer.

Duties of State and Local EO Officers

DWD's State EO Officer is a full-time position.⁷ As such, none of the State EO Officer's duties create

⁶ DWD Policy 2016-09, Change 2: EO and Nondiscrimination Guidance Letter:
https://www.in.gov/dwd/files/activepolicies/2016-09-PC2_EO_Nondiscrimination_Guidance.pdf?language_id=1

⁷ Documentation 1.4: State EO Officer Job Description

a conflict of interest, or the appearance of a conflict, with the responsibilities of an EO Officer.⁸

The State EO Officer's responsibilities include, but are not limited to:

- Overseeing the development and implementation of the NDP;
- Serving as the state's liaison with CRC;
- Monitoring compliance of Section 188 requirements on an annual basis;
- Undergoing training and providing training and technical assistance to Local EO Officers; and
- Developing procedures for and investigating discrimination matters that rise to the state level.

Most Local EO Officers operate in this role on a part-time basis.⁹ Although the Local EO Officer may have other job duties, those duties do not create a conflict of interest, or the appearance of a conflict, with the EO Officer responsibilities. While formally reporting to their respective LWDA directors, the Local EO Officers also functionally report to the State EO officer on matters pertaining to Section 188.

The Local EO Officer's responsibilities include, but are not limited to:

- Reporting EO/Nondiscrimination matters to the State EO Officer;
- Processing and investigating local discrimination complaints;
- Monitoring compliance of regional WIOA Title I recipients;
- Undergoing training and providing training for staff and service providers (participation required for quarterly conference calls and training sessions conducted by DWD's State EO Officer);
- Surveying WorkOne offices to ensure compliance with applicable accessibility requirements;
- Reviewing the Region's policies to ensure they are nondiscriminatory;
- Conducting outreach and education about EO and nondiscrimination requirements and how an individual may file a complaint; and
- Ensuring overall implementation of the NDP.

Support and Training

The State EO Officer has both operational and administrative support through additional PAO staff, several of which have been cross trained regarding Section 188 compliance. Ms. Greimann also has a direct report, the Compliance Specialist, who focuses primarily on EO functions.¹⁰ The entire PAO Division works closely together to coordinate and conduct annual compliance monitoring of each

⁸ See State and Local Equal Opportunity Officers training under Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials>

⁹ Documentation 1.5: Sample Local EO Officer Job Description

¹⁰ Documentation 1.6: Compliance Specialist Job Description

LWDA. Further, the State EO Officer and Compliance Specialist design and implement various training and technical assistance methods to support the Local EO Officers and the various departments in the agency. The State EO Officer and Compliance Specialist salaries are funded by WIOA and UI Administration funds.

The State EO Officer developed a series of Section 188 trainings that followed the eight elements¹¹ of the NDP via PowerPoint presentation.¹² In 2019, the PowerPoint presentations were made mandatory for Local EO Officers and contained a Survey Monkey quiz at the end to ensure completion and comprehension.¹³ Questions frequently missed were discussed with Local EO Officers by the State EO Officer and provided insight to additional training needed. The following topics were covered:

- Element 1: State and Local Equal Opportunity Officers
- Element 2: Notice and Communication
- Element 3: Assurance Language
- Element 4: Compliance with Disability Nondiscrimination Requirements
- Element 5: Data and Information Collection and Maintenance
- Element 6: Monitoring Recipients for Compliance
- Element 7: Complaint Processing Procedures
- Element 8: Corrective Actions and Sanctions

These eight PowerPoint presentations are posted on DWD's EO webpage as a resource for both the Local EO Officers and the public. These were updated in 2026. Additionally, in July 2019, the State EO Officer developed a PowerPoint presentation titled "Equal Opportunity 101", which is meant to be used by Local EO Officers to introduce and train LWDA staff to equal opportunity and certain aspects of the NDP they would encounter working in the WorkOne offices.¹⁴ This training was also updated in 2026. To provide continual training, the State has implemented further training in specialized topics, including EO data analysis¹⁵, local monitoring requirements, language interpretation services, and complaint procedures.¹⁶ Local EO Officers are continuously sent training opportunities and resources from the State EO Officer.¹⁷

When a new individual is designated as a Local EO Officer, the State EO Officer provides them with the necessary training and resources to carry out their responsibilities. The State EO Officer created a welcome packet for new Local EO Officers. This packet includes a checklist of reading materials

¹¹ Previously the nine elements; Affirmative Outreach removed in alignment with recission of 29 CFR 38.40

¹² Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials/>

¹³ Documentation 1.7: NDP Regional Training Completions

¹⁴ See EO Program 101 Training under Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials/>

¹⁵ Documentation 1.8: Equal Opportunity Data Analysis Presentation

¹⁶ Documentation 1.9: Complaint Procedures Presentation

¹⁷ Documentation 1.10: Equal Opportunity Trainings

and things to do to get started and a guide with listed resources.¹⁸

The State EO Officer hosts quarterly conference calls where the Local EO Officers are required to participate to discuss current activity within the twelve LWDAs. Items discussed include, but are not limited to, structural and programmatic accessibility of buildings, programs, and services to ensure equal access, integration, training needs of staff, monitoring, and the development and implementation of necessary policies and procedures. These conference calls are used as a vehicle to distribute information, gain insight into training needs for Local EO Officers, and respond to questions from the field.¹⁹

The State EO Officer is a member of the National Association of State Workforce Agencies (NASWA) EO Committee and regularly attends the quarterly EO Committee meetings and Fireside Chats. For example, in February 2026, Indiana's Director of Policy attended the EO Committee meeting in Bar Harbor, Maryland. The State EO Officer additionally will attend the September 2026 EO Committee meeting in Milwaukee, Wisconsin.²⁰ The meeting provided sessions on best practices, CRC updates, and discussions of EO challenges and opportunities in various states throughout the country. In addition, the State EO Officer is a member of the NASWA EO subcommittee Tools, Tech, and Resources Committee.

The State EO Officer and other members of DWD's Program Administration and Oversight Division frequently participate in various topic-specific webinars, conference calls, partner training opportunities, and networking events to ensure continual training and competency concerning Section 188 compliance. In addition, virtual trainings for managers are available on a continual basis, such as Understanding Workplace Accommodations and Navigating the Multi-Generational Workplace.

In August 2023, DWD established a cross divisional Access Workgroup for the purpose of enhancing awareness and identifying opportunities for continuous improvement across the agency with representation from all major divisions within DWD. The State EO Officer coordinates and leads these work group meetings. The Access Workgroup provides quarterly updates to DWD Executive Leadership, including the Commissioner, on the agency's accessibility initiatives, progress, and goals.

