



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

December 11, 2024

Ms. Naomi Barry-Perez, Director
Civil Rights Center
U.S. Department of Labor
Room N-4123
200 Constitution Avenue, NW
Washington, DC 20210

Director Barry-Perez,

In accordance with WIOA Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act – Subpart C – Governor’s Responsibilities to Implement the Nondiscrimination and Equal Opportunity Requirements of the Workforce Innovation and Opportunity Act (WIOA), please be advised that Mr. Taylor Caswell, Commissioner of the Department of Business and Economic Affairs (DBEA) shall continue to serve as my official designee in all matters pursuant to this federal regulation. DBEA is the WIOA Title I Grant recipient and Administrative Entity for the State of New Hampshire. Lisa Gerrard, WIOA Program Administrator, employed by DBEA will continue to be the State-Level Equal Opportunity Officer for the state’s one-stop system for the NH Works American Job Centers.

New Hampshire is a single area state with one State Board. The State Board is responsible for the oversight of the 12 NH Works Centers located throughout the State. Mr. Michael Kane is the current State Board Chair. Furthermore, the One-Stop Operator in the State of New Hampshire is the NH Works One-Stop Operator Consortium, which includes leadership from each of the core partners to the one-stop system as defined by regulation, and is chaired by Mr. George Copadis, Commissioner of NH Employment Security.

As part of this submission on behalf of the NH Works system, we assure that our NH Works agencies have the ability and will remain in compliance for the duration of the award for financial assistance.

- (A) Section 188 of the Workforce Innovation and Opportunity Act (WIOA), prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical condition, 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 financial assisted program or activity;
- (B) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis 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 on education programs.

We understand the requirements set forth to:

- Ensure compliance with the nondiscrimination and equal opportunity provisions of WIOA and negotiating, where appropriate, to secure voluntary compliance when noncompliance is found;
- Annually monitor the compliance of recipients with WIOA Section 188, including a determination as to whether each NH Works Partner is conducting its WIOA assisted program or activity in a nondiscriminatory way. This will include an annual monitoring review to include a statistical or other quantifiable analysis of records and data kept by the Partner. The analyses will include race/ethnicity, sex, Limited English proficient, preferred language, age and disability status. If there are significant differences in the programs, activities, or employment provided, an analysis to determine whether these differences appear to be caused by discrimination will occur. This investigation must be conducted through review of the recipient's records and any other appropriate means; and
- An assessment to determine whether the NH Works Partner has fulfilled its administrative obligations under Section 188 of WIOA (for example record keeping, notice and communication) and any duties assigned to it under the Nondiscrimination Plan.

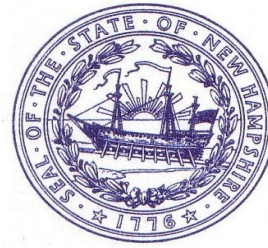
Furthermore, the NH Works System will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above.

Finally, please find attached the Nondiscrimination Plan as required under Section 38.54.

Sincerely,



Christopher T. Sununu
Governor



STATE OF NEW HAMPSHIRE

WIOA NON-DISCRIMINATION STATE PLAN

FOR THE NHWORKS AMERICA'S JOB CENTER SYSTEM

2024-2026

NH Works partners are a proud sponsor of the NH Works system, a proud member of America's Job Centers and an equal opportunity employer program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD Access RELAY NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

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Overview:

The Nondiscrimination Plan for NH's NH Works is submitted on behalf of the required NH Works partners:

- NH Business and Economic Affairs (Office of Workforce Opportunity)
 - Adult (Title I)
 - Dislocated Worker (Title I)
 - Youth (Title I)
 - National Dislocated Worker Grants
- NH Employment Security
 - Wagner Peyser (Wagner-Peyser Act, as amended by Title III)
- NH Department of Education
 - Adult Basic Education and Family Literacy (WIOA Title II)
 - Vocational Rehabilitation (Title I Rehabilitation, as amended by Title IV)

New Hampshire operates under a single State Workforce Innovation Board. Local and regional boards are not included in the WIOA service-delivery approach. When defining state and local level service delivery, "local" refers to those programs that provide services directly to individuals. State level programs are defined as those designed to improve the overall system through technology enhancements and staff training, as well as to initiate innovative projects.

The New Hampshire Works Consortium serves as the state-wide One-Stop Operator for the NH Works system and oversees the New Hampshire manifestation of the American Job Career Center System at 12 locations across the state. NH Works serves as the customer-facing resource center for both job seekers and employers, working internally to leverage the expertise of each agency to best meet the workforce development needs of the state.

The purpose of this Nondiscrimination Plan (NDP) is to provide a reasonable guarantee of the State of New Hampshire's compliance with 29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act. Section 188 prohibits the exclusion of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration of or in connection with any programs and activities funded or otherwise financially assisted in whole or in part because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief or, for beneficiaries, applicants and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under WIOA.

Section 188 of WIOA requires that States develop, implement, and maintain for each of their programs a Nondiscrimination Plan (NDP). The NDP describes the actions the State takes to ensure its WIOA financially assisted programs, activities, and program operators are complying with the Equal Opportunity and nondiscrimination requirements of ETA and its implementing regulations. The regulations that implement the Nondiscrimination and Equal Opportunity provisions of WIOA, published at 29 CFR Part 38, require that each Governor establish and adhere to a Nondiscrimination Plan for their State programs. By submitting a NDP, the Governor agrees to fully follow its provisions, including updating the NDP on a periodic basis. The NDP is submitted to the Civil Rights Center (CRC) of the United States Department of

Labor (USDOL) for review and approval. This documented is submitted on behalf of the Governor and the NH Works partners and is effective December 31, 2024.

The NDP is organized into ten (10) sections. Each section consists of a narrative section describing the section and supporting documentation in the appendix. The narrative describes how the State, the NH Works System, and its subrecipients are meeting the requirements of 29 CFR Part 38.

- I. Assurances
- II. Equal Opportunity Officers
- III. Notice and Communication
- IV. Data and Information Collection and Maintenance
- V. Affirmative Outreach
- VI. Governor's Oversight Responsibility Regarding Recipients' Recordkeeping
- VII. Complaint Processing Procedures
- VIII. Governor's Oversight and Monitoring Responsibilities for State Programs including Corrective Actions/Sanctions
- IX. Miscellaneous
- X. Appendices:
 - Supporting documentation to show that the commitments made in the Nondiscrimination Plan have been completed and/or are being carried out. This supporting documentation includes, but is not limited to:
 - (A) Policy and procedural issuances concerning required elements of the Nondiscrimination Plan;
 - (B) Copies of monitoring instruments and instructions;
 - (C) Evidence of the extent to which nondiscrimination and equal opportunity policies have been developed and communicated as required by this part;
 - (D) Information reflecting the extent to which equal opportunity training, including training called for by 38.29(f) and 38.31(f), is planned and/or has been carried out;
 - 38.29 (f) Ensuring that the EO Officer and the EO Officer's staff are afforded the opportunity to receive (at the recipient's expense) the training necessary and appropriate to maintain competency.

- 38.31 (f) Undergoing training (at the recipient's expense) to maintain competency of the EO Officer and staff, as required by the Director

(E) Reports of monitoring reviews and reports of follow-up actions taken under those reviews where violations have been found, including, where appropriate, sanctions; and

(F) Copies of any notices made under 38.34 through 38.40.

- 38.34 Recipients' obligations to disseminate equal opportunity notice.
- 38.35 Equal Opportunity notice/poster.
- 38.36 Recipients' obligations to publish equal opportunity notice.
- 38.37 Notice requirement for service providers.
- 38.38 Publications, broadcasts, and other communications.
- 38.39 Communication of notice in orientations.
- 38.40 Affirmative outreach.

I. ASSURANCES 38.25

All grant applicants (recipients), subrecipients, Eligible Training Providers, Request for Proposals, Cooperative Agreement, Memorandum of Understanding and/or contracts must include the following assurance:

“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.

(F) Compliance 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.”

Furthermore, the modifications to the Strategic Four-Year State Plan and future Strategic Four-Year Plans to carry out a continuing WIOA financially assisted program or activity will provide the text of the above referenced assurance.

Duration and Scope of Assurance (29 CFR 38.26)

The NH Works System in conjunction with DBEA will ensure compliance with 29 CFR 38.26 regarding personal property, real property, structures on real property and interest in any such property or structures as provided by WIOA Title I financial assistance. Compliance with this provision will ensure that the State will obligate the recipient or the transferee (in the case of a subsequent transfer) for the longer of

- 1) The period during which the property is used either for
 - a) For the purpose for which WIOA Title I financial assistance is extended; or
 - b) For another purpose involving the provision of similar services or benefits or

- 2) The period during which either:
 - a) The recipient retains ownership or possession of the property; or
 - b) The transferee retains ownership or possession of the property without compensating the Departmental grant making agency for the fair market value of that ownership or possession.

In all other cases, the assurances will obligate the recipient for the period during which WIOA Title I financial assistance is extended.

Covenants (29 CFR 38.27)

The instrument effecting or recording the transfer of real property, structures, improvements on real property or structures, or interests in real property or structures through WIOA Title I financial assistance must contain a covenant assuring nondiscrimination and EO for the period described in 29 CFR 38.25(a)(1).

This covenant must also be included in the instrument effecting or recording any subsequent transfer of a property where no Federal transfer of real property or interest therein from the Federal Government is involved, but real property or an interest therein is acquired or improved under a program of WIOA Title I financial assistance.

When the property is obtained from the Federal Government, then the covenant will also include a condition coupled with a right of reverter in the event of a breach of the covenant.

Implementation

Please see Appendices I – Assurances section which includes:

Appendix	Assurance Documentation
1A	Assurance Policy
1B	Eligible Training Provider Acknowledgment
1C	Sample RFP
1D	Work Experience Contract

II. EQUAL OPPORTUNITY OFFICERS 38.28

Since the inception of WIA and WIOA, NH Governors have assigned a senior member of the Office of the Workforce Opportunity as the Equal Opportunity (EO) Officer for the NH Works System. S/he is a senior-level employee that has the knowledge, skills and abilities necessary to fulfill the responsibilities. Furthermore, the EO Officer has a Governor's Office Liaison who s/he works closely with as well. The EO Officer has state program-wide coordination of compliance with the equal opportunity and nondiscrimination requirements in WIOA. The State-level EO Officer has access to all NH Works EO officers as determined by the NH Works Consortium. Should there be a conflict of interest; the issue would be handled by another NH Works Partner Agency EO officer or an available resource through the State of New Hampshire. Each of the NH Works Partner Agencies has an Equal Opportunity Officer.

The respective agency's EO Officer's name, position title, address, and telephone number (voice and TDD/TTY) are published on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs.

All partner agency EO officers and staff will be provided EO training as determined appropriate by their respective NH Works partner agency. The staff will receive the training necessary and appropriate to maintain competency.

The State EO Officer's duties include:

- a) Serving as the liaison with Civil Rights Center (CRC);
- b) Monitoring and investigating the recipient's activities, and the activities of the entities that receive WIOA Title I-financial assistance from the recipient, to make sure that the recipient and its subrecipients are not violating their nondiscrimination and equal opportunity obligations under WIOA Title I and this part, which includes monitoring the collection of data required in this part to ensure compliance with the nondiscrimination and equal opportunity requirements of WIOA and this part;
- c) Reviewing the recipient's written policies to make sure that those policies are nondiscriminatory;
- d) Developing and publishing the recipient's procedures for processing discrimination complaints including tracking the discrimination complaints filed against the recipient, developing procedures for investigating and resolving discrimination complaints filed against the recipient, making sure that those procedures are followed, and making available to the public, in appropriate languages and formats, the procedures for filing a complaint;
- e) Conducting outreach and education about equal opportunity and nondiscrimination requirements and how an individual may file a complaint;
- f) Undergoing training to maintain competency of the EO Officer and staff, as required by the Civil Rights Center; and
- g) Overseeing the development and implementation of the NH Works recipient's Nondiscrimination Plan.
- h) Ensures accessibility for disabled persons to all WIOA funded facilities as required by the Architectural Barrier Act. Directs implementation of Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination based on disability in programs or activities;

- i) Ensures the accessibility of the NH Works One-Stop Offices through various accommodation and assistive technology in collaboration with the NH Works Interagency Directors Group.

Implementation

Each individual designated as a State-Level Equal Opportunity officer and each individual designed as a subrecipient Equal Opportunity Officer are identified by name position title, business address (including email address) and telephone number (Note: New Hampshire is a single-workforce development area) as well as the level within the organization of the position occupied by the EO Officer is described in terms of the individual’s authority and reporting level to the top official.

Agency/Fund Source	EO Officer	Reports to
NH Works System State-wide <ul style="list-style-type: none"> • WIOA 	Lisa Gerrard, WIOA Program Administrator Office of Workforce Opportunity NH Dept. of Business and Economic Affairs 100 North Main Street Suite 100 Concord, NH 03301 Lisa.D.Gerrard@livefree.nh.gov P: 603-271-0355	Director, Office of Workforce Opportunity NH Department of Business and Economic Affairs Governor’s Liaison: James Gerry, Budget Director Office of Governor, Christopher H. Sununu
NH Employment Security: <ul style="list-style-type: none"> • Wagner Peyser/RSEA • Unemployment Insurance • Trade Act • Farm Workers • State Veterans Grant • Tax Credits • WIOA Dislocated Worker 	Eleanor (Ellie) Goodbread, Assistant to the Commissioner NH Employment Security 45 South Fruit Street Concord, NH 03301 Eleanor.E.Goodbread@nhes.nh.gov P: 603-228-4175	Commissioner NH Employment Security
NH Department of Education: <ul style="list-style-type: none"> • Vocational Rehabilitation • Adult Basic Education 	Richard Sala, Director NH Department of Education 21 South Fruit Street, Suite 20 Concord, NH 03301 Richard.K.Sala@doe.nh.gov P: 603-271-7080	Commissioner NH Department of Education
Operation ABLE <ul style="list-style-type: none"> • SCSEP 	Deborah Delman, SCSEP Director Operation ABLE 98 North Washington St Suite 200 Boston, MA 02114 ddelman@operationable.net P: 617-542-4180 Ext. Mark Gyurina, Chief Program Officer Operation ABLE	Chief Executive Officer Operation ABLE

	98 North Washington St Suite 200 Boston, MA 02114 mgyurina@operationable.net P: 617-542-4180 Ext. 128	
My-Turn Inc. <ul style="list-style-type: none">WIOA Youth	Allison Joseph, Executive Director 340 Granite Street Suite 1 Manchester, NH 03102 ajoseph@my-turn.org P: 603-321-3416	Board of Directors My-Turn Inc.
JAG NH <ul style="list-style-type: none">WIOA Youth	Nick Resca, Executive Director 20 Foundry Street 2 nd Floor Concord, NH 03301 nresca@jagnh.org P:603-490-8330	Board of Directors JAG NH
Community Action Partnership Hillsborough and Rockingham Counties (CAPHR) <ul style="list-style-type: none">WIOA Adult	Debra Stohrer, EO Community Action Partnership Hillsborough and Rockingham Counties P O Box 5040, 40 Pine Street Manchester, NH 03108 dstohrer@snhs.org P: 603-668-8010	Executive Director Community Action Partnership Hillsborough and Rockingham Counties (CAPHR)
NH Department of Health and Human Services <ul style="list-style-type: none">TANF (Work Programs)SNAP (Work Programs)	Clients: Jennifer Jones Jennifer.Jones@dhhs.nh.gov P: 603-271-6941 Staff: Barbara McCann Barbara.a.McCann1@dhhs.nh.gov 603-271-9017 Department of Health and Human Services 129 Pleasant Street Concord, NH 03301	Commissioner Health and Human Services
Community College System of New Hampshire <ul style="list-style-type: none">Work ReadyApprenticeshipWIOA Program Enrollments in the community college system	Great Bay Community College Diane Carroll Human Resource Officer 603-427-7603 dscarroll@ccsnh.edu Lakes Region Community College Karen Schaffner Human Resources Manager 603-366-5230, ext. 6730 kschaffner@ccsnh.edu Manchester Community College Jeannie DiBella Director of Human Resources (603) 206-8006 jdibella@ccsnh.edu Nashua Community College Catherine Barry Human Resources Director	President of respective college

	<p>(603) 578-8900, ext. 1766 cbarry@ccsnh.edu</p> <p>NHTI Director of Human Resources Kirsty Hart (603) 271-6484, ext. 4122 khart@ccsnh.edu</p> <p>River Valley Community College Jill Spurr Human Resources Manager 603-542-7744, ext. 5323 jspurr@ccsnh.edu</p> <p>White Mountains Community College Gretchen Taillon Human Resources Manager (603)342-3003 gtailon@ccsnh.edu</p>	
NH Job Corps	<p>Students: Deborah Black Black.Deborah@jobcorps.org P: 603-695-8806</p> <p>Staff: Tyler Holmes Holmes.Tyler@jobcorps.org P: 603-695-8912</p> <p>NH Job Corps Center 943 Dunbarton Road Manchester, NH 03102 603-621-9555</p>	Director, NH Job Corps

Identity

The WIOA EO Officer and his/her contact information is provided to applicants and registrants, eligible applicants/registrants and participants through the 1) posting of the “Equal Opportunity is the Law” poster in English, Spanish, and French in each WIOA funded office including each of the twelve NH Works offices and 2) the “How to Register a Formal Grievance under the Workforce Innovation and Opportunity Act form” that is provided to each applicant at intake and signed by the applicant with the original given to client and a copy maintained in the applicant’s file. Employees and applicants are made aware of the State’s Equal Opportunity is the Law in our job postings as well as our employee manuals. EO Officer contact information appears on all internal and external communications about nondiscrimination and equal opportunity programs. The process is through written materials and publications that is on-going and occurs daily.

