



ELEMENT TWO

Notice and Communication *Reference: 29 CFR 37354(d) (1) (iii)*

Methods and frequency of dissemination of the notice, including initial dissemination (29 CFR §37.29).

Statement of Commitment

The Alaska Department of Labor & Workforce Development (DOLWD) and other recipients of Workforce Investment Act funding shall provide initial and continuing notice of its obligation to operate programs in a nondiscriminatory manner to all registrants, applicants, eligible applicants/registrants, applicants for employment, employees and interested members of the public. Memos described in Element One from the DOLWD Commissioner and Employment Security Division Director will ensure all recipients are aware of initial and continuing notice requirements.

Notice shall also be provided to these groups as to the extent of the rights of members to file complaints of discrimination.

State level EO Officers will oversee this requirement as part of the ongoing statewide monitoring program.

Methods and Frequency of Dissemination

The manner in which and extent to which orientations for registrants, applicants, eligible applicants/registrants, employees, applicants for employment, and members of the public include a discussion of the rights of such persons under WIA section 188 and 29 CFR part 37 (See 29CFR §37.36).

1. Posters containing the notice as described in §37.30 are posted and maintained in each of the recipient's lobbies, reception areas, resource rooms, break rooms and other spaces utilized by members of each group;
2. During initial intake and/or orientation for intensive services, a copy of - the Equal Opportunity is the Law notice will be provided to each participant. A signed copy of the notice is placed in each participant's permanent file. In programs where client files are electronic, electronic certification by the customer will be sufficient; otherwise a signed copy of the Notice will be placed with the registration file in the office serving the customer.
3. Employees and applicants for employment will be furnished with a copy of Employee Notice: Equal Opportunity Is the Law. A signed copy will be maintained with the employee's local personnel file. A signed copy will be attached to the application of each applicant for employment and maintained for the period specified by law.
4. Each recipient's web site will provide the required notice through the tag lines specified in §37.34. The Employment Security Division's notice is available online at <http://jobs.state.ak.us/eo>.



It is the responsibility of each local EO Coordinator to ensure that required posters are prominently displayed in appropriate spaces and that the required Notice is provided to each participant, applicant and employee and maintained as required.

Equally Effective Communication

The steps taken to ensure that communication with individuals with disabilities are as effective as communication with others (29 CFR §37.29(b)).

Notification is provided in alternative format upon request for persons with disabilities. Such formats include but are not limited to Braille, large print, audio tape, reads and translators. The State is in the process of developing the EO notice in Braille, and (where equally effective) will refer the sight impaired to an online location to receive the notice via text readers. Some individuals in various locations can communicate using American Sign Language. As described in Element Five, efforts are made to ensure people with disabilities receive equally effective communication as others.

As required by §37.34 all informational and recruitment materials, including those published or broadcast in the media, contain the tag lines “equal opportunity employer/program” and “auxiliary aids and services are available upon request to individuals with disabilities”. All individuals and programs that produce such documents have been notified of the requirement and equal opportunity officers, both local and state level, monitor this activity for compliance.

Where telephone numbers are published on such documents, TDD/TTY numbers are included. In those instances where TDD/TTY devices are not available instructions and the phone number for Alaska Relay are included. Alaska Relay provides 24 hour, 365 days a year service to allow Text Telephone users and voice phone users to communicate with each other through specially trained communications assistants.

Universal Access

The manner in which and extent to which information in languages other than English is provided, and the manner in which the State ensures that persons of limited English speaking ability have access to its programs and activities on a basis equal to that of those who are proficient in English (29 CFR §37.35).

Where a significant number of the eligible population needs information in a language other than English to be effectively informed of the program, materials will be translated and available. At a minimum, this will include the EO Policy Notice and the EO Complaint Processing Procedures. Considering the reasonableness of the situation (size of program, number of people effected), other program materials and information/services will also be translated to other languages. When a less than significant number of people are affected or



requirement for written translation is not reasonable, interpreters can be used to communicate with applicants and participants.

Guidelines for oral and written interpretation provided by the USDOL, Civil Rights Center (CRC) will be used for providing services to LEP populations. CRC will also provide translations for technical terms specific to program administration and service delivery in a variety of languages.

There are numerous staff available for language interpretation, and each EO Coordinator will be responsible for maintaining a list. Tele-interpreters and Interpretalk are two services used by the state for telephonic interpretation to LEP populations. Tele-Interpreters telephone number is 1 (800) 822-5552, and department staff use a specific access code. Interpretalk's telephone number is 1 (877) 746-4674.

Policy Communication

The process the State has used and will continue using to develop and communicate policy and conduct training regarding nondiscrimination and equal opportunity (29 CFR §37.25(c), and §37.54(d)(2)(vi)).

Generally, policy regarding the EO notice and communication is developed by the State EO Officers in coordination with the DOLWD Commissioner's Office. This may be evidenced by the documentation in Element One describing WIA EO requirements and notice (Memoranda and Policy). Departmental issuance will provide consistency in developing standards for all recipients. Division directors may then adapt the department's policy to fit their own, and may address training needs with the EO Officers, EO Coordinators, or their points of contact. All will monitor for compliance in lieu of the on-site monitoring rotation.

The State of Alaska has intensive orientations for new employees that include an EO component. The State's Sexual Harassment policy is provided and acknowledged; posters are also required by state law in each workplace. The employee reads several citations from State law and Administrative Orders, certifies an understanding of each.

The Civil Rights Center Methods of Administration training in March, 2006 (see agenda in Element One Documentation) provided EO Coordinators and program staff an opportunity to review nondiscrimination requirements, and gain an high-level understanding of EO practices. The State EO Officer will continue to reinforce this training with various correspondence, online courses, and site-visits.



Documentation for Element Two

(Web addresses provided where applicable)

Instruction (provided in Element One Documentation)

Department of Labor Policy 01.01.003

Electronic Processing Manual ESD EO Volume 23

Memoranda from Commissioner Greg O'Claray and Director Nelson to WIA Recipients advising of WIA Requirements and Notice

Notice

Poster "EO Is The Law"

Client and Employee Notices – For Signature

Memorandum from Director Nelson instructing all ESD staff to complete and sign the EO notice

Tag Lines

Brochures – Employment Security Division Tax, Unemployment Insurance, Training Services, Employment Services

Miscellaneous

Online orientation for new employees – State EO Policy review

Online Posters: <http://www.labor.state.ak.us/lss/posters.htm>