¹⁸ Documentation 1.11: Welcome Packet Checklist and Guide

¹⁹ Documentation 1.12: EO Quarterly Meeting Agenda

²⁰ Documentation 1.13: NASWA Meeting Agendas: National Harbor and Milwaukee

Element 1 Documentation

Documentation 1.1: WIOA Section 188 Equal Opportunity Reporting Structure

Documentation 1.2: Sample Local Level Organizational Chart

Documentation 1.3: Indiana LWDAs

Documentation 1.4: State EO Officer Job Description

Documentation 1.5: Sample Local EO Officer Job Description

Documentation 1.6: Compliance Specialist Job Description

Documentation 1.7: NDP Regional Training Completions

Documentation 1.8: Equal Opportunity Data Analysis Presentation

Documentation 1.9: Equal Opportunity Complaint Procedures Presentation

Documentation 1.10: Equal Opportunity Trainings

Documentation 1.11: Welcome Packet Checklist and Guide

Documentation 1.12: EO Quarterly Meeting Agenda

Documentation 1.13: NASWA Meeting Agendas: Bar Harbor

Element 2: Notice and Communication

[29 CFR 38.34 through 38.39]

WIOA Title I recipients, including one-stop partners (OSPs)²¹ to the extent they participate in the one-stop delivery system, must provide initial and continuing notice that they do not discriminate on any prohibited basis. This notice must be provided to registrants, applicants and eligible registrants/applicants, participants, applicants for employment and employees, unions, or professional organizations that hold collective bargaining or professional agreements with the recipient, sub-recipients that receive WIOA Title I funds from the recipient, and members of the public, including those with impaired vision or hearing and those with limited English proficiency.²²

EO Notice Requirements

Recipients are advised of the posting and dissemination requirements of the “Equal Opportunity is the Law” notice (the EO Notice)²³ as well as the requirement that appropriate steps are taken to ensure communications with individuals with disabilities are as effective as communications with others, and that the notice is provided in appropriate languages to ensure meaningful access for limited English proficient (LEP) individuals via DWD EO Policy.²⁴ The State’s Equal Opportunity webpage has the “Equal Opportunity is the Law” notice available in 17 languages.²⁵

The DWD EO Policy covers law and regulations under Section 188. All EO Notices are posted and are verified during annual EO Monitoring site visits.

The acknowledgment of EO Notice appears in the DWD Case Management System, Indiana Career Connect (ICC) when the applicant reaches the final page of the WIOA application,²⁶ the Wagner Peyser application,²⁷ and the TAA application.²⁸ The case manager prints out the completed application and provides the applicant with a copy of the EO Notice with their Local EO Officer’s information on it, which is acknowledged by their signature on the final page. If a user is registering for online services through the ICC website, upon selecting to register as an individual, they are immediately directed to the EO Notice that requires their acknowledgment to proceed.²⁹

Acknowledgment of the EO Notice has been added to all DWD employee files through the State of Indiana Employee personnel platform, Success Factors, in August 2023.³⁰ The EO is the Law notice is provided to all new employees during new employee orientation and onboarding and is reviewed and completed yearly.

²¹ OSPs, as defined in WIOA 121(b), are considered recipients for purposes of 29 CFR 38.

²² 29 CFR 38.34

²³ EO is the Law Notice: https://www.in.gov/dwd/files/EO_Law.pdf

²⁴ DWD Policy 2016-09, Change 2: EO and Nondiscrimination Guidance Letter:

https://www.in.gov/dwd/files/activepolicies/2016-09-PC2_EO_Nondiscrimination_Guidance.pdf?language_id=1

²⁵ <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials/>

²⁶ Documentation 2.1: WIOA Application EO Acknowledgment

²⁷ Documentation 2.2: WP Application EO Acknowledgment

²⁸ Documentation 2.3: TAA Application EO Acknowledgment

²⁹ Documentation 2.4: ICC Registration EO Acknowledgment

³⁰ Documentation 2.5: Indiana DWD Employee EO Notice Acknowledgment

Publications, Broadcasts, and Other Communications

All recipients must include an EO Tagline in recruitment brochures, pamphlets, and other publications which promote WIOA programs and activities. While the DWD EO Policy follows Section 188, it also gives flexibility for recipients to tailor the EO Tagline dependent on subject matter of the program or materials they are publishing. Recipients must include two required clauses: that the program or activity in question is an "equal opportunity employer/program" and that "auxiliary aids and services are available upon request to individuals with disabilities." The DWD EO Policy was updated in May 2025 to expand the required EO Tagline to include information about language interpretation and translation services. Tagline compliance is checked during annual EO Monitoring visits, with corrective action required as needed. The EO Tagline and a link to the EO Notice is listed at the bottom of every page on DWD's website³¹. Additionally, the EO Tagline is on all DWD associated social media sites.

When a phone number is provided, it must be accompanied by the telephone number of the text telephone (TTY) or equally effective communication system, such as a relay service,³² videophone, or captioned telephone used by the recipient.

A DWD policy pertaining to social media management was issued in November 2023, which provides LWDAs with guidance on social media including the requirement for the EO Tagline on their social media sites.³³ Compliance with this policy is checked during annual monitoring.

Information in Languages Other than English

According to the most recent data available, Spanish is the predominant non-English language spoken by LEP individuals in Indiana.³⁴ As such, the "Equal Opportunity is the Law" notice is available in both English and Spanish, and copies of the EO Notice in both languages are posted in all WorkOne offices. Copies of the EO Notice and additional state and federal posters, such as the Unemployment Insurance³⁵ and the Migrant and Seasonal Agricultural Worker Protection Act, are provided in English and Spanish on DWD's website.³⁶ Additionally, the State EO Officer has provided all LWDAs a guide to using the accessibility workstation in Spanish for staff to post in all the WorkOne offices with accessibility workstations.³⁷

LEP individuals can translate the information provided on ICC from English to Spanish using a built-in function. Additional LEP services are provided at the regional level, including, but not limited to, bilingual staff, hand-held translators, English as a Second Language classes, and Google Translate.

In accordance with regulation prohibiting discrimination against LEP individuals as a form of

³¹ <https://www.in.gov/dwd/>

³² Relay Indiana, Indiana's statewide Relay Service, is more fully discussed in Element 4.

³³ DWD Policy 2023-03: Social Media Management: https://www.in.gov/dwd/files/activepolicies/2023-03-P_Social_Media_Management.pdf

³⁴ Documentation 2.6: Excerpt of Indiana Census Data on Languages Spoken

³⁵ <https://www.in.gov/dwd/2455.htm>

³⁶ <https://www.in.gov/dwd/job-seekers/migrant-and-seasonal-farm-worker/>

³⁷ Documentation 2.7: Spanish Accessibility Workstation Guide

national origin discrimination,³⁸ Google Translate was added to ICC in the Fall of 2019 in order to translate words from English into other languages.³⁹ All regional leadership and AJC staff were notified and trained on how the translation function works in the system. Google Translate was also added to Uplink, Indiana's portal for filing Unemployment Insurance (UI) claims, in January 2024. Babel notices are also available for all communication of vital information. Vital information includes information, whether written, oral, or electronic, that is necessary for an individual to obtain, or understand how to obtain, any aid, benefit, service, and/or training.⁴⁰ Babel notices indicate in appropriate languages that language assistance is available⁴¹ and are given with vital information such as consent and complaint forms, notices of rights and responsibilities, and communications posted on websites. DWD provides Babel notice samples⁴² based on the CRC's Babel notice and the demographics of Indiana.⁴³ In October 2019, Babel notices were uploaded into ICC and can be accessed when the EO Notice is displayed.⁴⁴ A Babel notice also appears on the homepage of Uplink.⁴⁵ DWD's UI program includes Babel notices to all claimant monetary determinations, determinations of eligibility, and appeals documents. In addition, LWDAs also have the notices available in various prominent locations throughout WorkOne sites.

