



Illinois 2025 Nondiscrimination Plan

**Office of Equal Opportunity Monitoring and Compliance
Workforce Innovation and Opportunity Act**

JB Pritzker, Governor

Illinois Department of Commerce & Economic Opportunity
Kristin Richards, Director, DCEO

&

Illinois Department of Employment Security
Raymond P. Marchiori, Director, IDES



OFFICE OF THE GOVERNOR

207 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706

JB PRITZKER
GOVERNOR

February 11, 2025

Naomi M. Barry-Pérez
Director, Civil Rights Center
U.S. Department of Labor
Office of the Assistant Secretary for Administration and Management
200 Constitution Avenue NW, Room N-4123
Washington, D.C. 20210

Dear Director Barry-Pérez,

Pursuant to 29 CFR Part 38 and Section 188 of the Workforce Innovation and Opportunity Act (WIOA), I am pleased to submit Illinois' 2025 Nondiscrimination Plan. This Plan was developed collaboratively by the Office of Equal Opportunity Monitoring & Compliance (EOMC) at the Illinois Department of Commerce & Economic Opportunity (IDCEO) and the Equal Opportunity Office at the Illinois Department of Employment Security (IDES). It reflects Illinois' commitment to ensuring compliance with Section 188 and with federal regulations in all workforce programs.

Aligned with the Illinois WIOA State Plan and the Illinois Workforce Innovation Board (IWIB) Strategic Plan, this Nondiscrimination Plan underscores our dedication to fostering access to workforce services and employment opportunities. Through strong partnerships and a shared commitment among WIOA agencies, we remain focused on implementing policies that support compliance, accessibility, and fairness in the delivery of workforce services.

The State of Illinois continues to be a leader in advancing employment opportunities for all Illinois residents across workforce programs in our state. Under the leadership of Director Richards, Director Marchiori, and our WIOA partners, we will maintain our commitment to ensuring a fair and inclusive workforce system for all individuals.

Thank you for your time and consideration. Please do not hesitate to contact Director Richards or Director Marchiori should you have any questions or require further information.

Sincerely,

A handwritten signature in black ink, appearing to read "JB Pritzker". The signature is stylized and written in a cursive-like font.

Governor JB Pritzker

29 CFR PART 38

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Introduction

Illinois boasts a remarkably diverse economy, ranking as the 18th largest in the world. This economic diversity is supported by state agencies that provide employment, education, training, and related services to help all job seekers secure quality jobs while giving employers access to a skilled workforce. From his first day in office, Governor JB Pritzker has prioritized revitalizing economic growth and creating opportunities throughout the state. In 2019, Governor Pritzker issued Executive Order 19-03 to establish an equitable and inclusive workforce system. This order laid the groundwork for addressing disparities and improving outcomes for job seekers and employers. A key element of this agenda was the formation of the Illinois Workforce Innovation Board (IWIB) Equity Task Force in October 2020. The Task Force identified systemic barriers to equity and developed actionable pathways within the workforce and education systems. In 2022, it released a report outlining a framework for eliminating inequities and establishing goals to promote more significant equity.

Governor Pritzker reinforced this commitment by signing the Education and Workforce Equity Act in 2021, which required the IWIB to conduct a feasibility study of all workforce development programs funded by the Workforce Innovation and Opportunity Act (WIOA). This study resulted in the creation of the Governor's Commission on Workforce Equity and Access later that year. Tasked with addressing racial, social, and geographic disparities, the Commission focused on enhancing and diversifying workforce training, expanding talent pipelines, and promoting inclusion across industries. Grounded in feedback from users and stakeholders, the Commission released its final report in Spring 2023, offering recommendations to improve the accessibility, inclusivity, and responsiveness of Illinois' Workforce Development System.

A key recommendation from the Commission is the creation of a Chief Workforce Officer who would co-chair the IWIB at the Governor's discretion. This position would streamline processes, eliminate redundancies, and advocate for job seekers to ensure the workforce system effectively serves those who need it most. These initiatives—from Executive Order 19-03 to establishing the Equity Task Force and passing the Education and Workforce Equity Act—demonstrate Illinois' steadfast commitment to fostering equity, inclusion, and opportunity in workforce development.

As we recover from the COVID-19 pandemic, which caused significant shifts in global labor markets and disproportionately affected specific industries and groups of workers, Illinois is adapting to new opportunities and challenges through an inclusive and equitable lens. The state remains dedicated to ensuring that future legislation promotes equity by making workforce development programs accessible to underrepresented groups, including youth, while helping businesses secure the skilled talent they need. Improvements to the WIOA reauthorization will strengthen the state's efforts to attract investment, reduce regional inequalities, and enhance economic mobility, reinforcing Illinois' commitment to equitable growth.

Above all, Illinois' workforce ecosystem serves as a pathway for equitable access to education and career advancement. Equity principles guide the WIOA State Plan and the

IWIB's Strategic Plan. Proactively applying an equity lens to every strategy, the state aims to dismantle barriers preventing vulnerable populations from accessing high-quality job opportunities. By identifying where inequitable outcomes arise, understanding why they occur, and pursuing meaningful solutions, the state promotes fairness for all participants in the workforce system. DCEO, the IWIB, and the other core partners are adopting a customer-centered approach to enhance the experiences of both businesses and workers.

This Nondiscrimination Plan is one of the tools Illinois will use to pursue equity and assure the United States Department of Labor (USDOL) Civil Rights Center (CRC) that the state has implemented appropriate and meaningful measures to comply with the requirements outlined in the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act, as detailed in 29 Code of Federal Regulations (CFR) Part 38. Illinois' statewide partners are committed to ensuring equal opportunity and universal access to programs, services, and benefits administered through the Illinois workNet Center system.

Additionally, this Nondiscrimination Plan is a policy for the Illinois workNet system in administering the Equal Opportunity Provisions and is incorporated into the Illinois WorkNet ePolicy portal. Furthermore, the Illinois WIOA State Plan for PY2024-2027 emphasizes integrating the Nondiscrimination Plan into state, regional, and local planning efforts to ensure equitable access to services.

DCEO and IDES serve as Illinois' designated WIOA administrative entities, as prescribed in the nondiscrimination and equal opportunity provisions in 29 CFR 38.28-33. These two agencies work with the Illinois Community College Board and the Illinois Department of Human Services Division of Rehabilitation Services (IDHS-DRS) to provide WIOA programs across the state.

For this document, LWIA will be the primary reference for the Local Workforce Innovation Board (LWIB) and/or the Illinois workNet Center system.

I. ASSURANCES - SECTIONS 38.25 THROUGH 38.27

DCEO and its WIOA grant recipients agree to abide by the WIOA nondiscrimination requirements. Each LWIA is monitored to ensure continued compliance, and any identified deficiencies are remediated with prompt corrective action. Requests for Proposals (RFPs), as well as all final contract agreements, contain assurance language ensuring compliance with WIOA Section 188, 29 CFR Part 38, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, The Age Discrimination Act and Title IX of the Education Act, and HB 2616 Procurement ADA, where applicable.

Each LWIA EO (Equal Opportunity) Officer conducts monitoring using a standardized ADA accessibility checklist for each contracted training provider in their respective jurisdiction. The checklist covers programmatic and architectural accessibility to ensure compliance with the WIOA nondiscrimination requirements. An onsite monitoring visit is completed anytime a new or renovated location is proposed, and all completed checklists are submitted to the State-Level EO Officer for review. If any issues are

identified, the State-Level EO Officer performs a follow-up review to ensure the issues are resolved timely. The LWIA EO Officers have been instructed to complete the checklist before entering any new lease agreement.

DCEO ensures that all contracts, such as those with youth providers and agreements related to work-based learning, are non-discriminatory and contain the required EO assurances. During the annual monitoring process, a sample of contracts is reviewed at all LWIAs to ensure the necessary assurances are included.

Furthermore, DCEO's Office of Employment and Training (OET), which oversees Title I, includes in every funding opportunity a requirement that the applicant demonstrate an understanding of how race, ethnicity, and gender may impact individual access to employment and training services. Applicants must address how they consider the experience of people of color and women in the industry and how their program will increase access, enrollment, and completion for underrepresented populations. Examples include recruitment practices, intentional and inclusive marketing changes, completion and retention, and adequate supportive services. OET also requires an equity lens for operational and program policies and procedures.

DCEO has a robust policy development process spearheaded by the Illinois Workforce Innovation Board and OET to ensure new or revised policies are created transparently, focusing on equity and non-discrimination, garnering feedback from equity advocates and other stakeholders. Additionally, programmatic policies are reviewed during the Regional/Local Planning submissions and fiscal/programmatic monitoring. LWIA nondiscriminatory policies/procedures are reviewed annually through EO monitoring reviews. The LWIA is also charged with reviewing its subrecipient policies no less than annually.

IDES does not pass along any of its federal administrative grants for Unemployment Insurance (UI) or Employment Service (ES) programs to sub-grantees. IDES ensures that federal administrative grants are nondiscriminatory and contain required assurances by exclusively using grant agreement documents required and prepared by the Education and Training Administration of USDOL. This required standardized language also serves as policy directives and guidelines used by IDES to ensure that the required assurances are included in all pertinent documents.

IDES completes various procurement processes and enters into contracts to carry out the State's Unemployment Insurance and Employment Service programs. In addition to applicable Federal requirements, State law and regulations require these contracts to be nondiscriminatory and to contain required assurances regarding nondiscrimination and equal opportunity. This required standardized language also serves as policy directives and guidelines used by IDES to ensure that the required assurances are included in all pertinent documents.

II. Equal Opportunity Officer - Section 38.28 Through 38.33

Illinois' State Equal Opportunity Officer is Teri Morris, who assumes the role of Deputy Director for the Office of Equal Opportunity Monitoring and Compliance (EOMC). The Deputy Director reports directly to the agency's Director, Kristin Richards, who is a member of the DCEO's Executive Team (senior-level management staff). Director Richards is a Cabinet-level administrator for the Governor of Illinois. In addition, Director Richards is co-chair of the Illinois Workforce Innovation Board.

Deputy Director Morris reports on equal opportunity matters directly and confidentially to Director Richards. Deputy Director Morris's business address is as follows:

Teri Morris, Deputy Director, and Equal Opportunity Officer
Office of Equal Opportunity Monitoring & Compliance
Department of Commerce & Economic Opportunity
1011 S. 2nd Street
Springfield, Illinois, 62704
(217)720-9223
Teri.morris@illinois.gov
TTY: (800) 785-6055 Fax (217)558-6971

The Deputy Director's responsibilities include, but are not limited to:

- Formulates policy for and manages the Office of Equal Opportunity Monitoring and Compliance
- Directs the implementation, maintenance, evaluation, and monitoring of procedures and policies to ensure the Agency complies with Office of Human Rights statutes and Affirmative Action Plans.
- Possesses authority on behalf of the Director to manage EO compliance and investigatory issues, coordinating with Department Offices, grantees, and other state agency resources as necessary.
- Maintains controversial and sensitive information pertaining to discrimination charts and controls the dissemination of information to appropriate entities.
- Develops, implements, and enforces policy and procedures to ensure that local WIOA offices are in compliance with federal non-discrimination requirements.
- Providing training for LWIA EO Officers, managers, and staff of their roles and responsibilities regarding WIOA equal opportunity policies and procedures.
- Providing technical assistance to LWIA EO Officers on analysis and coordinating with general counsel regarding issues such as Federal Civil Rights, investigations, rehabilitation legislation, regulatory law, and Federal policies and programs.
- Investigates complaints at the local levels and determines related corrective action resolutions.
- Responsibility for developing, implementing, and updating the agency's Nondiscrimination Plan. Ensures the uniformity in nondiscrimination policy of EO requirements for grant recipients.
- Overseeing DCEO's Agency-wide EO Compliance/Education and Training Programs.

- Confers with staff regarding programmatic needs and development of management approaches to improve diversified workforce opportunities and inter-agency coordination of service needs, requirements, changes, and controls.
- Provides staff support and assistance to facilitate Equal Employment Opportunity (EEO) hiring opportunities for the Department and grantees.

Deputy Director Morris participates in outreach recruitment efforts in partnership with the Agencies Office of Human Resources to ensure nondiscrimination and diversity in its hiring practices. Deputy Director Morris actively participates in the Illinois African American, Asian, Hispanic, and Native American Employment Plan Advisory Councils. To further its commitment to diversity, equity, and inclusion, DCEO has recently established the Agencies Hispanic and African American Advisory Councils, which is led by the EO Officer, in partnership with the Directors office and Human Resources. Deputy Director Morris also serves as the Coordinator of Reasonable Accommodation, Americans with Disability Act (ADA), and Language Access Coordinator.

Local Level EO Officers

Each LWIB must designate an EO Officer for their area to comply with 29 CFR Part 38.28 - 38.33. The State WIOA EO Officer reviews all LWIA EO officer designees to ensure they meet the eligibility requirements and that their other duties or responsibilities do not conflict with or appear to conflict with the responsibilities of an EO Officer.

The LWIA EO Officer's duties include, but are not limited to:

- Serving as the LWIA grant recipient's designated local WIOA EO officer and liaison with the State WIOA EO Officer.
- Monitoring and investigating the LWIA recipient's and sub-recipients' activities for compliance with the nondiscrimination and equal opportunity obligations under WIOA Title I and 29 CFR Part 38; developing and publishing the LWIA grant recipient's procedures for processing discrimination complaints under Sections 38.69-38.85 of 29 CFR Part 38 and ensuring that those procedures are followed.
- Reviewing the local written policies to ensure that they are non-discriminatory and coordinating and conducting EO training sessions to train LWIA managers and staff on their roles and responsibilities regarding the WIOA equal opportunity policies and procedures.
- Providing technical assistance to LWIA grant recipient management on analysis and interpretation of federal civil rights and rehabilitation legislation, regulations, policies, and programs affecting the service delivery operations within the Illinois WIOA program.
- Reporting directly to the LWIA grant recipient about all local equal opportunity matters and
- Maintaining records of the most recent Demographic Analysis; this includes giving special emphasis to demographic group analysis using the 80% Rule (41 CFR 60-3).

In instances where a perceived or actual conflict of interest arises at the LWIA level, the senior-level administrator will work with the LWIB to reassign to another qualified staff person or ask the State WIOA EO Officer for assistance.

Publicizing EO Officer Information

DCEO makes the identity of the State WIOA EO Officer known and works with WIOA Partners to distribute information to all interested members of the public by the following methods:

- Formal notice to USDOL, LWIA recipients, and partners.
- Posting the “Equal Opportunity is the Law” notice prominently in common areas in all local Illinois WorkNet Centers. The poster notice gives the name, organization name, address, e-mail address, telephone, and TDD/TTY/Relay numbers of the State WIOA EO Officer and the relevant LWIA EO Officer. The notice is posted in English and Spanish, and any other languages spoken by significant portions of the population of the area in which the notice is posted.
- Publishing the name of the State WIOA EO Officer in the Department's general phone directory (available on the Internet and in hard copy), along with equal opportunity policies and procedures applicable to WIOA employees and procedural manuals providing guidelines for handling complaints from WIOA applicants, employees and third parties.
- Disseminating written notice brochures to WIOA Partners and to any interested member of the public; and
- DCEO's web page contains EO information for the workforce investment community, including contact information for the State and LWIA EO Officers.

LWIA's publicize the name of their LWIA EO Officer to the State, partners, WIOA applicants, and the public by the following methods:

- Submitting formal notice to the State WIOA EO Officer.
- LWIA EO officer names on the notice “Equal Opportunity is The Law” prominently in reasonable numbers and places in local WorkNet and affiliated centers.
- LWIA staff members provide the name of the LWIA EO Officer through internal documents and memoranda and other written or electronic communication; orientation and application processes in employer handbooks and manuals; and ensuring the “Equal Opportunity is the Law” notice is made available to each participant during the intake process and made part of the participant’s file; and
- Listing the names and contact information of each LWIA EO Officer on the web pages of the local LWIAs.

Resources

The types of administrative support the State WIOA EO Officer receives from various resources include:

- DCEO Office of Employment and Training (OET) provides funding for two WIOA EO Compliance Monitors, program guidance, IWDS information, and handles nondiscrimination program complaints.
- Legal Counsel to ensure that DCEO's nondiscrimination and EO Obligations are appropriately addressed.
- Assistance by Central Management Services (CMS) for professional graphics operations including the publication of posters, brochures, and training manuals.
- Information sharing with the Illinois Department of Employment Security (IDES) and Illinois WorkNet on regional labor market and demographic data.
- IWIB and OET Professional Development Series for staff. Modes for professional development include weekly webinars, synchronous and asynchronous learning, round tables (virtual and in-person), and the Workforce Summit.
- Illinois Assistive Technology Program provides technical advice, training, and guidance about new assistive technology.
- Training by the Illinois Department of Human Services, Division of Rehabilitation Services on technology programs to the Illinois WorkNet Centers staff.
- Technical assistance and resources by the USDOL Offices for planning training initiatives, as well as with complaint proceedings; and,
- Assistance by the USDOL Civil Rights Center with technical information regarding development policies and procedures for implementing the nondiscriminatory policies for the State and local levels.

Financial support for the WIOA EO activities is provided by WIOA 5% administrative funds. This expenditure authority is approved by the state legislative body (the Illinois General Assembly) on an annual basis.

All designated local grant recipients in LWIAs receive their annual WIOA Title I federal program budgets from the State. This process begins with the annual submission grant application complete with budget and program objectives. In addition, funding for one EO Officer's activities comes from administrative WIOA funding levels.

Training

29 CFR 38.29 requires the State WIOA EO Officer and LWIA EO Officers and their staffs to be sufficiently funded, administratively supported, and trained to maintain competency to commensurate with their level of assignment, knowledge, skills, and abilities necessary to carry out their responsibilities and comply with the language found in 29 CFR 38.29 (f). DCEO EO Officer ensures all EO staff receives adequate training regarding nondiscrimination and equal opportunity regulations.

The State WIOA EO Officer provides opportunities for scheduled training that includes activities such as:

- Information and resource sharing, including sharing regional best practices.
- Collaborative efforts and partnerships that communicate statewide EO accountability, ADA accessibility, and LWIA monitoring activities; and
- On-site or regional technical assistance is requested from USDOL Civil Rights Center Staff to train State and LWIA EO personnel.

Alongside the opportunities the State WIOA EO Officer provides, State EO staff, Local EO Officers, and other workforce partners can access professional development and technical assistance offered by OET, and the IWIB through the Professional Development Committee. These opportunities include topics such as Accommodations and Universal Design, Assistive Technology and Updates to WIOA Section 188, sessions for specific target populations (justice-involved, individuals with disabilities, LGBTQIA+, Veterans, MSFW, etc.), digital literacy, and customer-centered approaches to serving participants. A more detailed listing of webinars is later in this document.

The Governor, DCEO and IDES Directors are fully committed to ensuring the State-Level EO Officer has enough opportunities and funding for the training necessary to ensure adequate knowledge and competency to ensure compliance with the nondiscrimination requirements. Examples of training include national conferences hosted/attended by CRC staff, subject matter experts and out-of-state travel for other trainings or conferences that are pertinent to all matters EO.

IDES employs its own Equal Opportunity Officer, Ms. Anna L. D’Ascenzo, Esq. Ms. D’Ascenzo has been designated as the EO Officer for IDES and full-time Manager of its Office of Equal Employment Opportunity/Affirmative Action. Ms. D’Ascenzo is also IDES’ Language and Disability Access Coordinator. At the behest of the Director and in accordance with Federal and State statutes, rules, regulations, etc., Ms. D’Ascenzo is responsible for ensuring that IDES meets its obligations under 29 CFR Part 38 for equal opportunity and nondiscrimination, in all IDES benefits, programs, and services, including Unemployment Insurance and Employment Services. Ms. D’Ascenzo reports directly to the highest level of the agency, IDES Director Raymond P. Marchiori. Ms. D’Ascenzo is a licensed attorney and has worked in IDES’ EO Office since 2014 and previously in the Illinois Department of Human Services EO Office since 2010. Prior to Ms. D’Ascenzo’s employment with the State she worked as a City of Chicago attorney for 10 years where she held various positions, the latest dealing with Civil Rights issues.

Ms. D’Ascenzo’s business address is as follows:
 Ms. Anna L. D’Ascenzo, Equal Opportunity Officer
 Office of Equal Opportunity/Affirmative Action
 Disability and Language Access Coordinator
 Illinois Department of Employment Security
 33 South State St., 10th Floor, Chicago, Illinois 60603
 (312) 793-9290 (Voice)
 (888) 340-1007 (TTY) / (312) 793-0302 (Fax)
[E-Mail: Anna.DAscenzo@illinois.gov](mailto:Anna.DAscenzo@illinois.gov)

IDES' EO Office is comprised of fourteen authorized positions, of which six are filled with permanent, full-time staff. There are additionally 2 vacant positions which are in the process of being filled. The six filled positions are as follows: the EO Manager, Ms. D'Ascenzo (Senior Public Service Administrator); one Investigations Manager, Ms. Tina Tiliks (Public Service Administrator); one Reports and Data Analysis Specialist, Mr. Stanislav Volkhovsky (Executive I); one UI/ES EO Monitor, Ms. Angela Millsap (Public Service Administrator); two Compliance Investigators, Mr. James Cannon (Executive I) and Ms. Darlene Blaszcak (Executive I). The two vacant positions currently being filled are as follows: one EO Compliance Reporting Supervisor (Public Service Administrator) and one UI/ES EO Monitor (Public Service Administrator).

Subject to budgetary and operational considerations, the following positions may be filled at a later time: one Senior Public Service Administrator (Monitoring and Evaluation); one Public Administration Intern; and one Compliance Supervisor EO Monitor. The Administrative Assistant position is a Spanish language option position, which means that it can only be filled by individuals who are bilingual.

Overview of the Duties, Responsibilities and Organizational Location of IDES' EO Officer

The EO Officer, Ms. D'Ascenzo, reports directly to the agency's Director and is a member of the Department's Executive Team (senior level management staff). Ms. D'Ascenzo reports on equal opportunity matters directly and confidentially to the Director. Director Marchiori is a Cabinet level administrator for the Governor of Illinois.

