



INDIANA
DEPARTMENT OF
WORKFORCE
DEVELOPMENT

MONITORING RECIPIENTS FOR COMPLIANCE

Nondiscrimination Plan – Element 7

Regulatory Oversight and Compliance

Department of Workforce Development





MONITOR RECIPIENTS FOR COMPLIANCE

- *[29 CFR 38.51]*
 - *Monitoring*
 - *Desk Review*
 - *On-Site Reviews*
 - *Findings and Resolution*



MONITORING

- Each of the twelve LWDAs are reviewed annually for compliance with the nondiscrimination and EO requirements of WIOA Section 188 and 29 CFR Part 38. If the review reveals disparities in services rendered, the State and/or Local EO Officer will conduct a follow-up investigation to determine if the differences are due to discrimination.
- Monitoring is based on:
 - Desk reviews
 - On-site reviews
 - Complaint records
 - The review and analysis of data output reports from the ICC System
 - Reports from DWD Oversight Program Monitors or other interested parties
 - Demographics and geography
- At the regional level, Local EO Officers are responsible for monitoring in their respective LWDAs.



DESK REVIEW

- The state-level annual EO monitoring process begins with desk review, where each LWDA completes a pre-monitoring tool and submits relevant documentation to the ROC Monitoring Unit and State EO Officer. LWDA's submit information such as:
 - Local EO policies
 - Job description of the Local EO Officer
 - EO Notice requirements
 - Complaint procedures
 - Contracts, training agreements, and Memoranda of Understanding (to review for required nondiscrimination language)
- The State EO Officer reviews the survey responses on the pre-monitoring tool along with the document assessment and data review to make an initial evaluation of compliance and prepare for on-site reviews.



ON-SITE REVIEWS

- The State EO Officer conducts annual on-site reviews concurrently with the ROC monitoring team to ensure compliance with the equal opportunity and nondiscrimination provisions of Section 188 and 29 CFR Part 38.84. These reviews consist of interviews with the Local EO Officer as well as assessments of the WorkOne offices.
- The interviews are guided largely by the EO Monitoring Tool, which is modeled after the nine elements of the NDP and 29 CFR Part 38.85. On-site structural accessibility, parking for individuals with disabilities, designated restrooms, appropriate notice and signage, program accessibility, and effective communication with persons with disabilities are some of the elements monitored by the State EO Officer and/or ROC Monitoring staff.



FINDINGS AND RESOLUTION

- A formal monitoring report is issued to each LWDA following the annual monitoring review process. The State EO Officer collaborates with ROC Monitoring staff to incorporate an EO segment into each report. The monitoring reports recognize best practices, areas of concern, and compliance findings that require corrective action. All findings are detailed and tracked through report close-out utilizing a formal resolution process.



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NDP Element 7 Quiz

<https://www.surveymonkey.com/r/CFHZ9RS>