On May 2, 2022, Indiana received a \$6.7 million grant from USDOL. One of the focus areas for this grant has involved partnering with an expert in the field of interpretation, translation, and plain language services to review communication methods, existing documentation sent to claimants and employers, and process flows for communicating with interested parties. UI gathered claimant insight by conducting interviews and deploying two surveys, one internal to DWD UI staff and one external to UI claimants. The surveys targeted UI claimants and received 628 responses. A consultant reviewed UI documents and webpages and gave DWD rewritten plain language content. Additional documents were analyzed for reading level and other required changes, including format and design. DWD developed a detailed roadmap to implement plain language changes to UI documents and other claimant facing resources, such as DWD's UI website. This initiative has a projected end date of December 31, 2027.

To fully meet the needs of LEP persons in Indiana, DWD also provides telephonic, virtual, and in-person interpreter services⁴⁶, as well as document translation services, at no charge to the client. Contracts include, but are not limited to, 24 hours/7 days a week telephonic interpretive services, billed by the minute and based on the language selected. Similarly, several contracts establish hourly rates for face-to-face interpretive services based on the language selected for different service areas throughout Indiana. Contracts with vendors such as Propio and Language Training Center (LTC) provide language interpreters on-demand via a mobile application platform and video

³⁸ 29 CFR 38.9

³⁹ <https://www.indianacareerconnect.com/vosnet/Default.aspx>

⁴⁰ 29 CFR 38.4(ttt)

⁴¹ See Notice and Communication Training under Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials>

⁴² Documentation 2.8: Babel Notice for Vital Documents

⁴³ See Indiana Census Data on Languages Spoken

⁴⁴ Documentation 2.9 Babel Notice Display in ICC

⁴⁵ Uplink Home Page: <https://uplink.in.gov/CSS/CSSLogon.htm>

⁴⁶ Documentation 2.10: Interpretation and Translation Service Agreements

interpreting with average connection time of less than 20-30 for up to 50 different languages.⁴⁷ On-demand video and in-person translation for American Sign Language have separate contracts.⁴⁸ DWD and WorkOne staff were provided training on contacting and utilizing vendor services.⁴⁹ DWD's website highlights interpretation services on its website for different services, such as UI.⁵⁰ In addition, all AJCs have posters posted in the front area upon entry highlighting "Your Right to an Interpreter at no cost to you" with a list of 35 languages.⁵¹ UI also implemented Standard Operating Procedures for staff to request translation of vital documents in claimant's preferred language.⁵² This has facilitated timely requests, which improves UI service delivery to LEP claimants and prevents any potential interruption of services. Further, the UI call center employs Spanish-speaking staff to assist customers as needed.

Various additional language services are offered within the twelve LWDAs, including but not limited to, bilingual staff, hand-held translators, and English as a Second Language classes.

Recipients are aware that written materials containing vital information must be translated and readily available for languages spoken by a significant number or portion of the population eligible to be served, or likely to be encountered, and further, reasonable steps must be taken to meet the particularized language needs of any LEP individual, regardless of population size.⁵³ Once a recipient becomes aware of an LEP individual's preferred language, the recipient must convey vital information in that language. Various documents are readily available in Spanish, which is the second most preferred language in Indiana after English.⁵⁴ As referenced above, UI contracted with a consultant to review all UI public-facing websites, communication methods, documentation sent to claimants or employers, and process flows for communicating with LEP claimants. UI materials such as Claimant Handbooks, Work Search Logs, and UI correspondences have been translated into Spanish, Burmese, Arabic, Bulgarian, Haitian-Creole, Haka-Chin, Kinyarwanda, Mandarin, Somali, Swahili, Tigrinya, and Braille.⁵⁵ UI materials will be translated into more languages when UI data, specifically the collection of preferred language, shows those materials are needed. Required RESEA training videos are translated into top encountered languages.⁵⁶

Questions regarding LEP and preferred language are in ICC.⁵⁷ LWDAs are encouraged to access this data in order to better serve individuals that are LEP by knowing what preferred languages are prevalent in their local area. This includes providing notice and documentation in those languages. In addition, in January of 2024, UI added "preferred language" questions to the UI Client Self Service system.⁵⁸ This helps ensure that LEP individuals will be offered free language assistance services

⁴⁷ Documentation 2.11: Propio One Mobile Application

⁴⁸ Documentation 2.12: American Sign Language Interpretation Service Agreements

⁴⁹ Documentation 2.13: American Sign Language Interpretation Services Training; Documentation 2.14: Foreign Language Interpretation Services Training

⁵⁰ DWD Contact Us Webpage: <https://www.in.gov/dwd/contact-us/>

⁵¹ Documentation 2.15: "Your Right to an Interpreter" Poster

⁵² Documentation 2.16: UI Translation Request and Procurement Procedure

⁵³ 29 CFR 38.91

⁵⁴ Documentation 2.17: Sample of Spanish Materials

⁵⁵ Indiana's Unemployment Homepage: <https://www.in.gov/dwd/indiana-unemployment/>

⁵⁶ Translated RESEA Videos: <https://www.in.gov/dwd/indiana-unemployment/resea/translated-video-materials>

⁵⁷ Documentation 2.18: Preferred Language Questions in ICC

⁵⁸ Documentation 2.19: Preferred Language Questions in Uplink

while participating in programs and services.

As recommended in regulation,⁵⁹ DWD developed policy providing guidance for language accessibility and creating a Language Access Plan (LAP), which is a written plan that ensures that LEP individuals have meaningful access to WIOA Title I-financially assisted programs and activities⁶⁰. This guidance applies to the programs and activities that are part of the One-Stop delivery system, Indiana's WorkOne/American Job Centers (WorkOne/AJC). All local LAPs must follow the guidelines in 29 CFR 38.

Orientation and Nondiscrimination Efforts

During any program orientation session, in-person or remote, DWD and OSPs include a discussion of rights under the nondiscrimination and EO provisions of WIOA. DWD and the local WorkOne offices distribute the EO Notice to registrants, applicants, eligible registrants/applicants, applicants for employment, employees, and interested members of the public to ensure that individuals have been notified of their rights under Section 188.^{61&62}

⁵⁹ 29 CFR 38.9; Appendix to 38.9

⁶⁰ DWD Policy 2023-07: Language Accessibility and Language Access Plans:
https://www.in.gov/dwd/files/activepolicies/DWD_Policy_2023-07_Language_Accessibility_and_Language_Access_Plans.pdf

⁶¹ Documentation 2.20: Rapid Response Orientation Presentation

⁶² Documentation 2.21: RESEA Orientation Presentation

Element 2 Documentation

Documentation 2.1: WIOA Application EO Acknowledgment
Documentation 2.2: WP Application EO Acknowledgment
Documentation 2.3: TAA Application EO Acknowledgment
Documentation 2.4: ICC Registration EO Acknowledgment
Documentation 2.5: Indiana DWD Employee EO Notice Acknowledgment
Documentation 2.6: Excerpt of Indiana Census Data on Languages Spoken
Documentation 2.7: Spanish Accessibility Workstation Guide
Documentation 2.8: Babel Notice for Vital Documents
Documentation 2.9: Babel Notice Display in ICC
Documentation 2.10: Interpretation and Translation Services Agreements
Documentation 2.11: Propio One Mobile Application
Documentation 2.12: American Sign Language Interpretation Services Agreements
Documentation 2.13: American Sign Language Interpretation Services Training
Documentation 2.14: Foreign Language Interpretation Services Training
Documentation 2.15: “Your Right to an Interpreter” Poster
Documentation 2.16: UI Translation Request and Procurement Procedure
Documentation 2.17: Sample of Spanish Materials
Documentation 2.18: Preferred Language Questions in ICC
Documentation 2.19: Preferred Language Questions in Uplink
Documentation 2.20: Rapid Response Orientation Presentation
Documentation 2.21: RESEA Orientation Presentation