Ms. D'Ascenzo's job description reflects the senior level nature of her position. As a policy-implementing manager, she establishes, develops, and evaluates the EO/Affirmative Action program for the Department. One of her primary responsibilities is the development of the agency's annual Affirmative Action Plan, which sets workforce goals related to underutilization in hiring, and ensures non-discrimination and full access in all aspects of employment and program/service delivery. (See 2025 IDES Affirmative Action Plan attached hereto). Additionally, Ms. D'Ascenzo administers a complaint system for investigating charges of discrimination filed by agency clientele under Title VI & VII of the Civil Rights Act, the Americans with Disabilities Act and other laws that address equal opportunity and nondiscrimination. Ms. D'Ascenzo also ensures that, where warranted, corrective action is taken to eliminate discriminatory practices in the servicing of clients and/or applicants. She also advises managers and supervisors to ensure that employment and operational practices are in compliance with applicable laws, rules, and regulations. Director Marchiori has also given Ms. D'Ascenzo full responsibility for ensuring that the agency complies with the nondiscrimination provisions of the Equal Pay Act, the Age Discrimination in Employment Act and any other Federal and State Nondiscrimination related rules and regulations. Additionally, and at the request of the Director, Ms. D'Ascenzo serves as Co-Chair of the Diversity, Equity, Inclusion and Accessibility (DEIA) Employee Forum. In this role, Ms. D'Ascenzo coordinates with other State of Illinois agency Chairs to ensure equal access and inclusion in all State services and actions. Ms. D'Ascenzo and the other Chairs also work together to implement statewide DEIA training for all IDES State employees.

Direction and leadership are provided to the EO professional and support staff engaged in implementing and monitoring compliance programs and services. Ms. D'Ascenzo also hires and evaluates staff and recommends appropriate merit increases and disciplinary action for the IDES EO Office. She is also responsible for aiding in the development and implementation of the Non-Discrimination Plan report and serves as liaison to the Federal Civil Rights Center.

The name and address of the EO Officer and all other pertinent information is identified on the "EO is the Law" poster, which is prominently displayed in areas accessible to employees and the public at all local IDES offices. Furthermore, the Department's policies and procedures manual contain comprehensive internal EO policies which are available to all employees both in hard copy and via an on-line "intranet" computer system. (See EO Policies 1200 through 1207).

Job Description of IDES' EO Officer

The following is taken directly from the EO Officer's official job description. "Pursuant to 56 Ill. Administrative Code this position serves as the EO Officer and shall report directly to the Agency's Chief Executive Officer and shall be on the Chief Executive Officer's staff. And in accordance with federal regulation 29 CFR 38.31, this position also serves as the EO Officer, a senior-level employee and shall report on equal opportunity matters directly to the SESA (State Employment Security Administrator); that is responsible for Agency EO related compliance. Subject to administrative approval plans, develops, organizes, controls, and evaluates the operation of the Equal Opportunity (EO) and Equal Employment Opportunity (EO) programs for the Department of Employment Security; serves as the Department's EO Officer, Business Enterprise Program (BEP) Liaison and 504/ADA (American with Disabilities Act) Coordinator; recommends, formulates, and executes EO, Rehabilitation and ADA policies for the Department."

IDES' EO Officer's job description further states, "As a policy formulating manager, establishes, develops, and evaluates the EO/Affirmative Action Program for the Department of Employment Security to assure equal employment opportunity in all aspects of the hiring, treatment, advancement, and development of the employees of the Department of Employment Security as well as the delivery of services to clients. Recommends and formulates the EO, Rehabilitation and ADA policy of the Agency for approval by the Director in accordance with State and Federal equal employment, rehabilitation and ADA laws, regulation, and policy. Provides technical assistance to management on the analysis and interpretation of Federal Civil Rights and Rehabilitation legislation, regulations, policies, and programs affecting the divisional programs of service delivery operations. Provides training to inform managers and staff of the role and responsibility of EO through seminars, workshops, and orientation sessions."

"Through subordinate managerial staff, plans, assigns, reviews and evaluates the activities of staff. Prepares and signs performance evaluations comparing results attained with established goals and objectives; hears first level grievances and implements disciplinary action. Provides direction and leadership to subordinates, professional and supportive staff engaged in the implementation and monitoring of mandated compliance programs and

functions affecting the assurances of equal employment opportunity internally and the nondiscriminatory rendering of services. Selects and evaluates staff, initiating and recommending appropriate merit or disciplinary action.”

“Directs the development of a complaint system for receiving and investigating charges of discrimination filed by Agency clientele under Title VI & VII of the Civil Rights Act and Americans with Disabilities Act. Institutes corrective action to eliminate discriminatory practices in the servicing of clients and/or applicants. Advises managers and supervisors if employment and operational practices are in compliance with laws, rules, and regulations. Represents the Agency in investigations and settlement negotiations in which the Department is named defendant in complaints of discrimination filed with the EEOC, IDHR and the CRC. Directs and coordinates the preparation of documentation in support of the Agency’s position in response to allegations. As requested, directs agency staff in taking appropriate action to correct discriminatory practices identified by the department, and report back on the progress of actions taken. Formulates, establishes, oversees, and modifies as necessary, an alternative dispute resolution process.”

“Directs the ongoing review and evaluation of UI/ES (Unemployment Insurance / Employment Service) operations and other programs in accordance with 29 CFR Part 38, ensuring the collection and maintenance of records consistent with the requirements of regulations to determine compliance with the nondiscrimination/equal opportunity provisions relating to programs and services.”

III. Notice and Communication - Section 38.34 Through 38.39

The "Equal Opportunity Is the Law" notice was disseminated to all LWIB Chairpersons, WIOA recipients, WIOA State, and Local Partner Agencies, and training providers during annual program monitoring.

DCEO’s policy requires that the "Equal Opportunity Is the Law" notice be:

- Posted prominently, in reasonable numbers and places.
- Disseminated in internal memoranda and other written or electronic communications (i.e., DCEO’s Internet Homepage).
- Included in handbooks or manuals.
- Made available to each participant and made a part of the participant's file.
- Provided in appropriate formats to individuals with visual impairments; and
- Where notice has been given in an alternative format to a participant with a visual impairment, a record that such notice has been given is to be made a part of the participant's file.

The “Equal Opportunity is the Law” notice is posted in multiple languages for the benefit of the public and clients in all the appropriate locations at DCEO as well as all WIOA Illinois WorkNet Centers (both physical and electronic versions) and training providers. Posters are available in Spanish, Polish, Arabic, Chinese Traditional, French, French Creole, Korean,

Portuguese, Russian, Tagalog, and Vietnamese. The notice is also available in alternative formats such as by audio for the visually impaired.

Notification to Individuals with Disabilities

The “Equal Opportunity is the Law” notice is available to individuals with disabilities in the following ways:

- Large print, Braille and audiocassette versions of the notice are available to persons with visual impairments.
- Readers are made available to the visually impaired for use with websites where the notice is electronically posted at all WorkNet Centers; and
- When requested, sign language interpreters are made available to persons with hearing impairments should they have questions about the notice or the filing process.

Each comprehensive and affiliate Illinois WorkNet Center resource room provides auxiliary aids and services such as:

- Qualified interpreters;
- Assistive listening headsets;
- Closed and open captioning on videos;
- Telecommunication relay services for deaf persons;
- Computers that allow voice input and output;
- Brailled materials;
- Video-text imaging displays; and
- Transcription services.

Every LWIA must indicate that a TDD/TTY number, or an equally effective means of communicating with individuals with hearing impairments, is noted on its local recruitment and marketing materials whenever a phone number is included. All public information includes the tag, “auxiliary aids and services are available upon request to individuals with disabilities,” on local recruitment and marketing materials.

Recruitment Notification and Communication

When the State advertises for employment positions, the “DCEO is an Equal Opportunity employer” statement is always included. The main employment application utilized by the State of Illinois, Department of Central Management Services, includes the following language:

“In compliance with the state and federal constitutions, the Illinois Human Rights Act, the U.S. Civil Rights Act, the Americans with Disabilities Act, and Section 504 of the Federal Rehabilitation Act, the Department of Central Management Services does not discriminate in employment, contracts, or any other activity. If you have a complaint,

please contact the Department of Central Management Services at Springfield (217) 785-1985 or (217) 524-1383 (TTD/TTY only) before the date of the test.”

Notification to Persons of Limited English Proficiency

All WIOA recipients and sub-recipients are responsible for ensuring equal opportunity and access within their specific facility. When clients and applicants arrive for WIOA Title I services and need assistance in a language other than English, the LWIA staff utilizes established procedures to provide translation services for the client. Individuals entering any of the Illinois WorkNet Centers may view the "Equal Opportunity is the Law" poster prominently posted throughout the centers and within the resource room. The poster is available in English in all locations and areas with a significant non-English speaking population; the Notice is also posted in those languages.

Individuals who apply or enroll in any program offered at the Illinois WorkNet Centers receive a copy of the Notice for their records and sign an acknowledgment of receipt form maintained in their participant file. If an individual receives an alternative format of the Notice (non-English, Braille, large print, etc.), a record that such Notice has been given is maintained in the individual's file.

All LWIAs receive assistance from the Illinois Department of Rehabilitation Services and various interpretation services throughout the State to assist with individuals requesting accommodations. These services include but are not limited to, sign language interpreters, the utilization of text readers, translation of information to Braille, large print, etc. Notice of the availability of interpreter services is posted at all Illinois WorkNet locations, and staff are knowledgeable about how to assist individuals with disabilities to ensure they are receiving the proper services. If a staff member cannot help an individual requesting an accommodation, the EO Officer is immediately contacted for assistance.

The "Equal Opportunity is the Law" Notice (in various languages) is required signage in all comprehensive and affiliate locations, including all training providers. The posters are supplied to all local agencies whenever changes are made and are physically verified during the on-site and/or desk audit annual EO monitoring reviews. All recruitment brochures (i.e., forms, flyers, posters, broadcasts, and publications) and other materials that are ordinarily distributed or communicated in written, oral, electronic and/or paper form to staff, clients or to the public at large, include the EO tagline as well as the availability of auxiliary aids and services with the applicable TTY/TDD or relay number anytime a standard telephone number is published. Materials published and distributed by the LWIAs and their subrecipients are also reviewed during the annual EO monitoring review.

Limited English Proficiency or LEP and preferred language data are collected from everyone during the intake process at each American Job Center. This information is maintained within the Illinois Workforce Development System (IWDS). It is utilized when working with individuals to ensure they get the services and assistance that best suits them. Additionally, at each site, some postings alert individuals to the availability of language assistance at no cost. If an individual enters the Illinois WorkNet Center and does not speak English, or speaks

limited English, staff utilize the "I Speak" placards to help identify the language and ensure the necessary assistance is obtained. Areas that have identified a significant non-English speaking population have bi-lingual staff on-site to assist individuals.

To assist DCEO in determining the reasonable steps necessary to ensure LEP persons have meaningful access to DCEO resources, below is a four-factor analysis provided by the Department of Housing and Urban Development to assist State and federal agencies.

FACTOR ONE: The number or proportion of LEP persons in the DCEO service area who may be served or likely to encounter a DCEO program, activity, or service.

In anticipation of implementing a Language Access Plan, DCEO analyzed the linguistic profile of LEP persons who have interacted with DCEO. We also leverage data from the United States Census Bureau and their 2023 American Community Survey to inform our decisions. DCEO completed this analysis to determine the number or proportion of LEP individuals who have utilized or may utilize DCEO services and identify their preferred languages.

According to the American Community Survey, native Spanish speakers account for the largest foreign-speaking group in Illinois, at 7.1% of the population. Among foreign-language speakers categorized as LEP individuals, Spanish speakers account for the largest group that self-identified as not speaking English "very well," accounting for 1.9% of the general population of Illinois. Based on our self-assessment, Spanish is the primary language spoken by LEP individuals who have requested language assistance. Other groups that have requested language assistance include Polish, Mandarin, Korean, Arabic, Hindi, Urdu, French, and Tagalog speakers. However, the frequency of language assistance requests is more infrequent for these groups, which may be related to individuals within these groups who qualify as LEP persons, making up less than 2% of the general population.

FACTOR TWO: The frequency with which LEP persons encounter a DCEO program, activity, or service.

Contact with LEP persons can be described as regular occurrences for external-facing DCEO divisions. Most requests for language assistance have been made by Spanish-speaking people, with the Office of Minority Economic Empowerment reporting the need for Spanish translation services daily.

DCEO will continue to monitor its interactions with LEP individuals and implement additional translation and interpretation services, as necessary, to appropriately ensure program access for LEP individuals.

FACTOR THREE: The nature and importance of the program, activity, or service provided by the program.

DCEO is committed to providing vital program information to LEP individuals in the language they can understand. Vital program information, whether written, oral, or electronic, is necessary for an individual to know how to obtain any aid, benefit, service, training, or information required by law. The list of DCEO vital documents for LEP is contained in the agency's 2023 Language Access Plan.

DCEO is committed to reviewing each program to identify vital information and ensure that information is available to LEP individuals.

FACTOR FOUR: The current resources available at DCEO to LEP persons.

- A. DCEO employs bilingual staff who may assist LEP individuals who speak Spanish or Polish.
- B. For some programs or department efforts, DCEO translates vital documents into Spanish to increase accessibility. Upon request, DCEO will consider requests to translate vital documents into additional languages.
- C. DCEO has access to translation services provided by the Department of Innovation & Technology or Central Management Services.
- D. Illinois workNet, the American Job Center portal, translates into Spanish for those individuals whose primary language is Spanish.
- E. DCEO accommodates individuals with disabilities, including qualified sign language interpreters, readers, auxiliary aids, and alternative formats.
- F. DCEO posts notices that “Equal Opportunity is the Law” in multiple languages for the benefit of the public and clients in all appropriate locations.
- G. DCEO ensures that all recipients and subrecipients of Workforce Innovation and Opportunity Title 1 funding comply with the “Illinois Nondiscrimination Plan,” which includes provisions that outline rights and privileges for LEP persons by providing training and compliance reviews.

While DCEO is committed to looking at the Four Factor Analysis to ensure that persons with LEP have access to resources, the influx of immigrants into the state required the marshaling of resources to provide an immediate response to those coming to Illinois. In 2024, the Illinois Workforce Working Group launched a collaborative initiative to support the influx of new arrivals in Chicago, focusing on those navigating the Temporary Protected Status (TPS) and Employment Authorization Document (EAD) processes. This effort facilitated over 125 coordinated workshops, connecting more than 4,100 job seekers to American Job Centers (AJCs), where they received employment and training services. Workshops, held in partnership with legal aid providers and pro-bono attorneys, were strategically co-located with federal immigration authorities and workforce programming, allowing job seekers to complete federal checks and access job search resources simultaneously. The workgroup’s collaborative strategy also included webinars for employers and hiring fairs to promote employment opportunities. By the end of PY23, Title I and Local Workforce Innovation Area 7 led the ongoing implementation, ensuring a seamless integration of services for new arrivals. This coordinated workforce approach addressed immediate needs and laid the foundation for self-sufficiency and inclusion. Moving into 2025, the One System Initiative will further strengthen these efforts, promoting a unified sheltering system and equitable services that serve all Chicagoans, creating a holistic support model for newcomers and local communities. The efforts made through this initiative have become a national model and will be replicated in other parts of the state to support persons with LEP accessing the workforce ecosystem.

Additionally, Illinois will partner with the Illinois Business Immigration Coalition to provide technical assistance for businesses that hire LEP persons, mainly focusing on supporting Immigrant Workers and Refugees.

The Department of Commerce and Economic Opportunity is committed to making its website and other forms of communication accessible to all users.

A. Type of Language Services Available

The type of language services available by DCEO to LEP individuals include:

1. Bilingual staffing. DCEO has staff members with bilingual designations in their position descriptions.
2. Translation services are available through the Department of Innovation & Technology and Central Management Services and may be utilized as funding permits.
3. Use of "I Speak" flashcards to identify languages. These cards can be downloaded at <https://www.lep.gov/sites/lep/files/resources/ISpeakCards2004.pdf>.

B. How LEP Persons Can Obtain Services

All requests for language services should be made through the appropriate Program personnel or the Language Access Coordinator, who will coordinate arrangements for language assistance. When utilizing bilingual DCEO employees, consideration will be given to the individual's workload, availability, and supervisor's consent.

C. How to Respond to LEP Callers

DCEO personnel, including those who regularly take calls from the public, will forward LEP calls to the appropriate Program Designee provided by divisions with interaction with LEP persons or the Language Access Coordinator if the Designee is unavailable or not applicable. The Designee will record the date and time of the call, name of the caller, language (if it can be determined), nature of the call, and disposition. The Designee will also submit the recorded information to the Language Access Coordinator quarterly. The Language Access Coordinator will advise the Program Designee or the appropriate Program personnel of the call, nature of the request, and disposition.

D. How to Respond to Written Communications from LEP Persons

DCEO personnel who receive written communications from LEP individuals will contact the Program Designee for the respective program area who will record the date of receipt, name of LEP individual, language (if it can be determined), nature of the correspondence, and disposition.

E. How to Respond to LEP Individuals Who Have In-Person Contact with Staff

DCEO personnel who have in-person contact with LEP individuals will address the issues and/or concerns. They will record the date of receipt, name of LEP individual, language (if it can be determined through familiarity with the language, use of “I Speak” cards, etc.), nature of the correspondence, and disposition of the encounter and forward the information to the appropriate Program designee. Additionally, the Language Access Coordinator will ensure all staff have the language access line that provides translators to speak via phone to any in-person visitor. In cases where language barriers cannot be overcome, personnel will contact the Language Access Coordinator. The Babel chart that lists various languages that visitors can point to for assistance will be available to all DCEO staff.

F. How to Ensure Competency of Interpreters and Translation Services

DCEO will ensure, to the greatest extent possible, the competency of interpreter and translation services. Applicable DCEO directives will be observed when selecting consultants for service. Employees who serve as interpreters and/or translators will be required to sign a form attesting to:

1. Their ability to communicate or translate information accurately in both English and the language(s) to which they can translate and/or interpret for the LEP individual.
2. They will not deviate from the role they have been asked to provide and instead act as counselor, legal advisor, or any other role aside from interpreting or translating.
3. They do not have a conflict of interest related to the services they would be providing.

In summary, the DCEO Language Access Coordinator will provide a language access script to all agency staff. The script will offer guidance on how to engage and offer additional assistance to limited English speaking individuals. Staff members will also be given the Babel chart of various languages with introductory translations that visitors can point to for more services in their native language. Staff will also have the language line access telephone number for individuals who need translator services.

If there is a need for language assistance that is not readily available on-site, LWIAs partner with various Community Colleges within their regions and utilize other State agencies or partners. Where these local agencies cannot assist an individual timely, local areas use the prescribed tele-interpreter services or similar vendors, for interpretation and translation services. DCEO and its partners utilize the Propio language interpreter services contracted through the Illinois Department of Central Management (CMS) Telecommunication Unit. When using the service, employees follow the instructions illustrated in the brochure.

I. TRAINING OF STAFF

DCEO is committed to staff training and increasing awareness of LEP issues and responsibilities among department staff and other professionals who regularly interact with DCEO. One critical component of is identifying an LEP person who needs language assistance for all DCEO programs at any point of service. DCEO will and provide education and training for all personnel regarding individual rights and the available procedures for interacting with LEP persons. All personnel should be reasonably capable of identifying an LEP individual needing language assistance and directing that individual to the appropriate resources (e.g., interpreter services or translated forms and brochures).

Training shall include providing all staff who may potentially interact or communicate with LEP individuals with the following: legal requirements for language access, effective techniques for working with language services providers, appropriate use of translated materials, and cultural competency. With minimal cost or specialized training, mandatory education concerning the needs of LEP persons should be provided on an ongoing basis to all public-facing staff so that they can perform the following tasks:

- Identify LEP persons
- Ascertain the native language of the LEP person
- Access language assistance tools and interpreter services
- Inform LEP person of language assistance services and reference materials available
- Provide “Need Language Assistance?” signs or forms
- Note in their file that language assistance was required and provided.

DCEO will collaborate with the Governor’s office to ensure that all staff receive relevant language access training and have adequate support to provide language access services as needed.

II. PUBLIC NOTIFICATION AND ONGOING PLAN EVALUATION

DCEO will notify the public of the availability of language access services by publication on its website. In addition, DCEO will include notification of language access services by posting notices in each of its offices throughout the State. Finally, as discussed above, DCEO will train staff to be knowledgeable about our ability to provide language access and refer anyone who requests such access to our Language Access Coordinator, who will coordinate the provision of interpreters and access to translated materials when needed.

In compliance with federal laws, regulations, and guidelines, the agency will continue to monitor our compliance with these rules and the need for any changes in our language access plan and implemented protocols. DCEO proposes to monitor compliance with the Language Access Plan annually reviewing with DCEO’s Director, Chief of Staff, Deputy Director for the Office of Employment and Training, and General Counsel. The review will provide an overview of our compliance with state and federal rules and identify areas of improvement

to strengthen our goal of providing access to all members of the public, especially LEP persons.

III. AGENCY GOALS AND ACTION STEPS

Providing access to the State of Illinois and federal resources, including for LEP individuals, is a top priority at DCEO. DCEO is committed to improving language access among those who interact with the agency:

- A. Post multilingual signs in high-traffic areas.
- B. Designate at least one Language Access Coordinator responsible for identifying gaps in language assistance services. The Language Access Coordinator will ensure that this plan is implemented and evaluated regularly for areas of improvement.
- C. Explore telephonic interpreters' options through the Illinois Department of Innovation & Technology.
- D. Complete a comprehensive review of Department documents that should be translated and work with the Governor's Office, CMS, or any outside entities working on behalf of DCEO to translate the documents selected.
- E. Work with the Governor's Office on implementing Google Translate for Department webpages. Use Google Translate to translate vital documents. Use bilingual staff to assist with quality control and necessary edits following the translation.
- F. Expand Illinois workNet translation options beyond English and Spanish.
- G. Research integrating plain language into policies, brochures, etc. so that they are more easily translated into other languages.
- H. Establish protocols and procedures for reviewing oral interactions with LEP individuals for compliance with this LAP.
- I. Coordinate with DCEO Deputy Directors and managers to determine whether a designee within their department is needed to route translation requests.
- J. Coordinate with DCEO Deputy Directors to review oral interactions with LEP individuals for use in the Department's periodic review of this LAP.
- K. Improve tracking procedures and begin data collection to measure the need for interpreters within our programs and throughout the agency.
- L. Conduct LEP training for all staff within 18 months of the LAP's Effective Date and periodically as a refresher. This training should include which DCEO staff members are designated to receive inquiries, and the procedure staff members should follow with LEP individuals.
- M. Continue to work with the Governor's Office, the IWIB, and Community-Based Organizations to ensure the implementation of DCEO's Language Access Plan and the quality delivery of services to all, including LEP persons.
- N. Review and update the LAP as necessary.

IV. COMPLAINTS

DCEO monitors and responds to all public complaints about Language Access through its website. Inquiries and complaints about Language Access are directed to the Office of Equal Opportunity Monitoring and Compliance. The Language Access Coordinator will work with the unit administering the program to address any issues. Inquiries for Language Access will be tracked and logged with the appropriate system, and the Language Access Coordinator will report all inquiries annually to the DCEO Director.