Although the Office of Workforce Opportunity is a single Workforce area in a minimum-funded state, we work to ensure sufficient staff and adequate resources exist to ensure compliance with the nondiscrimination and equal opportunity requirements. Resources may include EO Staff from NH Works partners and/or the State Attorney General Office.

The State WIOA EO Officer will attend annual Civil Rights Center training as well as periodic webinars provided by the Office of Civil Rights (OCR) and National Association of Workforce Agencies (NASWA). The other NH Works partner agencies and subrecipient EO officers are also encouraged to participate in the OCR webinars. Those materials are distributed to these agencies from the State EO Officer if the subrecipient EO Officer is not able to participate in the OCR webinar. In addition, all OWO and subrecipient Equal Opportunity Officers as well as all staff participate in annual EO Training.

Implementation

Please see Appendices II –Equal Opportunity Officers section which includes:

Appendix	Equal Opportunities Officers Documentation
2-A	A copy of the State’s EO Officer’s position description, showing those duties specifically related to WIOA equal opportunity activities and other duties is provided.
2-B	Mandatory Annual EO Training email with instructions
2-C	NH Works EO Officers
2-D	Position Description for NHES EO Officer

III. NOTICE AND COMMUNICATION 38.34

Dissemination of Equal Opportunity Notice

NH Works Partners provide initial and continuing notice of its equal opportunity notice and the grievance process in its

- EO is the Law poster that is visibly posted in each of the NH Works Offices, Partner headquarters offices, and all sub-recipient contractor offices
- EO Grievance Forms are reviewed and signed by all applicants for services. A signed form is kept within the applicant's file with a copy given to the applicant
- Assurances provided to contractors including application to be an Eligible Training Provider and On the Job Training and Work Experience Contractors
- Personnel Handbooks given to new employees
- All external and internal documents
- Media

Individuals with disabilities may access the document upon their request contingent of their requested method (i.e. braille, computerized software enhancement, reader, etc.). The information is also published in both Spanish and French. Should a Babble Notice prompt a request for another language, it would be provided in that language.

Equal Opportunity Notice/Poster

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 regarding, 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: The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or 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 Civil RC 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 Civil Rights Center (CRC) before receiving that Notice. However, you must file your Civil Rights Center 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.

Publications, Broadcasts, and Other Communications

All WIOA funded programs must indicate that the WIOA Title I-financially assisted program or activity in question is an “equal opportunity employer/program,” and that “auxiliary aids and services are available upon request to individuals with disabilities,” in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe programs financially assisted under WIOA or the requirements for participation by recipients and participants. Where such materials indicate that the recipient may be reached by voice telephone, the materials must also prominently provide the telephone number of the text telephone (TTY) or Relay service.

When publishing or broadcasting program information in the news media; programs must ensure that such publications and broadcasts state that the WIOA Title I-financially assisted program or activity is an equal opportunity employer/program and indicate that auxiliary aids and services are available upon request to individuals with disabilities.

Communication of Notice in Orientations

During any presentation to orient new participants, new employees, and/ or the public to a NH Works program or activity, in person or over the internet or using other technology, a discussion of rights and responsibilities under the nondiscrimination and equal opportunity provisions of WIOA, including the right to file a complaint of discrimination is provided.

Affirmative Outreach

NH Works Partners must take appropriate steps to ensure that they are providing equal access to their programs and activities. These steps should involve reasonable efforts to include members of the various groups protected including but not limited to persons of different sexes, various racial and ethnic/national origin groups, various religions, individuals with limited English proficiency, individuals with disabilities, and individuals in different age groups. Such efforts may include, but are not limited to:

- Advertising the NH Works programs and/or activities in media, such as newspapers or radio programs, that specifically target various populations;

- Sending notices about openings in the programs and/or activities to schools or community service groups that serve various populations; and
- Consulting with appropriate community service groups about ways in which the program may improve its outreach and service to various populations.

Implementation

Please see Appendices III – Notice and Communication section which includes:

Appendix	Notice and Communication Documentation
3-A	EO is the Law Poster
3-B	Equal Opportunity Grievance Procedure Notice Policy with Grievance Procedure Notice Forms in multiple languages
3-C	Samples of recruitment brochure and other materials distributed to the public showing that each includes “Equal Opportunity Employer/Program” and “Auxiliary Aids and Services are available Upon request to individuals with disabilities” and related TTD/TTY access and/or telephone relay services.
3-D	Integrated Setting: Individuals with Disabilities Policy
3-E	NH Works Release of Information (English and Spanish)

IV. DATA AND INFORMATION COLLECTION AND MAINTENANCE 38.41

Collection and Maintenance of Equal Opportunity Data and Other Information

Each of the NH Works partners collects participant data as required by their respective Participant Information Record Layout (PIRL) and GPMS requirements which is maintained in their respective computer systems through a password access system. An individual is considered an Applicant at the point at which s/he submits personal information (e.g. name, address or SSN, etc.) in response to a request for such information. For employees, data is collected based on race/ethnicity (as observed or provided), age (as observed or provided), and disability status (as observed or provided). For program participants, the data is self-reported by the client (if desired) and not as observed. The data is maintained through a secure system and all staff are required to review confidentiality policies at point of hiring and to comply with those requirements. Records include applicants, registrants, eligible applicants/ registrants, participants, terminees, employees, and applicants for employment. Data includes race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, terminee, applicant for employment, and employee. Data collected must be used only for the purposes of recordkeeping and reporting determination of eligibility. Any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. Persons in the following categories may be informed about an individual's disability or medical condition and have access to the information in related files under the following listed circumstances: (A) Program staff that is responsible for documenting eligibility, where disability is an eligibility criterion for a program or activity; (B) First aid and safety personnel who need access to underlying documentation related to a participant's medical condition in an emergency; and (C) Requested accommodations.

At the end of the program year, EO reports are generated and reviewed to ensure compliance with EO requirements.

Grievance Complaint Logs

All EO Officers will maintain a log of complaints that allege discrimination on the basis (es) of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin, age, disability, political affiliation or belief, citizenship, and/or participation in a WIOA Title I-financially assisted program or activity. The log will include:

- The name and address of the complainant;
- the basis of the complaint;
- a description of the complaint;
- the date the complaint was filed;
- the disposition and date of disposition of the complaint;
- and any other pertinent information.

If requested, the log will be submitted to the Civil Rights Center.

All information related to a complaint must be kept confidential.

Administrative Enforcement Actions or Lawsuits

If an administrative enforcement action or lawsuit is filed alleging discrimination 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, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in a WIOA Title I-financially assisted program or activity, notification will be made to the Civil Rights Center. This notification to the Civil Rights Center will include:

- (1) The names of the parties to the action or lawsuit;
- (2) The forum in which each case was filed; and
- (3) The relevant case numbers.

Required Maintenance of Records

All records must be maintained, whether they exist in electronic form (including email) or hard copy, for a period of not less than three years from the close of the applicable program year. Records include the records of applicants, registrants, eligible applicants/ registrants, participants, terminees, employees, and applicants for employment. This also includes when a discrimination complaint has been filed or compliance review initiated. It is understood that the Civil Rights Center (CRC) has access to these records.

Implementation

Please see Appendices IV – Data and Information Collection and Maintenance section which includes:

Appendix	Data and Information Collection and Maintenance Documentation
4-A	Confidentiality Policy
4-B	Data/Record Maintenance
4-C	EO Complaint Log

V. AFFIRMATIVE OUTREACH 38.40

The NH Works Partners want to ensure that equal access is provided to all individuals in all programs. This will be achieved through:

- Advertising the recipient's programs and/or activities in media, such as newspapers or radio programs, that specifically target various populations;
- Sending notices about openings in the recipient's programs and/or activities to schools or community service groups that serve various populations; and
- Consulting with appropriate community service groups about ways in which the recipient may improve its outreach and service to various populations.

Services to protected groups will be monitored through submission of enrollment goals and outcome reports.

In addition, New Hampshire is working to ensure that all populations have equal access to WIOA Title I – financially assisted programs and activities. In general, the state's WIOA programs are committed to serving the following target populations:

- Veterans;
- Individuals who are basic skills deficient, including English language learners;
- Low income individuals (including TANF and SNAP recipients);
- Displaced homemakers;
- Native Americans, Alaska Natives, and Native Hawaiians;
- Older individuals;
- Individuals with disabilities;
- Ex-offenders;
- Youth who are in or have aged out of the foster care system;
- Eligible migrant and seasonal farmworkers;
- Single parents;
- Long-term unemployed individuals;
- Homeless individuals;
- Individuals who have been directly or indirectly impacted by substance use disorder; and
- Individuals who have none or very limited post-secondary training.

NH WIOA Title I adult services are provided on a priority basis, regardless of available funds and are provided to the target populations in the following order per TEGL 7-20:

First Priority - Veterans and eligible spouses who are included in the groups given statutory priority for WIOA (recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient);

Second Priority – Non-covered persons who are included in the groups given priority for WIOA adult formula funds;

Third Priority - Veterans and eligible spouses who are not included in WIOA's priority groups;

Fourth Priority – Priority populations established by the Governor and/or Local Board; and,

Fifth Priority - Non-covered persons outside the groups given priority under WIOA.

Reasonable efforts to include protected groups, such as persons of different sexes, various racial, ethnic/national origin, and religious groups, individuals with LEP, individuals with disabilities, and individuals in different age groups are evident and ongoing.

Some of the initiatives that NH has undertaken include:

- The New Hampshire Vibrant, Inclusive and Prosperous (VIP) Workforce Program was launched July 2022. This program was designed to promote and provide outreach to historically marginalized populations. For the purposes of this program, historically marginalized populations include communities of color, New Americans including immigrants and refugees, caregivers, women, the LGBTQ+ community, homeless individuals, single parents, and Veterans. The two community organizations that were awarded contracts, have made a huge impact across all historically marginalized communities in New Hampshire. There has been a direct co-relation between the VIP Workforce Program and enrollments into WIOA Adult from the communities identified. Additionally, the VIP Workforce Program was able to increase awareness and employment opportunities throughout NH for those identified in these communities.
- Multiple partners in the NH Works/AJC System have been working with some New Hampshire businesses to provide services to LEP individuals including immigrants and New Americans. Area program providers are working to identify individuals who may qualify for program services to reduce some of the barriers that these individuals face all while working with the company who has hired them. We are hopeful that this program model will be able to be utilized throughout the state.
- The WIOA Adult service provider has collaborated with the local community college campus and a local refugee resettlement agency to create a program called “LNA for Success”. This partnership trains English Language Learners (ELL’s) to become Licensed Nursing Assistants (LNA’s). This 18-week program combines contextualized English language training, soft-skills development and 144 hours of LNA training to prepare graduates to successfully complete NH’s Board of Nursing exam to secure employment in the health care sector. This program is specifically targeting historically marginalized communities to create a career pathway into the healthcare industry. Due to the great success of the LNA for Success program, partners are currently meeting to design and implement a similar program for those English Language Learner’s who are interested in a career in manufacturing.

Implementation

Please see Appendices V – Affirmative Outreach which includes:

Appendix	Affirmative Outreach Documentation
5-A	Vibrant, Prosperous and Inclusive (VIP) Workforce Program RFP
5-B	WIOA Adult Priority of Service Policy
5-C	Veterans and Eligible Spouses Priority of Service Policy

VI. GOVERNOR'S OVERSIGHT RESPONSIBILITY REGARDING RECIPIENTS' RECORDKEEPING 38.53

The Governor, through his/her designees including the EO Officer(s), NH Works Consortium, and its Commissioners will ensure the collection, maintenance of records, and reports submitted in a timely manner as required by statute pertaining to equal opportunity.

Implementation

The NH Works Consortium ensures, on behalf of the governor, that recipients collect and maintain records in a manner consistent with 29 CFR 38.41 and any procedures described by the director of the CRC under 29 CFR 38.41(a). The NH Works Consortium will ensure that recipients are able to provide data and reports in the manner prescribed by the director of the CRC.

Please see Appendices IV for related supporting documentation for this section.

VII. COMPLAINT PROCESSING PROCEDURES 38.69

Complaint Filing

Any person (or specific class of individuals) or the person's representative may file a written complaint if the person has been discriminated against 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, political affiliation or belief, citizenship status, or participation in any WIOA Title I- financially assisted program or activity as prohibited by WIOA or this part. Furthermore, if retaliation has been or is happening against a person involved in a complaint, a complaint may be filed with either the recipient's EO Officer or the Civil Rights Center Director. A complaint must be filed within 180 days of the alleged discrimination or retaliation. The Civil Rights Center Director may extend the filing time should a good cause be demonstrated.

Complaint Contents

Each complaint must be filed in writing, either electronically or in hard copy, and must contain the following information:

- (a) The complainant's name, mailing address, and, if available, email address (or another means of contacting the complainant);
- (b) The identity of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination);
- (c) A description of the complainant's allegations. This description must include enough detail to allow the EO Officer or Director to decide whether:
 - (1) There is jurisdiction over the complaint;
 - (2) The complaint was filed within the time range;
 - (3) The complaint indicates noncompliance with any of the nondiscrimination and equal opportunity provisions;
 - (4) The written or electronic signature of the complainant or the written or electronic signature of the complainant's representative.
 - (5) A complainant may file a complaint by completing and submitting CRC's Complaint Information and Privacy Act Consent Forms, which may be obtained either from the NH Works' EO Officer or from the Civil Rights Center.

Right to Representation

Both the complainant and the respondent have the right to be represented by an attorney or other individual of their choice.

Required Elements of a Recipient's Complaint Processing Procedures

As evident in the NH Works Grievance Policy and related forms, all grievance complaints will be issued a Notice of Final Action within 90 days of the date for which the date is filed. The elements will include initial, written notice to the complainant that contains the following information:

- (1) An acknowledgment that the recipient has received the complaint; and
- (2) The complainant has the right to be represented in the complaint process;
- (3) Individuals with disabilities may request auxiliary aids and services at no cost.
- (4) Complainant has the right to language assistance services, and that this notice will be translated into the non-English languages
- (5) A written statement of the issue(s) that
 - (i) A list of the issues raised in the complaint; and
 - (ii) For each such issue, a statement whether the recipient will accept the issue for investigation or reject the issue, and the reasons for each rejection.

Period for Fact-finding or Investigation

Attempts to resolve the complaint will occur. The methods available to resolve the complaint may include alternative dispute resolution (ADR).

Notice of Final Action

- The complainant will be notified in writing within 90 days of the date on which the complaint was filed, the following:

For each issue raised in the complaint, a statement of either:

- (A) The recipient's decision on the issue and an explanation of the reasons underlying the decision; or
- (B) A description of the way the parties resolved the issue; and
- (C) Notice that the complainant has a right to file a complaint with Civil Rights Center (CRC) within 30 days of the date on which the Notice of Final Action is received if the complainant is dissatisfied with the recipient's final action on the complaint.

Alternative Dispute Resolution (ADR)

NH Works ADR policy indicates the complainant may attempt ADR at any time after the complainant has filed a written complaint with the recipient, but before a Notice of Final Action has been issued. The choice whether to use ADR or the customary process rests with the complainant. A party to any agreement reached under ADR may notify the Civil Rights Director in the event the agreement is breached.

Non-Jurisdiction

If it is determined that the NH Works partner does not have jurisdiction over a complaint, the EO officer will notify the complainant, in writing within five business days of making such determination. This Notice of Lack of Jurisdiction will include:

- (a) A statement of the reasons for that determination; and

(b) Notice that the complainant has a right to file a complaint with the Civil Rights Center (CRC) within 30 days of the date on which the complainant receives the Notice.