Element 3: Review Assurances, Job Training Plans, Contracts, and Policies and Procedures

[29 CFR 38.25 through 38.27 and 38.54]

Indiana ensures compliance with 29 CFR Part 38.25 and 38.54 regarding the review of assurances, job training plans, contracts, policies and procedures through various means. This includes requiring that all WIOA Title I grant applicants and recipients agree to the EO assurance language prescribed by Part 38.25⁶³ and are able to provide programmatic and physical accessibility for individuals with disabilities. Further, it encompasses the review of job training plans, contracts, policies and procedures at the state and local level to ensure they are nondiscriminatory and include the required assurances.

Assurance Language

Indiana's WIOA Unified State Plan (State Plan) offers an assurance that appropriate action has been taken to comply with Section 188.⁶⁴ Further, DWD Policy 2016-09, Change 2 requires the inclusion of the EO assurance language in all contracts, grants, cooperative agreements, applications, or other arrangements.

DWD Policy 2016-09, Change 2, in compliance with Part 38.25(a)(2), informs all recipients that the nondiscrimination assurance is considered incorporated by operation of law in the grant, cooperative agreement, contract, or other arrangement whereby Federal financial assistance under WIOA Title I is made available, whether or not it is physically incorporated in such document and whether or not there is a written agreement between the DOL and the recipient, or between the DOL and the Governor, between the Governor and the recipient, or between recipients.

The assurance also may be incorporated by reference in such grants, cooperative agreements, contracts, or other arrangements. In lieu of including the assurance language in its entirety for smaller contracts or agreements, DWD Policy 2016-09, Change 2 has provided that the following reference to the language may be used:

“The equal opportunity and nondiscrimination assurances at 29 CFR Part 38.25 apply to this contract/ agreement.”

The LWDA grant agreements for WIOA Title I funds reflect the following:⁶⁵

“The parties to this Grant Agreement assure that each will fully comply with the nondiscrimination and equal opportunity provisions of Section 188 of WIOA and its implementing regulations.”

The grant agreements also require the parties to ensure the following is provided in the One- Stop delivery system:

- Facilities and programs are architecturally and programmatically accessible.
- Reasonable accommodations for individuals with disabilities.
- Cost allocation method for making reasonable accommodations.

⁶³ See attachment B in DWD Policy 2016-09, Change 2: EO and Nondiscrimination Guidance Letter:

https://www.in.gov/dwd/files/activepolicies/2016-09-PC2_EO_Nondiscrimination_Guidance.pdf?language_id=1

⁶⁴<https://www.in.gov/dwd/compliance-policy/plans-resources/>

⁶⁵ Documentation 3.1: Grant Boilerplate Language Excerpt

The State EO Officer is currently working with internal partners to strengthen relationships, such as the program leads for the Eligible Training Provider List (ETPL), Unemployment Insurance, and Adult Education, to ensure that the required assurance is included when/where applicable.

Assurance Reviews

The State EO Officer and DWD's Program Administration and Oversight Division's Oversight team periodically review each LWDA's contracts, policies, and other agreements to ensure they are nondiscriminatory and that they include all required EO assurances. The Oversight team and EO staff provide technical assistance as needed and conduct periodic desk audits to monitor each LWDA's compliance with EO and nondiscrimination requirements. DWD's EO Monitoring Tool outlines this process.⁶⁶ Some elements monitored include structural accessibility, parking for individuals with disabilities, designated restrooms, appropriate signage, program accessibility, and effective communication for persons with disabilities and LEP individuals. For further details on the monitoring process, please refer to Element 6.

DWD Policy 2020-09, Change 1, "One-Stop American Job Center Certification" outlines Indiana's One-Stop Certification process.⁶⁷ In accordance with this policy, each LWDA completes a certification tool with verifications for EO provisions, including proper EO awareness and accessibility.⁶⁸ One- Stop Certifications were recently completed in March 2024 and will be due again in March 2027.

⁶⁶ For more information, see Element 6 and Documentation 7.8

⁶⁷ DWD Policy 2020-09, Change 1: One-Stop American Job Center Certification:
https://www.in.gov/dwd/files/activepolicies/2020-09-P-C1-WIOA_One-Stop_AJC_Certification.pdf

⁶⁸ Documentation 3.2: Excerpt from One-Stop Certification Tool

Element 3 Documentation

Documentation 3.1: Grant Boilerplate Language Excerpt

Documentation 3.2: Excerpt from One-Stop Certification Tool

Element 4: Compliance with Disability Nondiscrimination Requirements

[29 CFR 38.12 through 38.17]

Indiana complies with the disability related requirements of WIOA Section 188, Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) of 1990, as amended, as well as implementing regulations, including, but not limited to 29 CFR Parts 32 and 38. These laws and regulations prohibit discrimination on the basis of disability in any program or activity receiving federal financial assistance. Applicable requirements are communicated through DWD Policy 2016-09, Change 2: *Equal Opportunity and Nondiscrimination* and general training was provided to the Local EO Officers via presentation module/conference call training in 2016-2017.⁶⁹

The accessibility provisions of 29 CFR Part 38 require that facilities are accessible and usable by individuals with disabilities⁷⁰ and that programs and activities be programmatically accessible, which includes providing reasonable accommodations for individuals with disabilities, making reasonable modifications to policies, practices, and procedures, administering programs in the most integrated setting appropriate, communicating with persons with disabilities as effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services, where necessary.⁷¹

The special needs of individuals with disabilities are addressed in Indiana's WorkOne offices through various programs and services. Job seekers with disabilities can access information and links to various resources on the Indiana Career Ready (ICR) website⁷² and DWD's website⁷³ for support in preparing for, obtaining, and retaining employment. The State and Local EO Officers ensure that all staff are knowledgeable about the importance of meaningful access to services and monitor facilities, programs, and services for physical and programmatic accessibility.

Physical Accessibility

Local EO Officers must ensure physical accessibility of WorkOne offices. The State EO Officer has provided an informal checklist, adapted from a checklist frequently used by Vocational Rehabilitation Services (VRS), to note major compliance areas such as parking, accessible routes, ramps, entrances and doors, signage, and restrooms.⁷⁴ The Local EO Officers identify on the checklist areas of noncompliance and will recommend corrective action where necessary.⁷⁵ Required modifications depend upon which facilities may be subject to the "safe harbor" provisions of the 2010 ADA standards. If a facility was in compliance with the 1991 ADA standards as of March 15, 2012, that facility may be "safe harbored" and therefore not required to make modifications unless the facility undergoes alterations. If alterations are made, however, they may trigger a

⁶⁹ See Compliance with Disability Nondiscrimination Requirements Training under Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials>

⁷⁰ 29 CFR 38.13(a)

⁷¹ 29 CFR 38.13(b); 29 CFR 38.15(a)(5)

⁷² <https://www.indianacareerready.com/JobSeeker/DisabilityServices>

⁷³ <https://www.in.gov/dwd/2416.htm>

⁷⁴ ADA Inspection Form: https://www.in.gov/dwd/files/ada_vr_checklist.pdf

⁷⁵ Documentation 4.1: Sample WorkOne Office Completed ADA Inspection Form

requirement for compliance with the newer 2010 ADA standards.⁷⁶ DWD anticipates additional training for its State and Local EO Officers to better understand ADA requirements for existing facilities.