If a person wishes to file a complaint regarding an alleged violation of the DCEO language access plan, he/she/they should file that complaint with our Deputy Director of Equal Opportunity Monitoring and Compliance who oversees all ADA, EEO and Language Access Programs. Teri Morris may be reached via email teri.morris@illinois.gov or, by telephone, at (217) 720-9223.

IDES ensures compliance with all LEP laws, rules, and regulations, including those seen in USDOL, 29 CFR 38. IDES strives to provide equal and meaningful access to the LEP community in various ways. These efforts are outlined in the below IDES LEP Plan.

Additionally, on or around August 2021, Illinois Governor JB Pritzker asked each State agency under his jurisdiction to designate a Language Access Coordinator (LAC). Anna D'Ascenzo, IDES' EO Officer was designated as the LAC for IDES. IDES has submitted a Language Access Plan to Governor JB Pritzker which outlines how the agency plans on ensuring equal and meaningful access to the LEP community and to the bilingual community in general.

LEP Plan Guidance: 29 CFR 38.9

1. Process Used to Assess LEP Needs:

IDES uses a variety of processes to ensure that it meets the Limited English Proficient community's needs. IDES strives to provide equal and meaningful access to all our services, benefits, and programs. The processes that IDES employs to provide equal and meaningful services to the LEP community are monitoring of the Local Offices on an annual basis; contracting multilingual interpretation services with a variety of vendors; creating and implementing an LEP action plan and/or a Language Access Plan, as part of our organizational operations; review and monitoring of all hires and promotions to ensure adequate bilingual employee representation in our workforce; analysis of underutilization of certain protected minority groups in our workforce; analysis of the labor market data for geographical areas in which IDES provides its services; completion and analysis of data for the Asian American, African American, Hispanic and Native American Employment Advisory Council surveys completed annually; and bi-monthly reviews of Human Resources workforce data and transactions and partnering with various advocate and community groups to ensure appropriately addressing the needs of this community.

2. Results of the Assessment

As a result of IDES' assessment, there are various multilingual projects IDES has already completed and others on which IDES is still working. These projects are incorporated into this Plan and are operationally implemented via IDES' Executive Staff and the Equal Opportunity Office. Additionally, there has been a determination based on IDES' assessment regarding which languages represent a "significant" portion of the LEP population in Illinois. Some of these languages are, but not limited to, Spanish, Polish, Chinese, Arabic, Hindi, and Tagalog. As a result of IDES' LEP assessment, IDES has sought to increase additional headcount for bilingual employees, engaged vendors for bilingual services both via the telephone and web, and conducted targeted recruitment with other sister agencies to ensure IDES' workforce represents the communities IDES serves. IDES has also created advisory councils and/or roundtables with community partners, stakeholders, and claimant representatives to discuss language access and provide a mechanism for the bilingual and LEP communities to provide feedback surrounding language access.

3. Timeline for Implementing LEP Plan

IDES' LEP Plan is an ever-evolving plan and therefore, the timelines for implementation are fluid. Some of the LEP Plan objectives and goals are already completed, some are in the middle of being completed and some objectives are just beginning. IDES recognizes that the LEP Plan must continually adjust to meet the needs of the LEP community that they are serving and therefore our timelines are flexible. IDES believes a fluid Plan which is reviewed and revised on a continual basis is the most effective way to serve the LEP community. A plan devised today will not always be the most effective way to reach a community in the future. Since IDES believes that providing equal and meaningful access is a fluid process and must change depending on the community's needs, IDES is committed to completing a bi-annual review of the Plan to ensure that it is still the most effective way of providing services to the LEP community. At those bi-annual reviews, IDES' EO Office will make any changes, revisions or additions needed to ensure that Illinois' LEP communities are getting the services required by law while also ensuring IDES remains in compliance with LEP regulations provided by USDOL.

4. All language services to be provided to LEP individuals

IDES will or is in the process of providing the following language services to LEP individuals:

A. Language Translations Widget on website

IDES has a translation widget on its public facing website. This widget allows all of our webpages to be translated into multiple languages, including the 6 most common Illinois languages at an instant. Additionally, IDES has performed a human review for accuracy of the multilingual widget to ensure the integrity of the translation consistent with USDOL Nondiscrimination Regulations.

B. Multilingual Translation for Telephones

IDES is working with a vendor to provide multilingual access for all telephone services. This service allows an individual to navigate through IDES' queue so that they arrive at an agent that can provide the most effective and efficient service, including assisting the LEP caller in their preferred language, either through a bilingual employee or a bilingual interpreter on the phone.

C. Multilingual Translation for Documents

IDES is working with a vendor to provide multilingual access for all translation services needed for letters, documents and/or all other paper communication sources. This service allows IDES to translate documents or other communication sources into the claimant/customer's preferred language.

D. Multilingual Translation for Webpage

IDES provides multilingual services for its public-facing webpages, including but not limited to Illinois' 6 most common languages, that help an individual navigate through IDES' website. IDES has created a process where our webpage leads an individual to a live agent who can provide the most effective and efficient service, including assisting the LEP caller in their preferred language, either through a bilingual employee or a bilingual interpreter on the phone.

E. Language Line Services

IDES contracts with various vendors to provide language translation services via the telephone. The language line vendor assists IDES in answering calls in hundreds of languages. Additionally, they provide IDES with vital data regarding language needs by geographical location. These services assist IDES in meeting USDOL LEP requirements and determining where additional bilingual staff may be needed.

F. Bilingual Employees

IDES employs 143 bilingual employees within its workforce to assist the LEP community in receiving its services and benefits. The languages that the bilingual employees speak are Spanish, Polish, and Chinese. All other translation services are conducted via interpreters with our language line services.

G. Advisory Councils

IDES has a representative on several Illinois Employment Plan Advisory Councils. The Councils in which IDES has a representative are the Hispanic, Asian American, African American and the Native American Employment Advisory Councils. Each Council is comprised of advocates who represent the specific group's interests and needs with a focus on State services and employment. These Councils offer advice and recommendations for how IDES as well as other State agencies may effectively reach and service in a meaningful way the LEP communities that they represent.

5. Manner of which LEP individual will be notified of LEP services

IDES notifies LEP individuals of its LEP services via signs and posters hanging in all of its local offices. IDES also notifies the public of its LEP services via social media postings in various languages on the Internet, advertisements and partnerships with advocate and stakeholder partners. IDES sends communication letters to claimants and anyone seeking IDES services or benefits, which includes "Babel notices." Lastly, IDES notifies the community of LEP services by in-person notification and on IDES' public-facing website.

6. Steps individuals should use to request LEP services

LEP individuals seeking to use IDES' LEP services should notify an IDES employee when speaking with them about their preferred language. If using the Internet to file a claim the individual should indicate, they are LEP and check their preferred language. Upon entering an IDES Local Office, the individual should point to a language sign and indicate their preferred language. When calling into the call center or other locations within IDES via the telephone, the individual should indicate that they are LEP and their preferred language so that language line services can be initiated.

7. Manner in which staff will provide LEP services

The manner in which IDES staff will provide LEP services are, including but not limited to, the following: web-based services over the Internet which translate web pages into multiple languages; multilingual vendors that provide telephone translation services to LEP claimants; the translation of documents and communication letters into the claimant's preferred language; and, the use of bilingual employees.

8. What steps must be taken to implement the LEP Plan

The steps that must be taken to implement the LEP Plan vary from identifying and working with outside vendors to creating and implementing technology-related translations, i.e., LEP translation for both telephony and web. Additional steps which must be taken to implement the LEP Plan include translation services via communications sent to claimants in their preferred language, the revision of IDES policies and procedures with respect to the technology updates and keeping social media posts updated in the various bilingual languages. Lastly, IDES will ensure posters and signs hanging in local offices are current.

9. Manner in which staff will be trained

IDES staff will be trained in various ways to ensure it complies with the Nondiscrimination LEP provisions of the USDOL Regulations. New staff will undergo a New Employee Orientation training which introduces every staff member to the agency's policies and procedures, including its LEP policy seen in Section 1206. Staff will receive one-on-one training from the EO Office on an as needed basis or as requested by the Division's management or Executive Staff. EO will also provide division training to the various areas which serve the public to ensure their knowledge and understanding regarding the LEP regulations. Managers and Executive Staff members will also be trained during Executive Staff meetings or trainings regarding the LEP provisions and requirements under the Nondiscrimination Regulations. IDES will train staff on its computer-based program, called OneNet, to implement and inform all staff of the LEP requirements. Lastly, IDES will e-blast messages and reminders regarding its duties to comply with all Nondiscrimination Regulations including LEP.

10. Steps IDES will take to ensure quality control

IDES' EO Office continually monitors and ensures compliance with USDOL's Nondiscrimination Regulations. The EO Office has three units which work year-round to ensure compliance with regulations including the LEP provisions. The units which work to ensure compliance with the USDOL Nondiscrimination Regulations are the Compliance Reporting Unit, Investigations Unit, and the Monitoring Unit.

The Monitoring Unit reviews on an annual basis every local office to ensure programs, workshops, services, and benefits are administered consistent with regulations. The Monitors within the unit visit each local office every year. During their visits they check the physical and programmatic accessibility of the office. They review claims to ensure there are no disparities for any of the minority categories. The Monitors also review the physical layout of the office to ensure it meets appropriate Federal and State accessibility requirements so that IDES serves those with disabilities in a meaningful and equal way. Monitors also interview select employees to gauge whether they are aware of the relevant laws and policies and procedures as they relate to IDES' requirements under the Regulations. The Monitors also perform a language needs assessment of the local office. They look at the community surrounding the office and determine whether IDES needs more bilingual staff to ensure the LEP community's needs are being met.

The Investigations Unit ensures quality control by investigating, monitoring, and recommending appropriate next steps when claims of harassment or discrimination are filed by either the claimant or internally by employees. The investigations process consists of a thorough review and assessment of the allegations in the complaint and any evidence submitted with the complaint; a thorough review and assessment of any other pertinent documentation received from Claimant's adjudication files, Labor Relations files, Human Resources files, Recruitment and Selection files or other related sources; and of conducting in-depth interviews of Complainants and/or any relevant witnesses. Investigations Unit also submits quarterly complaint information to the Monitoring Unit for submission with the agency's DHR quarterly reports; ensures that there are no troubling trends with management; and makes recommendations when issues are discovered during the investigation process. This unit also advises management on how to comply with the requirements under the Regulations to proactively prevent complaints from being filed.

The Compliance Reporting Unit is the third unit within the EO Office which ensures quality and compliance with USDOL Nondiscrimination Regulations. The Compliance Reporting Unit will continue to review all agency data to determine and keep up to date on the bilingual needs of IDES; review Hiring and Promotion Monitors and Human Resource transactions as they relate to bilingual staff and community needs; produce and comply with the Affirmative Action Plan; and submit annual Bilingual Needs/Bilingual Pay and Employment Plan Surveys, and the Illinois State Services Assurances Act Report. The Compliance Reporting Unit meets with various LEP community and professional organizations to assess and discuss how IDES can better assist and respond to the relevant community needs. The Compliance Reporting Unit also completes assessments of how the agency has performed on a quarterly basis and discusses that performance with the executive leadership team at IDES.

11. Manner in which IDES will document the provision of language assistance services

There are various ways in which IDES documents the provision of language access services. First there are computer software programs that IDES uses to implement and assist in issuing UI services to claimants. IBIS is the software that IDES uses to track all UI services. IBIS tracks LEP claims filed and claimant's preferred languages. This data is used to determine whether IDES is meeting its language needs. IDES also documents the provision of language assistance services via the tracking of its web pages. IDES gathers and monitors data regarding the number of visits on each public facing webpage, including its multilingual

pages. IDES uses this data to analyze whether it is meeting its requirements under the USDOL LEP provisions. Economic Information and Analysis or EI&A is a division within IDES that tracks labor market data on a quarterly basis. EI&A's data analysis also assists in ensuring that IDES can forecast trends and see where its services are needed.

The EO Compliance Reporting Unit conducts an analysis and completes various reports which review the agency's LEP services and needs. These reports are the Illinois Bilingual Needs and Bilingual Pay Survey, the Affirmative Action Plan, the Illinois State Services Assurances Act Report, and the Employment Plan Surveys. The Compliance Unit also reviews all hires and promotions to assess whether IDES employs sufficient bilingual staff to meet the LEP communities' needs. Also, EO's Monitoring Unit reviews Local Offices annually to determine the nature of LEP services that are sufficient to meet the needs of the LEP communities. Additionally, IDES' language line vendor compiles a report regarding the number of calls to the language line, what languages are being requested and the minutes being used on each call. This data is used on a continual basis to ensure IDES is staffed appropriately according to geographic location.

12. Schedule for revising the LEP Plan

IDES' plan for revising the LEP Plan is that it will be reviewed and updated consistent with the provisions of the USDOL Nondiscrimination Regulations, or as needed. IDES will review the LEP Plan periodically, but not less than during the USDOL Nondiscrimination Plan reporting year (every odd year). The Language Access Plan will also be reviewed and updated consistent with the needs of IDES, Nondiscrimination Regulations and as needed and/or directed by the Governor's Office.

13. Individuals responsible for overseeing the implementation of the Plan

IDES individuals responsible for overseeing the implementation of IDES' LEP Plan are IDES' EO Office as well as IDES' Executive Staff team. This includes but is not limited to IDES' Director, Chief of Staff, General Counsel, Chief Financial Officer, Deputy Director of Service Delivery, Deputy Director of Business Services, Veterans Division personnel, Chief Information Officer, Chief Communications Officer, Human Resources, Ethics Officer, and the Equal Opportunity Office staff.

14. Allocation of resources to implement the Plan

Allocation of resources to implement the LEP Plan will be with use of Federal USDOL funds via WIOA and/or other federal and/or state funding sources.

Orientation Notification

Although each LWIA conducts its orientation process slightly differently, identical EO information is universally shared with all clients. Each orientation includes a section on the individual's rights and the Agency's responsibilities regarding Equal Opportunity and the Nondiscrimination provisions of WIOA.

Information on how to file a complaint is also shared, and the individuals receive and sign an acknowledgment of the EO Notice. Each applicant attending the orientation:

- Signs a statement which lists all training objectives;
- Signs a statement indicating they were given “Equal Opportunity is the Law” brochure;
- Is provided instructions and given rights on how to file a discrimination complaint;
- Is provided the name and contact information for the LWIA EO Officer; and,
- Is shown the Equal Opportunity is the Law postings and accessible equipment in the resource room.

The signed attestations are kept in the applicant’s file throughout the client’s term of service.

A notice of the availability of reasonable accommodations and other available assistance is posted at the entrance of each Illinois WorkNet Job Center. When an individual entering the Illinois WorkNet Center for the first time requires assistance, staff are trained in identifying the type of assistance needed and who to connect with the individual to ensure they are receiving equally effective services.

During intake, individuals are asked to self-identify any disabilities or special needs. When the individual meets with a career counselor to explore their opportunities, the counselor may identify additional testing or reasonable accommodations to ensure the individual receives effective services.

Each LWIA utilizes the Illinois Relay Services (711) to assist individuals who are deaf, have a speech impairment, or are hard of hearing. The relay number is listed on all postings, brochures, taglines, and websites. Each WorkNet location is equipped with various assistive technology, including screen readers, assistive relay technology, and videophones.

Training

Employee training includes the prevention of employment discrimination from occurring in the workplace. DCEO’s management preference is to prevent discrimination in the workplace when compared to the costs of remedying the consequences of discrimination. EOMC is committed to providing training, technical assistance, outreach, and education programs to understand and prevent discrimination. EOMC conducts ongoing training opportunities (i.e., webinars, teleconferences, video conferences, on-site training, and informational alerts) for LWIA EO Officers. The State WIOA EO Officer directs individualized and sometimes specialized technical assistance when needed. Individualized training is necessary to assist new EO Officers in their respective positions. DCEO also supports training for LWIA EO Officers through attendance at educational seminars and skill-building workshops. As mentioned above, DCEO and the IWIB have robust professional development and technical assistance offerings for State EO staff, LWIA staff, and other workforce partners to support equity and ensure non-discrimination in the workforce ecosystem. This list is a sampling of available opportunities.

Service Design and Delivery

- [Accommodations and Universal Design](#)
- An Introduction to Social Identity, Bias, & Power Dynamics in Helping Relationships

- [Art & Science of Service Integration: Culture of Collaboration by IDRS and Local Workforce 2021](#)
- Operating Equity: The Impact of Equity of Access, Assessment, and Opportunity on Outcomes

Business Engagement

- Creating An Equitable Construction Talent Pipeline – June 12, 2024 – 35 participants
- [Corporate Culture to Hire Individuals with Disabilities](#)
- [Elevate Company Culture](#)
- [Tips and Tools for CBOs in Hiring Individuals with Disabilities](#)
- Individual and Natural Support for Employees with Disabilities
- Autism in the Workplace- Strategies to Support Individuals with ASD in the Workplace
- Inclusive Hiring 101: Navigating Workforce Development Resources for Inclusive Hiring

Digital Skills

- Illinois Innovations to Boost Equitable Digital Skills Access and Acquisition
- Digital Literacy Application
- Digital Literacy Overview
- Digital Infrastructure, Access, and Skills: Analysis of Digital Divide Inequities

Strategies for Specific Populations

Immigrant and Refugees

- Immigrant Integration
- [Supporting Refugees with Title I and Title II services: A Case Study](#)
- Supporting New Americans, Refugees, Asylees, and Migrants in Illinois

Individuals with Disabilities

- Transitioning Individuals with Disabilities into the Workforce Development System
- Learning about Curt's Café: Cultivating Unique Restaurant Training
- [Providing Services to Persons with a Sensory Disability](#)

Justice-Involved

- [The Intersection of Justice and Education- Building Skills inside and outside the walls](#)
- [Untapped Talent – Re-Entry Workshop Series Orientation](#)
- A Hire Calling: Reentry Employment
- Navigating Criminal Records Relief in Illinois

LGBTQIA+

- Considerations for Working with LGBTQIA+

Low Income/Poverty

- [Bridges Out of Poverty- Part 1](#)
- [Bridges Out of Poverty- Part 2](#)
- [Bridges Out of Poverty: Part 3](#)

Migrant and Seasonal Farmworkers

- Migrant Seasonal Farm Workers, Foreign Labor, & the Agricultural Recruitment System

Substance Abuse and Mental Health

- Understanding Substance Use Disorder
- Mental Illness Signs and Symptoms: Safe and Effective Responses

- Bridging the Gap Between Substance Use Recovery Staff & Workforce Staff Administrators
- Bridging the Gap Between Substance Use Recovery Staff and Workforce Staff Veterans
- Creating a Win Win Through Partner Integration: Veterans Youth
- What Employers Need to Know to Best Support Youth with Experience in Foster Care
- Keeping Youth Engaged in a Pandemic World: The Impact of Anxiety and How to Overcome It

DCEO will continue offering sessions that provide the system with ways to address equity and non-discrimination to support compliance with WIOA Section 188 and 29CFR Part 38. Pursuant to 29 CFR Part 38 the Illinois Department of Employment Security communicates (internally and externally) its EO policies and provides training to staff who have EO responsibilities in a variety of ways. The Department provides initial and ongoing communication announcing that it does not discriminate. Such communication is provided through a variety of means described below. Moreover, IDES has incorporated a notice of its nondiscrimination policy into its UI claims taking and Employment Service application process. Initial and continuing notice is given in Spanish, English, Polish, Chinese, and other languages, where appropriate, through ADA posters, EO posters, auxiliary aids, and provisions for language interpreters and “sign interpreters for the hearing impaired.” IDES uses Equal Employment Opportunity Office posters and/or notices in its Local Offices when revised and distributed. Last EEOC poster implemented by IDES was on or about October 2022 and was issued from the Equal Employment Opportunity Commission.

The nondiscrimination policy is communicated to UI claimants and ES applicants in the IDES’ *"I Filed My Claim, What Happens Now?"* publication. This pamphlet is disseminated to all agency clients including claimants for UI Benefits and applicants for job referrals. This pamphlet is also disseminated to workers by employers and during outreach at employer sites. Various languages and large type versions have been developed. The pamphlet currently includes a nondiscrimination statement. The revised pamphlet includes the following nondiscrimination statement:

IDES is an equal opportunity employer and complies with all state and federal nondiscrimination laws in the administration of its programs. Auxiliary aids and services are available upon request to individuals with disabilities. Contact the Office Manager of the IDES office nearest you or the IDES Equal Opportunity Officer at (312) 793-9290 or TTY (888) 340-1007.

EO Is the Law Notice

The "Equal Opportunity Is the Law" statement is posted prominently for the benefit of the public and clients in all of the Department's Consolidated UI and ES offices (hereinafter referred to as "UI/ES Offices"), as well as in appropriate locations in the Central Office. Posters are available in multiple other languages in addition to English. Provisions are made to include this statement of nondiscrimination on all UI claim and ES applications. All IDES

Field Offices display a large laminated 12 ½ x 18 ½ “EO Is the Law” Poster in both English and Spanish. “EO Is the Law” posters in Polish are also displayed in designated Offices where services are provided to the Polish community. All IDES Regional Offices, The Central Office in Chicago and the Director’s Office in Springfield display an 11 x 17 version.

This “EO Is the Law” Notice is permanently mounted in every Department of Employment Security Office. Notices are permanently displayed and the Department’s EO Officer has on file a written confirmation from each Manager attesting to the fact that the Poster is being prominently displayed. When the EO Monitors conduct their site visits of each local IDES Office, additional follow-up occurs because they check to determine if the Posters are being prominently displayed as well. Monitors also examine local offices to determine that the requisite ADA related posters are also being displayed.

Currently there are nineteen (19) IDES Field Offices and five (5) Regional Offices, a Central Office in Chicago, the Director’s Office, and the Central Processing Unit in Springfield. The “Equal Opportunity is the Law” Notice has been posted in service locations.

IV. Affirmative Outreach-Section 38.40

Outreach and Recruitment

Illinois is committed to ensuring universal access to workforce services and affirmative outreach throughout the workforce ecosystem. This section outlines how these efforts are accomplished in outreach and recruitment programs, communication programs, alternate formats, and monitoring programs.

Under 29 CFR 38.40, Illinois’ LWIAs employ robust outreach and strong community partnerships to ensure that no individual is excluded from or denied the benefit of WIOA Title I—financially assisted programs. These outreach and partnership strategies include:

- Advertise in diverse media outlets—such as ethnic radio stations, community newspapers, and social media platforms—to reach historically underrepresented groups and individuals with limited English proficiency. As part of the Illinois WIOA State Plan, the IWIB Communications and Stakeholder Engagement Committee and DCEO will work with partners to develop a marketing plan for the system to raise awareness of the services the stem provides.
- Send notices about program openings to schools, community service organizations, faith-based groups, and other agencies that serve protected and priority populations.
- Consult regularly with community-based organizations and advocacy groups to identify ways to improve outreach, refine service delivery, and remove barriers to participation.