Complainant Dissatisfaction after Receiving a Notice of Final Action

If the NH Works Partner issues its Notice of Final Action before the 90-day period ends, but the complainant is dissatisfied with the decision on the complaint, the complainant or the complainant’s representative may file a complaint with the Civil Rights Center Director within 30 days after the date on which the complainant receives the Notice.

Failure to Issue a Notice of Final Action within 90 days after the Complaint was Filed

If, by the end of 90 days from the date on which the complainant filed the complaint, the NH Works partner has failed to issue a Notice of Final Action, the complainant or the complainant’s representative may file a complaint with the Civil Rights Director within 30 days of the expiration of the 90-day period.

Implementation

Please see Appendices VII – Complaint Processing Procedures which includes:

Attachment	Documentation
7-A	Equal Opportunity Policy with Grievance forms
7-B	Alternative Dispute Resolution Policy

VIII. GOVERNOR’S OVERSIGHT AND MONITORING RESPONSIBILITIES FOR STATE PROGRAMS 38.51

The Governor, through his designees including the NH Works Consortium, its Commissioners and the EO Officers, are responsible for oversight and monitoring of all WIOA State Programs. It is acknowledged that these responsibilities include:

- Ensuring compliance with the nondiscrimination and equal opportunity provisions of WIOA and negotiating, where appropriate to secure voluntary compliance when noncompliance is found;
- Annually monitoring the compliance of recipients with WIOA section 188, including a determination as to whether each NH Works Partner is conducting its WIOA assisted program or activity in a nondiscriminatory way. This will include annual monitoring review to include a statistical or other quantifiable analysis of records and data kept by the Partner. The analyses will include race/ethnicity, sex, limited English proficiency, preferred language, age, and disability status. If there are significant differences in the programs, activities, or employment provided, an analysis to determine whether these differences appear to be caused by discrimination will occur. This investigation must be conducted through review of the recipient’s records and any other appropriate means; and
- An assessment to determine whether the NH Works Partner has fulfilled its administrative obligations under Section 188 of WIOA (for example, recordkeeping, notice and communication) and any duties assigned to it under the Nondiscrimination Plan.

CORRECTIVE ACTION/SANCTIONS

Sanctions

It is the policy of the NH Works Consortium that any action to suspend, terminate, deny or discontinue WIOA financial assistance must be limited to the particular political entity, or part thereof, or other recipient (or grant applicant) as to which the finding has been made, and must be limited in its effect to the particular program, or part thereof, in which the noncompliance has been found.

No order suspending, terminating, denying or discontinuing WIOA financial assistance will become effective until after all appeal rights have been exhausted or waived and the respective agency Commissioner (or designee) has issued a Final Determination or Notification of Breach of Conciliation Agreement.

Procedures

1. Once all appeal rights have been exhausted or waived, the respective NH Works partner may impose whatever sanctions noted in the Final Order for Sanctions.
2. Sanctions include, but are not limited to:

- a. Suspension or termination, in whole or in part, from the program (or funding source);
 - b. Referral to the N.H. Attorney General, with a request that the AG obtain compliance;
 - c. Deferral of new grant funding; and/or
 - d. Any action as may be provided by law.
3. When the NH Works Partner Agency withholds funds from a recipient or grant applicant under this policy, the NH Works Partner agency may disburse the withheld funds directly to an alternate recipient. In such case, the NH Works Partner will require any alternate recipient to demonstrate:
 - a. The ability to comply with these regulations; and
 - b. The ability to achieve the goals of the nondiscrimination and equal opportunity provisions of WIOA.
4. A grant applicant or recipient adversely affected by a Final Order may, at any time, petition the respective NH Works Partner Commissioner to restore its eligibility to receive WIOA financial assistance.
 - a. A copy of the petition must be served on the parties to the original proceeding that led to the Final Decision and Order.
 - b. The petition must be supported by information showing the actions taken by the grant applicant or recipient to bring itself into compliance.
 - c. The grant applicant or recipient has the burden of demonstrating that it has satisfied the requirement.
 - d. While proceedings under this section are pending, sanctions imposed by the Final Decision must remain in effect.
 - e. The respective NH Works Partner Commissioner must issue a written decision on the petition for restoration. If it is determined that the grant applicant or recipient has not brought itself into compliance, he or she must issue a decision denying the petition.
 - f. Within 30 days of its receipt of the Commissioner's decision, the recipient or grant applicant may file a petition for review of the decision by the Secretary of the US Department of Labor, setting forth the grounds for its objection to the Commissioner's decision to be handled within 14 days.

Federal Corrective Action, Follow-Up and Sanctions

The State of NH and the NH Works System take seriously their Nondiscrimination policies and requirements. All efforts will be made to quickly and effectively resolve any determined Corrective Actions. We are aware of the ability to request a hearing for resolution. Should there be a need for a Conciliation Agreement, in conjunction with the NH Attorney General's Office, we may enter into a Conciliation Agreement for resolution of the finding.

Implementation

Please see Appendices VIII – Governor’s Oversight and Monitoring Responsibilities for State Programs

Appendix	Governor’s Oversight and Monitoring Documentation
8-A	Program Monitoring Policy
8-B	Monitoring Tools
8-C	Monitoring Reports
8-D	Corrective Action and Sanction Policies

IX. MISCELLANEOUS - Other Supporting Documentation

Supporting documentation to show that the commitments made in the Nondiscrimination Plan have been and/or are being carried out include:

Appendix	Other Supporting Documentation
<i>9-A</i>	Accommodations for Individuals with Disabilities
<i>9-B</i>	Religious Accommodation Policy
<i>9-C</i>	Same Sex Marriage Policy
<i>9-D</i>	Service Animals Providing Accommodation Policy
<i>9-E</i>	Sexual Harassment Policy
<i>9-F</i>	Site Selection to Assure Accessibility
<i>9-G</i>	State of NH Policies <ul style="list-style-type: none">• Sexual Harassment• ADA Reasonable Accommodation Policy• Respect and Civility in the Workplace
<i>9-H</i>	NH Commission for Human Rights <ul style="list-style-type: none">• Pregnancy Discrimination• Disability Discrimination• Mediation Resolution Program
<i>9-I</i>	NH Statutes <ul style="list-style-type: none">• Chapter 354-A: State Commission For Human Rights

X. APPENDICES

Section I Appendix

ASSURANCES POLICY

Policy #: 2018-P-01 Previous #: 2018-001

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

The Workforce Innovation and Opportunity Act (WIO) and the NH Works Consortium require compliance with 29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and opportunity Act.

POLICY:

29 CFR Part 38.25 requires the provision of a grant applicant's obligation to provide written assurances. For all NH Works partners utilizing WIOA funds, each NH Work partner must include the following assurance:

"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.

As a recipient of WIOA Title I financial assistance, all funded agencies will comply with 29 CFR part 38 and all other regulations implementing the laws listed above."

The assurance is considered incorporated by operation of law in the grant, cooperative agreements, contracts, MOU's or other arrangement whereby Federal financial assistance under Title I of WIOA is made available, whether it is explicitly incorporated in such document and whether there is a written agreement between the Department and the recipient, between the Department and the Governor, between the Governor and the recipient, or between recipients. The assurance also may be incorporated in such grants, cooperative agreements, contracts, or other arrangements by reference.

PROCEDURE(S):

The above assurance needs to be added to all NH Works Partner websites, Plans, Request for Proposals, grant applications, Memorandum of Understanding, Contracts, Agreements, internal and external handbooks written

notices, recruitment and orientation materials that have been developed to serve WIOA funded programs, client, and personnel.

ACTION:

All staff must be knowledgeable of the contents of this directive.



Workforce Innovation & Opportunity Act (WIOA) Training Provider Assurances

The applicant acknowledges that certification as an eligible training provider is subject to, and requires compliance with, the provisions of Workforce Innovation and Opportunity Act Section 122 relating to eligibility requirements.

WIOA Requirements Related to Debarment and Suspension, Drug-Free Workplace and

Lobbying: All WIOA Title I and Wagner-Peyser grant recipients, sub-recipients, and eligible training providers must comply with the government-wide requirements for debarment and suspension and the requirements for a drug-free workplace, codified at 29 CFR part 98 and restrictions on lobbying, and the nondiscrimination provisions of WIOA section 188 and section 195, respectively.

1. **Debarment and Suspension:** A certification regarding debarment and suspension requirements is required by the Federal Regulations implementing Executive Order 12549, Government-wide Debarments and Suspension, for the Department of Agriculture (7 CFR Part 3017), the Department of Labor (29 CFR Part 98), the Department of Education (34 CFR Part 85), and the Department of Health and Human Services (45 CFR Part 76). By applying, the applicant is certifying that it is in compliance with the assurance set out in the regulations cited above.
2. **Drug-Free Workplace:** A certification regarding drug-free workplace is required by Federal Regulations implementing the Drug-Free Workplace Act of 1988 for the Department of Agriculture (7 CFR Part 3017), the Department of Labor (29 CFR Part 98), the Department of Education (34 CFR part 84), and the Department of Health and Human Services (45 CFR Part 76). By applying, the applicant is certifying that it is in compliance with the regulations cited above.
3. **Lobbying:** A certification regarding lobbying is required by Federal Regulations adopted by the Department of Agriculture (7 CFR Part 3018), the Department of Labor (29 CFR Part 93), the Department of Education (34 CFR Part 82), and the Department of Health and Human Services (45 CFR Part 93). By applying, the applicant is certifying that it is in compliance with the assurance set out in the regulations cited above.

Nondiscrimination: As provided in WIOA Section 195, as a condition of payment of funds under title I of WIOA, the applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws.

1. Section 188 of WIOA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA title I-financially assisted program or activity.
2. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin.
3. Section 504 and 508 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities.

4. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age.
5. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

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

This assurance is considered incorporated by operation of law in any grant, cooperative agreement, contract, or other arrangement whereby funds under Title I of the WIOA are made available, whether or not it is physically incorporated in such document and whether or not there is a written agreement between OWO and the recipient of those funds. This assurance also may be incorporated by reference in such grants, cooperative agreements, contracts, or other arrangements.

WIOA Section 188(a)(3): WIOA Title I funds may not be spent on the employment or training of participants in sectarian activities. Further, the undersigned applicant certifies that it shall comply with the requirements of the U.S. Department of Health and Human Services set forth in 45 CFR Chapters 80 and 84.

Education Standards and Procedures: The applicant certifies that it shall comply with the provision outlined in WIOA Section 194(9)(B) Except as otherwise provided in this title [WIOA Title I], the following conditions are applicable to all programs under this title:Standards and procedures with respect to awarding academic credit and certifying educational attainment in programs conducted under such chapter shall be consistent with the requirements of applicable State and local law, including regulation.

Compliance with State Law: The applicant certifies that it shall comply with applicable State law, including legislation related to the licensure or regulation of providers of education and training services, including but not limited to NH RSA 188-G, related to Private Post-Secondary Career Schools and Chapter Hedc 300: Office of Career School Licensing.

Reporting Requirements: The undersigned applicant certifies that it shall comply with the provisions of WIOA Section 122, and the reporting and procedural requirements issued by the Office of Workforce Opportunity (OWO). Where the prospective recipient of federal assistance funds is unable to certify any of the statements in this certification, such prospective recipient shall attach an explanation to this certification.

The undersigned authorized representative of the applicant herein certifies that the statements above pertaining to WIOA Requirements Related to Debarment and Suspension, Drug-Free Workplace and

The NH Business and Economic Affairs/OWO is a proud member of the American Job Center Network and of the NH WORKS system and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.
Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Lobbying; Nondiscrimination; Education Standards and Procedures; Compliance with State Law; and Reporting Requirements are true and correct as of the date of submission.

The authorized representative acknowledges that this information applies to any and all applications for initial and continued eligibility submitted. In addition, the authorized representative acknowledges that OWO is statutorily charged with the function of oversight responsibilities including ensuring continuous improvement of eligible programs of services through the system and ensuring that such programs meet the needs of local employers and training participants. In this capacity, OWO has oversight authority over the quality and integrity of training services by providers, and the provider's compliance with all assurances herein. Violations of any terms of this agreement may lead to further action.

Submission of this document authorizes OWO to accept and use all information submitted to OWO by the applicant through the Eligible Training Provider System. Further, the authorized representative acknowledges that any information submitted will be attributed to the applicant and the applicant will be responsible and liable for any action taken by the OWO or training participants in reliance on that information.

I have received, read, and understand the Workforce Innovation and Opportunity Act (WIOA) Eligible Training Provider List (ETPL) policies and procedures. I agree to follow all rules outlined above as well as in the policies and procedures document.

Name of Training Institution:

Print Name of Representative: _____

Signature of Representative: _____ Date: _____

The NH Business and Economic Affairs/OWO is a proud member of the American Job Center Network and of the NH WORKS system and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.
Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>



**STATE OF NEW HAMPSHIRE
DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS
Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker
Program**

RFP DBEA 2024-12

Section 1 – Overview and Schedule

A. Executive Summary

On behalf of New Hampshire’s State Workforce Innovation Board (SWIB), the Department of Business and Economic Affairs (BEA), Office of Workforce Opportunity (OWO) is issuing this Request for Proposals (RFP) for the purpose of identifying and selecting a qualified subrecipient as the service-provider for New Hampshire’s Workforce Innovation and Opportunity Act (WIOA) Title I Dislocated Worker Program.

The Dislocated Worker Program helps unemployed job seekers undertake career and occupation searches, overcome barriers to employment, and benefit from training that helps them re-enter the workforce, including through basic or individualized career services. BEA/OWO seeks applicants (hereinafter “Bidders”) that bring new and innovative ideas, resources, approaches, and partnerships that can help dislocated workers in New Hampshire get back to work as soon as possible.

BEA/OWO anticipates awarding one contract to provide services to eligible participants in the Dislocated Workers Program. The resulting contract shall be effective July 1, 2024, through June 30, 2028. Award of the contract is contingent on approval by the Governor and Executive Council.

Services supplied under the contract will be 100% funded under WIOA (see Pub. L. 113-128) pursuant to an award to the state from the U.S. Department of Labor (USDOL) Employment and Training Administration (ETA) (CFDA# 17.278). For planning purposes, Bidders should estimate Dislocated Worker Program funding of \$1,100,000 annually. This figure is provided solely to guide Bidders in preparing their proposed budgets and does not commit BEA/OWO to award a contract for this amount. The actual award is contingent upon available federal funds at the time of contract negotiations.

This RFP requires Bidders to propose a reasonable total cost for delivery of services as described herein. Funding during the contract period may be adjusted due to changes in WIOA funding received.

B. Schedule

The following table sets forth a Schedule of Events for this RFP through contract finalization and approval. BEA/OWO reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

EVENT	DATE	LOCAL TIME
RFP Released (Advertisement)	March 20, 2024	1:00 PM
Bidder Inquiry Period Ends	April 8, 2024	4:00 PM
Final Agency Responses to Bidder Inquiries	April 10, 2024	4:00 PM
Bidders Submit Proposals	April 26, 2024	4:00 PM
Estimated Notification of Selection and Beginning of Contract Negotiations	May 10, 2024	4:00 PM

Targeted Governor and Council Meeting	June 12, 2024	
Anticipated Contract Start Date	July 1, 2024	

Section 2 - Description of Agency/Program Issuing the Request for Proposals

The service-provider selected through this RFP is expected to be familiar or become familiar with the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128); WIOA regulations, issuances and memos issued by the USDOL Employment and Training Administration; and relevant direction from the below-referenced New Hampshire agencies and entities:

BEA and OWO

New Hampshire’s Department of Business and Economic Affairs (BEA) is dedicated to enhancing the economic vitality of the State of New Hampshire while promoting it as a destination for domestic and international visitors. For more information, visit www.nheconomy.com, www.choosenh.com, or <https://www.nheconomy.com/office-of-workforce-opportunity>.

BEA’s Office of Workforce Opportunity (OWO) is dedicated to the success of New Hampshire’s employers and employees. OWO serves as the grant recipient and state-level administrative agency for federal funds allocated under Title I of WIOA. Broadly, OWO utilizing WIOA helps job seekers in the state access employment, education, training, and support services to succeed in the labor market and matches employers with the skilled workers they need. Pursuant to WOIA, New Hampshire enjoys the flexibility to collaborate across systems as a means of addressing the employment and skills requirements of current employees, job seekers, and employers. With an eye toward understanding the expectations of New Hampshire’s Dislocated Workers Program, bidders are encouraged to read the USDOL’s WIOA resource page, including its latest guidance and updates: [Workforce Innovation and Opportunity Act | U.S. Department of Labor \(dol.gov\)](#). In addition, bidders should be mindful of WIOA’s six guiding principles:

1. Increase access to and opportunities for employment, education, training, and support services for individuals, particularly those with barriers to employment
2. Support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system
3. Improve the quality and labor market relevance of workforce investment, education, and economic development efforts
4. Promote improvement in the structure and delivery of services
5. Increase the prosperity of workers and employers, and
6. Provide workforce development activities that increase employment, retention, and earnings of participants and that increase post-secondary credential attainment and, as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet skills requirements of employers, and enhance productivity and competitiveness in the United States.