The State EO Officer, in conjunction with PAO Oversight staff, conduct annual on-site monitoring of each LWDA where physical accessibility compliance is an element of review and discussion. Annual office reviews typically include, but are not limited to, a check of parking spaces/signage, compliant restroom facilities, wheelchair accessible entrances, and access to TTY/TDD or Relay services. Whenever there are new AJC offices, the State EO Officer ensures that the office has been reviewed for compliance with ADA standards through annual monitoring.

Programmatic Accessibility

In efforts to improve programmatic accessibility, DWD installed several new assistive technology (AT) workstations in WorkOne offices throughout the state. These workstations were installed in 2016 and include adjustable workstations, articulating arm supports, large print keyboards, and ultra-HD video magnifiers.⁷⁷ Following up on this AT initiative, the State EO Officer conducted an informal full state audit in 2024 to determine what equipment and software were available in each WorkOne office, as well as adequacy of staff training to utilize the AT.

The audit results indicated a variety of AT being utilized in the WorkOne offices, some of which includes print, visual, and audio materials in multiple mediums to include Zoom Text software, large key caps, and other accommodations for individuals with disabilities.⁷⁸ Additionally, most comprehensive WorkOne offices have an accessibility workstation like those installed under the DEI grant and staff receive training, generally as part of onboarding.⁷⁹ Staff knowledge and understanding of the accessibility workstations is checked during annual monitoring and as part of the center certification process. These workstations may include a larger computer screen, Braille keyboards, and keyboards with large text letters and headsets for effective communication, all WorkOne offices have access to TTY/TDD and/or Relay Indiana⁸⁰ services as well as interpreter services as discussed in Element 2, including American Sign Language (ASL) interpreter services. Handbooks on using accessibility workstations are available in English and Spanish and are at all accessibility workstations.

Results varied regarding staff knowledge and training, with some LWDA's reporting the need for additional training and others providing examples of local training tools in current use.⁸¹ Recognizing the need for further AT training, as well as general disability-related training for

⁷⁶ ADA Update: A Primer for State and Local Governments, https://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html

⁷⁷ Documentation 4.2: DWD News Release

⁷⁸ Documentation 4.3: Accessible Hardware Overview; Documentation 4.4: Accessible Software Overview

⁷⁹ For WorkOne Accessible Workstation Training (closed captioning is provided), see <https://www.youtube.com/watch?v=jJ8XF9jJ5Src>

⁸⁰ For information on Relay Indiana, see www.relayindiana.com

⁸¹ Documentation 4.5: Sample LWDA Auxiliary Area Guide

WorkOne staff, DWD collaborated with partners such as VRS and Easter Seals Crossroads to develop and implement staff training. For example, DWD and VRS cohosted a “Disability Etiquette” training as part of a staff training initiative in 2017 and provided the LWDAs several resources for local level AT training, some of which was derived from prior training from Easter Seals Crossroads. These resources included instructional videos, reference guides, software user manuals, and other documents that were shared with LWDAs in late 2017. DWD directed the LWDAs to complete the local level staff training in early 2018.⁸² These resources including training are located on DWD’s EO SharePoint site. Additional training on Microsoft Ease of Access tools was provided April 27, 2023 during an EO Officer quarterly conference call.

The Reemployment Services and Eligibility Assessment (RESEA) Program is funded by the U.S. Department of Labor to help unemployment insurance claimants return to work faster. Permanently separated claimants are required to participate in the RESEA program. In 2026, Indiana’s required RESEA training videos were recorded with closed captioning.⁸³

Specifically, regarding electronic and information technology communication⁸⁴, DWD is on track to ensure compliance with Web Content Accessibility Guidelines (WCAG 2.1 Level AA). DWD’s IT and Webmaster teams continue advancing statewide digital accessibility by using Siteimprove web application to monitor WCAG compliance, track improvements, and sustain progress across multiple public-facing web environments. DWD has onboarded an additional shared Frontend/Webmaster FTE whose responsibilities include, but are not limited to, supporting accessibility and assisting agency’s public-facing sites.

DWD is currently conducting an assessment of thousands of documents that are currently on the website to remove documents that are no longer needed and determine if they are active or archived. Any documents that remain needed and active will be remediated for accessibility. On January 24, 2024, DWD issued Technical Assistance on Document Accessibility Tips to all agency divisions.⁸⁵ This guidance provides resources for DWD staff to improve document accessibility for all agency generated documents and included training. DWD is exploring future procedures that will evaluate documentation and information for accessibility standards before it is published to agency sites.

Through these combined efforts, DWD maintains an average 80% accessibility score⁸⁶, and will continue improving, supporting, and sustaining this score as part of our ongoing commitment to nondiscrimination and digital access.

Currently, an accessibility feedback form is also available for the public to provide the State of Indiana with information on accessibility issues with the website. The public can also view the

⁸² Documentation 4.6: DWD Technical Guidance and Training Deadline Email

⁸³ Required RESEA Videos: <https://www.in.gov/dwd/indiana-unemployment/resea/videos>

⁸⁴ 29 CFR 38.15(a)(5)

⁸⁵ DWD Technical Assistance 2023-06: Document Accessibility Tips:
https://www.in.gov/dwd/files/activepolicies/DWD_TA_2023_06_Document_Accessibility.pdf

⁸⁶ Documentation 4.7: Website Accessibility Score as of August 27, 2026.

website accessibility policy.⁸⁷

Partnership with Vocational Rehabilitation Services

DWD and its WorkOne system strive to maximize partner resources. For example, DWD coordinates with the Indiana Family and Social Services Administration (FSSA) and its Vocational Rehabilitation Services (VR or VRS) Division. VRS provides quality individualized services to enhance and support people with disabilities to prepare for, obtain or retain employment. Examples of the coordination between DWD, FSSA/VRS include:

