



EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

Purpose

Northwest Wisconsin Workforce Investment Board (NWWIB) is committed to the primary principles of non-discrimination, equal opportunity, and affirmative action. NWWIB shall honor this commitment to be fair and impartial in all its relations with employees, job applicants, participants, employers using NWWIB and Job Center services, and contractors and suppliers providing goods and services. This policy intends to comply with all applicable rules, as they may change from time to time, and federal and state equal opportunity and anti-discrimination laws and executive orders.

Policy

Employment:

NWWIB shall provide equal employment opportunity (EEO) to all employees and applicants for employment without regard to race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity. In addition, NWWIB prohibits discrimination against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Additionally, in compliance with Wisconsin Fair Employment Laws, NWWIB shall provide equal employment opportunity to all employees and applicants without regard to ancestry, arrest or conviction record, creed, marital status, or membership in any reserve component of the United States or state military forces.

Employment practices subject to the application of this policy include, but are not limited to recruitment, selection, promotion, performance appraisals, compensation, transfer, layoff, training, demotion, termination, work assignments, and other benefits of employment.

NWWIB prohibits harassment, retaliation, and unfair honesty testing. In addition, NWWIB expressly prohibits workplace harassment based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity. Improper interference with NWWIB's employees' ability to perform their job duties may result in discipline, including discharge.

Service Delivery/Program Operations:

NWWIB provides services to individuals seeking assistance from the public workforce system. As a recipient of federal and state workforce funds, the NWWIB organization, staff, and contracted providers shall advance equal opportunity in all customer interactions. NWWIB prohibits discrimination based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

Service actions include, but are not limited, to recruitment, admission, counseling, job placement, training programs, facility and program accessibility, and the delivery of other employment and training services authorized by the NWWIB.

Subcontractors:

NWWIB requires state and local government agencies to receive the Workforce Innovation and Opportunity Act (WIOA) funds, and non-governmental WIOA contractors affirm their commitment to equal opportunity and non-discrimination in all employment and service actions. These agencies shall develop and implement non-discrimination and affirmative action policies and procedures that guide their relations with employees and constituency groups consistent with applicable laws.

A recipient must provide initial and continuing EO Notice as defined in [§ 38.36](#) that it does not discriminate on any prohibited basis. This notice must be provided to:

1. Registrants, applicants, and eligible applicants/registrants.
2. Participants.
3. Applicants for employment and employees.
4. Unions or professional organizations that hold collective bargaining or professional agreements with the recipient.
5. Subrecipients that receive WIOA Title I financial assistance from the recipient; and
6. Members of the public, including those with impaired vision or hearing and those with limited English proficiency.

The notice must contain the following specific wording:

Equal Opportunity Is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- *Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;*
- *providing opportunities in, or treating any person with regard to, such a program or activity; or*
- *making employment decisions in the administration of, or in connection with, such a program or activity.*

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

What To Do If You Believe You Have Experienced Discrimination

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

- *Local: Dawn Knapp, Equal Opportunity Officer, 301 Ellis Ave, Suite 3, Ashland, WI 54806, 715-685-1425, TTY access via WI Relay: 711 or 800-947-3529;*
- *State: Susana Vázquez García, Equal Opportunity Officer, Wisconsin Department of Workforce Development-Division of Employment and Training, 201 E Washington Ave, Room E 100, PO Box 7972, 608-405-4067, TTY access via WI Relay: 711; or*
- *Federal: The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.*

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

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

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

WIOA Title 1 funded subcontracts developed by NWWIB shall include the following language (this language shall also apply to other federally funded subcontracts):

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws and will remain in compliance for the duration of the award of federal financial assistance:

- A. Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity;*
- B. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;*
- C. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;*
- D. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and*
- E. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.*

The grant applicant also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Equal Employment Opportunity.

The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. NWWIB agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this non-discrimination clause.

In all solicitations or advertisements for employees placed by or on behalf of the contractor, the contractor will state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The contractor will not discharge or, in any other manner, discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. However, this provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding a notice, to be provided by the agency the contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor will comply with Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant there to, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

In the event of the contractor's noncompliance with the non-discrimination clauses or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part. In addition, the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965. Such other sanctions may be imposed, and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

The contractor will include the provisions of paragraphs (A) through (H) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued according to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance, provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction; NWWIB may request the United States to enter into such litigation to protect the interests of the United States.

Affirmative Action Plan.

The contractor must have a written Affirmative Action Plan complying with federal and state laws and regulations. The Contractor's Affirmative Action Plan must be submitted to the NWWIB Affirmative Action Officer within thirty (30) calendar days of NWWIB requesting the agency's plan. The Affirmative Action Plan shall meet the minimum requirements specified in section 50.05 of the Wisconsin Administrative Code.

Compliance.

NWWIB will take constructive steps to ensure the contractor complies with all non-discrimination, affirmative action, and civil rights laws and regulations. Accordingly, the contractor agrees to comply with Civil Rights monitoring reviews performed by NWWIB, including the examination of records and relevant files maintained by the contractor. The contractor further agrees to cooperate with NWWIB in developing, implementing, and monitoring corrective action plans that result from any reviews.

Failure to comply with the above non-discrimination and equal opportunity provisions will require corrective actions to eliminate violations submitted to NWWIB within fifteen (15) working days or the contractor may incur sanctions. Sanctions may include: 1) withholding of reimbursable payments submitted to (Name) or 2) contract termination.

NWWIB shall make an affirmative effort to maintain an environment free of any harassing behavior and will not tolerate harassment of employees, clients, or program participants. NWWIB prohibits harassment based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

Affirmative Action / Equal Employment Opportunity policies developed to ensure non-discrimination in employment and service opportunities are monitored by the NWWIB EEO Officer appointed by the Chief Executive Officer (C.E.O.).

Equal Opportunity Officer
Dawn Knapp
301 Ellis Ave, Suite 3
Ashland, WI 54806
715-685-1425
TTY access via WI Relay: 711 or 800-947-3529
dknapp@nwwib.com

NWWIB expects all employees, clients, program participants, vendors, associates, and agencies receiving funding from NWWIB to participate in its program of non-discrimination and shall, when appropriate, develop and implement their equal opportunity policies and procedures.

NWWIB will take necessary corrective action to remedy any instances where it is determined that discrimination or retaliation has occurred. Employees discriminating against other staff or clients will be subject to discipline under appropriate NWWIB policies. Clients discriminating against another client will be subject to penalty under the applicable participant code of conduct. Any employee or client retaliating against anyone raising concerns about any harassment will be subject to disciplinary action up to and including discharge or expulsion from NWWIB employment or sponsored activities

NWWIB has an established procedure for resolving complaints relating to discrimination and harassment. Reports of alleged acts of discrimination, complaints of harassment, or inquiries concerning the equal opportunity policies and practices may be filed directly with the Northwest Wisconsin Workforce Investment Board (NWWIB) Equal Opportunity Officer.

The Chief Executive Officer (C.E.O.) shall ensure equal opportunity is provided and advanced in all employment and customer relationships to create discrimination- and harassment-free work and service sites. The C.E.O. shall ensure policies and procedures are established and staff members, including service providers, are trained to work and deliver services free of bias and harassment. Under the direction of and in consultation with the C.E.O., the equal opportunity officer shall be operationally responsible for the documentation, training, and compliance efforts relating to this policy.

Northwest Wisconsin Workforce Investment Board is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please call us through Wisconsin Relay Service (7-1-1) or at 800-947-3529. To request information in an alternate format, including language assistance or translation of the information, please get in touch with us at (715)-685-1425.