

## Jefferson Franklin Consortium Non-Discrimination Policy

The nondiscrimination and equal opportunity provisions of the Section 188 of Workforce Innovation and Opportunity Act (WIOA) prohibit discrimination against applicants, beneficiaries, and employees on the bases of race, color, national origin, age, disability, sex, religion, and political affiliation or belief whether it be actual or perceived; and for beneficiaries only, citizenship or participation in a WIOA Title I-financially assisted program or activity. The regulations that implement these provisions are published at 29 CFR Part 38 and require that each local workforce development area to formulate a standard for corrective and remedial actions to be applied to recipients of WIOA Title I funds when The Jefferson/Franklin Consortium/Workforce Development Board (Local WDB) and/or The Office of Job Training Programs, Inc. (OJTP) is apprised of any violations of WIOA Section 188, 29 CFR Part 39, or the Missouri Nondiscrimination Plan or of any of the implementing plans or policies described herein.

The Local WDB and (OJTP) and its subrecipients will adhere to the [Missouri Non-Discrimination Plan](#) which further details the responsibilities of WIOA recipients with respect to equal opportunity and nondiscrimination.

This policy aligns with nondiscrimination and equal opportunity provisions of the following laws for participants, employees, and the general public:

- Section 188 of WIOA (race, color, religion, sex, national, origin, age, disability, or political affiliation or belief, or citizenship (participants only))
- Title VI of the Civil Rights Act of 1964(race, color, national origin)
- Section 504 of the Rehabilitation Act of 1973 (disability)
- The Age Discrimination Act of 1975 (any age)
- Title IX of the Education Amendments of 1972, and (sex)
- Any other nondiscrimination and equal opportunity federal laws

### **Service Providers**

Service Providers, Eligible Training Providers, On-the-Job Training (OJT) providers and other WIOA recipients must comply with the accessibility polices and standards in the Missouri's Nondiscrimination Plan according to 29 CFR 38.3(b), 38.13 and 38.25 and this policy.

### **Job Training Plans and Contracts**

The Local WDB will monitor job training plans, contracts, and any similar agreements to ensure any WIOA recipient's contracts contain the required assurance language according to 29 CFR 38.25.

### **Equal Opportunity Officer Obligations**

The Local Equal Opportunity Officer will:

- Be a senior-level employee reporting directly to the individual in the Local Board Director, the highest-level position of authority for the entity.

- Fulfill the responsibilities of an EO Officer as described in 29 CFR 38.31;
- Publicly post name, position title, work address, and telephone number (voice and TDD/TTY).
- Ensure that the EO Officer's identity and contact information appear on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs;
- Have sufficient authority, staff, and resources to support of top management, to ensure compliance with the nondiscrimination and equal opportunity provisions of WIOA and this part; and
- Have the opportunity to receive training necessary and appropriate to maintain competency.
- Serve as the recipient's liaison with the State EO Officer;
- Develop and publishing procedures for processing discrimination complaints and making sure those procedures are followed;
- Report to the appropriate official about equal opportunity matters;
- Ensure that the roles and duties of the Local EO Officers receive top priority to accomplish all of his/her responsibilities under WIOA Section 188 and 29 CFR 38.
- Monitor and investigate activities of the entities that receive WIOA Title I financial assistance from the recipient, to make sure that the recipient and its sub-recipients are not violating their nondiscrimination and equal opportunity obligations under WIOA Title I and 29 CFR Part 38
- Review written policies to ensure they are nondiscriminatory; and
- Coordinate WIOA EO activities, thus ensuring compliance, implementation, and enforcement of the nondiscrimination and equal opportunity provisions of WIOA.

**Local Equal Opportunity Officer:**

**Leanna Eckhoff,  
Office of Job Training Programs  
3675 West Outer Rd. Suite 201  
Arnold, MO 63010  
(636) 524-8593  
[leckhoff@jeff-frankjobs.com](mailto:leckhoff@jeff-frankjobs.com)**

**Confidentiality**

All inquiries, complaints, and investigations are treated confidentially unless legally required to be disclosed. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is kept confidential and maintained in a secure file.