- Cross training and service coordination. Trainings provide an opportunity for the partner agencies to learn more about each other and the services offered by each. Training is conducted to assist each partner in understanding VR and WIOA eligibility requirements, challenges, disability etiquette, and how best to serve various disabilities.
- DWD invited Bureau of Rehabilitation Services to utilize their customer relationship management (CRM) system, INGage, to track business engagement efforts which are reported annually to DOL and U.S. Dept. of Education Rehabilitation Services Administration through a federally required annual report. A VR staff member is lead on this and began using the system in 2018 and continues to collect data and information about employers with who we are engaged through activities such as sharing job openings and providing disability awareness training. This collaborative effort helps both partners to know which business are actively working with each agency.
- The Disability and Employment eLearning Task Force in collaboration with the Employment and Training Administration (ETA) released three eLearning Training Modules to help support the professional development needs of the workforce development staff across the country. The eLearning task force was comprised of 27 members from 20 states across WIOA programs to help shape the development of online training tools to support nearly 2,400 American Job Centers. Individuals from DWD and VR were active members of this e-learning task force to create the three e-learning modules for AJCs. In building on the lessons learned from the Workforce Innovation Cohort on Disability and Employment that finished in May 2019, members of this new task force shared their ideas and insights to help drive the content in supporting the development of the eLearning modules. These modules are designed to help support AJCs provide more effective and efficient services to individuals with disabilities and businesses using services. The eLearning modules developed were:
 - Module 1: Serving Individuals with Disabilities-A Day in the Life of an American Job Center
 - Module2: Working Across Partners-A Day in the life of an American Job Center
 - Module 3: Providing Inclusive Business Services-A Day in the Life of an American Job Center
- In August of 2023, the Indiana Department of Disability and Rehabilitation Services (DDRS) and the Indiana Department of Workforce Development, along with several other agencies, participated in the first Indiana Employment First Cross-Council Summit.⁸⁸ DDRS is currently

⁸⁷ <https://www.in.gov/core/accessibility-feedback.html>

⁸⁸ Documentation 4.8: Indiana Employment First Cross-Council Summit Registration Information

undertaking a significant employment systems transformation effort with the goal of increasing competitive employment outcomes for Hoosiers with disabilities served by the division from 22% in 2022 to 37% in 2027. This represents a 60% increase in competitive integrated employment outcomes over the 5-year period.

The goal also supports Indiana's Employment First policy, passed in 2017, which in part mandated state agencies collaborate to support employment as the first and preferred outcome for individuals with disabilities. The goal will require collaboration and coordination between relevant state agencies, community rehabilitation providers, key advocacy groups, the business community, self-advocates, and families.

- DWD and VR will continue cross-training efforts (building upon previous cross training). The new training initiative is webinar training for DWD, VR, and partner staff. There is a pre-work component for our staff and partners, as well as a request for all DWD/VR and partner staff to complete the following training:
 - [Module 1: Serving Individuals with Disabilities](#)
 - [eLearning Module 1 Activity Sheet](#)
 - [Module 2: Working Across Partners](#)
 - [Module 3: Providing Inclusive Business Services](#)
 - [Disability and Employment eLearning Modules Homepage](#)
 - [Manager's Toolkit: Disability and Employment eLearning Modules](#)

The first training course is the first of a three-part series that discusses workforce collaboration and integration. This course was provided to all AJC staff in the summer of 2022 and provided staff/partners with a foundation for collaboration and integration for the state of Indiana by using co-enrollment and joint case management strategies to achieve this goal. The following was covered in the first Cross Training initiative:

- Introduction- In this module, learners are welcomed to the course and provided with information about how to navigate the course.
- Integration and Collaboration- In this module, learners learn more about how Indiana is changing their focus to deliver activities and services with more collaboration and integration. Specifically, this course will cover the goals, approach, and method for achievement of this combined approach. In late 2022 and still continuing, Vocational Rehabilitation hired VR Navigators to be liaisons between WorkOne American Job Centers, VRS staff, and shared customers to deliver employment and training services. VR Navigators help the referral processes between the two agencies to ensure customers have the resources available to assist and build their pathway to entering the labor force. The Navigators help to ensure that customers do not fall through the cracks on their workforce journey.
- DWD leveraged WIOA discretionary funding to purchase the Learning Management System (LMS) in the fall of PY22 to support cross agency training. In partnership with

USDOL, DWD and Indiana Vocational Rehabilitation Services (VRS) developed a training program to cross-train staff within the American Job Centers and VRS field offices to better coordinate and deliver services to joint customers. Two training courses were developed:

- Workforce Collaboration and Integration: Co-enrollment and Joint Case Management
- Workforce Collaboration and Integration: Indiana's Workforce System and WIOA Program Partners

Medical Information

DWD and its recipients may not conduct pre-employment medical examinations or question an applicant for employment or training as to whether the applicant has a disability or the severity of the disability. However, recipients may make a pre-employment inquiry of an applicant's ability to perform job-related functions.⁸⁹ Job postings on ICC are written to ensure postings do not contain discriminatory language or language that would screen out an individual with a disability on the basis of the disability.

Pursuant to confidentiality requirements, disability status and medical information are kept in a secured location, apart from other files, and accessible only to certain staff on a need-to-know basis, including supervisors and managers, first aid and safety personnel, and program staff responsible for documenting eligibility (where disability is an eligibility criterion for a program or activity).⁹⁰ Government officials may also access this information as necessary to enforce laws and regulations.

In conjunction with other PAO Oversight staff, the State EO Officer monitors participant files for medical or disability related information for compliance.⁹¹

⁸⁹ 29 CFR 32.15

⁹⁰ 29 CFR 38.41

⁹¹ See Element 6 for further detail on monitoring.

Element 4 Documentation

Documentation 4.1: Sample WorkOne Office Completed ADA Inspection Form

Documentation 4.2: DWD News Release

Documentation 4.3: Accessible Hardware Overview

Documentation 4.4: Accessible Software Overview

Documentation 4.5: Sample LWDA Auxiliary Area Guide

Documentation 4.6: DWD Technical Guidance and Training Deadline Email

Documentation 4.7: Website Accessibility Score as of August 27, 2026

Documentation 4.8: Indiana Employment First Cross-Council Summit Registration Information

Element 5: Data and Information Collection and Maintenance

[29 CFR 38.41 through 38.45]

Recipients must collect and maintain records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment and must record race/ethnicity, sex, age, and where known, disability status. Beginning on January 3, 2019, each recipient began recording LEP and preferred language. Data collected must be stored in a manner that ensures confidentiality and used only for purposes of recordkeeping and reporting, determining eligibility for WIOA Title I-funded programs or activities, or other uses authorized by law.

Systems

Indiana Career Connect (ICC) is Indiana's job-matching and client tracking system. The web-based system may be accessed online or at terminals in WorkOne offices by both employers and job seekers to facilitate job-matching.⁹² Employers may post job openings and find candidates. Job seekers can register for work, find job openings, and use other services, such as resume drafting, available on the website.

As part of DWD's demand-driven workforce system (DDWS) that provides job-matching, case management, and data collection services, ICC also collects and reports data for the programs administered by DWD. ICC collects data for applicants and participants receiving WIOA career services.⁹³ The State EO Officer is able to retrieve and cross-reference Job Service and demographic information from ICC. The collected information is examined during the monitoring process using a participant file review tool.⁹⁴

Uplink is Indiana's portal for filing Unemployment Insurance (UI) claims and is accessible online and in WorkOne offices. The State EO Officer is currently working with UI management to develop better system integration and enrich the quality and understanding of participant data. As a result, DWD has an assigned UI liaison who works closely with the State EO Officer which will expand our efforts in educating UI in the requirements of EO and section 188 of WIOA. For example, the UI Uplink system began collecting data of Limited English proficiency and preferred language of each UI claimant in February 2024.⁹⁵

Records and Resources

Demographic information is collected at the United States Census Bureau,⁹⁶ which provides several data tables with a demographic breakdown by counties. This is used in conjunction with the ICC reporting system, as outlined in Element 6's monitoring procedures.