State Workforce Innovation Board (SWIB)

New Hampshire’s State Workforce Innovation Board (SWIB) administers WIOA funds and oversees state workforce development initiatives. SWIB’s mission is to promote life-long learning by collaborating with businesses, agencies, and organizations to bring the state’s education, employment, and training programs together into a workforce development system that provides the means for New Hampshire residents to gain sufficient skills, education, employment, and financial independence. Consistent with WIOA requirements, SWIB is composed of state business leaders, labor representatives, and agency leaders. Private sector leaders constitute a majority of SWIB’s membership. SWIB operates as a single

service-delivery area, and as such has one state-level board (and no local workforce boards). To learn more about SWIB, visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/state-workforce-innovation-board>.

One-Stop Operator Consortium (Consortium)

The NH Works One-Stop Operator Consortium (the Consortium) serves as the one-stop operator in New Hampshire. The Consortium oversees the implementation of system-wide workforce development strategies and goals at the service-delivery level, consistent with the vision and goals set forth by SWIB. The Consortium is the primary committee charged with designing and implementing continuous improvement tools and processes for the one-stop service-delivery system. The Commissioner of NH Employment Security serves as the Chair of the Consortium. Consortium membership also includes directors/commissioners or executive-level staff from the core state workforce development system partners, inclusive of NH Employment Security (NHES), NH Department of Education (DOE), the Community College System of NH (CCSNH), NH Business and Economic Affairs (BEA), and NH Department of Health and Human Services (DHHS). For more information on the NH Works One-Stop service-delivery system, see the WIOA Combined State Plan at <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/state-plan>.

NH Works – American Job Centers

The entity chosen to administer the New Hampshire's Dislocated Worker Program will provide services to eligible individuals through the state's One-Stop System. The cornerstone of the workforce innovation system is the one-stop service delivery system designed to serve the needs of dual customers: the job seeker and the employer. This delivery system is the mechanism through which programs are integrated. In New Hampshire, this One-Stop System, known as NH Works, also carries the federal tagline "an American Job Center".

NH Works' service-delivery model is a commonsense approach to helping people find the right job, training, or educational programs at a single location *and* to helping employers identify available, qualified talent. NH Works connects job seekers to new jobs, skills advancement, and/or training programs that lead to paid work. For their part, businesses turn to NH Works for help hiring employees, finding qualified workers, and/or posting job listings. New Hampshire has twelve NH Works Centers located throughout the state.

Entities funded through WIOA are considered partners in the NH Works service-delivery system. The system, designed to operate as a network of partners, works to enhance education, training, and employment opportunity for specific populations under the guidance of the Consortium. All service-providers funded completely or in part with WIOA funds are obliged to work in conjunction with partner agencies to provide a holistic approach to customer service.

The entity chosen to administer the Dislocated Worker program will provide eligible services to individuals through the twelve NH Works Centers.

As stated above, the SWIB is committed to ensuring that New Hampshire's one-stop service delivery system is recognized as "NH Works – An American Jobs Center" by all who enter the system. Thus, as a condition of this RFP, subrecipients of WIOA funds (i.e., service-provider(s)) must agree to the following:

- All services, staff, and promotional materials funded under the agreement shall identify using NH Works branding. The service provider may use its agency/company name and/or logo, but only as a secondary identifier.
- BEA, or its designee, reserves the right to approve all staff signatory taglines for email and promotional materials prior to implementation to ensure consistency of message.

- Job titles assigned to staff hired under this agreement shall not contain descriptive words such as WIOA Administrator or WIOA Director; these designations are reserved to identify state-level staff only.

In addition to the requirements and expectations detailed in this RFP, all services proposed by bidders must support the goals of the NH Works system, which include the following:

- *Universality*: Efficient and timely access to a wide variety of employment-related services to individuals seeking work.
- *Integration*: Seamless and functional coordination of services through collaborative development of the system’s vision, goals, service strategies, resource allocation and team-based system management.
- *Customer choice*: Customers navigate their own paths of employment.
- *Accountability*: Performance-driven, outcome-based approaches incorporate data collection, customer feedback, and other tools to ensure program success.
- *Consistency of branding*: “NH Works” is identified in all verbal and written communications.

For further information, see the WIOA Combined State Plan for more information on the NH Works one-stop service delivery system at <https://www.nheconomy.com/office-of-workforce-opportunity>.

Section 3 – Scope of Work

Designated by the Governor of New Hampshire as the recipient of federal funds allocated through Title I of the Workforce Innovation and Opportunity Act (WIOA), BEA/OWO invites proposals for innovative activities and initiatives that offer the following:

- Outreach to individuals who may be eligible for services through the Dislocated Worker Program
- Determination of individual eligibility for the Dislocated Worker Program, including through solicitation and compilation of necessary documentation
- Assistance to eligible dislocated workers through basic career services, individualized career services, and training services through WIOA
- Provide assessment of individual workers and development of Individual Employment Plans, along with case management for eligible individuals
- Integration of Dislocated Workers Program services with complementary services provided by other WIOA-funded partners and non-WIOA-funded partners that utilize federal dollars including WIOA first
- Implementation of training strategies and employment approaches to help participants develop essential skills that are needed to be successful in today’s workplace
- Implementation of progressive levels of education and training approaches that help individuals gain higher skill levels and experience as well as earn marketable credentials
- Continuous support services to individuals seeking to participate and succeed in workforce investment and training activities
- Workable, results-oriented strategies for effectively serving individuals facing barriers to employment and for coordinating programs and services among one-stop partners, and
- Provision of follow-up services to employee-customers for one year after their exit from the Program.

Section 4 – Process for Submitting a Proposal

A. Proposal Submission, Deadline, and Location Instructions

BEA/OWO must receive proposals submitted in response to this RFP no later than the time and date specified in the Schedule section, herein. Proposals must be submitted electronically and be addressed to:

State of New Hampshire
Department of Business and Economic Affairs
Office of Workforce Opportunity
c/o
Joseph A Doiron

Electronic proposals must be submitted to: Joseph.A.Doiron@livefree.nh.gov

Proposals must be clearly marked as follows:

STATE OF NEW HAMPSHIRE
RESPONSE TO RFP BEA 2024-12
Workforce Innovation and Opportunity Act (WIOA) – Dislocated Worker Program

Unless waived as a non-material deviation in accordance with Section 6B, late submissions will not be accepted and will be returned to the Bidders unopened. Delivery of the Proposals shall be at the Bidder's expense. The time of receipt shall be considered when a Proposal has been officially documented by BEA/OWO, in accordance with its established policies, as having been received at the location designated above.

All Proposals submitted in response to this RFP must consist of at least:

- 1) One electronic copy of the Proposal with all Confidential Information fully redacted, as provided for in Section 7E of this RFP.

Bidders who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

B. Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Points of Contact:

TO: Joseph.A.Doiron@livefree.nh.gov

Inquiries must be received by BEA/OWO's RFP Point of Contact no later than the conclusion of the Bidder Inquiry Period (see Schedule of Events section, herein). Inquiries received later than the conclusion of the Bidder Inquiry Period shall not be considered properly submitted and may not be considered.

BEA/OWO intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at BEA/OWO's discretion. BEA/OWO may consolidate and/or paraphrase questions for sufficiency and clarity. BEA/OWO may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon BEA/OWO. Official responses by BEA/OWO will be made only in writing by the process described above. Bidders shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

C. Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of a Bidder, all communication with personnel employed by or under contract with BEA/OWO regarding this RFP is forbidden unless first approved by the RFP Point of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential sub-recipient during the selection process, unless otherwise authorized by the RFP Point of Contact. Bidders may be disqualified for violating this restriction on communications.

D. Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting contract, whichever is later.

E. Eligible Entities

Proposals may be submitted by qualified individuals, organizations, or entities (public, nonprofit, or private) or a consortium of entities (including a consortium of entities that, at a minimum, includes three or more of the one-stop system partners with demonstrated effectiveness), located in NH, which may include:

- An institution of higher education
- An employment service State agency established under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) on behalf of the local office of BEA/OWO
- A community-based organization, nonprofit organization, or intermediary
- A private for-profit entity
- A government agency
- Another interested organization or entity, which may include a local chamber of commerce or other business organization, or a labor organization.

To be eligible, Bidders must be authorized to do business in New Hampshire. Workforce development-minded organizations or individuals with or without previous experience as a contractor are encouraged to submit proposals; however, only proposals from organizations or individuals that can thoroughly demonstrate they have the ability to provide the required services will be considered.

No provider or entity may compete for funds if:

- The individual or entity has been debarred or suspended or otherwise determined ineligible to receive federal funds by an action of any governmental individual/organization.
- The individual or entity's previous contract(s) with the State of New Hampshire had been terminated for cause.
- The individual or entity has not complied with an official order to repay disallowed costs incurred during its conduct of services under any contract.
- The individual or entity or its parent organization have filed for bankruptcy during the past 7 years.

SECTION 5 - Content and Requirements for a Proposal

The items contained in this section must be included in the proposal to meet the minimum requirements for evaluation. The sections must be in the order described and written in a straightforward and concise manner. BEA/OWO is interested in the quality and responsiveness of the proposal. Points will be deducted from the total score if proposals do not list the questions and answers (see Section 6C for example).

Respondents must carefully examine all requirements stipulated in this RFP and respond to each requirement in their proposal.

Letters of support are not required.

BEA/OWO cannot enter into contract negotiations with an organization that is not legally permitted to conduct business within the State of New Hampshire or is debarred, suspended, proposed for debarment,

declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

A. Proposal Content Requirements

1. Proposal Cover Sheet	Appendix A	Required	Pass/Fail
2. Table of Contents	with Page Numbers	Required	Pass/Fail
3. Abstract/Executive Summary	Max. one (1) Page	Required	Pass/Fail
			100 Point Total
4. Proposal Narrative		Required	80 Point Total
A. Experience and Qualifications	Max. Eight (8) Pages	“	15 Points (of 80)
B. Program Service Delivery Model	Max. Eight (8) Pages	“	20 Points (of 80)
C. Performance Accountability	Max. Four (4) Pages	“	15 Points (of 80)
D. Partnerships & Community Engagement	Max. Two (2) Pages	“	15 Points (of 80)
E. Technology, Data, & Reporting	Max. Two (2) Pages	“	10 Points (of 80)
F. Timeline	Max. Two (2) Pages	“	5 Points (of 80)
5. Contractor Cover Sheet	Appendix B	Required	Pass/Fail
6. Proposal Budget		Required	20 Point Total
A. Fiscal Capabilities	Max. Eight (8) Pages	“	
B. Budget Worksheet	Appendix C	Required	
7. Staff Job Descriptions	Appendix D	Required	Pass/Fail
8. State Assurances and Certification	Appendix E	Required	Pass/Fail
9. WIOA Assurances and Certification	Appendix F	Required	Pass/Fail
10. Conflict of Interest	Appendix G	Required	Pass/Fail
11. Roles and Responsibilities	Appendix H	Required	Pass/Fail
12. Miscellaneous	Max. Five (5) Pages	Optional	

B. Proposal Format Requirements

Font: 12 point – Times New Roman

Spacing: Optional (single spaced or greater)

All content in the proposal must be typed (with the exception of signatures)

Pages: Numbered (exclusive of title page, table of content and miscellaneous pages)

Margins: 1 inch

Email: PDF format – drop box and/or similar tools not allowed.

SECTION 6 – Evaluation of Proposals

A. Technical Review

OWO staff will serve as the Technical Review Team. The team will conduct a review of each proposal received for compliance with technical submission requirements as follows:

1. Confirm the proposal was submitted in accordance with the specified timeline.
2. Confirm all the requested information and documentation is included in the application package.
3. Verify that the proposal is complete and signed by an individual legally authorized to act on behalf of the bidder.
4. Evaluate each proposal for acceptability, based on completeness and responsiveness to requisite program criteria.

Proposals assessed as failing to meet the required minimal submission standards will be disqualified and will not be considered.

Proposals passing the technical review will be forwarded to the Selection Committee for content evaluation and scoring.

B. Selection Process

- The selection committee will comprise of no less than three (3) members of which at least one member will be a member of the SWIB.
- Proposals that meet the minimum submission criteria will be reviewed and ranked by the Selection Committee.
- Each reviewer will complete a score sheet for each proposal received from the Technical Review team.
- Proposals will be ranked based on the merits of the proposal using the Evaluation Scoring process outlined in the section below.
- Rankings will be used as a guide for discussion and final selection of a provider.

Scores submitted from the Selection Committee will result in the initial selection of provider(s) that most closely meet the requirements established by the SWIB as determined by OWO.

- If the results of the review indicate, in the opinion of OWO, that the Bidder may not be able to fulfill service delivery expectations, OWO reserves the right to decide to not enter into a contract with the organization, regardless of the ranking and/or approval of the applicant's proposal.
- OWO may require the selected service-provider to participate in negotiations and modify their proposals based on the outcome of those negotiations. OWO may decide not to fund part or the entire proposal, even though it is found to be competitive. Such decisions will be made based on the opinion of OWO that the services proposed are not needed, the goals of the proposal do not align with goals of the SWIB, or the costs are higher than OWO finds reasonable in relation to the overall funds available.
- OWO reserves the right to modify or alter the requirements and standards as set forth in this RFP based on program requirements mandated by state or federal agencies. In such instances, OWO will not be held liable for provisions of the RFP package that become invalid.
- Additional funds received by OWO may be used to expand services with existing subrecipients or to fund competitively rated proposals not initially funded under this RFP. These decisions shall be at the discretion of OWO.
- OWO will initiate and negotiate a contract award pending receipt of any additional documentation regarding administrative qualifications and/or any other areas of concern and/or the successful completion of contract negotiations.
- The final contract between OWO and the selected Bidder is subject to the NH Governor and Council final approval.

C. Criteria for Evaluation and Scoring

Proposals should be developed and organized as outlined below. Interested Bidders should respond to each section's requirements in their entirety. For example:

Experience & Qualifications

1) Describe your organization's previous experience providing programs and services to Dislocated Workers.

a. [Insert organization's response]

2) What administrative capacity does your organization currently possess?

a. [Insert organization's response]

Abstract/Executive Summary – Pass/Fail (Max 1 page)

- Provide a description of your organization.
- Demonstrate an understanding of the workforce development system in New Hampshire.
- Outline key organizational achievements within the past three (3) years.
- Briefly describe why your organization is seeking award of this RFP and any unique or innovative aspects that may set your response apart from others.

Experience and Qualifications – Worth 15 Points (Max of 8 Pages)

- Describe your organization's previous experience providing programs and services to Dislocated Workers.
- What administrative capacity does your organization currently possess?
- Describe the staffing plan to provide dislocated worker services. Include a staffing chart.
- Describe the related experience or training of the proposed staff.
- List the participant to counselor ratio.
- Briefly describe your organization's track record of providing services to dislocated workers, whether WIOA or other grant programs.
- Describe the facilities you will be using for dislocated worker activities and/or services.

Program Service Delivery Model - Worth 20 Points (Max of 8 Pages)

- Career services are classified into three categories: basic career services, individualized career services, and training services. Describe how you will ensure each of the categories as well as the individual services (see Appendix H) are made available to participants. Please address each category in your proposal.
- How will your organization conduct comprehensive and innovative outreach and recruitment activities to identify eligible participants?
- Describe how your organization will complete a comprehensive intake interview and collect eligibility documentation for enrollment into the program.
- How will the organization complete mandatory comprehensive individual assessments?
 - How will the assessments be used to identify and plan for services so that individuals will be successful in completing a training program that matches career interests in demand occupations?
- Describe how Individual Employment Plans (IEPs) will be developed in a manner that is appropriate to the individual and follows clear timelines in which to be completed.
- Describe some of the supportive services that may be provided to remove individual barriers that may impact a participant's ability to complete a program.
 - How will these supportive services be utilized so that funds are available for all participants?
 - What mechanisms will be utilized to identify when an individual needs supportive services?
- How will the organization maintain contact and active engagement with participants to ensure there are no gaps in service?
- How will the organization define participant success for each service provided?

