

	NCWorks Commission
	NCWorks Commission Policy Statement Number: CPS 10-2021, Change 1
	Date: February 14, 2024
	Subject: Workforce Innovation and Opportunity Act (WIOA) Nondiscrimination/Equal Opportunity Standards and Complaint Procedures
	From: <div style="text-align: center;">  <hr style="width: 100%; border: 0.5px solid black;"/> Tom B. Rabon, Jr. Chair, NCWorks Commission </div>

Purpose: To provide Local Area Workforce Development Boards (WDBs) and other subrecipients minimum standards and procedures designed to ensure that all WIOA programs will be conducted in accordance with applicable equal opportunity and nondiscrimination requirements.

This change incorporates the United States Department of Labor (USDOL) Fact Sheet: Protecting Individuals from Discrimination Based on Actual or Perceived Religion, Shared Ancestry, or Ethnic Characteristics issued in Training & Employment Guidance Letter (TEGL 05-23) on November 3, 2023 and provides current contact information for the Division of Workforce Solutions Equal Opportunity Officer. The Fact Sheet explains the legal authorities for the prohibitions, provides some examples that may be perceived to be prohibited discrimination, and suggests ways to prevent, identify and address discrimination.

This Commission Policy Statement rescinds CPS 10-2021 and the procedures herein supersede all previous policy, procedures, and guidelines regarding Nondiscrimination/Equal Opportunity Standards and Complaint Procedures.

Background: Programs and activities receiving federal financial assistance are prohibited from discriminating on the basis discussed in this policy. The attached procedures are designed pursuant to: Section 3.7 of the Grant Administration Agreement; Section .0412 of Title 04, Chapter 20 North Carolina Administrative Code; the Americans with Disability Act of 1990, as amended; the WIOA of 2014; the Non-traditional Employment for Women Act of 1991; Sections 403(a)(5)(J), 403(a)(5)(I)(iii), and 408(d) of Title IV of the Social Security Act, as amended; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended, Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 38.

Action: Local Area WDBs and other subrecipients should utilize the USDOL Fact Sheet when reviewing existing policies and procedures and make any changes necessary to implement protections from discrimination under Title VI of the Civil Rights Act of 1964 (Title VI), protections from discrimination under Section 188 of WIOA, and religious accommodations under Section 188 of WIOA. Local Area WDBs are required to establish and maintain policies and guidelines that incorporate these minimum standards.

Effective Date: Immediately

Expiration: Indefinite

Contact: Mose Dorsey, Administrative Officer III; 984-236-4252; 1-800-735-2962 (TTY), 1-800-735-8200 (Voice)

Attachments:

1. NC Workforce Innovation and Opportunity Act (WIOA) Nondiscrimination/ Equal Opportunity Standards and Complaint Procedures
2. USDOL Fact Sheet: Protecting Individuals from Discrimination Based on Actual or Perceived Religion, Shared Ancestry, or Ethnic Characteristics