Certain participant records, such as those containing medical information, are secured and kept

⁹² See <http://www.indianacareerconnect.com>

⁹³ Documentation 5.1: WIOA ICC Application

⁹⁴ Documentation 5.2: WIOA Adult Participant File Review Checklist; See Element 7 for further detail on monitoring.

⁹⁵ Documentation 5.3: UI Uplink Limited English Proficiency Screenshot

⁹⁶ <https://data.census.gov/cedsci/>

separate from other information to ensure confidentiality.⁹⁷ All participant data collected is retained for a period of three years from the date of application, and for complaints, three years after resolution of the complaint.⁹⁸

Each LWDA and UI utilizes a formal Complaint Log⁹⁹ to record complaints filed that allege discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship status and/or participation in a WIOA Title I-financially assisted program or activity. The Local EO Officers and UI submit the Complaint Log on a quarterly basis (April 5, July 5, October 5 and January 5) to the State EO Officer.

Enforcement

WIOA grant applicants and recipients must notify the State EO Officer of any administrative enforcement actions or lawsuits filed regarding discrimination. Additionally, the Director of CRC will be notified of any administrative enforcement actions and lawsuits against recipients that allege discrimination on one or more of the bases prohibited by WIOA Section 188.¹⁰⁰

⁹⁷ 29 CFR 38.41. See also DWD Policy 2016-09, Change 2: https://www.in.gov/dwd/files/activepolicies/2016-09-PC2_EO_Nondiscrimination_Guidance.pdf?language_id=1 and DWD Policy 2021-10, Change 3: Safeguarding Protected Information and DWD User Accounts Management: https://www.in.gov/dA/eb9255391c/2021-10-PC3_Safeguarding_Protected_Information.pdf?language_id=1

⁹⁸ 29 CFR 38.43; See Indiana Record Retention guidelines at <https://www.in.gov/iara/files/gr.pdf>.

⁹⁹ Documentation 5.4: Complaint Log

¹⁰⁰ 29 CFR 38.42

Element 5 Documentation

Documentation 5.1: WIOA ICC Application

Documentation 5.2: WIOA Adult Participant File Review Checklist

Documentation 5.3: UI Uplink Limited English Proficiency Screenshot

Documentation 5.4: Complaint Log

Element 6: Monitor Recipients for Compliance

[29 CFR 38.51 and 38.53]

Monitoring in the form of desk reviews, on-site reviews, and data analysis contribute to continued, robust implementation of WIOA Section 188 and 29 CFR Part 38. The coordinated efforts of the State and Local EO Officers and the DWD PAO Oversight team ensure monitoring and compliance of the Local Areas.

Monitoring

Each of the twelve LWDAs are reviewed annually for compliance with nondiscrimination and EO requirements of WIOA Section 188 and 29 CFR Part 38 through a combination of desk review, on-site monitoring, and data analysis. If the review reveals disparities in services rendered, the State and/or Local EO Officer will conduct a follow-up investigation to determine if the disparities are due to discrimination. This will be done through a variety of techniques such as interviews and records review.¹⁰¹

Monitoring is based on:

- Desk reviews;
- On-site reviews;
- Complaint records;
- The review and analysis of data output reports from the ICC System and the United States Census Bureau; and¹⁰²
- Reports from DWD Program Monitors or other interested parties.

At the regional level, Local EO Officers are responsible for monitoring subrecipients in their respective LWDAs. In addition to the training PowerPoints, the State EO Officer disseminated an optional sample Local Monitoring Tool to the Local EO Officers to help guide their monitoring and provide a framework for their efforts.¹⁰³

Desk Review

The state-level annual EO monitoring process begins with a desk review, where each LWDA submits relevant documentation to the PAO Division Oversight team and State EO Officer.¹⁰⁴ LWDAs submit information such as:

- Local EO policies;
- Job descriptions of the Local EO Officer;
- Subrecipient monitoring tools/reports;

¹⁰¹ See Monitoring Recipients for Compliance Training under Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials>

¹⁰² Documentation 6.1: ICC Reports; Documentation 6.2 United State Census Bureau Reports

¹⁰³ See Local EO Monitoring Tool Example under Forms, Guides, and Checklists: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials>

¹⁰⁴ See Pre-Monitoring Document Request: <https://www.in.gov/dwd/compliance-policy/monitoring>

- Complaint procedures; and
- Contracts, training agreements, and Memoranda of Understanding (to review for required nondiscrimination language).

The State EO Officer reviews the pre-monitoring tool along with the document assessment and data review to make an initial evaluation of compliance and prepare for on-site reviews.

On-site Reviews

The State EO Officer conducts annual on-site reviews concurrently with the PAO Workforce Division monitoring team to ensure compliance with the equal opportunity and nondiscrimination provisions of Section 188 and 29 CFR Part 38.¹⁰⁵ These reviews consist of interviews with the Local EO Officer as well as assessments of the WorkOne offices and interviews with WIOA case managers.

The interviews are guided largely by the EO Monitoring Tool, which is modeled after the eight elements of this NDP and 29 CFR Part 38.¹⁰⁶ On-site structural accessibility, parking for individuals with disabilities, designated restrooms, appropriate notice and signage, program accessibility, and effective communication with persons with disabilities are some of the elements monitored by the State EO Officer and/or PAO Workforce Division Monitoring staff.

Data Analysis

During annual monitoring, the State EO Officer conducts data analysis with statewide data as well as individual LWDA data. Local demographic information is obtained using United States Census Bureau data.¹⁰⁷ Data includes demographics as they relate to unemployment, labor force participation, and total population for all counties in Indiana. WIOA participant level data that is collected per regulation¹⁰⁸ is obtained using ICC.¹⁰⁹ The data analysis includes WIOA participant race, gender, disability status, age, LEP status, and ethnicity. A standard deviation analysis is completed for Indiana's WIOA participant demographics in comparison to United States Census labor force and unemployment population for that LWDA.¹¹⁰ Following the statewide analysis, a summary of findings and investigation into significant discrepancies is written up to determine if discrepancies are due to discrimination.¹¹¹ The State EO Officer additionally conducts the standard deviation analysis for each individual LWDA. Results are then sent to each LWDA during their annual monitoring. The LWDA is then tasked with researching significant differences found and the State EO Officer then monitors to ensure those differences aren't due to discrimination.

Findings & Resolution

A formal monitoring report is issued to each LWDA following the annual monitoring review process.