- What resources (internal and external) will the organization utilize to effectively deliver services to dislocated workers?
- How will the organization provide follow-up service for a minimum of one year after exit and what services might be offered?
- Employers have indicated that work readiness skills (“soft skills”) and critical thinking skills are a major consideration in hiring and retaining employees. Describe in detail how the program proposed will address work readiness skills and retention skills for participants. “Soft skills” include but are not limited to: analyzing and solving problems, competency in foundation mathematics, reading skills and good attendance.

Performance Accountability - Worth 15 Points (Max of 4 Pages)

- Describe your strategy to meet or exceed the state’s performance goals for this RFP.
 - How will your organization manage measurement, achievement, and documentation of performance standards?
- Include specific performance targets related to State and Federal performance measures.
- Identify your proposed quarterly and annual goals for each state-mandated performance measure, and list objectives under these areas with specific measurables and deliverables.
- Identify the number of new enrollments to be served during program operation.
- Describe how the state’s goals and objectives for dislocated workers will be achieved. Goals and objectives must be measurable, reportable, and attainable and entered in the Job Match System. Although performance measures have not been negotiated for PY24 and beyond, New Hampshire’s negotiated performance measures for PY23 are as follows:
 1. Placement in Employment or Education – Eligible WIOA dislocated workers will enter post-secondary education or employment at the rate of 84.0% by the end of the 2nd quarter after exit.
 2. Retention in Employment or Education – Eligible WIOA dislocated workers will retain post-secondary education or employment at the rate of 81.5% by the end of the 4th quarter after exit.
 3. Attainment of Degree or Certification – Of those dislocated workers that enter WIOA services without a diploma, equivalent, or a nationally recognized certification, at least 69.5% will receive one by the end of the 1st quarter after exit.
 4. Median Earnings – Measured median earnings the 2nd quarter after exit will be \$9,100.
 5. Measurable Skills Gain – 76.5%

Partnerships & Community Engagement - Worth 15 Points (Max of 2 Pages)

- Describe how you will recruit employers for career exploration and/or on-the-job training opportunities.
- Describe how you will connect linkages with education and training for post-secondary educational opportunities (e.g., academic & occupational learning, preparation for employment, etc.).

Technology, Data, & Reporting - Worth 10 Points (Max of 2 Pages)

- Describe your organization’s procedures for recordkeeping.
- Describe past success with tracking program performance and/or outcomes. Include a description of previous outcomes from other successful initiatives and describe experience with capturing and reporting performance information.
- Describe how you will determine WIOA eligibility and enter eligibility and other customer information into the Job Match System.

Timeline – Worth 5 Points (Max of 2 Pages)

- Please provide your detailed timeline for the proposed project.
- Using your timeline, please provide specific milestones for when primary objectives will be met.

Fiscal Capabilities – Worth 20 points (Max of 8 pages)

Part I: Budget Narrative

In responding to this RFP, the Bidder should plan for an annual (July 1 – June 30) budget cycle. Bidders should submit invoicing on a monthly basis unless otherwise noted in the budget narrative.

The Budget Narrative is an opportunity for BEA/OWO to assess the fiscal risk and operations of the organization. It is also where the Bidder provides an itemized budget breakdown and narrative for each budget category listed on the Budget Worksheet.

The budget narrative submitted should answer the following:

- Describe your organization's experience managing Federal funds.
- Describe the internal controls of your organization to handle finances.
- Describe how you will help ensure an efficient use of the WIOA funds while maximizing services provided for Dislocated Workers.
- Describe past success with leveraging additional resources. Describe both leveraged resources whose purpose has been to ensure and maximize the delivery of services and leveraged resources whose purpose was to maximize the organization's financial resources. Also, specify additional resources to be leveraged and any in-kind contributions the organization will provide to assist in the participant's program's success.
- Describe how you will financially support the costs of doing business until an invoice can be submitted and paid by BEA/OWO.
 - No advance payment will be made.
 - Indirect costs can only be charged to the contract if an approved indirect cost plan is included with the budget.
 - Bidders should note: BEA/OWO will pay on a cost-reimbursable basis for all Dislocated Worker Services costs, which include staff salary/benefits/travel, rent, utilities, telephone, internet, janitorial services, supplies, equipment, maintenance, and direct WIOA participant costs such as training and supportive service costs.
 - The contractor will be required to submit an invoice accompanied by the appropriate documentation to receive reimbursement for costs. Cash advances will not be available to the contractor. Reimbursements shall be made based on allowable costs incurred. This may include copies of paid invoices, check registers, payroll and benefit records, and similar documents.
- Provide a brief description of the internal controls of the organization.

The budget narrative must also offer sufficient details to allow an assessment of cost reasonableness for the costs identified in the Budget Worksheet.

Personnel

- Provide the title and duties of each position to be compensated under this project and the importance of each position to the success of the project.
- Provide the salary for each position under this project.
- Provide the amount of time (such as hours or percentage of time) to be spent by each position on this project.
- Provide the basis for cost estimates or computations.

- How many direct services staff are included in your budget? (FTEs)
- How many non-direct service staff or administrative are included in your budget? (FTEs)

Fringe Benefits

- Give the fringe benefit percentages of all personnel included under Personnel.
- Provide the rate and base on which fringe benefits are calculated.
- Do not include fringe benefits for salaries and wages that are treated as part of the indirect cost.

Supplies

- Supplies purchased with grant funds should directly benefit the project and be necessary for achieving project goals.
- Direct supplies and materials differ from equipment in that they are consumable, expendable, and of a relatively low unit cost. Provide an estimate of supplies by nature of expense or general category (e.g., instructional materials, office supplies, etc.).
- Explain anticipated need for supplies and how they relate to project success.
- Provide the basis for cost estimates or computations.

Travel (In-State)

- Explain the purpose of travel, explain how it aligns to the project goals and objectives, and identify who will travel.
- Provide specifics on how travel expenses are calculated.
- Provide information on allowed mileage reimbursement costs.
- Mileage reimbursement may not exceed the federal rate, which can be found at GSA.gov.
- Travel for consultants should be included under Contractual (line 6).
- Out of state travel is restricted and requires prior approval from by BEA/OWO (most training opportunities are now available on-line).

Facility Costs (not included in indirect costs)

- For facility cost, include estimated total square feet available and cost per square foot.

Communications

- Provide specifics on communications expenses.

Equipment

- In general, equipment costs are not allowed for this program.
- The State considers all purchases of \$250 or more to be treated as equipment that must be maintained on inventory and remain property of the program/state. Such purchases require prior approval from BEA/OWO.
- The provider shall return all equipment/furniture purchased with federal funds to BEA upon the termination of contract.

Staff Training

- Provide the organizations plan for professional development of staff associated with this grant. Professional development of staff is a vital component to successful grant management and is encouraged by BEA/OWO.
- Include the organizations plans to train staff on all elements associated with successful case management as well as data entry into the case management system.

Contractual

- Please note that this RFP does not include a provision for sub-contracts. However, if the Bidder is proposing a service design that includes contractual agreements the following information must be provided. Describe the products to be acquired, and/or the professional services to be provided.
- Provide the purpose of the product(s) and/or services and their relation to project success.
- Provide the projected cost per contractor and basis for cost estimates.
- For professional services contracts, provide the amount of time to be devoted to the project, including the proposed costs to the grant award.

Other

- Provide the purpose for the expenditures and their relation to the proposed strategy during the project period.
- Costs associated with professional development, if applicable.

Total Direct Costs

- The sum total of all direct expenditures, per budget category.

Indirect Costs

- Describe your indirect costs rate – include the percentage and what is included in your base cost for determining your indirect cost rate. If the Bidder does not have an approved indirect cost rate, they must use the 10% De Minimis rate.

Administration Costs

- Administration costs are limited to 10% of the contract award.
- Indirect costs are included in the administration costs.
- In general, most cost associated with this program will fall into the direct and indirect costs category.
- Please see WIOA guidance on the [administrative cost](#) definition for WIOA.

Note: The budget narrative must describe how funds are allocated to minimize administrative costs and support direct services to participants. The narrative should also describe the indirect costs that are proposed, indicate what costs are included, and explain how these indirect program costs were determined. Any indirect costs budgeted must be supported by an indirect cost rate agreement with a Federal or State cognizant agency, a copy of which must be attached to the budget request.

Training Expenses

- Individual Training Accounts (ITA)-Estimated funds for ITAs. Include number of people to train and the estimated cost per person. ITA costs include tuition costs, books, fees, and training related costs that are included in the ITA package. Do not include estimated support service costs. Support service costs are tracked separately.
- On-the-Job Training (OJT) Contracts – estimated cost for OJTs based on the number of people enrolled in an OJT and the estimated cost per participant.
- For both the ITA and OJT costs estimates assume a cap of \$6,500 per person.

Support Services

- Describe how funding will be used for support services and how costs were calculated.
- Explain in detail if funds exceed the assumed limit of 10-12% of program costs.
- Support Services assume a cap of \$1,500 per person.

Total Costs

- Sum total of direct costs, indirect costs, and training costs.
- Please provide total costs for the year.

Part II: Budget Worksheet

Bidders are required to submit a budget worksheet using Appendix C. All costs included must be reasonable, allowable, necessary, and allocable among the cost categories using cost principles from 2 CFR 200 and 2 CFR 2900, as appropriate.

The budget narrative provided must offer sufficient details to allow an assessment of cost reasonableness.

In addition, please use Appendix D for the job description of WIOA funded staff included in the personal costs on the budget worksheet.

D. Rights of BEA/OWO in Accepting and Evaluating Proposals

BEA/OWO reserves the right to:

- Make independent investigations in evaluating Proposals
- Request additional information to clarify elements of a Proposal
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State
- Omit any planned evaluation step if, in BEA/OWO's view, the step is not needed
- At its sole discretion, reject any and all Proposals at any time, and
- Open contract discussions with the second highest scoring Bidder and so on, if BEA/OWO is unable to reach an agreement on Contract terms with the higher scoring Bidder(s).

SECTION 7 – Terms and Conditions Related to the RFP Process

A. RFP Addendum

BEA/OWO reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, BEA/OWO, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

B. Non-Collusion

The Bidder's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and work quoted have been established without collusion with other Bidders and without effort to preclude BEA/OWO from obtaining the best possible competitive Proposal.

C. Property of BEA/OWO

All material received in response to this RFP shall become the property of the State and will not be returned to the Bidder. Upon contract award, the State reserves the right to use any information presented in any Proposal.

Additionally, the funds authorized via this RFP are 100% Federal funds. Therefore, upon contract award, the Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products

developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated by selling products developed with grant funds, including intellectual property, these revenues are considered as program income. Therefore, program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

If applicable, the following language must be placed on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”

D. Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any contract resulting from this RFP. A Bidder’s disclosure or distribution of Proposals other than to BEA/OWO will be grounds for disqualification.

E. Public Disclosure

Pursuant to RSA 21-G:37, all information shall remain confidential until the grant contract is approved by the Governor and Executive Council, or, if the grant contract does not require approval from the Governor and Executive Council, until the effective date of the grant contract signed by BEA/OWO.

The content of each Bidder’s Proposal shall become public information upon the award of any resulting contract. Any information submitted as part of a response to this request for proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to BEA/OWO, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as “CONFIDENTIAL”. A designation by the Bidder of information it believes exempt does not have the effect of making such information exempt. BEA/OWO will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g., pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Bidder pricing will be subject to disclosure upon approval of the contract. BEA/OWO will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to BEA/OWO to view portions of a Proposal that the Bidder has properly and clearly marked confidential, BEA/OWO will notify the Bidder of the request and of the date BEA/OWO plans to release the records. By submitting a Proposal, Bidders agree that unless the Bidder obtains a court order, at its sole expense, enjoining the release of the requested information, BEA/OWO may release the requested information on the date specified in BEA/OWO's notice without any liability to the Bidders.

F. Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit BEA/OWO to award a contract. BEA/OWO reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

G. Proposal Preparation Cost

By submitting a Proposal, a Bidder agrees that in no event shall BEA/OWO be either responsible for or held liable for any costs incurred by a Bidder in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting contract.

H. Ethical Requirements

From the time this RFP is published until a contract is awarded, no Bidder shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any Bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any Bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such Bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A Bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the state's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

I. Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of BEA/OWO at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Bidder is deemed to have waived any challenges to BEA/OWO's authority to conduct this procurement and the form and procedures of this RFP.

1. Debriefing of Unsuccessful Bidders

Unsuccessful Bidders may request a debriefing conference. **A written request for a debriefing conference must be emailed to Joseph Doiron at Joseph.A.Doiron@livefree.nh.gov within three (3) business days after the Notification of Unsuccessful Proposal letter is e-mailed to the Bidder.** OWO will acknowledge receipt of debriefing request within three (3) business days.

Discussion will be limited to a critique of the requesting Bidder's proposal. Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person, on the telephone or virtually and will be scheduled for a maximum of one hour.

Section 8 – Contract Terms and Award

A. Non-Exclusive Contract

Any resulting contract from this RFP will be a non-exclusive contract. The State reserves the right, at its discretion, to retain other contractors to provide any of the services or deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal.

B. Award

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding and availability of Federal funds for the contract.

C. Standard Contract Terms

BEA/OWO will require the successful Bidder to execute a grant agreement using the Standard Terms and Conditions of the State of New Hampshire which is attached as Attachment A.

To the extent that a Bidder believes that exceptions to the standard form contract will be necessary for the Bidder to enter into the Agreement, the Bidder should note those issues during the Bidder Inquiry Period. BEA/OWO will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If BEA/OWO accepts a Bidder's exception BEA/OWO will, at the conclusion of the inquiry period, provide notice to all potential Bidders of the exceptions which have been accepted and indicate that exception is available to all potential Bidders. Any exceptions to the standard form contract that are not raised during the Bidder inquiry period are waived. In no event is a Bidder to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

Section 9 - Disclaimers and General Provisions

The following are disclaimers and general provisions under BEA and/or the SWIB. The Bidder shall review each statement below to ensure capacity for compliance before submitting a proposal for consideration. Items listed below may be repetitive of provisions cited earlier in this RFP.

- This RFP does not commit BEA to award a sub-recipient contract. If a sub-recipient is not chosen, a new RFP will be issued.
- Funding provided through this RFP process does not allow for any expenses related to preparing a proposal under Senior Community Service Employment Program.
- BEA reserves the right to waive informalities and minor irregularities in offers received.
- The SWIB reserves the right to re-release this RFP in the absence of qualified proposals, and/or due to funding restrictions, reallocations, or any other funding/program-related issues at the state or federal level.
- The selected Bidder(s) shall not subcontract in whole or in part any responsibilities or duties assigned in the contractual agreement between the Bidder and BEA without the prior written approval from BEA.
- All data, material, and documentation originated and prepared by the Bidder pursuant to the RFP shall belong exclusively to the BEA and be subjected to disclosure under the Freedom of Information Act.

- Formal notification to award a subrecipient contract and the actual execution of a contract are subject to the results of negotiations between the selected Bidder(s) and BEA and continued availability of WIOA funds.
- Any changes to the WIOA regulations and guidance, funding level or SWIB direction may result in a change in the sub-recipient contract. In such instances, BEA is not liable for what is in the Bidder's proposal or this RFP package.
- Proposals submitted for funding consideration must be consistent with, and if funded, operated according to, the federal WIOA legislation, all applicable federal regulations, State of New Hampshire policies and laws, and BEA policies and procedures.
- The Bidder selected for funding must also ensure compliance with the provisions referenced in 2 CFR 200.327 which are described in Appendix II to Part 200 and applicable sections of 20 CFR and 29 CFR.
- Post RFP, additional funds received by the BEA may be included in a contract with the selected Bidder to expand existing programs; or by consideration of proposals not initially funded under this RFP, if such proposals rated in the competitive range. These decisions shall be at the discretion of the BEA.
- BEA may decide not to fund part or all of a proposal even though it is in the competitive range.
- Any award may be contingent on the results of a pre-award site visit conducted by BEA. This site visit will establish, to BEA's satisfaction, whether the Bidder is capable of conducting and carrying out the provisions of the RFP. If the results of the site visit indicate, in the opinion of BEA, that the Bidder may not be able to fulfill service delivery expectations, BEA reserves the right not to enter into contract with the Bidder.
- BEA is required to abide by all Workforce Innovation and Opportunity Act legislation and regulations. Therefore, the BEA reserves the right to modify or alter the requirements and standards set forth in this RFP based on program requirements mandated by state or federal agencies.
- The Bidder shall adhere to BEA procedures to collect and verify data and submit required reports as well as monthly invoices to BEA.
- All Bidders must ensure equal opportunity to all individuals. No individual shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any Workforce Innovation and Opportunity Act funded program or activity because of race, color, religion, gender, national origin, age, disability, sexual preference, English proficiency, or political affiliation or belief.
- All Bidders must ensure access to individuals with disabilities pursuant to the Americans with Disabilities Act.
- Bidders must accept liability for all aspects of any Workforce Innovation and Opportunity Act Program conducted under contract with BEA. Bidders will be liable for any disallowed costs or illegal expenditures of funds or program operations conducted.
- The funding awarded in a contract resulting from this solicitation are subject to a reduction at any time during the contracting period should a Bidder fail to meet expenditure, participant, and/or outcome goals specified in the contract or when anticipated funding is not forthcoming from federal or state governments.
- The Bidder(s) awarded a contract (in response to this RFP), will allow state and federal representatives access to all related records and financial statements, program records, program materials, staff, and customers.
- The Bidder(s) awarded a contract (in response to this RFP), is required to maintain all Program records for three years, beginning on the last day of the program year. (2 CFR 200.333-337).
- The RFP period will not be final until BEA and the successful Bidder(s) have executed a mutually satisfactory contractual agreement. BEA reserves the right to make an award without further discussion of the proposal submitted. No program activity may begin prior to final BEA approval of the award and execution of a contractual agreement between the successful Bidder(s) and BEA.