The IWIB Communications and Stakeholder Engagement Committee is compiling a comprehensive approach to guide the workforce system on outreach and recruitment

efforts. These approaches are also mentioned in the IWIB Strategic Plan and the Illinois WIOA State Plan. Tasks that DCEO will work with the IWIB and core partners include:

- Developing a marketing plan for the system to raise awareness of its services.
- Identifying and disseminating information, promising practices, and tools to help local workforce partners analyze disaggregated data; apply an equity lens to developing policies, programs, and serviced delivery; provide job seekers with information about job quality and retention; support employers' equity and accessibility efforts
- Recognizing local workforce partners making progress on equity, inclusion and fostering quality job opportunities.

LWIAs partner with employers, education entities and other community-based organizations to achieve these strategies and include:

- Community colleges;
- Private and public universities;
- Intermediate school districts;
- Local governmental agencies; and
- Non-profit organizations, as well as for-profit entities.

In addition to contracted partners, DCEO staff and their affiliated LWIAs are active on local boards and community groups. These groups include:

- Local Economic Development Boards (comprised mainly of local businesses and local education providers);
- Religious and local church organizations;
- Various racial and ethnic community groups; and,
- Groups representing individuals with disabilities.

Local businesses and community groups are also represented on the Local Workforce Innovation Boards, which help shape the LWIA's policies and practices.

Affirmative outreach efforts and ensuring access to workforce services are integrated into the WIOA State Plan and the IWIB strategic plan. These plans provide guidance and shape how affirmative outreach is embedded in workforce policy and procedure. DCEO provides funding to local workforce areas and other organizations within the workforce ecosystem to strengthen the reach and impact of workforce services. Examples include local community action agencies, social service providers, and community-based organizations that work with LWIAs to facilitate training, support services, and job placement.

Outreach and recruitment are embedded in all work plans and grant agreements. Efforts to improve outreach and recruitment are ongoing and conducted by OET Regional Managers, Program Managers, and Grant Managers. Additionally, they are discussed and reviewed as part of the annual EO monitoring process at each LWIA. Additionally, outreach and recruitment efforts are monitored by the OET monitoring staff and during the EO monitoring

process. In areas where insufficient outreach is being performed (either through monitoring or data analysis review), the LWIA must complete a corrective action plan detailing how it will improve its efforts to attract the underrepresented group(s).

By proactively engaging partners at state and local levels, Illinois advances inclusive service strategies that address systemic barriers and promote equitable program access. The following section outlines specific initiatives and programs designed to serve individuals with barriers to employment and ensure compliance with WIOA Section 188 and 29 CFR Part 38.

Target Populations and Barrier Reduction

WIOA defines “individuals with barriers to employment” in Section 3(24) and prioritizes these populations for services. Local Workforce Development Boards (LWDBs) and service providers must:

1. Develop tailored programs to address specific barriers.
2. Collaborate with community-based organizations and agencies serving these groups.
3. Allocate resources, including Individual Training Accounts (ITAs) and supportive services, to support career advancement.

Illinois implements several initiatives to address the needs of these populations:

Dislocated Workers

- **Rapid Response Services:** Provides workshops, job fairs, and retraining for workers affected by layoffs or closures.
- **Dislocated Worker Program:** Offers occupational training, supportive services, and work-based learning for long-term unemployed individuals.
- **National Dislocated Worker Grants:** Funds specialized services for those impacted by economic downturns.
- **Trade Adjustment Assistance (TAA):** Supports workers displaced by foreign trade with retraining, job search allowances, and relocation assistance.

Long-Term Unemployed Individuals

- **Re-Employment Services and Eligibility Assessment (RESEA):** Targets unemployment insurance recipients with career services and training referrals.

Low-Income Individuals

- **Transitional Jobs:** Offers short-term, subsidized employment to build work experience.
- **WIOA Adult Services:** Provides ITAs and supportive services like childcare and transportation assistance.

Individuals with Disabilities

- **Vocational Rehabilitation Services (DHS-DRS):** Provides job training, counseling, assistive technology, and employment placement.
- **Customized Employment Initiative and Business Enterprise Program for the Blind (BEPB):** Tailored services for individuals with disabilities.

Veterans and Eligible Spouses

- Illinois Hires Heroes Consortium (IHHC): Promotes veteran hiring and workforce program participation.
- IDES Veterans Employment Services: Offers priority career counseling, resume workshops, and job placement.

Returning Citizens (Justice-Involved Individuals)

- Reentry Programs: Workforce readiness training and transitional jobs for individuals with criminal records.
- Illinois Pathway to Reentry: Focuses on reducing recidivism through education and job placement.
- Work Opportunity Tax Credit (WOTC): Incentivizes employers to hire returning citizens.

Youth

- YouthBuild Illinois: Construction training and leadership development for out-of-school youth.
- Summer Youth Employment Program (SYEP): Provides temporary employment to youth in low-income areas.
- Illinois Apprenticeship Plus Framework: Offers pre-apprenticeships and apprenticeships for underserved youth.

Single Parents, Including Pregnant Women

- TANF Partnerships: Career services for single parents transitioning to work.

Older Workers

- Senior Community Service Employment Program (SCSEP): Provides part-time community service work for low-income individuals aged 55+.

Individuals Experiencing Homelessness

- Housing First Workforce Partnerships: Integrates job training with housing stabilization services.
- One System Shelter Approach: Offers case management and career counseling for shelter residents.

Individuals with Limited English Proficiency (LEP)

- Integrated Career and Academic Preparation System (ICAPS): Combines adult education and technical skills training.

Migrant and Seasonal Farmworkers

- National Farmworker Jobs Program (NFJP): Provides training and job placement to help transition to stable employment.

Immigrants, Refugees, and Asylum Seekers

- WIOA Partners collaborate with Illinois Welcoming Centers: Offers ESL classes, credential evaluations, legal assistance, and job placement services.
- Community-Based Partnerships: Integrates refugee populations into the workforce.

Public Housing Residents

- Jobs Plus Pilot Program: Provides workforce training and supportive services for public housing residents.
- Family Self-Sufficiency Program (FSS): Connects residents to workforce programs to achieve economic independence.

Native Americans, Alaska Natives, and Native Hawaiians

- Recognized as a priority group for workforce services.

Partnerships and Innovations

Illinois leverages federal and state resources to promote equity and reduce barriers to employment:

- Talent Pipeline Management (TPM): Develop career pathways for target populations.
- General Revenue Funds (GRF): Support targeted workforce initiatives.
- Climate and Equitable Jobs Act (CEJA): Expand training and employment opportunities in clean energy industries.
- Apprenticeship Illinois: Promote registered apprenticeships across diverse industries.
- Job Training and Economic Development (JTED): Fund innovative training programs for underserved communities.

In addition, DCEO has several state-level efforts underway that will influence statewide policy and practices. These efforts include:

- Assessment of American Job Centers: Illinois is implementing a comprehensive assessment of the physical design, service delivery systems and staffing capacities of American Job Centers in the state. Based on the findings of that assessment, recommendations will be crafted on how American Job Centers can improve their support of individuals and employers.
- Illinois Reentry Council Efforts: DCEO actively supports the Illinois Reentry Council (IRC) through Workgroup #1, focusing on Economic Opportunity and Upward Mobility. Efforts included expanding workforce resources in Illinois Department of Corrections (IDOC) facilities, engaging employers in Fair Chance Hiring practices, and fostering a reentry workforce system. Achievements encompassed hosting reentry job fairs, aligning IDOC facility resources with workforce agencies, implementing CEJA-funded programs, and enrolling over 1,845 formerly incarcerated individuals in WIOA Title I Programs in PY23. DCEO also worked with partner agencies to support Fair Chance Hiring initiatives, connecting businesses to reentry programs, and promoting employer reform. Plans for 2025 include scaling in-reach services, strengthening LWIA-IDOC collaboration, and launching new funding opportunities for reentry support.
- Expanding Access to Services for Individuals with Disabilities: DCEO is working with its core partners at the state, regional, and local levels to increase the participation of individuals with disabilities (aged 18 and above) in integrated career pathways and academic programs through community colleges and non-profit organizations in cooperation with American Job Centers, Local Workforce Innovation Boards (LWIB), employment networks and other regional partners. In addition, DCEO is working with partners to expand registered apprenticeship programs for individuals with disabilities.

- Equity Data Project: Data will be disaggregated to uncover areas where equity and access need improvement. The state will review the data to make sure it is good. Illinois will
- then, it will examine areas where new or different service delivery practices can be implemented to ensure individuals with disabilities and barriers to employment can find promising career pathways.
- CEJA and WIOA integration: The Climate and Equitable Jobs Act (CEJA) is Illinois’s landmark legislation that aims to phase out carbon emissions, expand clean energy, and invest in equitable economic opportunities. It directs substantial funding and resources toward renewable energy development while prioritizing job creation and support for communities historically affected by environmental and economic inequities. DCEO is exploring how to braid funding and programmatic services of CEJA and WIOA. CEJA Regional Administrators are working with local workforce areas to find opportunities for co-enrollment and leveraging resources to efficiently deliver training and supportive services to participants in CEJA, WIOA, and other workforce programs.

These strategies and programs demonstrate Illinois’ commitment to equitable access, nondiscrimination, and systemic barrier reduction for all WIOA target populations—fully aligning with WIOA Section 188 and the outreach requirements detailed in 29 CFR 38.40.

Communication

Recipients must ensure they take appropriate steps to communicate with individuals with disabilities, and that such communication is as effective as communications with others. In addition, when a significant proportion of persons being served are individuals with limited English proficiency, the recipient must provide the same information in languages other than English.

Printed communication materials such as brochures, pamphlets, publications, etc. that describe WIOA programs or activities must include the required language “taglines” indicating 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.”

Assistive Technology and Auxiliary Aids (AT)

DCEO continues to work with Illinois WorkNet Centers to replace obsolete assistive technology with updated hardware and software. LWIAs are encouraged to identify obsolete or outdated assistive hardware and software programs. In addition, LWIAs must program and plan budgets or work with partners to replace obsolete items.

IDES ensures its affirmative outreach and universal access requirements under WIOA, and federal regulations are met by implementing the following:

A. Unemployment Insurance and Employment Services Outreach Initiatives

The Illinois Department of Employment Security is addressing requirements found in 29 CFR 38.40 by providing equitable services among substantial portions of the eligible population through its outreach programs. These programs are designed to broaden the composition of the pool of those considered for participation in programs administered through Employment Services (ES) to include members of all sexes and/or gender identities; the various race/ethnicity and age groups, individuals with disabilities and all other protected EO categories.

IDES Local Office site location is mentioned in Illinois Statutes, (See 20 ILCS 1015 and 820 ILCS 405/1705). IDES goes beyond the requirements of the statute. Local UI/ES Offices are the focus of this outreach to a broad scope of individuals including veterans through the Agency's Disabled Veteran's Outreach Plan. Local Offices are strategically placed and equipped to ensure access by the broadest range of racial and ethnic groups, members of targeted age groups, individuals with disabilities and all other protected EO categories.

To deliver services to veterans prescribed by Title 38 United States Code, Chapter 41 and 42, IDES receives funding each Federal Fiscal Year to station Local Veterans Employment Representatives (LVERs) and Disabled Veterans Outreach Program Representatives (DVOPs) in the local Illinois WorkNet Centers. This funding is negotiated with the Assistant Secretary for Veterans Employment and Training of the U.S. Department of Labor.

The Equal Opportunity Officer reviews the current population's demographics, and unemployment insurance and employment service characteristic data to assess population trends. In addition, IDES publishes a yearly report on Women and Minorities in the Illinois Labor Force as required by statute. The State Business Services Manager and the State Monitor Advocate conduct outreach to community groups.

Ongoing efforts will continue to be made to reach out to members of all sexes and/or gender identities; individuals of various race/ethnic backgrounds; members of targeted age groups, and individuals with disabilities. Accordingly, to supplement these current and ongoing efforts, IDES tracks community events throughout the year. These outreach activities include minority and female targeted job fairs, media events and local ethnic events. Other events on the calendar serve as a method to disseminate Unemployment Insurance/Employment Services program information throughout Illinois communities and to encourage all groups, including individuals with Limited English Proficiency, to engage in IDES services. The calendar serves as a tool to address universal meaningful access. IDES also has a Language/Disability Access Coordinator to organize and ensure that all services, including outreach, are accessible to all parties entitled to them.

Additionally, IDES has entered into interagency agreements with other various Illinois Agencies, such as the Department of Human Services (IDHS), and the Department of Corrections (IDOC), to provide outside agency staff access to the IDES' Illinois JobLink system. IDHS assists food stamp recipients and persons with disabilities with job referrals through the IDES Illinois JobLink System. IDOC staff has access to Illinois JobLink to provide job referrals to the formerly incarcerated. For years, IDES has funded a cooperative program

with IDOC which provides job placement services to clients in selected Community Correctional Centers and IDES/Illinois WorkNet Centers. In SFY 2005, this initiative was expanded to become the Re-entry Employment Service Program.

IDES has trained IDOC staff in the procedures for the Work Opportunity Tax Credit and for the Fidelity Bonding Program. Through the latter program, IDES arranges bonds for formerly incarcerated felons whose employers are unable to bond them through their usual bond providers, or for prospective employers who wish to reduce the perceived risk associated with hiring a formerly incarcerated felon.

IDES continues to explore additional avenues to enter into interagency agreements with other various Illinois Agencies, in order to make outreach efforts to disabled individuals, members of both sexes and/or gender identities, members of various racial and ethnic groups and members of the various age groups. Throughout the year IDES participates or organizes job fairs throughout the state, including job fairs in minority communities. There are ongoing employment workshops in the local offices that include minorities and women. The Agency website lists a calendar of upcoming events including job fairs and community events. In addition to these listed events IDES will participate in activities organized by minority, female, and other disability groups.

B. Outreach to Minority, Immigrants, Faith Based and Female Organizations

IDES works regularly with several key organizations that support minority hiring: the Illinois Hispanic Association of State Employees, Native American Employment Plan Advisory Council, African American Employment Plan Advisory Council, Asian American Employment Plan Advisory Council, the Hispanic Employment Plan Advisory Council, and the Illinois Association of Minorities in Government. IDES also holds roundtable discussions with various stakeholders and community groups.

In addition, IDES has worked with community-based organizations to reach out to residents with Limited English Proficiency. Below are examples of collaborations between IDES and community-based organizations as well as other state agencies to promote IDES services. The EO Officer also is a member of the following committees, councils, and taskforces: Illinois Hispanic Advisory Council, Illinois Asian American Advisory Council, African American Advisory Council, Native American Advisory Council, Illinois Economic and Employment Opportunity for Persons with Disabilities Taskforce, Equip for Equality's Disability Rights Consortium, Equip for Equality's ADA Project, and the Illinois Language Justice Coalition.

More regarding committees that WIOA core partners are and/or have been involved in are discussed below:

1. The Illinois Association of Hispanic State Employees: (IAHSE)

The mission of IAHSE is to advocate for the employment, educational and professional development of the Latino state employees and to ensure quality services to Latino communities in Illinois. IDES participates in an annual IAHSE Conference where a variety of topics are discussed, and workshops are attended. Additionally, IDES has received and

implemented various guidance from IAHSE on filling bilingual positions throughout the State to ensure we are meeting the LEP populations' needs.

2. Illinois Association of Minorities in Government (IAMG):

The IAMG advocates on behalf of minority employees for jobs, promotions, job retention and protection against discriminatory acts. Founded in 1978, the organization has actively sought to ensure implementation of existing equal opportunity laws and to challenge government officials in areas of unfair employment practices.

3. Illinois Hispanic Employment Advisory Council

IDES' Equal Opportunity Office (EO Office) attends regular meetings for the Hispanic Employment Plan Advisory Council. The Council was implemented by the Illinois General Assembly to address barriers in State government employment faced by Hispanics, to gather information on their workforces, and provide solutions and incentives to foster the employment and promotion of these groups in the general labor market and State government. IDES' EO Office provides information and shares IDES' workforce history and successes at these meetings.

4. Illinois Asian American Employment Advisory Council

IDES' EO Office attends regular meetings for the Asian American Employment Plan Advisory Council. The Council was implemented by the Illinois General Assembly to address barriers in State government employment faced by Asian Americans, to gather information on their workforces, and provide solutions and incentives to foster the employment and promotion of these groups in the general labor market and State government. IDES' EO Office provides information and shares IDES' workforce history and successes at these meetings.

5. Illinois African American Employment Advisory Council

IDES' EO Office attends regular meetings for the African American Employment Plan Advisory Council. The Council was implemented by the Illinois General Assembly to address barriers in State government employment faced by African Americans, to gather information on their workforces, and provide solutions and incentives to foster the employment and promotion of these groups in the general labor market and State government. IDES' EO Office provides information and shares IDES' workforce history and successes at these meetings.

6. Illinois Native American Employment Advisory Council

IDES' EO Office attends regular meetings for the Native American Employment Plan Advisory Council. The Council was implemented by the Illinois General Assembly to address barriers in State government employment faced by Native Americans, to gather information on their workforces, and provide solutions and incentives to foster the employment and promotion of these groups in the general labor market and State government. IDES' EO Office provides information and shares IDES' workforce history and successes at these meetings.

7. Polish American Association

The Polish American Association (PAA), a human service agency, is to serve the diverse needs of the Polish community in the Chicago Metro area by providing resources for changing lives with emphasis on assisting immigrants. IDES has worked in the past and

provided the PAA staff with training on Illinois JobLink to assist Polish immigrants with employment opportunities. IDES will continue to work with this Association as appropriate.

8. Centro de Información

Centro de Información is a not-for-profit Hispanic social service agency founded in 1972. The agency helps nearly 15,000 predominantly low-income Hispanic immigrants each year by providing individual and family counseling, bilingual advocacy, information and referral, immigration and naturalization services, parenting skills training, community education and youth programs. IDES representatives have periodically visited the Center and update staff on IDES services. IDES will continue to work with this not-for-profit as appropriate.

9. Chinese American Service League

Founded in 1978, the Chinese American Service League (CASL) is the largest and most comprehensive social service agency in the Midwest dedicated to serving the needs of Chinese Americans. Housed in the Kam L. Liu Building, with multilingual and multicultural professional and support staff, CASL's budget supports programming that mainly serves newly arrived immigrants who often do not have formal education, possess few transferable job skills, and know little of the world around them. The community group has been provided orientation on IDES services and has access to job openings. IDES will continue to work with the CASL as appropriate.

10. Illinois Department of Human Services

The Department of Human Services and IDES established the Welcoming Center in North Riverside Illinois to provide one-stop services for food stamp assistance and employment services to immigrants. IDES has provided assistance to IDHS' Welcoming Center to clients in need of employment. Additional Welcoming Centers are planned for Aurora and Chicago. Funding will determine operational feasibility of these centers.

11. Women in the Trades

Chicago Women in Trades (CWIT) works to increase the number of women in the skilled trades and other blue-collar occupations and to eliminate the barriers that prohibit women from entering and remaining in non-traditional careers. IDES has hosted workshops for women interested in the Chicago Women in Trades Organization.

IDES offers an avenue to unsubsidized training opportunities in the private sector through the Apprenticeship Information Center (AIC). The AIC provides guidance to persons interested in becoming apprentices in the construction trades. Operating through IDES/Illinois WorkNet Centers, specially trained IDES staff located in the Chicago metropolitan areas provide information on specific prerequisites and application procedures for several trades and various apprenticeship programs.

Over the last several years, IDES has helped with outreach efforts to recruit and refer women to nontraditional occupations, particularly apprenticeship openings in the building trades. In this activity, IDES cooperates with federal agencies, such as the Women's Bureau, and local groups such as CWIT. CWIT works with IDES/AIC to extend their ability to attract women into the high wage, high-skilled jobs in the construction industry. CWIT, IDES/AIC, the Illinois

Department of Labor Office of Apprenticeship, Illinois Community College Board, The Builders Association, Construction Industry Service Corporation, the Chicago Building Trades Council, and the Workforce Boards of Metropolitan Chicago help women overcome barriers to employment. AIC staff receive training, recruitment materials, assessment tools, and participant handbooks and guides to help them serve women interested in entering the construction industry. IDES will continue to work with CWIT as appropriate.

12. Illinois Migrant Council

The Illinois Migrant Council (IMC) is a community-based non-profit organization with the *primary mission* of promoting employment, education, health, housing, and other opportunities for migrant and seasonal farmworkers (MSFW) and their families to achieve economic self-sufficiency and stability since 1966. Outreach workers from IDES work with IMC staff to visit rural areas in Illinois to meet with migrant and seasonal farmworkers to ensure they are afforded equal and meaningful benefits, services, and programs from IDES.

13. Governor's Office of New Americans (GONA)

The New Americans Office held town hall meetings called Dialogs in various parts of Illinois. IDES has and will continue to participate in these outreach events to expand its outreach efforts to new immigrant groups.

14. Governor's Office of Equity

The Governor's Office of Equity's mission is to advance Diversity, Equity, Inclusion, and Accessibility through State agencies, legislators, and within the community to ensure equal and meaningful access for all Illinoisians. IDES has and will continue to participate, collaborate, and partner with Governor's Office of Equity. Further, IDES has established a DEIA Employee Forum, made up of a diverse employee group, to assist and advance GOE goals and vision.

C. Limited English Proficiency Populations

1. Services and Management Initiatives

IDES provides a telephone interpreter service to assist individuals in filing unemployment insurance claims and adjudicating issues arising with respect to those claims. The same system is provided for employment service clients looking for employment opportunities. In addition, there are approximately 143 bilingual staff assigned to local offices serving significant Limited English Proficiency populations including but not limited to Spanish, Polish, Chinese, Arabic, Hindi, and Tagalog.

Additionally, the Agency performs periodic monitoring to identify and implement other reasonable steps that can be taken to provide services and information in appropriate languages where there is a significant number or proportion of the population eligible to be served at an IDES facility, or likely to be directly affected by those services, and who may need services or information in a language other than English in order to be effectively informed about or able to participate in the services.

2. Limited English Proficiency Population (LEP) Assessment

IDES EO staff also uses existing means to assess language needs in the local office service area. IDES will track the number of LEP clients who file unemployment claims, review telephone interpreter requests, the number of clients who call the Tele-serve certification telephone line to certify in Spanish, the number of non-monetary determinations issued to LEP claimants, “hits” on the Internet link to IDES website information in Spanish, Polish, Chinese, Arabic, Hindi, and Tagalog, as well as local census data. IDES also contracts with Propio Language Services to ensure compliance with its LEP requirements and to serve the LEP community and provide meaningful and equal access to our programs, services, and benefits.

