



**MO Division of Workforce Development
DWD Issuance 08-2012**

**Issued: December 11, 2012
Effective: Immediately**

Subject: Designation of Local-Level Equal Opportunity (EO) Officers

1. Purpose The purpose of this Issuance is to notify each local Workforce Investment Area (LWIA) of its responsibility to provide contact information and a position description for the LWIA's designated local-level EO Officer. Additionally, this Issuance will present updated information on the primary duties and responsibilities of local-level EO Officers.
2. Background The nondiscrimination and equal opportunity provisions of the Workforce Investment Act (WIA) prohibit discrimination against applicants, beneficiaries, and employees on the basis of race, color, national origin, age, disability, sex, religion, and political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title I-financially assisted program or activity. The regulations that implement these provisions are published at 29 CFR Part 37 and require that each state establish and adhere to a Methods of Administration (MOA) for its WIA Title I-financially assisted programs. In compliance with the regulatory provisions of WIA's nondiscrimination and equal opportunity sections, the State included in its MOA certain requirements regarding designation of State and local-level EO Officers. These requirements, further detailed below, provide that each Missouri local-level Workforce Investment Board (WIB) must designate a local-level EO Officer to serve as the liaison to the State EO Officer and assist with equal opportunity compliance at the local-level.
3. Substance: Each of the fourteen (14) regions or WIBs must designate a local-level EO Officer, who will communicate with the State EO Officer on a routine basis regarding programs and activities and provide assistance as necessary on equal opportunity related matters. The local-level EO Officer is responsible for equal opportunity compliance within his/her LWIA and should be allowed sufficient time and resources to perform these duties. The local-level EO Officer should be a senior-level employee of the recipient and depending upon the size of the recipient, the size of the recipient's WIA Title I-financially assisted programs or activities, and the number of applicants, registrants, and customers serviced by the recipient, the EO Officer may or may not have other duties. However, he or she must not have other responsibilities or activities that create a conflict of interest, or the appearance of a conflict, with the responsibilities of an EO Officer (29 CFR Part 37.23-24).

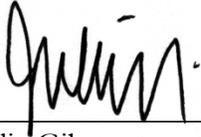
The local-level EO Officer's duties include, but are not limited to:

- Serving as the local liaison to the State EO Officer and to the U.S. Department of Labor's (USDOL) Civil Rights Center;
- Reporting to the appropriate official about equal opportunity matters;
- Facilitating onsite equal opportunity reviews conducted by the Division of Workforce Development or USDOL staff;
- Monitoring the LWIA's service delivery system to ensure compliance with the State's MOA and with the equal opportunity and nondiscrimination provisions of the WIA, 29 CFR Part 37;
- Reviewing all local plans, contracts, and agreements to ensure they are non-discriminatory;
- Undergoing training that will enhance and maintain the competencies required of a local-level EO Officer; and
- Developing and publishing the LWIA's procedures for processing discrimination complaints and making sure those procedures are followed. Please note that the local-level EO Officer will not be directly involved in complaint investigation, but will develop a process for timely referring discrimination complaints to the State EO Officer.

Effective January 2, 2013, each LWIA must submit: (1) contact information for the local-level EO Officer designated by the area; and (2) the local-level EO Officer's position description that includes/lists all other duties that are not related to equal opportunity matters, in compliance with the requirements cited above to the State EO Officer. A sample local-level EO Officer Position Description is attached. If there are staffing changes in regards to the local-EO Officer, LWIBs have 30 days to provide State EO Officer with new local EO Officer contact information.

4. Action: If the local-EO Officer has changed as of December 7, 2012, the LWIBs must submit new local-EO information requested above by January 2, 2013, to: Danielle Smith, State EO Officer, 421 East Dunklin Street, Jefferson City, Missouri 65101, danielle.smith@ded.mo.gov. LWIBs also have a continuing duty to notify the State EO Officer of any changes to the local-level EO Officer's contact information or position description.
4. Contact: Direct questions or comments regarding this Issuance to Danielle Smith, State EO Officer, at (573) 751-2428 or email danielle.smith@ded.mo.gov.
5. Reference: U.S. Department of Labor 29 CFR Part 37; Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final Rule.

6. Rescissions: This Issuance updates and supersedes Issuance 05-2010, dated February 1, 2011.
7. Attachments: Position Profile for Missouri Workforce Development Local-Level EO Officer.



Julie Gibson
Director
MO Division of Workforce Development



POSITION PROFILE

Occupation: Missouri Workforce Development local-level Equal Opportunity Officer

Description:

This is a professional, senior-level position with the Workforce Investment Board. The person in the position will have primary responsibility for coordinating all equal opportunity activities within the local region. This position is the initial point of contact for all complaints within the local Workforce Investment Area. The role and duties include, but are not limited to:

- Serving as the local liaison to the State EO Officer and to the U.S. Department of Labor's (USDOL) Civil Rights Center (CRC);
- Reporting to the appropriate official about equal opportunity matters;
- Facilitating onsite equal opportunity reviews conducted by the Division of Workforce Development (DWD) or USDOL staff;
- Monitoring the local area's service delivery system to ensure compliance with the State's Methods of Administration and with the equal opportunity and non-discrimination provisions of the Workforce Investment Act, 29 CFR Part 37.
- Reviewing all local plans, contracts, and agreements to ensure they are non-discriminatory;
- Undergoing training that will enhance and maintain the competencies required of a local-level EO Officer; and
- Developing and publishing the local Workforce Investment Area's procedures for processing discrimination complaints and making sure those procedures are followed. Please note that the local EO Officer will not be directly involved in complaint investigation, but will develop a process for timely referring discrimination complaints to the State EO Officer.

Requirements:

- Knowledge of federal and state nondiscrimination laws and regulations
- Ability to work independently

Skills:

- Excellent written and oral communication, including plain-language writing
- Critical thinking, demonstrate thoroughness and attention to detail

Experience:

Familiarity with workforce system programs

Education:

Bachelor's degree from an accredited college or university and one year of related professional experience