- BEA reserves the right to cancel an award immediately if new state or federal regulations or policy makes it necessary to change the program purpose or content substantially, or to prohibit such a program.
- BEA reserves the right to determine both the number of participants to enroll and the funding level for the final contract. Such determination will depend upon overall fund availability and other factors arising during the proposal review process.
- Registration with the New Hampshire Secretary of State as a Vendor is required. Bidders must provide a current copy of such certification or a copy of the submitted application for certification. The Bidder may contact the NH Secretary of State at 603-271-3262 or 3266 for information on vendor registration.

APPENDIX B – Contractor Data Sheet

CONTRACTOR DATA SHEET

Page 1 of 3

(To be completed by Bidder)

1. Years in business: Indicate the length of time you have been in business providing this type of service:
_____ years _____ months

2. References: Indicate below at least three (3) accounts for whom you have provided consultancy services, of which at least two will be related to consortium management/sector organization. Include the date services were furnished, and contacts.

Client	City / State	Dates of Service	Contact Name / Phone / E-mail

3. Are you a subsidiary firm? ____ yes ____ no

If yes, list the location of your parent affiliation:

Address: _____

City: _____ State _____

4. List total number of employees:

_____ Full-time _____ Part-time/other

Authorized Signature(s)

This form must be completed and signed by an officer of the company.

Name of Firm: _____

Contact: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Fax: _____

Email: _____

Date of incorporation: _____

If not a corporation, state the type of business organization, names and addresses of the owners, address and phone of the principal place of business, date business began, and state in which organized.

I certify the accuracy of this information.

Signature: _____

Name and title (print or type): _____

Date: _____

APPENDIX C – Budget Worksheet

Name of Organization:

Prepared by:

	Administration	Program	Total Costs
PERSONNEL EXPENSES	\$		
Salaries & Wages	\$		
Fringe Benefits	\$		
PROGRAM OPERATING EXPENSES	\$		
Supplies	\$		
Staff Travel	\$		
Facilities (direct charges for Rent & Utilities, Maintenance & Janitorial)	\$		
Communications (phones, etc.)			
Equipment Rental & Maintenance	\$		
Equipment Purchase (add approval requirement information)	\$		
Staff Training	\$		
Contractual	\$		
Other	\$		
INDIRECT COSTS (% =)	\$		
PARTICIPANT EXPENSES	\$		
Individual Training Accounts (ITA)	\$		
On the Job Training (OJT)	\$		
Support Services	\$		
TOTAL	\$		

APPENDIX D – Staff Job Descriptions

Using this format, complete a separate Job Description for **each Position/Job Classification** that will provide WIOA services under the terms of this agreement, whether funded in full or in part, with WIOA funds.

Please identify the following:

1. Job Title

2. Describe actual job duties or tasks performed in relation to the WIOA program and job title (or attach job description and then *continue to answer questions below*).

3. Minimum education, experience, and qualifications of the person to perform the above job duties.

4. What is the anticipated amount of time this staff person will provide WIOA funded services?
 - a. _ hours per day
 - b. _ hours per week
 - c. _ office location(s)

5. What is the anticipated amount of time this staff person will provide WIOA funded services?
WIOA _____ Other _____

6. Name of Immediate Supervisor: (If position needs to be filled, indicate this.)

7. Share information on any staff assigned to this position that is going to work in other sections/departments of BEA/OWO. Please describe.

APPENDIX E – Assurances & Certifications

1. I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related Subrecipient(s):
2. I/we declare that all answers and statements made in the proposal are true and correct.
3. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for restricting competition. However, I/we may freely join with other persons or organizations for presenting a single proposal.
4. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by BEA without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
5. In preparing this proposal, I/we have not been assisted by any current or former employee of BEA whose duties relate (or did relate) to this proposal or prospective subaward, and who was assisting in other than his or her official, public capacity.
6. I/we understand that BEA will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of BEA, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
7. Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by him/her prior to opening, directly or indirectly to any other Bidder or to any competitor.
8. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
9. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal for restricting competition.
10. I/we grant BEA the right to contact references and others, who may have pertinent information regarding the Bidder's prior experience and ability to perform the services contemplated in this procurement.
11. I/we accept and will abide by State of New Hampshire's Code of Conduct and Conflict of Interest Policy

Signature of Bidder	Title	Date
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APPENDIX F – WIOA Assurances & Certifications

As an organization requesting WIOA funding, we assure and certify that our organization will comply with the following provisions:

- 1) Exclusive use of the statewide/regional brand name for the NH Works development system in lieu of traditional workforce development language and organizational names in the marketing and delivery of services and programs; furthermore, will ensure to credit the SWIB and BEA for funding on all marketing and other collateral.
- 2) Consistently identify individual programs and activities in user-friendly terms.
- 3) Designate appropriate job titles for staff who work with WIOA customers and detailed job descriptions will be available for each job title. These job titles will consistently be used with external customers.
- 4) Maintain customer files according to NH Works policies and guidance and adhere to data validation expectations.
- 5) Fully comply with the requirements of the WIOA; all Federal regulations issued pursuant to the Act; the NH WIOA State Plan and policies issued by the SWIB.
- 6) Administer the program in full compliance with safeguards against fraud and abuse as set forth in the law and regulations.
- 7) Ensure that the program does not discriminate against, deny benefits or employment to, or exclude from participation any person on the grounds of race, color, national origin, religion, age, sex, disability, sexual orientation, or political affiliation, or any other non-relevant factor.
- 8) Hire all WIOA service-provider staff at the NH Works Job Center to the greatest extent possible and will accept all associated workforce roles and responsibilities.
- 9) Operate the program in full compliance with health and safety standards established under State and Federal law and that condition of employment and training will be appropriate and reasonable in light of such factors as the type of work, geographical area, and proficiency of the customers.
- 10) Refer ineligible applicants to other appropriate services, including career services available at the NH Works Job Centers.
- 11) Exhaust other resources for support and/training prior to using WIOA funds.
- 12) Ensure that all WIOA customers participating in on-the-job training activities or individuals employed in other activities under WIOA be compensated at the same rates, including periodic increases and working conditions, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. Moreover, that such rate shall be accordance with applicable law. In no event shall the wage be less than the applicable state or local minimum wage law.
- 13) Ensure that no customer is employed to fill a job opening when any other person is on layoff from same or equivalent job, or when employer terminates the employment of any regular employee or otherwise reduces its workforce with the intention of filling vacancies with WIOA customers.
- 14) Ensure no WIOA funds will be used for contributions on behalf of any customers to retirement systems or plans; to impair existing Subrecipients for services for collective bargaining agreements; to assist, promote, or deter union activities; or to displace any currently employed worker.
- 15) Ensure reports to the BEA or its staff will be provided in a timely fashion, as requested.
- 16) Ensure all customer information will be keyed into the client management information system, JMS/GSI, in accordance with state and local policy, both in terms of content and timeframe expectations.
- 17) Ensure eligibility verification will be completed and documented in accordance with Federal, State, and local policy.
- 18) Ensure WIOA funds are not used for customer loans.
- 19) Ensure the total project costs will not exceed the amount awarded in the subrecipient contract for services.
- 20) Ensure coordination of training site visits by BEA staff and federal staff on request and will fully cooperate with monitoring reviews and other site visits by any representative of the WIOA.
- 21) Ensure will, in carrying out the contract, refrain from activities involving either actual or the appearance of conflict of interest according to Code of Conduct and Conflict of Interest.

- 22) Ensure will adhere to the BEA records retention policy and all WIOA financial and programmatic records (including customer files) stored by each service-provider for a minimum of three years from the date the program year audit is completed.
- 23) Ensure an annual single audit performed in accordance with current Federal regulations and that upon receipt of completed audit, sub-recipient will submit a copy to the BEA within thirty days (30) unless approved for a longer period.
- 24) Ensure will comply with Title VI of the Civil Rights Act of 1964 (PL 88-352).
- 25) Ensure will comply with the nepotism provisions as they relate to federally funded programs.
- 26) Ensure will comply with the Immigration Reform and Control Act of 1986 by completing and maintaining on file an I-9 form for each customer receiving WIOA wages.
- 27) Ensure will comply with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, (PL 91-646) which requires fair and equitable treatment of persons displaced as a result of federally assisted programs.
- 28) Confirm that the organization is not debarred, suspended, proposed for debarment, or declared ineligible from participation in this project.
- 29) Ensure does not use federal funds for lobbying purposes. If lobbying has occurred utilizing funds other than federal funds, the subrecipient agrees to file a disclosure report, if applicable.
- 30) That no WIOA funding will be used for sectarian activities and that employees paid from WIOA funds will not participate in sectarian religious activities in the execution of their job duties.
- 31) That no WIOA funds will be used to encourage or induce the relocation of a business.
- 32) That no WIOA funds will be used for customized or skill training and related activities after the relocation of a business until after 120 days.
- 33) That no WIOA funds will be used for foreign travel.
- 34) That no WIOA funds will be used to duplicate services available in the area.
- 35) Ensure that customers will not be charged fees for placements or referrals.
- 36) Ensure WIOA financial assistance is not provided to any program that involves political activities and the subrecipient agrees to comply with the provisions of the Hatch Act, which limits the political activity of certain state and local government employees and enrollees in Federally funded programs.
- 37) That all WIOA customers and WIOA funded staff are aware of grievance procedures and the subrecipient assures and certifies that the subrecipient has in place an established grievance procedure to be utilized for grievances or complaints about its program and activities from customers/enrollees, subrecipients and other interested parties.
- 38) The subrecipient will comply with New Hampshire statues, which prohibits public officials and employees from having a personal interest in any Subrecipient to which s/he is also a party in an official capacity.
- 39) The sub-recipient assures and certifies that it will comply with applicable provisions of the following laws as they relate to employment and training procedures: The Drug Free Workplace Act, the Immigration Reform Act, the Davis-Bacon Act, and Child Labor Laws.

For more information on WIOA assurances visit <http://www.doleta.gov/WIOA>.

I/we certify I/we read, understand and addressed in our proposal submitted on behalf of our organization all specifications contained in the RFP. That the required format has been followed and that all of the information contained in this proposal is true and correct. I further certify that our organization will comply with all of the above assurances, and that the governing body of our organization has duly authorized this proposal.

Signature of Authorized Representative

Date

APPENDIX G – Conflict of Interest Form

By submitting a proposal, the authorized signatory authority of the bidding entity certifies to his/her knowledge and belief that there is no conflict of interest (real or apparent) inherent in the bid or in delivering the scope of work if BEA/OWO awards a contract. A conflict of interest would arise if any individual involved in the preparation of this proposal and delivery of services has a financial or other interest or would be likely to gain financially or personally from the award of a contract. The same would hold true for any member of the individual's family, partner, or an organization employing or about to employ any of the above as a direct result of the successful award of a contract under the RFP. BEA/OWO reserves the right to disqualify a bidding entity should a conflict of interest be discovered during the solicitation process.

The Bidder further certifies that the organization will maintain a written code of standards or conduct governing the administration of WIOA funds. Any organization that has been selected, or otherwise designated to perform more than one function related to any WIOA program (Titles I, II, III, IV or V) and/or similar federally funded workforce program must develop a written plan. The plan must clarify how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and conflict of interest policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, certify that WIOA funded staff will not be assigned to work outside of WIOA deliverables as defined under contract, and demonstrate that there are appropriate firewalls within that single entity performing multiple functions.

Signatory Authority Name

Signature

Date

APPENDIX H – Roles & Responsibilities of the Title I Dislocated Worker Provider

The Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Program provides workforce investment activities that increase employment, retention, earnings, and occupational skill attainment of participants. As a result, the program improves the quality of the workforce, reduces public assistance dependency, and enhances the productivity and competitiveness of the economy.

The WIOA Dislocated Worker Program is designed to help workers get back to work as quickly as possible and overcome barriers to employment. When individuals become dislocated workers because of job loss, mass layoffs, global trade dynamics, or transitions in economic sectors, the Dislocated Worker Program provides services to assist them in re-entering the workforce.

The Dislocated Worker Program provides career (basic and individualized) services and training services.

Basic Career Services

- Initial assessment of skill levels, including literacy, numeracy, and English language proficiency, as well as aptitudes and abilities (including skills gaps).
- Supportive service needs assessment.
- Staff-assisted job search assistance.
- Placement assistance (includes job matching, job referrals, and job development).
- Career counseling, including staff-assisted career guidance and provision of information on in-demand industry sectors and occupations, on nontraditional employment, and from career profiles and interest inventories.
- Provision of information and assistance regarding filing claims for unemployment compensation.
- Assistance in establishing eligibility for programs of financial aid.
- Provision of job club activities.

Individualized Career Services

- Comprehensive and specialized assessments of the skill levels and service needs of dislocated workers, which may include:
 - Diagnostic testing and use of other assessment tools
 - In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- Development of an Individual Employment Plan (IEP) to identify all the following:
 - Employment goals
 - Appropriate achievement objectives
 - Appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible training providers and career pathways to attain career objectives.
- Individual counseling
- Career counseling and planning
- Short-term prevocational services to prepare individuals for unsubsidized employment or training, which include:
 - Development of learning skills
 - Communication skills
 - Interviewing skills
 - Punctuality
 - Personal maintenance skills
 - Professional conduct
- Internships and work experiences (including transitional jobs) that are linked to careers
- Workforce preparation activities
- Financial literacy services
- Out-of-area job search assistance and relocation assistance
- English language acquisition and integrated education and training programs

- Follow-up services

Training Services

- Occupational skills training, including training for nontraditional employment.
- Registered apprenticeship (which incorporates both on-the-job training (OJT) and classroom training).
- On-the-Job Training (OJT).
- Incumbent Worker Training (IWT).
- Transitional Jobs (TJ).
- Workplace training with related instruction, which may include cooperative education programs.
- Training programs operated by the private sector.
- Skill upgrading and retraining.
- Entrepreneurial training.
- Job readiness training provided in combination with other training services or transitional jobs.
- Adult education and literacy activities, including activities for English Language acquisition and integrated education and training programs, provided concurrently or in combination with other training services.
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

In addition, the successful contractor's role will be to provide the following:

A. Intake: An Orientation process must be provided to each potential eligible participant. Orientation must include information on the services that are available within the WIOA Title I Dislocated Worker Program and the One-Stop Service Delivery system in the state. These services may include, but are not limited to:

- 1) Orientation/Introduction of the program purpose
- 2) All program services and resources available
- 3) Responsibilities of other service-providers
- 4) Program participant's responsibility
- 5) Information on follow-up services
- 6) Information on support services
- 7) Referral to other appropriate services

The Intake involves registration, eligibility determination, and collection of documentation to support verification of eligibility for services. Other services also include referral for basic skills development and referral to other services as appropriate.

B. Assessments: Assessment is a process that identifies service needs. An objective assessment must be administered to all eligible dislocated workers. The WIOA Dislocated Worker Program design requires an objective assessment of academic levels, goals, interests, skills levels, abilities, aptitudes, and supportive service needs; it also measures barriers and strengths. Assessment results are used to develop the Individual Employment Strategy (IEP).

C. Individual Employment Plan (IEP): The Individual Employment Plan is the plan that identifies the employment goals, educational objectives, and appropriate services for the participants. Development and update as necessary of an IEP is required for each participant. An IEP must be directly linked to one or more of the indicators of performance and identifies a career pathway that includes education and employment goals. Goals and objectives must be specific, measurable, achievable, relevant, and timely and align to the interest and career pathway identified in the objective assessment.