Service complaints associated with LEP will also be used to assess language needs. IDES has a statutory requirement to complete the annual Hispanic, African American, Asian American and Native American Employment Plan Surveys and the annual Bilingual Needs and Bilingual Pay Survey. The surveys are an evaluation of an Agency’s needs to increase bilingual workers. Another state statutory requirement seen under the Illinois State Services Assurance Act is to monitor the number of bilingual front-line staff. This Act requires IDES to maintain its bilingual workforce at a minimum number of bilingual staff. Currently, IDES has approximately 143 bilingual front-line staff to ensure our federal and state LEP requirements are met.

Based on the data to date, the greatest number of LEP clients in Illinois are Spanish speaking. The IDES website provides translated publications and several translated forms which are available to both the public as well as local office staff. The IDES website pages are also translated into a number of different languages. Lastly, all IDES information will be translated into any preferred language upon request.

D. Outreach to Individuals with Disabilities

IDES works regularly with state agencies and community organizations that support individuals with disabilities.

Additionally, on or around August 2021, Illinois Governor JB Pritzker asked each State agency under his jurisdiction to designate a Disability Access Coordinator (DAC). Anna D’Ascenzo, IDES’ EO Officer was designated as the DAC for IDES. DACs analyze, improve, and implement greater disability access to Illinoisans to ensure equal and meaningful access. Anna D’Ascenzo also has been the “lead” DAC for the State of Illinois. Furthermore, DACs discuss varying approaches to outreach to and communication with the disability community. In 2024 IDES was recognized by the Interagency Committee for Employees with Disabilities or ICED as the “Agency of the Year” for its work providing equal and meaningful access to persons with disabilities.

1. Equip for Equality, Disability Rights Consortium

Equip for Equality, a disability rights advocate group also runs a Disability Rights Consortium of which IDES’ EO Officer is a member. Disability Rights Consortium

members are members of the legal community, business community, government, educators, and the public that gather to learn about recent law, relevant hot topics, and areas of concern that individuals with disabilities face in our communities. IDES' EO Office is in regular attendance at the Disability Consortium meetings held by Equip for Equality.

2. Equip for Equality, Americans with Disabilities Project (ADA Project)

Equip for Equality, a disability rights advocate group, also runs the ADA Project in which IDES' EO Office is actively involved. The ADA Project also has members of the legal community, business community, government, educators, and the public that gather to learn about recent law, relevant hot topics, and areas of concern that individuals with disabilities face in our communities. IDES' EO Office is in regular attendance at the ADA Project meetings held by Equip for Equality.

3. Employment and Economic Opportunity for Persons with Disabilities Task Force

IDES' EO Office is a member of the Illinois Task Force on Employment and Economic Opportunity for Persons with Disabilities (EEOPWDT), which was established via legislation to join the forces of 10 designated state agencies, including IDES, with 15 public members, including at least 5 who have a disability. The Task Force makes recommendations to the General Assembly and to the Governor, including legislative proposals, regulatory changes, systems changes, and budget initiatives, that would advance employment and economic opportunity for persons with disabilities in Illinois. Through this taskforce IDES is able to disseminate information on employment services and programs. Several workgroups exist within the EEOPWD Taskforce, that work on reform of existing employment systems, wage, education, housing and transportation legislation and issues throughout Illinois. Anna D'Ascenzo actively participates in the Employer workgroup, which has drafted strategic plans presented to the Illinois General Assembly.

4. Office of Rehabilitation Services

Offices of Rehabilitation Services field staff use the IDES Career Information System as an on-line resource for individuals with disabilities. The ORS staff works with the physically, mentally, visually impaired and the hearing impaired on skills assessments and employment placement. The vocational rehabilitation counselors work with IDES staff on and use the web-based Labor Exchange Services. On January 18, 2012, IDES provided an overview of the Illinois JobLink program to the Division of Vocational Rehabilitations (DRS). DRS is the statewide program providing services to individuals with disabilities.

5. Disabilityworks

Disabilityworks role is to increase the economic and employment opportunities of people with disabilities while meeting the workforce needs of businesses located in the State of Illinois by promoting a collaborative partnership between the private and public sectors. The organization is part of the Illinois WorkNet program. IDES staff works with the organization to provide job leads for people

with disabilities. In addition, DES participated in employer workshops to increase awareness of the advantages of hiring individuals with disabilities. These workshops were held in Rockford, Springfield, and Fairview Heights. Members from the Statewide Independent Living Council participated in these workshops.

6. **Access Living**

IDES has provided an overview of IDES services to a number of disability organizations including Chicago Access Living (<http://www.accessliving.org/>) which provides services to individuals with disabilities in the Chicago area.

V. Compliance with Section 504 29 CFR 38.14 - 38.24 And WIOA Section 188

DCEO ensures all recipients and service providers commit to providing written assurances and certificates in their agreements, grants, and contracts that they will comply with the requirements of:

- WIOA Section 188;
- Rehabilitation Act of 1973 (the Rehab Act);
- The Americans with Disabilities Act of 1990 (ADA); and,
- Section 504, as implemented by Title 29, Part 32 of the Code of Federal Regulations, and applicable disability laws.

Equal Effective Participation

The foundation of the general requirements in Section 188 is the principle that qualified individuals with disabilities must be provided an equal opportunity to participate in and benefit from the programs and services the recipient provides. The State of Illinois recognizes in its practices the following definition of a “qualified individual with a disability” as:

A person who has the requisite skills, experience, education, and other job-related requirements of the employment or training position that the individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of the position.

A primary goal of the general requirements is the ‘equally effective’ participation of qualified individuals with disabilities by ensuring that individuals with disabilities are integrated to the maximum extent appropriate. This goal does not preclude recipients from providing different or separate services or programs for individuals with disabilities. However, it does mean that these separate or unique services for persons with disabilities must be as effective as the mainstream services designed for persons without disabilities.

State Laws Ban Discrimination

WIOA required that states offer various job training, education, and other human resource programs through their service delivery systems.

DCEO adheres to Section 188 of WIOA, which bars discrimination from programs, services, and employment based on disability. Illinois workforce systems emphasize the need to provide services to individuals with disabilities, who must be alongside—not segregated from—people without disabilities to the greatest extent possible.

Among the types of discrimination prohibited by these regulations on the grounds of disability are:

- Denying a qualified individual with a disability the opportunity to participate in or benefit from aid, services, or training;
- Affording a qualified individual with a disability an opportunity to participate in or benefit from the aid, services, or training that is not equal to those afforded others;
- Providing a qualified individual with a disability with an aid, service or training that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;
- Providing different, segregated, or separate aid, services, or training to individuals with disabilities unless such action is necessary to provide qualified individuals with disabilities with aid, services or training that are as effective as those provided to others;
- Denying a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards; or,
- Otherwise limiting a qualified individual with a disability in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving any aid, benefit, service, or training.

In addition, DCEO provides reasonable accommodations to qualified individuals with disabilities in all aspects of its programs, services, and activities. Accommodations may include but are not limited to, qualified sign language interpreters, readers, auxiliary aids, and alternate formats.

When necessary, reasonable modifications in policies, practices, or procedures are made to avoid discrimination based on disability unless making the modifications would result in an undue hardship on the Agency (i.e., unreasonable cost or would fundamentally alter the nature of the service, program, or activity).

The State WIOA EO Officer guides staff and recipients regarding the disability requirements of applicable federal and state laws and regulations. As noted above, OET and state partners

provide ample opportunities for professional development to ensure staff has the resources they need to serve marginalized populations and ensure compliance with Section 188 and related provisions.

Two Types of Accessibility

DCEO recognizes and complies with the architectural and programmatic accessibility standards contained within Section 188. Architectural Accessibility includes physical access modifications requiring the proper structural design for persons with disabilities. Program accessibility needs that a program or activity be set up in advance to be accessible to qualified persons with disabilities.

DCEO works with State and LWIA partners to ensure each WorkNet Center (One-Stop) or Affiliate site complies with the most stringent architectural accessibility guidelines included in the Illinois Accessibility Code.

Approved reasonable accommodations are provided for people with difficulty walking or maintaining balance, who use wheelchairs, crutches, canes, walkers or have restrictive gaits. Surfaces must be hard surface and slip-resistant. Parking lots, walkways, corridors, elevators, carpets, and entry doors must comply with Disabilities Act Accessibility Guidelines (ADAAG). Annual equal opportunity compliance monitoring of WorkNet Centers and their affiliated sites ensures architectural accessibility.

Providing accessibility for people with disabilities does not mean that WIOA recipients can wait for persons with disabilities to show up at their doorstep and ask to participate in their programs and activities. Instead, it means that the recipient must plan and act ahead of time. Recipients must plan for and take a wide range of actions in advance to be ready to provide adequate services – long before the first person with a disability shows up.

However, recipients are not required to make every part of their facilities accessible. If a program is available in only one location, that site must be accessible, or the program must be available at an alternative and accessible site.

DCEO ensures that WorkNet systems of service delivery contractors comply with programmatic-related provisions of Section 188, which prohibits discrimination against qualified individuals with disabilities. DCEO also prohibits disability-based discrimination by public entities that receive federal financial assistance.

DCEO adopted the WIOA implementing regulations that involve the three-part definition used by Section 504 and the ADA to define “disability” as:

- A physical or mental impairment that substantially limits one or more of the major life activities of such an individual;
- A record of such an impairment; or,

- Being regarded as having such an impairment (i.e., a person is considered as having a disability if that person has a history or record of a physical or mental impairment that substantially limited one or more major life activities).

A person who qualifies under any of the above criteria is deemed an individual with a disability for purposes of coverage under Section 188 of WIOA.

The federal laws barring discrimination based on disability do contain several exceptions to the definition of “individual with a disability.” These exceptions deal with disorders or diseases that affect job performance and safety -- sexual behavior disorders, current illegal use of drugs, current alcohol abuse, or currently contagious disease or infection.

DCEO recognizes the following examples of actions considered programmatically discriminatory under Section 188 of WIOA:

- When a qualified person with a disability applies to participate in a WIOA-funded activity and s/he is denied because of his or her disability;
- When a person with a disability is not given an equal opportunity to get the same results or benefits from a program or activity that people without disabilities receive; and,
- When a person or group with a disability is asked to pay any extra fees to cover the additional cost of accommodating their disability

EOMC opposes all actions considered discriminatory and unlawful. Even if an individual or entity did not intend to discriminate, the above actions are unlawful and prohibited.

DCEO advocates for programmatic accessibility awareness by all workforce partners and encourages using taglines that “auxiliary aids and services are available upon request to individuals with disabilities in all of our Illinois WorkNet Centers” on all printed materials. Auxiliary aids and services are those qualified persons, tools, equipment, or services that effectively deliver materials to persons with disabilities.

Recipients are required to furnish appropriate auxiliary aids or services when necessary. The recipient must allow individuals with disabilities to request the auxiliary aids and services of their choice.

Recipients should give deference to the request of the person with a disability because:

- There is a wide range of disabilities;
- A person with a disability may or may not be aware of various auxiliary aids and services that are available;
- Personal circumstances affect one’s auxiliary aid or service choice;

- Effectively communicating with persons with disabilities also includes the following;
 - Recipients should let interested individuals know of the existence and location of accessible facilities and services;
 - When a facility is not accessible or does not provide accessible services, recipients should provide adequate signage at the primary entrance to direct users to where they can obtain information about accessible facilities and services and,
 - Recipients must use the international symbol for accessibility at each primary entrance of an accessible facility.

Additional alternative forms of communication provided at the Illinois WorkNet Centers include TTY/TDD (SimpliciTTY Services), Braille, Dragon Speak, the Illinois Relay Center, and Interpreter services. These services are described below:

- SimpliciTTY – Individuals with impaired hearing who have questions or require information about WIOA programs are advised to call 1-800-785-6055. This number is published on the “Equal Opportunity is the Law” poster that is distributed statewide to all Illinois WorkNet Centers;
- Illinois Relay Center—The Illinois Relay Service (IRC), also known as Telecommunications Relay Service (TRS), is a free service provided 24 hours a day, seven days a week. It provides a communication link between people using a text telephone (TT) and people using a standard voice telephone. Specially trained communications assistants relay conversations over the telephone between a person using a TT and a person using a standard voice telephone simultaneously.

All calls through the IRC are strictly confidential, as employees may not discuss any information seen or heard as they assist with calls. Communication Assistants will relay entire conversations, and there is no record of the call, other than billing data after the conversation is completed; and,

- Interpreter Services - DCEO and WorkNet Centers contact the Illinois Deaf and Hard of Hearing Commission (IDHHC) through their website (www.idhhc.illinois.gov) or by calling 217-557-4495 for assistance. The State WIOA EO Officer assists managers and staff in making referrals using Illinois’ Interpreter Registry as necessary.

Illinois workNet Overview

Illinois workNet, launched in 2005 by the Illinois Workforce Development Board, serves as Illinois' premier workforce development portal. It connects individuals, employers, educational institutions, and community partners to career planning, training, and employment resources. Through a comprehensive suite of tools and services, Illinois

workNet supports workforce development programs statewide, integrating local and online resources to meet the evolving needs of Illinois' workforce.

Supporting Marginalized Populations

Illinois workNet is dedicated to fostering equity by addressing the unique needs of marginalized populations, including individuals with disabilities, veterans, justice-impacted individuals, and others facing systemic barriers to training and employment. Tools and resources are designed to reduce disparities, offering tailored career development solutions. Staff-assisted Workforce Innovation and Opportunity Act (WIOA) services are delivered through a coordinated network of partners. Initiatives like the Disability Employment Initiative (DEI) exemplify Illinois workNet's commitment to removing barriers and helping all individuals achieve their career and training goals.

Virtual Job Fairs: Expanding Access for All

The Illinois workNet Virtual Job Fairs tool empowers employers to showcase job opportunities and host online hiring events that are accessible to all. Job seekers can participate from anywhere, eliminating travel barriers and making opportunities more accessible for individuals in rural, remote, or underserved areas. This tool is a vital strategy for fostering inclusivity, ensuring everyone can connect with employers and access meaningful employment.

Service Integration and User Experience

Illinois workNet aligns WIOA practices with partner agencies to create a streamlined service integration model. This approach simplifies resource access and ensures a seamless user experience for individuals, employers, and partners. As a hub for WIOA-certified training programs and demand occupations, Illinois workNet supports users with comprehensive guidance, tools, and career services that address workforce needs efficiently.

Accessibility and Compliance

Accessibility is fundamental to Illinois workNet's mission of inclusivity. The platform complies with all accessibility standards, including Section 508 of the Rehabilitation Act, Web Content Accessibility Guidelines (WCAG), and the Illinois Information Technology Accessibility Act. Its responsive, user-friendly design ensures that users of all abilities can navigate and utilize the system effectively. Illinois workNet also aligns with non-discrimination policies, fostering a welcoming environment where users can access resources free from bias or exclusion.

Introducing IWDS 2.0

The new Illinois Workforce Development System (IWDS) 2.0, integrated within Illinois workNet, will replace IWDS and serve as the state's system of record for Title I WIOA programs and other workforce initiatives. This modernized system has been developed with a strong equity lens to ensure that tools and processes address systemic barriers and

promote inclusive access to services. Authorized staff can manage program data through advanced, user-friendly tools. At the same time, participants can engage with various resources and access front-facing WIOA Title I data through their Illinois workNet account. IWDS 2.0 reflects a customer-centered approach, focusing on creating a seamless and supportive experience for all users. The platform fosters collaboration between participants and career planners through in-person and virtual interactions, enabling a tailored approach to program management. By emphasizing equity and accessibility at every stage of development, IWDS 2.0 empowers all individuals to achieve their career and training goals.

Performance and Accountability

By centralizing resources and tools in one platform, the Illinois Department of Commerce and Economic Opportunity (DCEO) simplifies data access and supports improved workforce outcomes for individuals and partners. Individuals can access many resources and tools to explore careers, identify training opportunities, and build the skills to achieve their employment goals. Providers also benefit from access to these resources and additional tools designed to support their work, including instructor guides, partner tools to recover passwords, and the ability to view student assessments, plans, and saved resumes. Providers will also have access to future Illinois workNet outreach materials and resource room supports, ensuring they are equipped to effectively meet the evolving needs of their students and clients.

Pre-employment or Pre-training Inquiries

Generally, a recipient may not ask an applicant for employment or training whether s/he/they have a disability or the nature or severity of a disability, except for the following reasons:

- When a recipient is taking remedial action to correct the effects of past performance;
- When the recipient or the government is attempting to determine the extent to which the recipient has operated its programs in a non-discriminatory way; and,
- When the recipient or the government is collecting EO data.

The prohibition against asking an applicant about a disability does not apply when such an inquiry is required or necessitated by federal law or regulation.

However, before applicants are asked to provide information about their medical condition or history, even if the question is allowable under one of the exceptions, applicants must be:

- Told that the information is being requested voluntarily; and,
- Informed about how the information will be used and the narrow circumstances under which the information may be disclosed.

Recipients may not require pre-employment medical examinations.

However, they may condition a job offer on the results of a medical examination to be conducted prior to the individual's entrance on duty under any of the following circumstances:

- A medical examination is required for that job regardless of disability status;
- Results are not to be used unjustifiably to discriminate based on disability; and,
- Information is kept confidential.

Reasonable Accommodation

Accessibility is proactive, meaning there requires planning before any person with a disability asks to participate in the program. By contrast, reasonable accommodation is reactive as it refers to the actions a program must take at the time that a person with a disability wants to take part in the program or service, based on that person's individual needs.

DCEO adheres to the regulations and provides accessibility for individuals with disabilities and encourages reasonable accommodations for persons with disabilities. Individuals with known disabilities are entitled to reasonable accommodations for the application process or admissions process.

Once an applicant with a known disability is admitted, reasonable accommodations are changes that can be made to allow the individual to receive equal benefits. For individuals with disabilities hired to work for the program, reasonable accommodations are changes that can be made to enable them to perform the essential functions of the job.

EOMC follows a three-phase operational plan to address accommodations as listed below:

1. A person with a disability must be accommodated so that s/he/they can go through the application or admission process;
2. When admitted to a program, a person with a disability must receive accommodation to be allowed to receive benefits; and,
3. Once a person with a disability is hired, reasonable accommodations must be made to allow that person to do the job.

Accommodations vary from person to person and situation to situation. These general principles simply provide a context for understanding how EOMC applies the concept of reasonable accommodation. Requests for reasonable accommodations may be made by the individuals making the request, or their representatives. DCEO requires recipients to provide reasonable accommodations for individuals with disabilities unless providing the accommodation would impose an undue hardship on the program.

Undue hardship may result if a requested accommodation requires “significant financial difficulty or expense” to complete. The factors listed here summarize what the recipient must consider when deciding whether an accommodation imposes an undue hardship.

Factors EOMC and its recipients consider when determining the feasibility of the accommodation include the:

- Type of accommodation asked for;
- Net cost of the accommodation;
- Overall size of the program;
- Overall financial resources; and,
- Effect that providing the accommodation would have on the program or facility’s ability to serve other customers and carry out its mission.

If the recipient decides that a requested accommodation creates an undue hardship, it must take any steps that eliminate the hardship, but that will enable the person with a disability to participate in the program to the maximum extent possible.

Additionally, the recipient must prepare a written statement of the reasons underlying their decision and provide a copy of that statement to the person who requested the accommodation. The recipient is obligated to provide reasonable accommodations as expeditiously as possible, but in not more than 60 days from the time that the request is acknowledged, except where structural changes in facilities are necessary.

If structural changes are necessary, the recipient must develop a transition plan, establishing the steps necessary, including a time frame, to complete the required changes. This plan must be developed in partnership with the individual for whom the accommodation is being designed.

Service Animals

The Americans with Disabilities Act (ADA) and Illinois law (775 ILCS 30 and Public Act 097-0956) require that service animals be permitted to accompany persons with disabilities in all areas where members of the public are normally allowed access.

In addition, service animals trained to perform tasks for the benefit of a recipient with a disability must be permitted to accompany that recipient at all functions, unless the presence or behavior of the animal compromises the health or safety of the animal or others or fundamentally alters the nature of the program or activity.

Employment Related Provisions

The Illinois WIOA program requires its recipients to promote employment opportunities for individuals with disabilities and encourages its recipients to consider qualified individuals with disabilities for their job openings. Each Illinois WorkNet Center has an operational plan that addresses how these services are accomplished.

The Department of Human Services (DHS) provides services and activities for individuals with disabilities. DHS partners with the Illinois WorkNet staff and works with the WIOA client case managers to ensure WIOA services are available.

An example of this partnership is the High School Youth Apprenticeship Program, Madison County—LWIA 22, which began in the Fall of 2021 with the city, employers, local workforce innovation area, local school district and regional office of education. The purpose of this program is to provide employment and work skills opportunities for high school students with disabilities. After the year-long program, the students can receive a Registered Apprenticeship Certificate certified by the Department of Labor. Through this partnership, the LWIA has increased the participation of youth with disabilities in apprenticeship programs. Additionally, this program has enhanced employer readiness to support a diverse workforce and created stronger community partnerships for sustained outreach and services. Key achievements of this effort have included:

- **Affirmative Outreach:** Partner with community organizations to increase awareness and conduct targeted outreach.
- **Program Design and Accessibility:** Universal Design principles are used and tailored for opportunities to individual abilities.
- **Cultural Competence and Training:** Train staff on disability awareness and fostering inclusive service environments.
- **Partnership and Collaboration:** Engage with the U.S. Department of Labor and local organizations; worked with 6 Employer sponsors and 5 High Schools.

Through this cooperative partnership, the client's employment capabilities, appropriate work environment, and identification and development of suitable job openings are evaluated. Employment counseling through DHS and LWIAs helps clients recognize vocational options, develop a plan to achieve employment goals, overcome barriers to employment, and adjust to the work environment.

Confidentiality

Through the OET programmatic monitoring process by OET staff and the EO monitoring process by the State WIOA EO Officer, DCEO ensures that WIOA recipients maintain the confidentiality of medical information provided by applicants and registrants.

Some of the items that the State WIOA EO Officer reviews include:

- The LWIAs develop a written confidentiality policy that addresses explicitly medical information and staff has been trained/apprised of the policy;
- Medical information is maintained in a separate locked container; and,
- Medical information is available only to persons needing to know as outlined in 32.15 (d) (1 - 4).

In addition, the programmatic/fiscal monitoring process is another way to ensure the confidentiality of information. This process includes:

- Monitoring Teams complete a standardized review checklist, which details the procedures to be performed for all grantees. A sample of participant files is reviewed to verify participant eligibility and compliance with regulations, state and local policy, and grant terms and conditions.
- All findings and questioned costs are immediately followed up with additional investigation and test work if necessary. The staff prepares the field reviews, and the Monitoring Supervisor reviews and approves the work papers and signs the final report that outlines any discovered findings.