**Alternative Reporting Options**

If you think you have been subjected to discrimination under a WIOA Title I financially assisted program or activity, you may file a complaint within 180 days

from the date of the alleged violation with either:

**State WIOA Equal Opportunity Officer:**

**Danielle Smith**  
**301 W. High Street**  
**P.O. Box 1087**  
**Jefferson City, MO 65101**  
**Telephone: (573) 751-2428 or Fax: (573)751-4088**  
**Email : [Danielle.smith@dhewd.mo.gov](mailto:Danielle.smith@dhewd.mo.gov)**

**OR**

**The Director, Civil Rights Center (CRC),**  
**U.S. Department of Labor**  
**200 Constitution Avenue NW**  
**Room N-4123**  
**Washington,**  
**DC 20210 or**  
**electronically as directed on the CRC website at**  
**[www.dol.gov/crc](http://www.dol.gov/crc)**

**Missouri Commission on Human Rights (MCHR)**

Any person claiming to be aggrieved by an unlawful discriminatory practice, as defined in Chapter 213, RSMo, may also file a complaint with the Missouri Commission on Human Rights at (573) 751-3325 within 180 days of the most recent alleged discrimination.

**U.S. Equal Employment Opportunity Commission (EEOC)**

If you believe that you have been discriminated against at work because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information, you can file a Charge of Discrimination. A charge of discrimination is a signed statement asserting that an employer, union or labor organization engaged in employment discrimination. It requests EEOC to take remedial action. In general, you need to file a charge within 180 days from the day the discrimination took place. The EEOC can be contacted at 1-800-669-4000.

**Equal Opportunity Notice/Poster**

29 CFR 38.35 requires the Equal Opportunity notice/poster to include the following language:

*Equal Opportunity Is the Law*

*It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender*

*status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity. Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.*

*What To Do If You Believe You Have Experienced Discrimination*

*If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:*

*The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or*

*The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at [www.dol.gov/crc](http://www.dol.gov/crc).*

*If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).*

*If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).*

*If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.*

The Equal Opportunity notice/poster is available in twelve different languages, including English, as required under 29 CFR 38.9(b). The Equal Opportunity notices/posters can be located at <https://jobs.mo.gov/dwdeo>.

The Equal Opportunity notice/poster will be:

- Posted prominently, in reasonable numbers and places, in available and

- conspicuous physical locations and on the recipient's Web site pages;
- Disseminated in internal memoranda and other written or electronic communications with staff;
  - Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available; and (Provided to each participant and employee; the notice must be made part of each employee's and participant's file. It must be a part of both paper and electronic files if both are maintained.
  - Provided in appropriate formats to registrants, applicants, eligible applicants/registrants, applicants for employment and employees and participants with visual impairments. Where notice has been given in an alternate format to registrants, applicants, eligible applicants/registrants, participants, applicants for employment, and employees with a visual impairment, a record that such notice has been given must be made a part of the employee's or participant's file.
  - Provided to participants in appropriate languages other than English as required in § 38.9.

### **EO Notice/Poster Requirement for Service Providers**

The LWDB, service providers, and recipients must adhere to the Missouri Nondiscrimination Plan and the OWD's current policy on Disseminating Notices for Equal Opportunity Complaints and WIOA Complaints & Grievances

### **Communication of EO Notice/Poster in Orientations**

Each orientation to new participants, new employees, and/or the general public to Missouri Job Center program or activity, in person or over the internet or using other technology a recipient must include a discussion of rights and responsibilities under Section 188 of WIOA which includes the right to file a complaint of discrimination with the recipient of the U.S. DOL Civil Rights Center Director according to 29 CFR 38.39. This information must be communicated in appropriate languages as required under 29 CFR 38.9 and in formats accessible for individuals with disabilities as required in 29 CFR 38.15.

### **Failure to Comply**

WIOA recipients who fail to comply with regulations and provisions as described in WIOA Section 188, 29 CFR 38 and the Missouri Nondiscrimination Plan are subject to corrective and remedial actions designed to completely correct each violation. This action is necessary when a violation of the nondiscrimination and equal opportunity provisions of WIOA is identified because of a discrimination complaint, a monitoring review, or both a monitoring review and a discrimination complaint.

The Local Board is responsible for developing and implementing a corrective action and sanction policy for its WIOA recipients in their service area to adhere to when violations occur with Section 188 of WIOA, 29 CFR 38 and the Missouri Nondiscrimination Plan. Please refer to [the Local Corrective Action & Sanction Policy](#) for more details.