D. Career Coaching: Case management should be a process that typically includes noninstructional activities such as navigation to and arrangements for academic, career or personal counseling, financial aid, childcare, housing, and other financial assistance that can be critical to the success and continued engagement of the individual in pursuing their career pathway component. Dislocated Worker Programs

must provide case management services to assist a participant in making informed choices and completing the program. Support may be provided on an individual or group basis. Career Coaching principles and methods must be incorporated throughout the program design. A case manager must be assigned to follow the process of each participant from enrollment to program exit, including follow-up services.

Case management is the structure for delivering effective services that facilitate positive development of the participant and the achievement of their goals. Case management extends from recruitment/enrollment through follow-up services. The case manager supports and motivates participants and coordinates services and information to prepare them for post-secondary education opportunities, academic and occupational training, or employment and training opportunities, as appropriate. Subrecipients are encouraged to incorporate trauma informed approaches, behavioral health training, implicit bias training, and racially equitable practices into their case management models.

E. Supportive Services: Dislocated Worker Programs must provide supportive services to eligible participants that are necessary to enable an individual to participate in activities authorized under Title I of WIOA.

F. Follow-Up Services: Follow-up services are critical services provided, for no less than 12 months, following a participant's exit from the program. Those services help ensure the individual is successful in employment and/or post-secondary education and training beyond their program completion. The dislocated worker service-provider must establish and implement procedures to ensure that follow-up services are conducted and documented. Follow-up services include regular meaningful contact.

Performance Requirements

A. Performance Measures:

The minimum participant cost rate (MPCR) is a State identified performance accountability measure pursuant to WIOA, Section 116(b)(2)(B). The MPCR serves as a benchmark for participant expenditures to focus Federal resources more effectively on serving individuals, ultimately impacting performance and outcomes while emphasizing financial integrity of taxpayer dollars in partnership with our workforce system stakeholders.

B. Primary Indicators of Performance:

Section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (WIOA) establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of States and local areas in achieving positive outcomes for individuals served by each of the six core WIOA programs as follows:

- 1) Employment Rate – Second Quarter After Exit
- 2) Employment Rate – Fourth Quarter After Exit
- 3) Median Earnings – Second Quarter After Exit
- 4) Credential Attainment
- 5) Measurable Skills Gains
- 6) Effectiveness in Serving Employers

BEA/OWO shall negotiate and reach agreement on state levels of performance based on the State adjusted levels of performance established under WIOA subsection (b)(3)(A). The contract that results from this RFP will require the contractor to follow and remain in good standing with BEA/OWO policies. Failure to remain in good standing may result in termination of the contract. All renewal(s) or extension(s) of the resulting contract will be subject to this standing as well as overall performance measures.

C. Key Indicators of Performance:

Key Performance Indicators (KPIs) provide a way of measuring the effectiveness of an organization in achieving its goals. KPIs are set by the State and may address, Federal, State or Local priorities. KPIs were developed to increase the impact of the public workforce system, primarily through increased enrollment.

Signatory Authority Name

Signature

Date



ON-THE-JOB TRAINING CONTRACT

Trainee Name: _____

Fund Source: _____

State ID Number _____

Employer Name _____

WIOA Career Specialist: _____

NH Works Office _____

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For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

WIOA OJT AGREEMENT

CONTRACT NO: _____ MOD #: _____ DATE: _____

Employer Information

EMPLOYER LEGAL BUSINESS NAME:	FEIN #:	NHES #:
FORMER NAME (S) UNDER WHICH EMPLOYER CONDUCTED BUSINESS:		
CONTACT PERSON:	JOB TITLE:	
EMPLOYER ADDRESS:		
CITY:	STATE:	ZIP:
TELEPHONE:	FAX:	EMAIL:
TYPE OF ORGANIZATION:		
COMPANY NAICS CODE:	# OF CURRENT EMPLOYEES:	YEARS IN EXISTENCE:
IS THE BUSINESS BEING SOLD OR MERGING WITH ANOTHER COMPANY?		

Trainee Information

Trainee Name:	SS #:	Telephone:
Beginning Date:	End Date:	Total Training Hours:
Pay Frequency:	Job Title:	O*NET Occupation Code:
Hourly Wage:	Reimbursement Rate: % \$	Maximum Reimbursement:
Graduated Wage Rate or special conditions (if applicable):		

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Purpose and Makers:

The purpose of this contract is to enter into an agreement for the provision of On-the-Job Training for (**Trainee**) which is designed to result in marketplace employment skills. The agreement is entered into between (**Employer**) hereinafter referred to as "Employer" and (**ENTER NAME OF SUBRECIPIENT**) hereinafter referred to as "Provider".

A WIOA Career Specialist (WCS) will be assigned as the party to which concerns or problems shall be reported by the Employer. The Trainee shall report any concerns or problems to his/her WIOA Career Specialist (WCS).

General Terms and Conditions

1. *Statement of Work.* The Employer agrees to provide the training identified in the "Training Outline" through a qualified individual, and to ensure that the Trainee is provided with the necessary skills and knowledge to adequately perform the job. This agreement must be executed prior to the Trainee's start of work. *Please note that the maximum number of OJT contracts initiated with an employer shall not exceed 25% of the current workforce.*
2. *Time and Wage.* All parties agree that the period of the contract shall be as stated on the previous page and wages to be as set forth therein. Unless otherwise specified before, the Trainee will train for 8 hours per day, for a total of 40 hours per week. Wages shall be paid at the rate specified above minus deductions required by law. The Trainee shall be paid consistent with employer's normal payroll cycle. The Employer must inform the WCS of any pay increases that occur during the OJT. *Please note that OJT wages paid to the trainee must be at a minimum of \$11.00 per hour unless approved by the WIOA Program Manager.*
3. *Notification of Concerns.* The Employer will inform the WCS immediately when any problems or disputes arise during the training period concerning the Trainee's progress in the training program, work habits, or behavioral problems affecting the Trainee's participation in the program. The Employer will in good faith and with the assistance of the WCS make all reasonable efforts to resolve such problems and disputes.
4. *Trainee Concerns.* The Trainee is responsible to follow policies and procedures of the Employer, and to report any concerns or unresolved issues to his/her WCS.
5. *Suspension of Trainee.* The Employer may, if it is necessary to prevent interference with the efficient operation of the Employer's business, suspend the Trainee. Immediately upon such suspension, the Employer must give notification to the WCS stating the reasons which make such suspension necessary. As soon as practicable within the suspension time, the Employer will meet with the WCS and the Trainee if both parties agree, and in good faith make all reasonable efforts to resolve the problems leading to suspension.
6. *Termination of Trainee.* Except for cause, the Employer will not terminate the Trainee without prior notice to the Trainee and reasonable opportunity for correction or improvement of performance including substandard or unsatisfactory progress or conduct.
7. *Invoicing & Evaluations.* The Employer will submit the Invoice Form and the Evaluation Form to the Fiscal Office (as stated on the invoice) at least once every month during the training period.
8. *Cancellation by Employer.* The Employer may cancel this agreement for any of the following reasons:
 - a. The Trainee has been terminated for cause;
 - b. After suspension, when meeting with all represented parties fails to resolve problem (s) leading to the suspension; or

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- c. Upon fifteen (15) calendar days written notice to the WCS stating the reason why further participation by the Trainee in the training program would not result in the Trainee achieving the marketable job skill that is the intended purpose of this agreement.
9. *Cancellation by Provider.* The Provider may cancel this agreement if they determine that the Employer has failed to maintain a reasonable adherence to the provisions of this agreement, including all Employer assurances provided herein. The Provider may also cancel this agreement, after consultation with the Employer, if the Employer fails to provide the Trainee with instruction, opportunities, materials, or services identified in the training plan for the trainee to achieve the marketable job skills that are the intended purpose of this OJT agreement. In the event of such cancellation, the training will terminate.
10. *Modifications to Contract.* This contract shall not be modified unless done so in writing and signed. Any modification resulting in additional costs to the Employer and/or Provider shall require both signatures. Any modifications to the Training Outline shall require signatures by all parties.

Employer Assurances

The Employer hereby certifies that the following assurances are true and agrees to be in compliance with the following:

1. The trainee will be an employee of the company, and as such provided the same workers' compensation, health insurance, unemployment insurance, retirement benefits, etc. as all other full-time employees.
2. This contract shall not result in the full or partial displacement of employed workers.
3. WARN notices have previously been filed, where appropriate, in accordance with State law.
4. The company has not exhibited a pattern of failing to provide OJT Trainees with continued long-term employment.
5. Employer verifies WIOA funds will not be used to relocate in whole or in part.
6. Company has operated at current location for at least 120 days.
7. Funds provided under this contract will not be used to directly or indirectly assist, promote, or deter union organizing.
8. That the OJT will not impair existing agreements for services or collective bargaining agreements and that either it has the concurrence of the appropriate labor organization as to the design and conduct of an OJT, or it has no collective bargaining agreement with a labor organization that covers the OJT position.
9. That the Employer, in good faith, commits to providing long-term employment upon successful completion of the OJT.
10. That the company is financially solvent on the date of this contract, and the Employer's best projection is that they will remain financially able to meet contract obligations at the end of the training period, including OJT Trainee's retention.
11. That the Trainee wages to be paid are at least equal to
 - a. The state minimum wage (Fair Labor Standards Act); and
 - b. Other employees in the same occupation with similar experience.
12. That conditions of employment and training will be in full accordance with all applicable federal, state, and local laws and ordinances (including but not limited to anti-discrimination, labor and employment laws, environmental laws or health and safety laws).
13. That the company has not been debarred or suspended in regard to federal funding.
14. That no member of the OJT Trainee's immediate family is engaged in an administrative capacity for the Employer or will directly supervise the OJT Trainee. For the purpose of this contract, immediate family is defined as spouse, children, parents, grandparents, grandchildren, brothers, sisters or person bearing the same relationship to the OJT Trainee's spouse.
15. That the OJT Trainee will not be employed to carry out the construction, operation, or maintenance of any part of a facility that is used or to be used for sectarian instruction or as a place for religious worship.
16. The trainee is not authorized to submit or approve any invoices or documents related to payment or performance of the OJT.
17. That the OJT Trainee has not been hired into, or will remain working in, any position when any other person is on layoff from the same or substantially equivalent job within the same organizational unit or has been bumped and has recall rights to that position, nor if the OJT is created in a promotional line that infringes on opportunities of current employees.
18. That if the OJT is created in a promotional line, the OJT Trainee has not been hired into, or will remain working in, such a position that infringes on opportunities of current employees.
19. The OJT Trainee and regular employees of the OJT Company alleging displacement are made aware of their right to file a complaint under the applicable grievance procedures found at 20 CFR 667.600 and WIOA section 181, as well as the OJT Company's internal complaint and/or grievance procedure.

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20. That no funds under this Act shall be used for payment of a fee charged to an individual for the placement of that individual in a training or employment program under the Act. The sub-recipient/contractor shall not charge a fee to any individual for the referral or placement of that individual in any program.

The following parties hereby declare they have read and agree with the aforementioned terms of the agreement and execute same as authorized agents for the Employer and Provider:

_____	_____
Authorized Employer Representative Signature	Date
_____	_____
Print Authorized Employer Representative Name	Title

_____	_____
WIOA Career Specialist Signature	Date

WIOA Career Specialist Printed Name	

_____	_____
Trainee Signature	Date

Trainee Printed Name	

WIOA Contact Information

WIOA Career Specialist: _____ **(Print Name)**
 _____ **(Phone & Email)**

WIOA Program Manager: _____ **(Print Name)**
 _____ **(Phone & Email)**

Revised: July 22, 2024

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Section II Appendix

SUPPLEMENTAL JOB DESCRIPTION

Classification: Administrator II **Function Code:** 0070-035

In-House Title: Administrator of WIA Statewide Program Svcs. **Date Established:** 07/02/10

Position Number: 43649 **Date of Last Amendment:** 6/27/14

Employee: _____ **Supervisor:** _____

SCOPE OF WORK: To administer statewide program management systems for Adult and Youth Title I programs from intake through placement by authorizing and monitoring the implementation of state/federal policies and procedures as they relate to the delivery of programs funded through the Workforce Investment Act (WIA).

ACCOUNTABILITIES:

Develops and monitors statewide policies, goals and objectives for the WIA programs in accordance with state and federal statute.

Provides ongoing technical assistance to staff related to WIA programs involved with State planning and performance evaluation in accordance with the Workforce Investment Act.

Provides ongoing technical assistance in the development and implementation of a statewide case management system for WIA participants.

Develops and executes contracts with service delivery providers for the provision of direct services in the statewide WIA program.

Assists in the development of program budgets, including authorizing expenditures by contracting agencies for the provision of services.

Evaluates program operations for effectiveness and proper allocation of program resources and implements fiscal and programmatic changes to ensure compliance with state and federal statutes.

Represents the agency at policy level interagency meetings and events regarding the implementation of programs administered under the Workforce Investment Act.

Develops and executes new grant applications authorized by the State Workforce Investment Board.

Plans, develops and evaluates comprehensive training programs and manuals; communicates recent developments in research, evaluation and planning of programs.

Serves as the WIA System Equal Opportunity officer.

MINIMUM QUALIFICATIONS:

Education: Master’s degree from a recognized college or university with major study in education, human services, psychology, public relations, business management or related fields.

Experience: Six years of experience in workforce development service delivery or related program management, four years of which must have been in a management level position involving administrative duties concerned with program administration program planning and evaluation, business management or related management experience.

OR

Education: Bachelor’s degree from a recognized college or university with major study in education, human services, psychology, public relations, business management or related fields.

Experience: Seven years’ experience in workforce development service delivery or related program management, four years of which must have been in a management level position involving administrative or supervisory duties concerned with program administration, program planning and evaluation, business management or related management experience.

LICENSE/CERTIFICATION: Must have a valid Drivers License

DISCLAIMER STATEMENT: The supplemental job description lists the essential functions of the position and is not intended to include every job duty and responsibility specific to the position. An employee may be required to perform other related duties not listed on the supplemental job description provided that such duties are characteristic of that classification.

SIGNATURES:

We have reviewed and discussed the content of the above job description, and certify that it is an accurate reflection of this position’s duties.

Employee's Signature
Supervisor's Name and Title: Administrator IV, #43644

Date Reviewed

Supervisor's Signature

Date Reviewed

Human Resources Administrator
Jennifer J. Elberfeld
JM

Date Approved
6-25-16

Division of Personnel

Date Approved

From: [Salmon, Melissa](#)
To: [Gerrard, Lisa](#)
Subject: FW: Annual MANDATORY Equal Opportunity Training
Date: Thursday, October 10, 2024 9:48:14 AM
Attachments: [Moodle LMS Access Instructions 72324.pdf](#)
[image002.png](#)

Warmly,
Melissa Salmon
She/Her/Hers-[Why Pronouns Matter](#)
WIOA Program Specialist
Office of Workforce Opportunity
Department of Business and Economic Affairs
State of New Hampshire
P: 603.271.7276
C: 603.931.9907
[visitnh.gov](#) // [nheconomy.com](#) // [nhworks.org](#) // [choosenh.com](#)



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From: Gerrard, Lisa <Lisa.D.Gerrard@livefree.nh.gov>
Sent: Wednesday, July 24, 2024 8:37 AM
Subject: Annual MANDATORY Equal Opportunity Training

Good morning,

Its that time of year again when all staff who are connected to **WIOA programs** must complete the mandatory Equal Opportunity Training. **All staff that are working on grants that receive WIOA funding must complete this training.**

As EO Officers for your agencies, you are responsible for making sure that all staff receive and complete this training. All training must be completed no later than **August 30, 2024**. At that time, I will be running a report to see who has completed it and will provide a copy to each of you.

Attached, are the instructions on how staff can create an account and access the training.

In addition , below are the two different links (Internal Site and External Site) that can be used to access the course.

Internal Site Link (STATE EMPLOYEES) (NH FIRST Credentials required):
<https://intra.lms.nh.gov/learn/nh/course/view.php?id=87>

External Site (Any user can create an account): <https://lms.nh.gov/das/bet/course/view.php?id=321>

If you are not a state employee, you should register as a “non-email registrant” and then provide your

agency name.

Also, as a reminder, when you onboard new staff attached to WIOA grants, they must complete this training as part of their mandatory onboarding trainings.

Please let me know if you have any questions or concerns.