There are minimal circumstances under which recipients may disclose medical information, including the fact that the participant has a disability. These include the following:

- Medical information may be disclosed to Supervisors and managers so that they can understand the limitations on activities that the participant or employee can perform and plan accordingly. They would also need disability information to arrange for reasonable accommodation;
- First aid and emergency personnel need to be told about medical conditions that may require emergency treatment; and,
- Government officials investigating compliance with disability nondiscrimination laws should receive medical information if they request it.

Recipients must keep disability-related records confidential, including records containing medical examination results. This means that recipients must keep this information separate from other information about each participant, whether on paper or in an electronic format.

Integration

The State provides technical assistance and provides training to recipients to apprise them of their duty to serve individuals with disabilities in the most integrated setting appropriate to that individual.

IDES remains in full compliance with all requirements, federal and state laws, regulations and internal policies and procedures as they relate to WIOA Nondiscrimination Regulations, the Rehabilitation Act of 1973 (the Rehab Act), the Americans With Disabilities Act of 1990 (ADA); Environmental Barriers Act, Illinois Accessibility Code and, Section 504, as implemented by Title 29, Part 32 of the Code of Federal Regulations; and all other applicable disability laws.

Through the agency's EO Officer, IDES has advised all employees of the key provisions of the Americans with Disabilities Act (ADA), as amended, and has developed policies and procedures with respect to non-discrimination based on disability. Key issues addressed therein include requiring reasonable accommodations and auxiliary aids and services; effective communications; site selection to assure accessibility; and conducting self-

evaluations, which include the development of a corrective action plan. Efforts will continue to be made to ensure program and site access to all individuals with disabilities.

All new employees are required to attend a comprehensive orientation session, where they are made aware of the agency's commitment to preventing disability-based discrimination and providing reasonable accommodations both in employment and in the delivery of its programs and services. The agency also promotes employment opportunities for individuals with disabilities and regularly encourages employers to consider qualified individuals with disabilities to fill their job openings. IDES cooperates with the Illinois Department of Human Services, Division of Rehabilitation Services (DRS) in providing services/activities to individuals with disabilities under the WIOA State Plan. These include the evaluation of clients' employment capabilities, identification of the appropriate work environment, and identification and development of suitable job openings. Employment counseling through the Office of Rehabilitation Services and the Local Workforce Investment Areas (<http://www.illinoisworkforce.net/index.html>) helps clients recognize vocational options, develop a plan to achieve employment goals, overcome barriers to employment and adjust to the work environment. Job ready individuals with disabilities receive consideration for suitable openings in the job matching process.

The agency has taken a number of steps to ensure the confidentiality of employees' medical records, including the dissemination of clear, written procedures limiting access to such records, as well as the implementation of various administrative practices which isolate these records from others. Specifically, such records are physically kept separate and apart from employees' personnel files and in locked cabinets with highly restricted access. Only Labor Relations staff and the Human Resources division have access to the file cabinets containing medical information. They are responsible for making determinations regarding eligibility for disability leaves of absence and ensuring the proper application of the Family and Medical Leave Act. The file cabinets remain locked throughout each day and are only unlocked when labor relations staff need to examine a file. Once the examination of a file is completed, the file is returned, and the file cabinet is once again secured.

The EO Officer also oversees the ADA Coordinator. This responsibility includes receiving and reviewing requests for reasonable accommodations from IDES employees, applicants, and clients. Determinations are made by the EO Officer and appropriate management personnel on a case-by-case basis. In most cases, medical documentation is required to support each requested accommodation when the disability is not obvious. These medical documents are secured within the EO files in locked cabinets. Only designated EO staff have access to these files, which are locked at all times. Further, these locked cabinets are in a locked file room for extra protection.

Additionally, confidentiality of employees' medical information is regularly addressed in all supervisory training sessions throughout the agency. Supervisors are instructed to forward all confidential medical records that they receive from employees directly to the Labor Relations office for placement in the secured medical files, or to the EO office when appropriate. Furthermore, confidentiality is addressed in several IDES policies and procedures which are posted on the intranet for IDES' employees' easy access.

The agency also has policies and procedures in place to enforce the provisions of the Americans with Disabilities Act, as amended and Section 504 of the Rehabilitation Act and to provide for reasonable accommodation(s). Section 1205 of the agency's Policies and Procedures Manual, entitled "*Accommodating Individuals with Disabilities*," addresses in detail the agency's ADA policies and procedures. The agency issued a directive requiring the posting of large ADA informational notices at all of its local offices and work sites. (See EO Policies and Procedures 1200 through 1207, attached hereto). Section 1205 also includes provisions entitled, "*Auxiliary Aids and Services for Individuals with Impaired Vision/Hearing*" and "*Individuals with Disabilities that Pose a Direct Threat to Health and Safety*."

Numerous accommodations have been provided to IDES employees. For example, visually impaired personnel have been provided with specialized computer programs to enlarge text, and with related equipment to complement the software. IDES has bought ergonomic chairs, sit-and-stand desks, larger computer monitors, computer software programs, granted flexible schedules, modified work hours and break times, and granted a service dog access to its facilities to name a few. Policies and procedures in IDES are available to all employees through the department and the State of Illinois' Intranet web pages. The agency has an Intranet site which affords employees access to various IDES forms and reports, as well as to all of the department's policies and procedures. Policies affecting the equal opportunity/ADA programming area are drafted by the EO Office and are circulated throughout the agency for review and comment. Once all technical and programmatic staff have reviewed these policies and concurred with them, the final sign-off of all such policies rests with the Agency Director.

B. Services to the Public

1. Acquisition of Equipment or Devices

The agency is required to comply with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA), as amended, both of which prohibit discrimination on the basis of disability. The regulations of the U.S. Department of Labor provide that "A recipient must take appropriate steps to ensure that communications with individuals with disabilities such as beneficiaries, registrants, applicants, eligible applicants/registrants, participants, applicants for employment, employees, members of the public and their companions are as effective as communications with others." (See 38.15(a)).

Auxiliary aids and services are available upon request to individuals with disabilities. Such auxiliary aids include but are not limited to; sign language interpreters, readers, audio texts, large print, and other methods of communication for persons with a physical or mental condition which includes conditions which effect vision or hearing. Each of these is designed to ensure their receipt of essential information regarding the agency's services, programs, policies, and procedures, and particularly those that pertain to their eligibility and appeal rights. Such aids and devices are also available for employees to ensure effective communication regarding common job-related issues, i.e., training, meetings, workshops, and interviews.

The agency is responsible for providing equal and meaningful services and/or reasonable accommodations to applicants and employees with disabilities to ensure compliance with the reasonable accommodation provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and the ADA as amended. Both Section 504 and the ADA mandate that recipients of federal financial assistance provide equal employment opportunities to qualified disabled individuals and to make reasonable accommodations to the known physical or mental limitations of otherwise-qualified disabled individuals, unless the recipient of federal financial assistance demonstrates such accommodation would impose an "undue hardship" on the conduct of its program.

Inquiries by IDES staff on behalf of applicants with a disability and employees are routinely made in order to determine the type of auxiliary aids needed to ensure full participation in the intake and assessment of the agency's initiatives, services, benefits, and programs. This information will also assist in filling job orders of employers listed with the agency under provisions of Section 504 of the Rehabilitation Act of 1973, as amended.

Local WorkNet Center resource rooms contain assistive technology equipment affording universal access to employment services. This equipment includes Zoom Text and/or JAWS software for screen magnification, text to speech or Braille refresher options, closed circuit monitors and Braille printers for the visually impaired. Additionally, those with hearing/speech impairment have available the Pocket Talker portable amplification device, headsets for PC voice features, access to online services such as unemployment insurance and job listings. The resource room also provides Trackball ergonomic mouse for those with hand/arm disabilities, large desk top monitors (24" or more) large key ergonomic keyboards, and for those who may have language challenges the *Browse Aloud* text to speech translation feature is available, which can translate written text in five different languages. Lastly, IDES will provide a reasonable accommodation not listed above to any qualified applicant seeking benefits, services, or access to our programs.

Additionally, in August 2021, the Illinois General Assembly passed House Bill 2616 which expressly identified items procured for ADA reasonable accommodations and/or based on the State agency's accessibility needs, would be an exception to the strict guidelines outlined in the Illinois Procurement Code thereby shortening the length of time purchasing the item. This bill assists State agencies in complying with Federal and State Nondiscrimination Regulations, rules, laws, statutes and IDES Policies and Procedures while ensuring equal and meaningful access to our services, benefits, and programs for those with disabilities.

2. Text Telephone Teletypewriter (TTY)

Currently, persons with impaired hearing who have questions or require information about agency programs are advised to call IDES' Equal Employment Office at 312-793-9290, 888-340-1007 (TTY) or call the Illinois Relay Service at 711 for assistance. Additionally, a PC software program, SimpliciTTY, is installed in the Office of EO and fifteen of our local offices as well as in our Appeals unit, Benefit Payment Control,

Employer Services and Claimant Services. The EO number, 888-340-1007 (TTY), is published on the ADA poster and in all printed material where general EO information is provided.

3. Illinois Relay Service

The Illinois Relay Service, also known as Telecommunications Relay Service (TRS), is a 24-hour per day, seven-day per week service which provides a communications link between persons using a text telephone (TT) and persons using a standard voice telephone. TT's are special typewriter-style devices used by individuals with impaired hearing or speech to communicate by telephone. Specially trained communications assistants relay conversations over a telephone between a person using a TTY and a person using a voice telephone. This is done by communicating simultaneously with both parties. When the person using the voice telephone speaks, the communications assistant types the information to the TT caller. When the TT caller responds, the communications assistant voices the typed information to the person on the standard voice telephone. The Illinois Relay Telephone users dial 711, (800)-526-0844 (TTY) and (800) 526-0857 (Voice). Spanish to Spanish users dial (800) 501-0864 (TTY). The EO ADA liaison assists managers and staff. Video Relay Service is also used to provide effective communication between a caller and the Agency where a sign interpreter is used to relay information.

4. Interpreter Services

IDES Bilingual Staff

To ensure compliance with Federal and State Limited English Proficient laws IDES employs various bilingual employees. IDES determines its bilingual needs based on the surrounding community it is serving amongst other factors determined by Federal regulations and case law. IDES currently employs approximately 143 bilingual staff.

To ensure compliance with Federal and State Limited English Proficient laws IDES employs various bilingual employees. IDES determines its bilingual needs based on the surrounding community it is serving amongst other factors determined by Federal regulations and case law. Overall, IDES employed approximately 143 people as bilingual staff, both frontline and non-frontline.

Approximately, out of the IDES locations that routinely deal with the public, as of the time this report is being compiled, Chicago Region offices have 79 frontline staff (18 bilingual Spanish, 3 bilingual Polish, 1 bilingual Chinese); Metro South Region offices have 67 frontline staff (16 bilingual Spanish); Northern Region offices have 105 frontline staff (28 bilingual Spanish, 1 bilingual Polish); Northwest Region offices have 88 frontline staff (11 bilingual Spanish); Southern Region offices have 91 frontline staff (2 bilingual Spanish); Further, Lombard, Rock Island and Springfield call centers have 171 frontline staff (22 bilingual Spanish, 2 bilingual Polish); UI Programs has 17 frontline staff (1 bilingual Spanish); Board of Review has 12 frontline staff (3 bilingual Spanish); Appeals Division has 55 frontline staff (3 bilingual Spanish); Benefit Payment Control has 35 frontline staff (6 bilingual

Spanish); Employer Outreach has 26 frontline staff; Labor Exchange System Division has 8 frontline staff; Quality Assurance and Compliance Review Division has 6 frontline staff; Employer Reporting has 12 frontline staff; Employer Services has 27 frontline staff (1 bilingual Spanish); Field Audit has 39 frontline staff (1 bilingual Spanish); Human Resources Division has 7 frontline staff (1 bilingual Spanish). In addition, Special Populations Division (WOTC, MSFW, etc.) has 8 frontline staff with 5 bilingual Spanish staff in Chicago, Northwest, Northern, and Southern Regions.

Propio Language Services

IDES contracts with Propio Language Services to ensure compliance with Federal and State language needs. Propio offers over-the-phone interpreting, in-person interpreting and document translation services for more than 200 languages. Propio serves the healthcare, insurance, call center, financial and government sectors. Propio Language Services is a system of highly qualified interpreters using technology that will assist persons with barriers of communication in different languages. The technology uses a third party to interpret between the 2 individuals to translate so that there is no breakdown in the understanding of what is being verbally communicated between the two parties. The services are available 24 hours a day, 7 days a week and 365 days of the year, with an average connect time of 35 seconds so that everyone who uses this system can have their needs met.

Illinois Deaf and Hard of Hearing Commission (IDHHC)

IDHHC is an executive state agency that promotes education and awareness of the legal requirements for effective communication on behalf of people with hearing loss in Illinois. IDHHC provides outreach, education, training, and information for individuals with hearing disabilities. IDHHC also maintains and provides a listing of qualified, available sign language interpreters for individuals and businesses to utilize. IDES' EO Office and other IDES employees contact the Illinois Deaf and Hard of Hearing Commission to arrange for a qualified interpreter should other interpreter services be unavailable. <https://www2.illinois.gov/idhhc/Pages/default.aspx>

If necessary, other sources for sign language interpreters may be used, such as those available through the Chicago Hearing Society, (773) 248-9121, and the Chicago Area Interpreter Service (CAIRS), Voice (312) 895-4300 or VP (773) 231-9091. The EO ADA liaison assists managers and staff in making referrals to appropriate sources for local and statewide services.

5. Architectural Accessibility

IDES and DCEO work with the Illinois Department of Central Management Services to ensure ADA compliance at the physical location and through its lease agreements. The Illinois Accessibility Code (IAC) provides specifications for State of Illinois leased properties. Furthermore, Disability Navigators from Disability Works, as well as IDES and DCEO EO staff perform routine site visits to ensure facilities remain in compliance with all applicable Federal and State Accessibility requirements.

<https://www2.illinois.gov/cdb/business/codes/IllinoisAccessibilityCode/Pages/default.aspx>.

C. IDES Website

Accessibility for Users with Disabilities

IDES works with the Illinois Department of Innovation and Technology or DoIT to ensure its website is accessible and meets current Federal and State regulations as well as the law. The IDES website has been designed to be fully accessible to individuals with disabilities. In an effort to address the needs of all users, the Illinois Technology Office has established the Illinois Web Accessibility Standards (IWAS). On February 14, 2002, the Governor of Illinois signed an Administrative Order <http://www.icdri.org/legal/> directing Illinois agencies to "utilize the Illinois Web Accessibility Standards for the development of websites, intranets, and web-based applications." These standards are based on Federal "Section 508" and World Wide Web Consortium accessibility guidelines, which were reviewed extensively by a panel of experts during the preparation of IWAS.

Effective August 20, 2008, The Illinois Information Technology Accessibility Act <http://www.dhs.state.il.us/page.aspx?item=32765> (IITAA) requires Illinois agencies and universities to ensure that their websites, systems, and other information technologies are accessible to people with disabilities. While the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act require the state to address accessibility in general, the IITAA requires the state to establish and follow specific, functional accessibility standards and to address accessibility proactively.

The IDES website, including the sites for Illinois Job Link (IJL), Labor Market Information and the agency's Internet-based Unemployment Insurance application, were evaluated using the Illinois Information Technology Accessibility Act Web Developer Testing Checklist 1.0 and 2.0. The agency periodically tests its website to ensure accessibility standards are met and will continue to work with the Department of Information and Technology (DoIT) and the Office of Rehabilitation Services for related technical assistance.

D. Accommodating Individuals with Disabilities Policy

Section 1205 of the agency's Policies and Procedures Manual addresses the agency's responsibility for providing reasonable accommodations based on the known disabilities of qualified IDES employees, job applicants, and clients. It is the policy of the agency to comply with, among other State and Federal laws, the Americans with Disabilities Act of 1990 (Titles I and II), as amended, Section 504 of the Rehabilitation Act of 1973 and the Illinois Human Rights Act. IDES will provide reasonable accommodations, upon request, based on the known disabilities of qualified employees, job applicants and clients unless a requested accommodation will impose an undue hardship on agency operations. An individual must request a reasonable accommodation and establish that he/she/they have a qualifying physical or mental disability. Then, if the requested accommodation does not impose an undue hardship, IDES will provide the accommodation that will: (1) enable the qualified disabled employee to perform the essential functions of his or her job; (2) enable a qualified disabled job applicant to participate in the hiring process; or (3) enable a qualified disabled client to fully access the agency's benefits, programs, and services.

A qualified individual with a disability may request a specific reasonable accommodation. The request will be considered, but the accommodation that is ultimately offered to the individual will be determined by the agency at its sole discretion. A qualified individual with a disability is not required to accept a particular accommodation, but rejection of an offer of reasonable accommodation may jeopardize the individual's status as a qualified individual with a disability. A request for reasonable accommodation may be denied if the requesting individual poses a direct threat to the health or safety of himself or others. A reasonable accommodation may also be rescinded by the agency if it later proves to pose an undue hardship or a direct threat to the health or safety of the requesting individual or others, or if the individual no longer qualifies as a person with a disability, or if he/she/they no longer require the accommodation.

1. Methods of Accommodation

The following are some examples of methods that may be used to reasonably accommodate qualified individuals with disabilities:

- Making existing facilities readily accessible;
- Acquiring and/or modifying equipment or devices;
- Acquiring software or hardware or other technological support devices;
- Adjusting personnel examinations and/or agency training materials;
- Providing qualified readers or interpreters;
- Granting flexible work schedules; and
- Making modifications or adjustments to policies and procedures, so as to enable a qualified individual with a disability to enjoy equal access to, and full participation in, all of the agency's benefits, programs, and services.

2. Job Restructuring

Job restructuring is the modification of a job by removing barriers to performance, eliminating nonessential functions and/or exchanging assignments with other employees, so that a qualified person with a disability can perform the essential functions of the job.

3. Part-Time or Modified Work Schedules

Part-time or modified schedules may be a form of reasonable accommodation as long as they do not violate the collective bargaining agreements which control the employee workforce. The ADA does not require individuals with disabilities to be granted more *paid* leave than is granted to employees without disabilities, but a reasonable accommodation may include the provision of additional *unpaid* leave if doing so does not create an undue hardship on the agency. Reassignment does not include "bumping" employees from their positions to create vacancies for disabled employees. In certain limited instances, employees may be offered alternative employment by referral to the Illinois Department of Central Management Services.

4. Adjustments / Modifications of Examinations, Training or Related Materials

The agency will continue to provide reasonable accommodations in this area, for example, by ensuring that training classes are offered at accessible locations and that training materials are made available in accessible formats.

5. Agreement Between AFSCME and CMS

The Illinois Department of Central Management Services has negotiated a comprehensive collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) which applies to all Illinois state agencies under the governor's jurisdiction. Article XXXI, Section 10 of that contract specifically addresses the issue of reasonable accommodation for employees with disabilities. This represents another written policy whereby the State of Illinois has agreed to reasonably accommodate its employees.

6. Designation of ADA Liaison

The EO Specialist (ADA Coordinator) serves as the agency's chief ADA liaison. Additionally, each cost center manager serves as an ADA liaison with respect to reasonable accommodation requests arising in his/her cost center. The EO/ADA liaison's function is to provide assistance to qualified individuals with disabilities, and to assist in the filing of complaints based on the denial of requests for reasonable accommodation, or with regard to complaints of discrimination based on disabilities. Managers and supervisors are required to assist EO with all aspects of the accommodation process, as appropriate.

7. Requests for Reasonable Accommodation

IDES employees who request reasonable accommodation are required to complete specific forms and submit them to the EO Officer for appropriate action. Employees may also submit a request for reasonable accommodation directly to the EO Office. In all instances, cost center managers are given the opportunity to provide input into the decision-making process if the requested accommodation affects the operations of the unit. Internal policies and procedures have been updated to reflect this.

All requests for a reasonable accommodation must be submitted to the EO Officer whether or not they require an expenditure of funds. Managers do not approve or disapprove an employee's request for a reasonable accommodation. The EO Officer and ADA Coordinator are responsible for reviewing the request and making every effort to respond to the employee within 10 working days, when possible, from the date the request is received by the EO Officer. IDES employees who are provided a reasonable accommodation are given a reasonable period of time during regular working hours to familiarize themselves with, and to develop reasonable competency in the use of, any new aids or devices provided to them.

8. Acquisition of Equipment or Devices

The equipment and devices that IDES will provide as a reasonable accommodation do not include personal-use items such as hearing aids and eyeglasses. For individuals who are visually impaired, equipment or devices that may be provided include, but are not limited to: adaptive computer hardware and software, electronic visual aids,

Braille devices and related material, talking calculators, magnifiers and audio recordings. EO will follow up with an employee who has been provided equipment or a device as a reasonable accommodation to ensure that the accommodation meets that employee's needs.

VI. Data and Information Collection and Maintenance- Section 38.41 Through 38.45

Introduction

DCEO is pivotal in administering WIOA programs throughout the state. In doing so, DCEO upholds stringent requirements related to data and information collection, maintenance, confidentiality, and complaint procedures. These requirements stem from federal regulations, including 29 CFR Part 38 and Section 188 of WIOA. They are intended to ensure that WIOA-funded services are delivered in a manner consistent with principles of nondiscrimination and equal opportunity (EO).

Key Requirements for Data and Information Collection and Maintenance

Recipients of WIOA funding must establish a properly functioning system for gathering relevant participant information. This system needs to meet federal WIOA data and information collection regulations while safeguarding personal information confidentiality. DCEO requires regulatory and discretionary data to verify compliance with nondiscrimination obligations, ensuring that WIOA services are implemented fairly and consistently across the state. In practice, this involves meticulous record-keeping of race, ethnicity, sex, age, and disability status, with authorized personnel alone having access to these sensitive details. Such measures allow for accurate eligibility determinations, assessments of program impact, and proof of adherence to all legal and regulatory standards.

Data Categories and Proactive Data Approach

Historically, program administrators have often identified disparities only after they arose. Recognizing the limitations of this deficit-based model, DCEO is shifting to a more proactive stance. By integrating real-time data into policymaking, the agency seeks to identify gaps in opportunity and access before they become entrenched, thus allowing for earlier interventions. For instance, collecting race and ethnicity data—including categories such as White, Black, or African American, Hispanic, or Latino, Native American, and Asian/Pacific Islander—enables a more nuanced view of demographic representation in WIOA programs. By coupling these data with broader metrics, DCEO aims to detect and address potential inequities more effectively as soon as possible. Ultimately, this approach moves the state beyond mere compliance and toward a sustained commitment to inclusion and continuous improvement in workforce development.

