

South Dakota's WIOA Title I Non-Discrimination Plan



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Element 4 – Universal Access

29 CFR 38.42

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Element 4 – Universal Access

29 CFR 38.42

I. Element 4 Criteria

WIOA affirmative outreach and equal access provision (29 CFR 38.42) requires recipients to take appropriate steps to ensure they are providing equal access to their WIOA Title I-financially assisted programs and activities. These steps should contain efforts to ensure an equivalent level of information in regards to aid, benefits, services, and training is provided to all demographic groups, including: both sexes, various racial and ethnic groups, individuals with disabilities, and different age groups.

DLR is committed to ensuring all citizens of South Dakota benefit from opportunities available in any and all programs administered by the department, financially assisted programs and/or activities through universal access principles in accordance with 29 CFR Part 38.

A. Community Outreach, One-Stop System

The One-Stop system was organized in 1997. Under WIOA, the Workforce Development Council (WDC) established a One-Stop certification that Comprehensive and Affiliate DLR job service offices must meet. All of the current Comprehensive and Affiliate offices have submitted an application and have achieved certification by the Council. South Dakota One-Stop Career Centers are certified by the WDC no less than every three years.

A Memorandum of Understanding (MOU) between the Workforce Development Council and the One-Stop partners (See Element 4, Exhibit C) establishes organizational relationships, responsibilities, and activities of the One-Stop system. The MOU will:

1. Provide comprehensive services designed to assist the unemployed citizens of the State of South Dakota in obtaining gainful employment;
2. Support the underemployed citizens of the state in preparing for a new and more rewarding career;
3. Provide universal access to all customers, including those with special needs or barriers to employment;
4. Provide customer choice in the way services are accessed, and in the services themselves, based on individual need;
5. Allow integrated services through a planning process at the state and local levels, coordinate activities and services for customers, be fully aware of the role each Partner has within the system and to understand the services each Partner provides.

B. Partnered Entities

DLR is able to access the expertise of partner entities such as education, vocational rehabilitation, economic development, social services, and all other required WIOA partners. This allows for a seamless method to make referrals to DLR programs and services. Through collaborative efforts with these partner entities, DLR will continue to broaden the composition of the pool of individuals considered for participation and employment. DLR looks for such efforts to be directed at including members of both sexes, of the various racial and ethnic groups and of various age groups, as well as individuals with disabilities and limited English proficient (LEP) persons (see Element 4, Exhibit C).

The DLR communications staff, job service office managers, Career Learning Center directors, and other WIOA service providers work together to ensure all segments of the population are aware and informed about the programs and activities available within WIOA. This includes providing information to various agencies and organizations for the promotion of DLR programs and activities; providing press releases to appropriate news media throughout the state on the availability of DLR programs and activities; and conducting outreach efforts throughout the state to inform and recruit participation of job seekers and businesses (See Element 4, Exhibit C).

C. Jobs Database

DLR maintains SDWORKS (see Element 4, Exhibit D) to provide the public with easy access to create and search for employment over the internet. South Dakota employers use the online system to post job listings, search resumes for qualified candidates, and review labor market information and market trends (See Element 4, Exhibit A). Job seekers can self-register, search for jobs listed in the database, and review labor market information.

D. Online Information

A broad range of information is currently available to employers and job seekers and employers through the DLR website (See Element 4, Exhibit E). Job seekers and employers have access to labor market information, employment opportunities, unemployment insurance information, training information, employment law, as well as a single point of contact for all divisions (See Element 4, Exhibit A and E).

E. Labor Market Information

The Labor Market Information Center (LMIC) collects, analyzes, and provides to the public information on the labor market of the state. This includes information such as employment levels, unemployment rates, wage and earnings data, estimates of available labor, employment projections, business staffing patterns, career planning information, etc. Among those who use our information are employers, career decision makers, and education, economic development, job placement and training program planners.

LMIC is South Dakota's representative for federal-state cooperative programs with the U.S. Bureau of Labor Statistics, and therefore has access to and expertise on labor market information for the nation and other states.

F. Access Accommodations

To ensure recruitment services are provided on an equitable basis to all individuals, including those with disabilities, appropriate accommodations to provide accessibility to self-help, facilitated self-help, and staff-assisted services are made as necessary to allow individuals full access to DLR services. Program staff will work with all appropriate DLR partners and other entities to provide services for eligible individuals. Special efforts will be made to coordinate services with other partner agencies to assist DLR in ensuring communications with individuals with disabilities are as effective as communications with others.

1. Deaf, Hard-of-hearing, Deaf-blind, and Speech-Disabled

For those individuals needing interpreter services, contracts with community-based service providers are established. Interpreters for the deaf are available to assist in the delivery of services to customers with hearing impairments (See Element 2, Exhibit G). For brochures and other materials containing a telephone number, DLR provides a Voice/TTY number of relay service used for communication with individuals with hearing impairment. DLR and all of its sub-recipients must ensure all recruitment brochures, publications, and broadcasts include a TDD/TTY number or provide an equally effective means of communication with individuals who are hearing impaired.

2. Limited English Proficient

Limited English proficient (LEP) individuals must be able to access and participate in job training activities in a manner equally consistent and effective to that offered to non-LEP persons (See Element 2, Exhibit K and L). DLR must ensure LEP persons have access to its programs and activities on an equal basis to those who are proficient in English. DLR and its grantees must take reasonable steps to ensure such persons receive the language assistance necessary to afford them meaningful access to the programs, services, and information, free of charge. Universal access efforts include coordination with LEP community programs to identify and refer individuals who face barriers to employment and training to DLR programs and services.

DLR contracts with CTS Language Link Services of Vancouver, WA, to provide over-the-phone interpretation services in the event a local service provider is in need of immediate help with a person that speaks little or no English (See Element 2, Exhibit K). Through assessment and review of available South Dakota data, Spanish is the

primary language for which assistance may be needed (See Element 2, Exhibit M and Element 4, Exhibit A and G). Front line employees who are proficient in Spanish are accessible to provide services when the need arises. Endeavors are made to identify whether a concentrated population of LEP customers exists in a specific area and if equal services are being provided to the LEP population. Service providers use existing staff whose bilingual ability is known and documented to interpret for LEP customers. DLR will use CTS Language Link if bilingual staff sufficient to deliver equal services to LEP customers is not available. Additionally, the DLR webpage can be translated into multiple languages, powered by Google Translate.

To broaden the composition of the pool of those considered for participation and employment and to ensure all LEP persons can also avail themselves of the services provided, DLR and its grantees must take reasonable steps to provide services and information to these groups. To accomplish this, recipients are asked to follow a model language assistance program that is potentially useful for all recipients, but is particularly appropriate for recipients serving a significant and diverse LEP population (See Element 2, Exhibit H).

II. Element 4 Documentation:

Exhibit A – Labor Market Information Center

Exhibit B – WIOA Annual Report 2015

Exhibit C – WIOA State Plan – Section III. Operational Planning Elements (p. 53-86)

Exhibit D – SDWORKS Jobs Database

Exhibit E –DLR Homepage

Exhibit F – Info for WIOA Training Providers

Exhibit G – LEP Services Usage Report