¹⁰⁵ See Review Schedule: <https://www.in.gov/dwd/compliance-policy/monitoring>

¹⁰⁶ Documentation 6.3: DWD EO Monitoring Tool

¹⁰⁷ Documentation 6.4: United States Census Bureau Sample Data

¹⁰⁸ 29 CFR 38.41

¹⁰⁹ Documentation 6.5: ICC Demographics Sample Data

¹¹⁰ Documentation 6.6: Standard Deviation Data Analysis Example

¹¹¹ Documentation 6.7: DWD PY26 Data Analysis Summary

The State EO Officer collaborates with PAO Division Monitoring staff to incorporate an EO segment into each report. The monitoring reports recognize best practices, areas of concern, and compliance findings that require corrective action.¹¹² All findings are detailed and tracked through report close-out utilizing a formal resolution process.¹¹³

¹¹² Documentation 6.8: EO Sections of Monitoring Reports for PY24 and PY25

¹¹³ See Element 8, Documentation 8.1

Element 6 Documentation

Documentation 6.1: ICC Reports

Documentation 6.2: United States Census Bureau Reports

Documentation 6.3: DWD EO Monitoring Tool

Documentation 6.4 United States Census Bureau Sample Data

Documentation 6.5: ICC Demographics Sample Data

Documentation 6.6: Standard Deviation Data Analysis Example

Documentation 6.7: DWD PY26 Data Analysis Summary

Documentation 6.8: EO Sections of Monitoring Reports for PY24 and PY25

Element 7: Complaint Processing Procedures

[29 CFR 38.69 through 38.85]

DWD published EO complaint processing procedures mirroring those found in 29 CFR Part 38 via the DWD EO Policy.¹¹⁴ These procedures provide a complainant with the option to file a complaint with the LWDA's Local EO Officer or directly with the CRC Director. Local EO Notices provide filing instructions, the Local EO Officer's name and contact information, as well as CRC contact information.¹¹⁵ Additionally, DWD published and distributed a technical assistance guide to further provide guidance regarding requirements and best practices for processing discrimination complaints under 29 CFR Part 38.¹¹⁶

Complaints

Applicants, registrants, eligible applicants/registrants, participants, employees and applicants for employment are notified of their right to the complaint process by way of posters and notices in the WorkOne offices with the prescribed language from 29 CFR Part 38. The "Equal Opportunity is the Law" notice communicates that any person who believes that she/he/they, or any specific class of individuals, has been or is being subjected to discrimination prohibited by WIOA, may file a written complaint within 180 days of the alleged discrimination.

A complainant may file a complaint by completing and submitting a LWDA developed form or CRC's Complaint Information and Privacy Act Consent Forms, which may be obtained either from the Local/State EO Officer or from CRC. The forms are available on CRC's website at <https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/external/how-to-file-complaint>. Complaints must be filed in writing, either electronically or in hard copy, and must contain the following information:

- Complainant's name, mailing address, and if available, email address (or other means of contact);
- Identity of respondent;
- Description of allegations; and
- Written or electronic signature of the complainant or complainant's representative.

Complaint Processing

Whether a complaint is filed locally with a recipient's Local EO Officer or directly with CRC, established complaint processing procedures must be followed.¹¹⁷ DWD Policy 2016-09, Change 2 outlines the procedures that must be followed by recipients. Those procedures, including technical assistance on Complaint Procedures for WIOA Nondiscrimination and Equal

¹¹⁴ DWD Policy 2016-09, Change 2: https://www.in.gov/dwd/files/activepolicies/2016-09-PC2_EO_Nondiscrimination_Guidance.pdf?language_id=1

¹¹⁵ Documentation 7.1: Sample Local EO Notice

¹¹⁶ DWD Technical Assistance 2021-07: Complaint Procedures for WIOA Nondiscrimination and Equal Opportunity Provisions: https://www.in.gov/dwd/files/activepolicies/2021-07-TA_Complaint_Procedures_WIOA_Nondiscrimination_EO_Provisions.pdf

¹¹⁷ See Complaint Processing Procedures Training under Local EO Officer Training: <https://www.in.gov/dwd/compliance-policy/equal-opportunity/eo-reference-materials>

Opportunity Provisions must include, at a minimum, the following elements:

- Initial, written notice to complainant acknowledging receipt of complaint, notice of complainant's right to representation, notice of rights contained in the EO poster, and notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that the notice will be translated as required;
- Written statement of the issue(s), provided to complainant, that includes a list of issues raised in the complaint and whether the recipient will accept or reject each issue;
- Stated period for fact-finding or investigation;
- Stated period for attempting to resolve complaint, including provision for alternative dispute resolution (ADR); and
- Written Notice of Final Action (NFA) provided to complainant within 90 days of filing date.

Notice of Final Action

Recipients must issue the NFA to the complainant within 90 days of the date on which the complaint was filed. The NFA informs the complainant of the ruling for the issue(s) raised in the initial complaint and an explanation of each decision, or a description of the way the parties resolved the issue. The NFA also advises the complainant of the right to file a complaint with the CRC within 30 days of receiving the NFA if dissatisfied with the recipient's decision.

If, by the end of 90 days from the filing date, the Recipient has failed to issue an NFA, the complainant may file a complaint with the CRC within 30 days of the expiration of the 90-day period (i.e., within 120 days of the filing date).

Alternative Dispute Resolution

At any point after complaint filing, but before issuance of the NFA, the parties may request the use of an ADR process such as mediation.¹¹⁸ Election whether to use ADR is a decision of the complainant. Should an agreement reached under ADR be breached, the non-breaching party may file a complaint directly with CRC within 30 days of the date on which the non-breaching party learns of the alleged breach. If the CRC Director determines that the agreement has been breached, the complaint will be reinstated and processed in accordance with the recipient's procedures.

If the parties are unable to reach an agreement through ADR, the recipient will continue the investigation, or the complainant may file the complaint directly with CRC as described in 29 CFR 38.69 – 38.71.

¹¹⁸ Documentation 7.2: Sample Mediation Agreement Form from ICRC

Element 7 Documentation

Documentation 7.1: Sample Local EO Notice

Documentation 7.2: Sample Mediation Agreement Form from ICRC

Element 8: Corrective Actions/ Sanctions

[29 CFR 38.86 through 38.115]

If voluntary efforts in seeking compliance fail, corrective actions, or sanctions, may be imposed for violations of EO/Nondiscrimination requirements per 29 CFR Part 38. Sanctions are imposed as a last resort, with technical assistance, guidance, and corrective action opportunities offered first.

Corrective Actions

Corrective actions must be designed to completely address each violation and may result from an annual monitoring review, a discrimination complaint, or both. Recipients must have procedures in place for obtaining prompt corrective action. Local EO Officers must notify the State EO Officer of violations discovered, corrective actions implemented, and timeframes for completion.

If the State EO Officer determines a violation has occurred, the recipient will be notified and corrective action, including anticipated resolution timelines, will be required.¹¹⁹ The State EO Officer and/or PAO Workforce Division Monitoring Resolution staff will provide technical guidance and thoroughly track the resolution process. If a recipient does not undertake the corrective actions specified, a conciliation agreement should be initiated and completed based on the model outlined in 29 CFR Part 38.

Sanctions

Generally speaking, and as provided in DWD Policy,¹²⁰ sanctions may be necessary when a recipient refuses to implement voluntary corrective action, submit requested data or documentation, or refuses to provide access to premises or records during a compliance review. Sanctions are considered as a last resort, and may include, but not be limited to:

- Termination or reduction of funding;
- Disallowance of selected costs; and
- Restriction from bidding on competitive or discretionary funds.

¹¹⁹ Documentation 8.1: EO Sections of Resolution Documents for PY24 and PY25

¹²⁰ DWD Policy 2016-09, Change 2: https://www.in.gov/dwd/files/activepolicies/2016-09-PC2_EO_Nondiscrimination_Guidance.pdf?language_id=1

Element 8 Documentation

Documentation 8.1: EO Sections of Resolution Documents for PY24 and PY25