Illinois Workforce Development System (IWDS)

Central to the success of this proactive strategy is the Illinois Workforce Development System (IWDS), which captures and stores demographic and programmatic data in line with

29 CFR 38.42. When job seekers register for services or become employed through WIOA-funded initiatives, IWDS collects the required EO statistical data. Recipients of WIOA funding are further tasked with maintaining statistical analysis records, making it possible to identify any significant disparities in participant outcomes. If anomalies are detected in the data, deeper scrutiny is conducted to determine whether corrective measures are warranted.

The State-Level Equal Opportunity Officer conducts yearly EO monitoring, including a thorough review of IWDS records. This analysis examines participant demographics—race, ethnicity, age, sex, disability status, and Limited English Proficiency—to check for disparities. In cases where initial calculations signal an outlier, a standard deviation methodology is employed to confirm whether a genuine statistical imbalance exists. This process provides a clear pathway for investigating and resolving any potential inequalities. IWDS also serves as a dynamic tool for case managers, aiding them in evaluating participant eligibility, documenting assessments, creating service plans, and noting outcomes. This functionality spans a wide range of WIOA and related programs, including Adult, Dislocated Worker, Youth, Trade Adjustment Act (TAA), (DEI), Rapid Response, National Dislocated Worker Grants, and state-funded programs such as the Climate4 and Equitable Jobs Act (CEJA) and the Job Training Economic and Development Program (JTED).

Data Confidentiality and Privacy Protections

DCEO's robust data confidentiality approach reflects federal regulations and the agency's policies. The confidentiality of personal and medical records is paramount. Medical information—such as insurance applications, health certificates, or physical exam findings—is stored separately from non-medical information. Access is limited exclusively to those with a legitimate need to review these records, as codified in 32.15(d)(1) through (4). Recipients and sub-recipients must retain all books and records, including supporting documentation, for at least three years following their final expenditure report. This practice ensures accountability, enables subsequent verification of expenditures, and reaffirms participants' privacy rights.

Shared data agreements with the Illinois Department of Employment Services (IDES), other state agencies, and university partners allow for secure matches of participant data with employment outcomes. These collaborative relationships yield a robust analytical framework for measuring program impact while preserving confidentiality through tightly controlled data-access protocols. Moreover, the Illinois Department of Innovation and Technology (DoIT) works alongside DCEO to ensure that all management information systems meet modern cybersecurity standards. An ambitious project currently underway, known informally as IWDS 2.0, is set to replace the existing IWDS and local Career Connect systems. Slated for rollout in late 2025, this consolidated, intuitive platform will incorporate the same nondiscrimination protections, privacy safeguards, and accessibility features already in place, bringing together multiple data systems into one streamlined environment.

Complaint Logs and Grievance Procedures

A confidential discrimination complaint log maintained by DCEO is among the tools that bolster oversight. This log contains the names and addresses of complainants, the grounds and details of each complaint, the date of filing, and the ultimate disposition. Upon receipt,

LWIAs must report any new discrimination complaints to the State-Level EO Officer. Quarterly submissions of the complaint log facilitate continuous monitoring. Each complaint and the corresponding corrective action and resolution process are then assessed as part of the annual EO review. Should any administrative actions or lawsuits alleging discrimination be filed against a recipient, the Civil Rights Center (CRC) Director must be notified promptly. Recipients must also disclose if any federal agency has investigated and found them non-compliant with civil rights requirements within two years before a WIOA application.

Local-Level Compliance and Oversight

At the local level, each LWIA employs an Equal Opportunity (EO) Officer whose responsibilities include developing policies to ensure nondiscriminatory practices and overseeing their implementation at Illinois workNet® Centers, grantee and subgrantee sites, and any facility where partner services may be co-located. LWIAs provide DCEO with written procedures demonstrating how their records meet the requirements of 29 CFR 38.45, specifically concerning data collection, access, and maintenance. The Local Workforce Innovation Boards (LWIBs) further contribute by devising and maintaining grievance procedures that address participant or stakeholder complaints. These steps ensure that each LWIA maintains a transparent, standardized process for receiving and resolving grievances or complaints and storing participant data securely and confidentially.

Conclusion

Together, these policies and protocols illustrate DCEO's comprehensive commitment to upholding nondiscrimination and protecting sensitive data in WIOA-funded programs. By focusing on proactive data collection, early identification of disparities, and strong confidentiality measures, the agency—and all who partner with it—works toward creating a fairer and more equitable environment for individuals seeking employment and training services. DCEO's transition to a more cohesive, next-generation data system underlines the organization's dedication to efficiency, security, and continuous improvement. Through consistent monitoring, regular collaboration with local EO Officers, and diligent adherence to federal guidelines, DCEO remains steadfast in ensuring that all Illinois residents have equitable access to the opportunities provided by WIOA programs.

IDES also ensures compliance with its data collection and maintenance requirements under WIOA and federal regulations with the following:

Consistent with 29 CFR 38.41 – 38.45, the Department of Employment Security collects, analyzes and provides data and reports to Civil Rights Center in order to determine compliance with nondiscrimination/EO provisions. Data is collected and maintained by race/ethnicity, sex, age, and disability status. All applicant characteristics are collected at point of contact, intake and/or service and are consistent with standard EO categories established by the federal government. These include White, African American, Hispanic, Native American and Asian/Pacific Islander. All such information is compiled, stored, and maintained by the Department's Information Services Bureau (ISB), and the Deputy Director of DoIT who has overall responsibility for this support function. Reports are provided to the EO Monitor and EO Compliance Supervisor on a regular schedule. The information is used to

determine applicant eligibility and program compliance with nondiscrimination requirements for specified programs, as well as for related record keeping and reporting purposes. Additionally, the agency's Internet-based computer system which matches job seekers with potential employers, Illinois Job Link (IJL), is also used to capture related data. All EO-related data is compiled as it pertains to each local office and is stored for a five-year period. Furthermore, all systems that are used to collect and maintain related EO data are designed to allow for statistical/quantifiable analysis and to ensure confidentiality of the data.

1. IJL and ETA 9173 Reports

All employment service data is compiled and analyzed using the Illinois JobLink Tool (IJL). The agency also examines referral patterns pertaining to specific occupations as well as related wage patterns and placements. Also, in the IJL 9173 reports are also used to collect and maintain data which is used to evaluate agency services for compliance with nondiscrimination law.

2. Illinois Benefit Information System (IBIS)

Unemployment Insurance data, including applicant characteristics, is collected, and stored within the agency's primary computer program, the Illinois Benefit Information System (IBIS). This data is kept for a period of seven years. Statistics on the number of "Lower" and "Higher" level decisions are also kept in the IBIS system.

3. Central Complaint Log

IDES maintains a Central Complaint Log listing all EO related complaints, and specifying the following for each complaint: (a) the name of the complainant; (b) the name of the respondent; (c) the date the complaint was filed; (d) whether the complaint is an MSFW complaint; (e) whether the complaint is Employer Services (ES) related or non-ES related; (f) if the complaint is ES related, whether it is employer-related or agency-related; (g) if the complaint is non-ES related, the information required by subsection .604 of this Part; and, (h) the action taken and whether the complaint has been resolved. The procedures related to complaint logs maintained by local offices are detailed in IDES Procedure 7202.351 (ES Complaint Logs).

4. Confidentiality of Data Collected

As previously mentioned, all EO related data that is collected by the agency pertaining to program applicants/participants and applicants for employment is maintained and stored in a confidential manner. Additionally, information regarding race/ethnicity is kept separate from individuals' other records in order to protect confidentiality. All EO related data is kept by the agency for at least the minimum required three-year period.

VII. Governor's Oversight Responsibilities - Sections 38.51 And 38.53

The State-Level EO Officer has created an in-depth monitoring guide, which encompasses the requirements set forth in 29 CFR Part 38.51, which requires detailed information for the EO

monitoring process. DCEO meets the standards of monitoring set forth by the CFR by providing monitoring information described by the following:

- The procedure for reviewing recipients' policies and procedures to ensure that these policies and procedures do not violate the prohibitions outlined in section 188 of WIOA, specifically;
- The written reports prepared for each review. These reports must provide, among other things, that the results of the monitoring activities will be made available to the recipient(s) through a monitoring corrective action letter;
- The involvement of the State and LWIA EO Officer(s) in conducting reviews. Where individuals other than the State or LWIA EO Officers carry EO monitoring out, the narrative should provide the names, job titles, and the WIOA organizations in which these persons are employed;
- The level of training provided, and by whom, to these individuals, and how does the State WIOA Officer coordinate the review efforts from start to finish; and,
- The procedure for determining which recipients are to be reviewed, the frequency of reviews of recipients, and the number of recipients to be reviewed per year.

Both the State and LWIAs share equal responsibility for monitoring compliance.

The monitoring schedule is comprehensive and involves the State WIOA EO Officer, LWIA Executive Officers/Administrators, key management staff, and LWIA EO Officers. At a minimum, EOMC staff will visit each LWIA site every two years, and additional visits may be scheduled if the situation warrants ensuring the implementation of corrective measures.

DCEO imposes specific requirements upon itself and the LWIAs comply with monitoring responsibilities. Each EO monitoring review must include a review of each recipient's collective EO/ADA internal control programs and operations to determine if:

- The recipient complies with its administrative obligations under Section 188 of WIOA. Examples of these administrative obligations include designating an EO Officer, notice and communications, reasonable accommodations, confidential information and record protection, tag lines, LEP Program, operability of current assistive technology, bulletin board maintenance, and contractual assurances;
- The recipient is complying with its responsibilities; and,
- The recipient's programs and services are free of discrimination practices.

To make the above assessments ensuring nondiscrimination in EO operations, DCEO's annual monitoring review includes:

- Conducting EO monitoring/evaluation reviews;

- Evaluating policy development, communication, and training;
- Analyses by race/ethnicity, sex, age, and disability status to determine significant differences; and,
- Analyses of records, client interviews, and other appropriate methods to determine causes of differences.

Follow-up investigations are conducted when there are significant demographic analytical differences to determine whether the differences are due to discriminatory conduct or to some other factors.

The use of record reviews, interviews, and other appropriate investigation techniques aid in the identification of the potential issues. When WIOA EO/ADA compliance violations are found, DCEO will use appropriate enforcement procedures.

Local Workforce Areas

Each LWIA will monitor their sub-recipients annually and provide DCEO with their findings and corrective actions. Each LWIA is expected to monitor their subrecipients (Illinois WorkNet Centers, affiliates, and training providers) and conduct demographic analysis annually. LWIA monitors will use similar monitoring tools and processes that the State EO Officer utilizes to identify problem areas, operational weaknesses, and to develop corrective actions plans.

Follow-up visits may be scheduled as necessary to ensure that the appropriate corrective actions were completed. In demonstrating compliance with CRC regulations, it is necessary for an LWIA grant recipient who has received WIOA financial assistance from the State to show its adherence to policies, procedures, and systems contained in the State's Nondiscrimination Plan.

Included in the documents section is the monitoring instrument used during monitoring visits to acquire data from the LWIA recipients. The monitoring instrument does not create new legal requirements or change current legal requirements, as its purpose is to facilitate an evaluation of the extent to which recipients are complying with the following administrative obligations:

- Designation of Equal Opportunity Officers;
- Notice and Communication;
- Assurances, job training plans, contracts, policies and procedures;
- Universal Access;
- Data Collection and Record Keeping;
- Section 504 of the Rehabilitation Act;
- Data and Information Collection and Maintenance;
- Complaint Processing Procedures; and,
- Corrective Actions and Sanctions.

DCEO Accessibility Checklist is an extension of the monitoring instrument used to determine compliance with disability requirements found in 29 CFR Part 38 and Section 188. The Accessibility Checklist identifies the basic requirements under Section 188 of WIOA. It includes portions of the regulations that implement Section 504 of the Rehabilitation Act as applicable to LWIA grant recipients concerning the operation of their WIOA programs and activities.

Desk Reviews

Desk reviews begin with a self-evaluation prepared for EOMC by the LWIA EO Officer. Incomplete or incorrect responses to the self-evaluation will, at a minimum, prompt technical assistance and further monitoring. LWIA EO Officers submit self-evaluation reports before the monitoring visit to assist DCEO EO monitors in conducting their comprehensive review. The desk review will include a review of the:

- Positional job description;
- Provider's organizational chart;
- Reports from previous non-discrimination program reports;
- Discrimination complaint files;
- Compliance monitoring reports prepared by the LWIA EO Officer;
- Program accessibility self-evaluation and procedures to ensure compliance with requirements pertinent to individuals with disabilities;
- Facility architectural accessibility surveys;
- Website 508 Accessibility;
- 5-Year marketing and outreach plans;
- IWDS registration Data (using the Standard Deviation Analysis Method); and,
- IDES and US Census Bureau demographic data.

On-Site Reviews

On-Site Reviews provide the opportunity to meet and discuss policies, procedures, or issues with top LWIA management and the EO Officer. It may be used to clarify information from the desk review. The primary contact during this phase of the review is the LWIA EO Officer.

The site review consists of the following:

- An entrance conference, to include discussion of the results of the desk review;
- Policy and Procedures Review (i.e., EO Program staff training, sexual harassment, complaints, monitoring procedures, LEP, and applicant files reviews);
- Site locations, points-of-contacts, and route coordination;
- Website Accessibility;

- Staff surveys and interviews;
- Customer surveys and interviews;
- Facility-accessibility survey review and assessment;
- Review of customer information materials, tag lines, and bulletin boards to include materials in alternative formats and languages other than English;
- Review of community contact programs;
- Complaint-file review;
- Discussion of program intake and assessment processes, to include provisions to serve individuals with disabilities or who are non-English speaking (LEP Program & language cards);
- Contracts and assurances boilerplate clauses and other similar agreements are reviewed to ensure that they are non-discriminatory.
- Review of EO role-related training and budgets for equal opportunity officers planned and accomplished to date; and,
- An exit conference to include a discussion of preliminary findings.

If technical assistance is necessary, it may be done during the monitoring review as time permits or scheduled at a future date.

Local Monitoring

Each LWIA EO Officer uses the same monitoring process developed and used at the State level to monitor the Illinois WorkNet Center, satellite locations, and contractor activities to ensure EO/ADA compliance. The monitoring review process requires written reviews kept on file for at least three years. DCEO developed monitoring tools that are useful to ensure a consistent statewide approach to monitoring for nondiscrimination and equal opportunity in the Illinois WorkNet system.

Monitoring Corrective Action Letter

DCEO monitors will prepare a monitoring corrective action letter that details the findings and deficiencies identified during the monitoring activities within thirty (30) days. LWIA Directors will be responsible for responding to the letter with a written response to the findings and corrective actions within thirty (30) days. In those situations where there are no findings identified, a “no finding” letter will be sent to the CEO, LWIB Chair and the LWIA Director.

Conducting Follow-Up

Upon receipt of the monitoring report, the LWIA Director will respond to the corrective action identified as to how the LWIA is going to implement the corrective activities described in the monitoring review. This written response is sent to the State WIOA EO Officer for review and approval. If follow-up monitoring determines the causes for the initial finding have not been appropriately corrected, technical assistance is offered, and further corrective actions are mandated. In the event if follow up activities are necessary, DCEO EO Compliance Monitors will schedule follow up visits to ensure that corrective actions have been implemented.

IDES has also complied consistently with its obligations to monitor recipients for compliance seen under 29 CFR 38.51 through 38.53. A wide variety of data is collected and used to monitor local IDES offices with respect to both Unemployment Insurance and Employment Service programs. EO Monitors are responsible for evaluating both programmatic and physical accessibility compliance at each local office. Compliance reviews are conducted according to a fixed schedule and apply to both UI and ES programs. Section 1204 of the agency's Policies and Procedures Manual describes procedures for monitoring of UI/ES programs in all local offices. (See EO Policies and Procedures 1200 through 1207, attached hereto). There are various supporting documents attached to this report which support this assertion and illustrate IDES' programmatic and physical monitoring of its local offices.

A. Employment Services Monitoring

Compliance reviews include on-site visits by EO Monitors and the examination of data related to the following services/activities: (1) registration taking; (2) job orders; (3) job referrals; and (4) job placements. Data is also analyzed with respect to UI benefits being granted across all protected EO categories to ensure there is no discriminatory impact on any protected group. Recommendations are made in any case where data indicates there may be a disparity. The data is analyzed as it applies to specific applicant groups according to age, gender, race/ethnicity, disability and LEP status. Additionally, besides on-site visits to the Local Offices, the EO Compliance Monitoring Unit performed desk audits during this last review period to ensure that IDES services, programs, and benefits continued to be provided in a nondiscriminatory manner.

1. Illinois Job Link (IJL)

An attempt to identify significant statistical variations in the level of Employment Security (ES) service provided to the agency's customers within the groups referenced above, both the "four-fifth" rule and provisions of the Equal Opportunity Data Requirements for Employment Service are used. To this end, the department has developed Illinois Job Link.

The program uses the Employment and Training Administration 9173 statistical tables which are used to identify potential disparities among applicant groups. The tables provide data on the number of registrants, referrals, placements, wage patterns and other applicant services for each local office. The ETA tables evaluate services that different applicant groups receive and how these services affect their employability. The ETA data provides information on race/ethnicity, gender, age,

disabilities, migrant seasonal farm workers and veteran applicant groups. ETA also provides a list of specific applicant services and job order information. As stated earlier, both the “four-fifths” rule and standard deviation are used to measure levels of service to applicants. Referrals, placement, and wage information is broken down by occupational categories. ETA reports are generated on a regular basis. Additional reports are compiled upon request from the Civil Rights Center.

Access to registrations and job orders is also available through Illinois Job Link. Samples of registrations and job orders are reviewed as part of local office monitoring process. The EO Auditing link available in IJL assists EO Monitors to review job orders, job descriptions as well as referral and placement activities within the job orders. Applicant referral characteristics are provided within IJL EO Audit features. Additional EO employment service reports are available through Workforce Integrated Performance System (WIPS) as well as Federal Reports to Employment and Training.

B. Unemployment Insurance Monitoring

Compliance reviews include on-site and/or desk audit reviews by EO Monitors and the examination of data related to claims taking and adjudication. The data is analyzed as it applies to specific applicant groups according to age, gender, race/ethnicity, and disability status.

Data that includes applicant characteristics is collected through the Illinois Benefit Information System (IBIS). Statistical tables on monetary and non-monetary determinations are reviewed, as well as the number of claims processed, separation and non-separation determinations, and appeals. All such reviews are conducted for each local office. The IDES Information Systems Bureau provides access to UI data and assists in generating a list of adjudicated cases by applicant groups and specific issues. From the list a sample of cases are selected for analysis.

C. Unemployment Insurance Appeals Monitoring

The same general process for monitoring and evaluating UI and ES programs is followed with regard to the Appeals divisions on a quarterly basis. Both lower and higher authority decisions are examined to assess if one or more groups have a disproportionate lower number of favorable outcomes. Recommendations to address any issues are made when applicable.

D. Equal Opportunity Monitors (EO)

The EO Monitors are under the direction of the EO Officer. The EO Monitors assist in planning and coordinating the monitoring of local office activities to ensure compliance with federal mandates. Principal duties include performance of statewide visits, and development of statistical computer-based reports involving the applications of complex mathematical and statistical methodologies. In addition, EO Monitors utilize mainframe systems and computer software programming language application, data collection, analysis and report writing. The EO Monitors assist in the implementation, maintenance, evaluation, and monitoring of procedures to ensure local offices are in full compliance with federal nondiscrimination requirements found in 29 CFR 38. Additional duties include the following:

1. Prepares analysis of findings, using narrative, charts, tables, and graphs; presents pertinent information to management through chain of command.
2. Consults with other divisions and the Department of Information and Technology (DoIT) to resolve technical problems, especially with regard to integrating the mainframe and PC systems.
3. Makes recommendations to the Local Office staff on how to correct any issues identified in its monitoring of the Local Office.
4. Follows up with the Local Office to ensure that all recommendations are followed and when necessary, implemented.
5. Assists in any additional training of Local Office staff when necessary.

Section 1204 of the agency's Policies and Procedures Manual provides a detailed description of the system for monitoring UI/ES offices. Since 1996 on-site reviews have been conducted on a monthly or quarterly basis. Attached to this document is a representative sample of an EO Monitoring Report the EO office has developed as a local monitoring review guide which details activities of the EO Monitor when preparing for and conducting the review. (See EO Policies and Procedures 1200 through 1207, attached hereto).

The responsibilities of an EO Monitor, when conducting monitoring reviews, include the observing of intake and referral processes, interviewing local office staff, determining the office's compliance with equal employment opportunity directives such as the posting of required notices and conducting any necessary training regarding Nondiscrimination Regulations. Monitoring visits are also conducted to comply with requests from the Civil Rights Center for specific data on designated offices. The following sequence illustrates the preparatory stages of these reviews as well as activities undertaken while at the local office, and includes all actions through the final report writing:

1. NOTIFICATION OF LOCAL OFFICE MONITORING REVIEW

The EO Monitor notifies the local office manager of scheduled site visit, and then follows up with a phone call to ensure local office management will be available for the review.

2. DATA COLLECTION

- A. The EO Monitor collects and reviews census data on local population, civilian labor force and civilian unemployment labor statistics. Data is provided through Economic Information and Analysis Bureau (EI&A) and is accessible through IDES' web page.
- B. The EO Monitor collects and reviews employment service data. Also, reviews data from federal report (ETA 9173). Run summary tables from IJL program. Review data for statistical disparities in referrals, placements, and service. The EO Monitor runs detailed reports pertaining to job orders and applicants using IJL program and requests Ad Hoc reports from IJL for additional detailed data.
- C. The EO Monitor collects unemployment data from Illinois Benefit Information System (IBIS). The EO Monitor requests five summary tables: claims, monetary determinations, non-monetary determinations, separation determinations and non-separation determinations. The EO Monitor creates statistical tables on "allow" rates and "denial" rates.

- D. The EO Monitor collects employee staff characteristics of the local office and identifies the number of available employees providing interpretive services.
- E. The EO Monitor obtains a telephone report from the Propio Language Services regarding local office usage of interpretive telephone language services and performs an analysis to determine if our LEP requirements are being sufficiently addressed.

3. **MONITORING REVIEW**

A. **Entrance interview with local office manager/supervisor.**

1. Review employment service data and statistical disparities.
2. Review unemployment insurance data and statistical disparities.
3. Review availability of assistive devices and software for individuals with disabilities.

