



MASSACHUSETTS

# Workforce Investment Act

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**WIA Communication No. 01-36**

Policy     Information

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**To:** Chief Elected Officials  
Workforce Investment Board Chairs  
Workforce Investment Board Directors  
Title I Administrators  
Career Center Directors  
Title I Fiscal Officers  
DET Regional Directors  
DET Area Directors

**cc:** WIA State Partners

**From:** Jonathan Raymond, President  
Commonwealth Corporation

**Date:** August 2, 2001

**Subject:** Local Equal Opportunity Officers and announcement of Commonwealth Corporation's Equal Opportunity Officer

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**Purpose:** This communication provides the requirements for and duties of Equal Opportunity Officers at the One-Stop/Local Workforce Investment Area/Local Office Levels and also announces the Equal Opportunity Officer for Commonwealth Corporation.

**Background:** The requirements in this communication can be found at **29 CFR Part 37: Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998**. The specific sections are 29 CFR 37.23 (Who must designate an Equal Opportunity Officer?), 37.24 (Who is eligible to serve as an Equal Opportunity Officer), 37.25 (What are the responsibilities of an Equal Opportunity Officer?), 37.26 (What a recipient's obligations relating to the Equal Opportunity Officer?). The role of the Equal Opportunity Officers play is critical to local and state compliance with Equal Opportunity laws and regulations. Their oversight of local program and resolution of complaints minimizes costly litigation and enhances the delivery of equitable services.

**Instructions:** Sub-recipients of financial assistance under WIA Title I (Workforce Investment Systems) must designate local level Equal Opportunity Officers (EOO). A senior-

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level employee should be selected but not necessarily a manager. This individual should be knowledgeable of programs within his or her jurisdiction.

As soon as the local EOO is appointed, a notice should be issued to the area Workforce Investment Board (WIB) Chairperson, and the Equal Opportunity Officer for Commonwealth Corporation, Rosemary Graham. This notice should contain the individual's name, job title, full mailing address, telephone number, and teletype device for the deaf (TDD) number.

Only one EO Officer is needed within each One-Stop Center. He/she will be responsible for the EO program within that Center and its partners. The EO Officer should be allowed sufficient time and resources to perform his or her EO responsibilities; the regulations at 29 CFR Part 37.24 states this in the following way: **Depending upon the size at the recipient's WIA Title I-Financially assisted programs or activities, and the number of applicants, registrants, and participants served by the recipient, the EO Officer may or may not be assigned other duties. However, he or she must not have other responsibilities or activities that create a conflict, or the appearance of a conflict with the responsibility of an EO Officer.**

The duties of a local EO Officer are as follows:

- To serve as the local entity's or One-Stop's liaison with Commonwealth Corporation's EO Officer.
- To facilitate onsite EO reviews conducted by Commonwealth Corporation and USDOL Staff.
- To ensure that Equal Opportunity posters with the notice: **Equal Opportunity is the Law** (see 29 CFR Part 37.30 and Commonwealth Corporation Communication about this subject) are placed in areas of high visibility.
- To ensure that communications or brochures issued by the agency or One-Stop center contain the taglines based on the ones prescribed at 29 CFR Part 37.34, "**\_\_\_\_\_ is an equal opportunity employer with equal opportunity programs**" and "**Auxiliary aids and services are available upon request to individuals with disabilities – TTY/TDD Numbers**"
- To process, resolve, and refer complaints of discrimination in the manner prescribed by 29 CFR Part 37 and Commonwealth Corporation's Communication regarding this subject.
- To ensure all applicants (defined at 29 CFR Part 37.4 – Definitions, are listed at 37.29), and employees personally receive a flier-version of the Equal Opportunity notice contained in the above poster.
- To ensure that facilities, program, services, information, and equipment (e.g. computer hardware and software) are accessible to individuals with a disability.
- To ensure that program, services and information are accessible to individuals whose primary language is not English and who constitute a significant portion of the area population eligible to be served (see 29 CFR Part 37.35). Note that reasonable efforts should be made to meet the specific needs of an

individual with limited English proficiency, regardless of the numerical significance of the group to which he or she may belong.

- To review all local plans, contracts and agreements to ensure they contain the nondiscrimination assurance prescribed at 29 CFR Part 37.20.
- To participate in training (at the sub-recipient's expense) that will enhance and maintain the competencies of an EO Officer.
- To collaborate with Commonwealth Corporation's EO Officer when alternate dispute has been selected by a complainant.

**Please be advised that Rosemary Graham has been designated as the Equal Opportunity Office for Commonwealth Corporation.**

**Action**

**Required:** Local EO Officer designations are to be made within 30 days of the date that appears on this communication and as changes occur. These individuals must be available for Equal Opportunity training as necessary.

**Inquiries:** Contact Rosemary Graham, Commonwealth Corporation's Equal Opportunity Officer, at (617) 727-8158 extension 1325 or E-mail: [rgraham@commcorp.org](mailto:rgraham@commcorp.org) with your questions.

**Filing:** Please file this in your notebook of previously issued WIA Communication Series Issuance's as #01-36.