B. **Desk Reviews.**

Beginning March 2020, IDES performed “desk audits” of the Local Offices to ensure continued compliance throughout the pandemic. However, EO Monitors have performed on-site audits or reviews of several IDES Local Offices. These on-site and desk audit/reviews consist of:

1. Request from local office UI manager/supervisor one or two days of applications taken during the last 10 days. Select an appropriate number of applications for review.
2. Check UI applications for EO documentation.
3. Check accurate collection of EO data (race/ethnic, gender, age, and disability).
4. Request a sample of adjudication cases by applicant characteristics and request Benefit Total Quality (BTQ) reviews for the previous two or three months.
 - a. Review separation determinations.
 - b. Review non-separation determinations.
 - c. Review BTQ cases.
5. Review a random sampling of registrations from the applicant groups and select those that have been identified as having received a disproportionately low number of referrals, placements, or services.
 - a. Review number of skills listed.
 - b. Review skill experience of applicants.
 - c. Review services provided to the applicant.
6. Review local office complaint log for past three years.
7. Review facility for accessibility using the following ADA check list and guidelines.
 - a. Public Parking; check for adequate accessible parking with appropriate signage.
 - b. Office Entrance; check entrance for accessibility.
 - c. Universal Signage; identify accessibility and room identification as well as assistance signs.
 - d. Restrooms: check restrooms for ADA compliance.

- e. Public Service Areas; check accessibility to resource rooms, training rooms and other public service areas. Is reception area clearly defined for applicants?
- f. Water Fountain – accessibility

C. Inspection of EO posters, EO pamphlet/notices and ADA poster.

- 1. Are EO notices (poster) posted in a prominent location;
- 2. Is EO notice posted in a language other than English where appropriate;
- 3. Are EO Notices (8 ½" X 11" handouts) provided to applicants/claimants;
- 4. Are EO Notices available in languages other than English;
- 5. Is the American with Disabilities Act poster displayed conspicuously;

D. Observation of Staff Interaction with Clients

- 1. Observe if Benefit Rights are provided to claimants.
- 2. Coaching of applicants registering for employment service (IJL).
- 3. Observe adjudication interviews.
- 4. Observe language assistance.

E. Local Office interviews with Selected Staff

- 1. Determine which staff should be interviewed based on local office manager/supervisor description of staff assignments.
- 2. Selected staff should include employees conducting activities in employment service, veteran's assistance, unemployment insurance and reception.
- 3. When possible, selected staff should include females, minorities, and persons with disabilities.

F. Exit Conference

Verbally review local office findings and tentative recommendations with manager/supervisor. Official recommendations from the EO Officer are presented with the final written report.

4. DRAFT FINAL REPORT WITH FINDINGS AND RECOMMENDATIONS

Report and Recommendations:

After completion of a monitoring review, the EO Monitor prepares a written summary of his/her conclusions and recommendations. A draft report is submitted to the EO Compliance Supervisor and EO Officer for review and approval. The report is then forwarded to the appropriate manager and Operations Deputy Director for response and development of any needed corrective action plan. The corrective action plan, including specific steps to be taken, due dates and identification of each responsible person, is then included in the Final Report. The Final Report is approved by the EO Officer. Operations management is responsible for taking appropriate steps to ensure compliance with any related corrective action plan. The Final Report includes the following items:

A. Monitoring Review Findings and Recommendations

- a. ADA facility requirements

- b. EO posters, EO pamphlets/notices and ADA poster
- c. Staff interviews
- d. Language assistance

B. Employment Service Findings and Recommendations

- a. Referrals and Placements
- b. Wage patterns
- c. Non-Service
- d. Registrations
- e. Job orders

C. Unemployment Insurance Findings and Recommendations

- a. Allowance/Denial rates
- b. Adjudication reviews
- c. EO documentation
- d. EO data collection

5. CONDUCTING FOLLOW UP

- A.** Operations Bureau formally responds in writing to the recommendations. A copy of Operation’s response is included in the final report, and the report is sent to the EO Officer for review and approval. The Director of the Bureau receives the final report in its entirety.
- B.** Follow up with local office occurs within scheduled monitoring timetable or as directed by the EO Officer.

VIII. Complaint Processing Procedures - Section 38.72 Through 38.73

DCEO assures that individuals have the option of filing a discrimination complaint with either the LWIA EO Officer, the State EO Officer, or the CRC; therefore, each LWIA is responsible for creating and implementing its complaint processing procedures.

Recipients That Must Comply with Complaint Procedures

A recipient is any entity that qualifies and receives financial assistance to provide WIOA programs or services. Illinois WorkNet Center partners are treated as recipients and are subject to the nondiscrimination and equal opportunity requirements based on their participation in the WorkNet Center delivery system. The list of recipients that must comply with EOMC’s complaint procedures includes, but is not limited to:

- State-level agencies that administer WIOA funds;
- State Employment Security Agencies (UI);
- State and Local Workforce Investment Boards;
- LWIA Grant recipients;

- WorkNet Center operators and partners;
- Providers of services and benefits;
- On-the-job (OJT) employers;
- Center operators (excluding federally operated centers); and,
- Placement agencies, including Job Corps contractors, that perform these functions.

Key Elements of the Complaint

29 CFR 38.70 outlines specific elements that must be apparent in the recipient's complaint processing procedures. The procedures must include the following:

- Initial written notice;
 - Acknowledgment of the written complaint; and,
 - Notice to the complainant of his or her right to be represented in the complaint process.
1. Written statement of issues including:
 - List of the issues raised in the complaint; and,
 - Statement whether the recipient accepts the issue for investigation or rejects the issue and the reasons for each rejection.
 2. Process for investigation or fact-finding:
 - The choice to use customary processes rests with the complainant.
 3. Alternative Dispute Resolution Process:
 - Choice for the complainant to use ADR or the customary process; and,
 - Provision for any party to file a complaint with the CRC Director if ADR agreement is breached.
 4. Written Notice of Final Action including:
 - The recipient's decision and explanation (investigation or fact-finding) or of the way the parties resolved the issue if using ADR;
 - A notice stating that if the complainant is dissatisfied with the recipient's resolution of the complaint, he/she/they have the right to file a complaint with CRC within 30 days;
 - Notice of final Action (90 days); and
 - Record keeping.

Jurisdiction

Any person, or any specific class of individuals, who believes that they have been or are being subjected to discrimination based on race, color, national origin (including limited English

proficiency), religion, sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity), age, disability, political affiliation or belief and, for participants only, citizenship may file a complaint under WIOA.

Examples of typical complainants include, but are not limited to:

- Applicants and/or registrants for aid, benefits, services, or training;
- Eligible applicants/registrants;
- Participants;
- Employees;
- Applicants for employment;
- Service providers who may be attributed a racial, national origin, or other characteristic entitled to protection under WIOA; and,
- Eligible service providers.

Complainants may file a written complaint on their own or through a representative. These complaints can take one of three forms:

1. Individual (when an individual alleges they had been personally subjected to discrimination);
2. Class action (when one or more individuals file the complaint); or,
3. Third party (when an authorized representative of injured individual (s) alleges discrimination against another group or individual after being subjected to discrimination.

Information Required for a Complaint

A complaint must be filed in writing using the complaint form developed by the State or the CRC's Complaint Information Form and must contain standard information as described in 29 CFR 38.70:

- Complainant's contact information;
- The identity of the respondent or entity alleged to have discriminated;
- Correct jurisdiction;
- Timeliness of filing (180 days of the alleged incident filing timeframe); and,
- A signature from the complainant or their authorized representative.

The allegations must be described in sufficient detail to determine the apparent merit of the complaint covered by EOMC's jurisdiction. If proven true, the allegation of discrimination or complaint would violate WIOA regulations.

There is no apparent merit if the allegation of discrimination does not reference a basis prohibited under Section 188 of WIOA. Once the complainant demonstrates apparent merit, EOMC then establishes:

Written Notification

EOMC will issue a Notice of Receipt within five (5) working days from receipt of a written complaint. Should the complaint be accepted or rejected for jurisdictional reasons, EOMC will send the complainant a Written Notice of Lack of Jurisdiction including:

- The reason(s) for the determination; and,
- Notice that the complainant has a right to file a complaint with the CRC within 30 days of receiving the Written Notice of Lack of Jurisdiction.

90-day Processing Timeframe

Within 90 days of receipt of the complaint, EOMC will either issue:

- A Written Notice of Lack of Jurisdiction; or,
- Refer the complainant to another federal grant-making agency for investigation where there is dual jurisdiction; or,
- Issue a Written Notice of Final Action.

Notice of Complaint Processing Procedures

All Illinois WorkNet Centers, affiliates, contractors, and partners may access EOMC's complaint processing procedures on DCEO's website. Applicants receive a copy and are required to sign a statement indicating they understand the complaint processing procedures. Recipients may receive alternate formats to all handouts upon request. In addition, DCEO's web site provides a link to resources that will tell recipients what to do if they experience discrimination.

Roles and Responsibilities

The State WIOA EO Officer has overall responsibility for developing and implementing complaint procedures, as well as ensuring appropriate complaint processing training to LWIA EO Officers.

Responsibilities for LWIA EO Officers include:

- Adopting, publicizing, and implementing the state discrimination process in their area in accordance with these regulations;
- Assisting customers in filing a complaint;
- Providing oversight and monitoring for logging, tracking, reporting, and processing of all discrimination complaints filed regarding WIOA Title I services;
- Providing EO guidance to local intake services for discrimination complaints to determine if the complaint is covered by 29 CFR Part 38, resolving jurisdictional issues, and, if appropriate, routing the complaint to the appropriate entity for processing;

- Monitoring the activities of the recipient to ensure that nondiscrimination and equal opportunity obligations are not being violated, and to review written policies to ensure that those policies are nondiscriminatory;
- The LWIA EO Officer confers with the State WIOA EO Officer promptly upon receipt of the complaint, prior to determining jurisdiction over the matter; and,
- Conducting the fact-finding, facilitating mediation as appropriate, and issuing Notices of Final Action in complaints filed at the local level.

Record Keeping

Both the LWIA EO Officer and the State WIOA EO Officer shall maintain records regarding complaints and actions taken for three years from the date of resolution of the complaint. All complaints will be annotated on a Complaint Log.

The complaint log instructions detail what information is gathered, such as:

- The date the complaint was received;
- The name and address of the complainant; category of complainant (i.e., employee, applicant, participant, client, or organization);
- Status of the complaint;
- Was this a DOL Funded Program;
- Date of alleged discrimination;
- The basis/ issue(s) of complaint;
- The name and address of the respondent; category of respondent (service provider, administrative entity, grant recipient or private employer);
- Is the complainant a WIOA recipient;
- Disposition of Complaint;
- Date and results of determination, and,
- Whether Alternative Dispute Resolution was utilized?

Alternative Dispute Resolution (ADR)

ADR consists of a variety of approaches and techniques for dispute resolution that include coaching, facilitation, mediation, and arbitration. Each ADR technique provides an opportunity to discuss and consider possible solutions with the assistance of a neutral third party.

The Notice of Receipt contains information instructing the complainant of ADR and the options available. If the complainant selects ADR, and the method proves unsuccessful in mitigating their complaint, the complainant can select another technique of ADR.

Should a situation arise that necessitates a third-party dispute professional, the Office of Equal Opportunity Monitoring and Compliance will contract with an appropriate service vendor to conduct the ADR activity.

Due Process

Upon receiving and processing the complaint, EOMC provides written notice to all parties with a legitimate interest in the complaint. Regulations require that an “impartial” decision-maker investigate and process complaints. All parties receive due process during the investigative process, including:

- Representation;
- Present evidence;
- Question others who present evidence;
- File with CRC when they are not satisfied with an agency’s decision; and,
- Decisions should be made strictly based on evidence gathered (no outside factors will be considered).

Fact Finding/Investigation

Both State and LWIA investigators gather information relating to the alleged discriminatory actions during the fact-finding process, including:

- Discussions with the complainant to record all elements of the complaint;
- Interviews with any witnesses or others who know the issue involved;
- Review of written and electronic files and records that pertain to the complainant and the alleged discrimination; and,
- Interviews with the respondent.

Notice of Final Action

The Complainant receives a written Notice of Final Action within 90 days of receiving a complaint.

If the investigating authority finds reasonable cause to believe that the respondent has violated the nondiscrimination and equal opportunity provisions of WIOA, the Notice of Final Action shall include:

- The specific findings of the investigation;
- An explanation of the reasons underlying the decision;
- A description of the way the parties resolved the issue;
- The corrective action and timeline; and,
- Notice that the complainant has the right to file a complaint with the Civil Rights Center Director within 30 days of the Notice of Final Action issuance date if the complainant is dissatisfied.

Retaliation

DCEO has a zero-tolerance policy that prohibits retaliation, intimidation, or reprisal during any protected activity during complaint investigations. Individuals have the right to file

complaints if they believe they have been subjected to intimidation, coercion, or other threatening behavior because they:

- Filed or threatened to file a complaint;
- Opposed a practice prohibited by the non-discrimination and equal opportunity provisions of WIOA; or,
- Exercised any rights and privileges, including furnishing information to, or assisting in any manner, an investigation, review, hearing, or any other activity related to the provisions under 29 CFR 38.

In general, EOMC maintains confidentiality regarding the identity of individuals who file complaints, supply information, oppose discriminatory actions or behaviors, or participate in investigations.

IDES has also implemented policies and procedures to ensure its obligations with respect to discrimination complaint processing procedures are in compliance with WIOA and federal regulations. IDES Office of Equal Employment Opportunity/Affirmative Action has designated responsibility for the development and implementation of procedures for processing complaints alleging discrimination under the provisions of 29 CFR Part 38.72-38.73 to its Investigations Manager.

The Illinois Department of Employment Security has adopted and published procedures providing for the prompt and equitable resolution of complaints alleging violations of the nondiscrimination/equal opportunity provisions. The IDES EO Officer has adopted and published the complaint procedures and ensures that they are followed. Furthermore, the EO Office maintains logs of discrimination complaints filed. Such logs contain the name and address of the complainant, basis and description of complaint, date filed and disposition of complaint. The complaints received are from IDES employees or manager referrals, the Equal Employment Opportunity Commission, the Illinois Department of Human Rights, and IDES clients.

All internal publications reflect the following information: ensure that all time frames associated with the filing of complaints are spelled out (time frames are currently spelled out in the Affirmative Action Plan); and instructions for filing complaints directly with the Civil Rights Center (CRC). The filing of a time extension is granted by the CRC Director; and EO internal policy and procedures for processing complaints ensure that all required information is provided to and obtained from complainant. All external complaints are handled in accordance with State and Federal regulations. The "EO is the Law" poster which is posted in all local offices and other work areas provides detailed instructions for filing complaints.

The Nondiscrimination Plan requires the State to describe how it ensures that complaint procedures have been developed and published; provide an initial written notice to the complainant which acknowledges that the complaint has been received; and provide to the complainant a written statement containing a list of issues raised in the complaint. It also requires that: a period of fact-finding or investigation of the complaint occurs; a period exists wherein an attempt to resolve the complaint is made; a written notice of final action be

provided to the complainant; and, along with the notice of final action, a notice that the complainant has a right to an appeal.

To address these requirements, the IDES EO Office developed a formal, detailed, step-by-step approach relative to the management, investigation, and disposition of EO cases. The complaint procedures and policy include an Alternative Dispute Resolution Process. This formal process is explained in the enclosed policy and procedure sections 1200 and 1201 and adheres to the requirements set forth in the Federal guidelines for The Nondiscrimination Plan. (See EO Policies and Procedures 1200 through 1207 attached hereto).

IX. CORRECTIVE ACTIONS/SANCTIONS 29 CFR 38.90 – 38.100

Recipients determined to violate the nondiscrimination portions of the WIOA because of a discrimination complaint, monitoring reviews or both are required to take prompt corrective and/or remedial action.

Corrective Actions

A recipient must take corrective action when there is probable cause to believe a violation of the nondiscrimination and equal opportunity requirements of WIOA has occurred. A violation is a failure to comply with WIOA regulations and may range in seriousness from an infraction or a technical violation to a more significant discrimination violation. DCEO recognizes two types of violations that, if identified, must require corrective actions.

Technical Violation

Technical violations are based on a strict adherence contained within the implementation of the nondiscrimination provisions of 29 CFR Part 38 and to the policy, rules and procedures predicated on all applicable Federal and State laws. For example, a technical violation involving the failure to include tag lines in a communication would result in a corrective action to re-issue the communication with the tag lines included.

Whole Relief

Discrimination violations tend to be more serious breaches of regulations and may require more investigation than technical violations. To correct a discrimination violation, the appropriate corrective action shall include provisions to make “whole relief.” Make-whole relief retroactively provides the victim(s) with whole or full monetary compensation or program services that may have been wrongly denied because of the discriminatory practice by bringing the person to the condition they would be in if, the discrimination had not occurred. Such relief might involve back pay, front pay, retroactive benefits, training, or any service discriminatorily denied.

Violation Compensation

Corrective action procedures include the execution of a written agreement or assurance documenting that the violation has been or will be corrected in a time frame that demonstrates that the corrective action will be completed as soon as possible. The procedures must also include the steps to be taken to ensure that the violation is not repeated. Federal funds may not be used to provide make-whole or any other form of monetary relief. The recipient is obliged to find another financial source, such as local tax dollars, to compensate the victim.

Both technical and discriminatory violations require corrective actions to be addressed in a timely, appropriate, and reasonable manner. An appropriate corrective or remedial action is designed to completely correct each violation. DCEO will seek corrective action from an LWIA in the following circumstances:

- Technical deficiencies such as a failure to follow through on written assurances or a barrier to universal access causing a disparate impact in services;
- Assessment of the circumstances surrounding a complaint and/or grievance, and/or the use of desk audits, on-site reviews, investigation, or other fact-finding tools in conjunction with the assessment process, reveals barriers to equal opportunity or access to WIOA services; and,
- Refusals to implement voluntary corrective action, submit requested data or documentation, or provide access to premises or records during a compliance review.

Conciliation Agreements

When it is not possible to immediately carry out or complete a corrective action, a conciliation agreement is required. Examples of this situation include, but are not limited to instance involving:

- Correcting and republishing a brochure to include appropriate language regarding access for individuals with disabilities;
- Developing and delivering an EO training program; or
- Providing whole relief to an individual or group of participants.

The conciliation agreement must follow the guidelines listed below:

- The agreement must be in writing and describe the violation(s);
- Specify the time frame for the applied corrective or remedial action;
- Be sufficient in scope to avoid reoccurrence; and,
- Institute periodic reporting on the status and allow for enforcement procedures.

The State WIOA EO Officer and/or Local EO officer must follow up to ensure that Prospective Relief Plans and Conciliation Agreements are fulfilled.

Sanctions

When a recipient does not have the capacity to correct a violation(s), or when it's clear that the recipient has failed or refuses to do so, DCEO is required to respond by imposing sanctions. EOMC has procedures in place to impose sanctions when all attempts to aid voluntary correction of a violation have failed, or when it is apparent that the recipient fails or refuses to correct the violation within the timeframe established. DCEO reserves the right to take enforcement proceedings as approved by the Director of DCEO when corrective actions are not carried out to comply with WIOA regulations include suspension, termination, and denial of funding. DCEO explicitly considers sanctions as the actions enforced through judicial process when a recipient refuses or fails to carry out corrective actions.

Due to either findings of discrimination as part of a complaint investigation, or compliance review, written notifications shall be issued to recipients of their noncompliance. Supportive documentation will indicate findings and methods to accomplish voluntary compliance in a corrective-action plan. The State WIOA EO Officer works with the non-compliant entity to establish necessary schedules to correct the violation. In the case of a finding of discrimination, the corrective-action plan must provide for whole relief. The State WIOA EO Officer may make recommendations for sanctions to the DCEO Director when the recipient does not comply with the established action plan.

IDES has also implemented policies and procedures to ensure its obligations under "Corrective Action and Sanctions" section 38.90 through 38.100 of the federal regulations are followed.

1. Summary

IDES has established procedures for obtaining prompt corrective action and applying necessary sanctions when noncompliance is found with respect to the services, benefits, and programs it administers. These procedures have been established with respect to IDES employees as well as IDES itself, and address discriminatory non-compliant conduct directed at IDES employees and IDES clients. IDES contractors may also be held accountable by IDES for violations of various Federal and State nondiscrimination and EO statutes and rules.

2. Organizational

The Department of Employment Security is organized to provide program services through a system of local offices reporting to five Regional Office Managers, who report to the Deputy Director of Service Delivery. The Department also provides program services via the Internet. The managers of the Department's administrative operations report either to the Chief of Staff and/or the Chief Operating Officer. The Chief of Staff reports directly to the IDES Director, which enables the resolution of complaints and violations quickly at the highest levels of the Department.

Corrective and remedial action may take place whenever IDES, an IDES employee, or an IDES contractor is the result of an Equal Opportunity Compliance Review or the investigation of a complaint. The Office of Equal Opportunity is responsible for

conducting EO Compliance reviews and complaint investigations of alleged discrimination and for issuing notifications of violation when violations are found.

3. Violations involving IDES

Notification will go to the Deputy Director of the affected division as well as to the Department Director. Every IDES employee is required to sign the IDES Code of Ethics. In signing this document, the employee agrees to abide by its terms and conditions, which includes EO, Affirmative Action and Sexual Harassment provisions. Included in the Code of Ethics is a description of the sanctions applied in the event of noncompliance. Additionally, as discussed previously, IDES Policies/Procedures 1200 through 1207 establish procedures for obtaining prompt corrective action and applying necessary sanctions when noncompliance is found with respect to the Department's nondiscrimination policies. In the event of noncompliance, both the Department and its employees are subject to these noncompliance provisions. Disciplinary actions are described in IDES Policy and Procedures 2002. In the event employees or clients have been found to have been discriminated against, the EO Officer will make recommendations to the Department for corrective action including training or discipline.

It is IDES policy to fully comply with all state and federal legal authority that: (a) prohibits unlawful discrimination; (b) requires reasonable accommodation of known disabilities and employee religious practices; and (c) promotes equal employment opportunity and affirmative action in connection with IDES employment, programs, services, and activities.

Unlawful discrimination is prohibited in connection with the terms and conditions of IDES employment, including without limitation, work privileges and benefits, job actions, and personnel transactions (e.g., recruitment, examination, appointment, training, promotion, retention). Unlawful discrimination is prohibited in connection with IDES programs, services, and activities by, among other practices, ensuring meaningful access to all IDES clients. It is the responsibility of each IDES employee, agent, and contractor to refrain from unlawful discrimination.

Maintaining IDES employment, program, services, and activity environments in compliance with this policy is an essential component of IDES' mission. It is the right of each IDES employee, agent, and contractor to work in, and each IDES client to access IDES programs and services in, environments free from unlawful discrimination. The Department will aggressively pursue violations of this policy and the requirements of the 1200 series. A Department employee, agent, or contractor may be subject to discipline, up to and including discharge or termination, and a Department client or member of the public may be subject to sanctions, for committing any violation under the 1200 series.