Thanks,
Lisa

Lisa Gerrard, CWDP
WIOA Program Administrator
WIOA State Equal Opportunity Officer

Office of Workforce Opportunity
Department of Business and Economic Affairs
State of New Hampshire
P: 603-271-0355
C:603-545-4796
nheconomy.com // nhworks.org // choosenh.com // visitnh.gov



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NH Works System Equal Opportunity (EO) Officers – October 2024

Agency	NH Works System Programs	Contact Information
NH Works System State-Wide	NH Works System Programs Governor's Liaison: James Gerry, Budget Director Office of Governor Christopher T. Sununu	Lisa Gerrard <u>Business and Economic Affairs</u> 100 North Main St., Suite 100 Concord, NH 603-271-0355 Lisa.D.Gerrard@livefree.nh.gov
NH Employment Security	WIOA Title I Dislocated Worker Program Wagner Peyser /RSEA Unemployment Insurance Trade Act Farm Workers, State Veterans Grant, Tax Credits	Eleanor (Ellie) Goodbread <u>Employment Security</u> 45 South Fruit Street Concord, NH 03301 (603) 228-4175 Eleanor.E.Goodbread@nhes.nh.gov
NH Department of Education	Vocational Rehabilitation Adult Basic Education	Richard Sala <u>Department of Education</u> Walker Building 21 South Fruit Street, Suite 20 Concord, NH 03301 603-271-7080 Richard.K.Sala@doe.nh.gov
Community Action Partnership Hillsborough and Rockingham Counties (CAPHR)	WIOA Title I Adult – local provider	Debra Stohrer <u>Community Action Partnership Hillsborough and Rockingham Counties (CAPHR)</u> 40 Pine Street Manchester, NH 03103 603-668-8010 dstohrer@snhs.org
NH JAG	WIOA Title I Youth – local provider	Nick Resca, Executive Director <u>NH JAG</u> 20 Foundry Street 2 nd Floor Concord, NH 03301 603-491-8330 nresca@jagnh.org
My-Turn	WIOA Title I Youth – local provider	Allison Joseph, Executive Director <u>My-Turn</u> 340 Granite Street Suite 1 Manchester, NH 03102 603-321-3416 ajoseph@my-turn.org

Operation ABLE	SCSEP – local provider	<p>Deborah Delman, SCSEP Director Operation ABLE 98 North Washington St Suite 200 Boston, MA 02114 ddelman@operationable.net P: 617-542-4180 Ext.</p> <p>Mark Gyurina, Chief Program Officer Operation ABLE 98 North Washington St Suite 200 Boston, MA 02114 mgyurina@operationable.net P: 617-542-4180 Ext. 128</p>
NH Department of Health and Human Services	TANF (work programs) SNAP (work programs)	<p>Clients: Jennifer Jones Jennifer.Jones@dhhs.nh.gov P: 603-271-6941</p> <p>Staff: Barbara McCann Barbara.a.McCann1@dhhs.nh.gov 603-271-9017</p> <p>Department of Health and Human Services 129 Pleasant Street Concord, NH 03301</p>
NH Job Corps	Job Corps program services in NH	<p>Students: Deborah Black Black.Deborah@jobcorps.org P: 603-695-8806 Staff: Tyler Holmes Holmes.Tyler@jobcorps.org P: 603-695-8912</p> <p>NH Job Corps Center 943 Dunbarton Road Manchester, NH 03102 603-621-9555</p>
Community College System of NH	Work Ready Apprenticeship WIOA program enrollments in the community college System	<p>Great Bay Community College Diane Carroll Human Resource Officer 603-427-7603 dscarroll@ccsnh.edu</p> <p>Lakes Region Community College Karen Schaffner Human Resources Manager</p>

603-366-5230, ext. 6730
kschaffner@ccsnh.edu

Manchester Community College

Jeannie DiBella
Director of Human Resources
(603) 206-8006
jdibella@ccsnh.edu

Nashua Community College

Catherine Barry
Human Resources Director
(603) 578-8900, ext. 1766
cbarry@ccsnh.edu

NHTI

Director of Human Resources
Kirsty Hart
(603) 271-6484, ext. 4122
khart@ccsnh.edu

River Valley Community College

Jill Spurr
Human Resources Manager
603-542-7744, ext. 5323
jspurr@ccsnh.edu

White Mountains Community College

Gretchen Taillon
Human Resources Manager
(603)342-3003
gtaillon@ccsnh.edu

SUPPLEMENTAL JOB DESCRIPTION

CLASSIFICATION: Administrator III

FUNCTION CODE: 0071-027

POSITION TITLE: Administrator of Integrity Programs
and Information Security Officer

DATE ESTABLISHED: 08/15/88

POSITION NUMBER: 11299

DATE OF LAST AMENDMENT: 4/8/22

Scope of Work: Directs the activities of the Department of Employment Security's Internal Security Program to promote and maintain a safe and secure environment for employees and customers and to ensure the security of department facilities and assets. Administers the Department's Unemployment Compensation Integrity Programs by planning short and long term organizational goals, formulating, and developing/revising program processes and procedures as required by state and federal law.

Accountabilities:

Serves as the Agency Information Security Officer (ISO), develops, implements, and supervises security policies and procedures for NH Employment Security to ensure a high level of information and cyber security and to protect the confidentiality, integrity, and availability of agency and client data and information assets in compliance with state and federal regulatory requirements. Represent NHES on the State of NH Cyber Security Advisory Council. Manages and coordinates the Department's participation in federally mandated audits and system security reviews.

Works in conjunction with state and federal agencies, including but limited to: the US Department of Labor (USDOL), Social Security Administration, US Treasury, Internal Revenue Service, NH Office of Child Support & Enforcement, and NH Attorney General's Office, regarding a broad range of information security issues, actual or suspected data breaches, identity theft and fraud prevention, and also regarding data access and information sharing among agencies where permitted or required by law. Serves as the department's Systems Security contact responsible for notifying state and federal partners in the event of a data loss or breach.

Administers the New Hampshire Employment Security Integrity Programs; manages section supervisors, conducts performance evaluations, and support staff in executing integrity program efforts related to the detection, deterrence and prevention of fraud, waste, and abuse; to include the activities of the Quality Control, Benefit Payment Control and the Claims Representative, Units, in accordance with USDOL requirements.

Participates in matters of agency policy, administrative rules, and program legislation to maintain the integrity of programs administered by the department. Authorize and oversee grant allocations and expenditures for security activities and integrity program operating costs; participate in planning agency budget and long and short-term fiscal objectives.

Researches and develops a broad range of regularly scheduled reports for the Unemployment Insurance Integrity Program and the Security and Equal Opportunity activities, to demonstrate and track outcome measures and overall program performance in accordance with state and federal regulations.

Develops, evaluates, and presents reports, program information/data, and training materials for agency administration, partners, and personnel regarding systems and operational security, federal compliance, and integrity programs.

Develops, authorizes and monitors statewide policies and goals related to system security and integrity programs to protect against security vulnerabilities in the information sharing networks and ensure that any weaknesses in the systems are addressed and remedied efficiently.

MINIMUM QUALIFICATIONS:

Education: Master's degree from a recognized college or university with major study Business Administration, Project Management, or Public Administration.

Experience: Seven years of experience in personnel or industrial relations or professional experience in public employment service, unemployment compensation or state labor law, four years of which must have been in a management level position involving administrative or supervisory duties concerned with program administration, program planning and evaluation or related management experience.

OR

Education: Bachelor's degree from a recognized college or university with major study in Business Administration, Project Management, or Public Management.

Experience: Eight years of experience in personnel/industrial relations or professional experience in public employment service, unemployment compensation or state labor law, four years of which must have been in a management level position involving administrative or supervisory duties concerned with program administration, program planning and evaluation or related management experience.

License/Certification: Valid Driver's License.

RECOMMENDED WORK TRAITS: Knowledge of program administration and evaluation. Knowledge of state and federal laws relating to the programs within assigned area. Knowledge of the principles of supervision, administration, and community organization as applicable to specialized program area. Ability to prepare budgets. Ability to express ideas clearly and concisely both orally and in writing. Ability to evaluate and analyze program effectiveness and resource management. Ability to speak before public groups and legislative committees. Ability to establish and maintain effective working relationships with federal, state and other public officials. Must be willing to maintain appearance appropriate to assigned duties and responsibilities as determined by the agency appointing authority.

DISCLAIMER STATEMENT: The supplemental job description lists the essential functions of the position and is not intended to include every job duty and responsibility specific to the position. An employee may be required to perform other related duties not listed on the supplemental job description provided that such duties are characteristic of that classification.

SIGNATURES:

I have reviewed the content of this supplemental job description with my supervisor.

Employee's Name

Employee's Signature

Date Reviewed

Supervisor's Name and Title: _____

I have discussed the work responsibilities outlined by this supplemental job description with the

above employee.

Supervisor's Signature

Date Reviewed

REVISED: 4/8/2022

Agency Human Resources

Date Approved/Revised

Appointing Authority's Signature

Date Reviewed/Approved

Reserved for DOP and Designees Only

Division of Personnel

Date Approved

Section III Appendix

EQUAL OPPORTUNITY GRIEVANCE PROCEDURE NOTICE POLICY

Policy #: 2024-P-07 Previous #: NONE

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To provide guidance regarding providing the equal opportunity grievance procedure to all individuals enrolling in a Workforce Innovation and Opportunity Act (WIOA) Title I funded program.

POLICY:

It is the policy of the New Hampshire Works Consortium and partner agencies to assure nondiscrimination 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 financially assisted program or activity. Individuals receiving assistance from a WIOA Title I funded program shall be provided the process for filing a grievance if they believe they have been discriminated against.

PROCEDURE(S):

As part of the application process the WIOA Career Specialist (WCS) shall explain equal opportunity and will provide the WIOA Grievance Procedure Notice to all individuals who are applying for services under a WIOA Title I funded program. The individual will be asked to sign a copy of the notice and will be provided an additional copy to keep for future reference. The ECS will upload the signed notice into the documents section of the Job Match System (JMS) as part of the application process.

If English is not the individuals first language, the grievance procedure notice shall be provided in the language that the individual indicates in their JMS registration.

ACTION:

All staff must be knowledgeable of the contents of this directive.

ATTACHMENTS:

1. WIOA Grievance Procedure Notice English
2. WIOA Grievance Procedure Notice Spanish
3. WIOA Grievance Procedure Notice French
4. WIOA Grievance Procedure Notice Arabic
5. WIOA Grievance Procedure Notice Dari
6. WIOA Grievance Procedure Notice Pashto
7. WIOA Grievance Procedure Notice Swahili

8. WIOA Grievance Procedure Notice Ukrainian

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) GRIEVANCE PROCEDURE NOTICE

Any applicant or program participant, who wishes to file a grievance as a result of perceived unfair treatment, discrimination, or violation of WIOA regulations, must follow the appropriate procedure outlined below. If a problem arises when being considered for a service or while enrolled, you should first try to work out a satisfactory solution with the service or training provider, or in OJT, with your employer. If that does not solve the problem, contact the Office of Workforce Opportunity Equal Opportunity Officer. He/she will try to help you find a solution that meets your needs as well as those of the service or training provider or employer. If you are still not satisfied, you may file a formal grievance or written complaint.

- A. You may file a written complaint to begin the formal process (one can be obtained from your Youth Specialist, Career Navigator or the EO Officer on file). This written complaint must detail the specific grievance and include the following information:
 1. Your name, address, business, and home telephone number
 2. Nature of the grievance
 3. Regulations or policies violated, if known
 4. Date of alleged act
 5. Name and title of others involved in the situation
- B. All non-civil rights grievances must be submitted within 90 days of the alleged incident.
- C. The Grievance Officer may contact you and/or other parties relevant to the complaint to obtain additional information and may convene a formal hearing. As an alternative, you may request a formal mediation process using an impartial mediator.
- D. The Office of Workforce Opportunity EO Officer will render a decision within ninety (90) days of receipt of the complaint.
- E. If you are dissatisfied with the decision, you may choose to file your complaint with the Director of the Office of Workforce Opportunity in Concord, NH. Information regarding this process will accompany the OWO EO's decision.
- F. Appeals must be filed within 60 days of the receipt of the decision being appealed.

THE NH DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS, OFFICE OF
WORKFORCE OPPORTUNITY

LISA GERRARD, EQUAL OPPORTUNITY OFFICER (EEO)

100 North Main Street, Suite 1, Concord, NH 03301

Phone: 603-271-0355 Relay:211

EQUAL OPPORTUNITY IS THE LAW NOTICE

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.

Participant's Initials _____

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: the recipient’s Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);

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Phone: 603-271-0355 Relay:211

or

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 website 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.

I have read and/or had this form read to me. I understand my rights to file a grievance. I understand that I may ask for help in filing a grievance from the EO/Grievance Officer.

Signature of Applicant/Participant

Date

2 ADD AGENCY NAME HERE is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

**LEY DE OPORTUNIDADES Y DE INNOVACIÓN DE LA FUERZA LABORAL (WIOA)
AVISO DE PROCEDIMIENTO DE QUEJA**

Todo postulante o participante de un programa que desee presentar una queja por haber percibido un trato injusto, discriminación o violación de los reglamentos de la WIOA debe seguir el procedimiento adecuado que se describe a continuación. Si surge un problema cuando se lo considera para un servicio o mientras se encuentra inscrito, primero debe intentar encontrar una solución satisfactoria con el proveedor de servicios o de capacitación, o en el caso de una capacitación en el trabajo (OJT, por sus siglas en inglés), con su empleador. Si eso no resuelve el problema, comuníquese con el/la oficial de igualdad de oportunidades (EO, por sus siglas en inglés) de la Oficina de Oportunidades Laborales (OWO, por sus siglas en inglés). El/La oficial intentará ayudarlo a encontrar una solución que satisfaga sus necesidades, así como también las del proveedor de servicios o capacitación o del empleador. Si aún no se está satisfecho, puede presentar una queja formal o una reclamación por escrito.

- A. Puede presentar una reclamación por escrito para comenzar con el proceso formal (puede obtener una de su especialista en juventud, asesor profesional o del oficial de EO registrado). Esta reclamación por escrito debe detallar la queja específica e incluir la siguiente información:
 - 1. Su nombre, dirección, número de teléfono profesional y particular
 - 2. Naturaleza de la queja
 - 3. Reglamentos o políticas infringidos, si los conoce
 - 4. Fecha del supuesto acto
 - 5. Nombre y cargo de otras personas involucradas en la situación
- B. Todas las quejas no relacionadas con derechos civiles deben presentarse dentro de los 90 días a partir del supuesto incidente.
- C. El oficial de quejas puede comunicarse con usted y/o con otras partes implicadas en la reclamación para obtener información adicional y puede convocar una audiencia formal. Como alternativa, usted puede solicitar un proceso de mediación formal en la que participe un mediador imparcial.
- D. El/La oficial de EO de la Oficina de Oportunidades Laborales emitirá una decisión dentro de los noventa (90) días posteriores a la recepción de la reclamación.
- E. Si no está satisfecho con la decisión, puede elegir presentar su reclamación ante el director de la Oficina de Oportunidades Laborales en Concord, NH. La información relacionada con este proceso acompañada a la decisión del/de la oficial de EO de la OWO.
- F. Las apelaciones deben presentarse dentro de los 60 días posteriores a la recepción de la decisión que se apela.

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100 North Main Street, Suite 1, Concord, NH 03301
Teléfono: 603-271-0355 Retransmisión: 211

AVISO: LA IGUALDAD DE OPORTUNIDADES ES LA LEY

Es contrario a la ley que este beneficiario de asistencia financiera federal discrimine de la siguiente forma: contra toda persona en los Estados Unidos por motivos de raza, color, religión, sexo (incluye embarazo, parto y condiciones médicas relacionadas, estereotipos sexuales, condición de transgénero e identidad de género), origen nacional (incluido el dominio limitado del inglés), edad, discapacidad o afiliación o creencia política, o contra todo beneficiario, postulante o participante de programas que reciban asistencia financiera conforme al Título I de la Ley de Oportunidades y de Innovación de la Fuerza Laboral, sobre la base de la condición de ciudadanía de la persona o de la participación en todo programa o actividad que reciba asistencia financiera conforme al Título I de la WIOA.

Iniciales del participante _____

El beneficiario no debe discriminar en ninguna de las siguientes áreas: cuando decida quién será admitido o tendrá acceso a todo programa o actividad que reciba asistencia financiera conforme al Título I de la WIOA; cuando brinde oportunidades en el programa o en la actividad o en el trato hacia personas en relación con estos; o cuando tome decisiones relativas a empleo en la administración del programa o de la actividad, o relacionadas con estos.

Los beneficiarios de asistencia financiera federal deben tomar medidas razonables para asegurar que las comunicaciones con personas con discapacidades sea tan eficaz como la comunicación con otras personas. Esto significa que, a pedido de la persona y sin costo alguno para ella, los beneficiarios deben proporcionar ayuda y servicios auxiliares apropiados a las personas calificadas que tengan discapacidades.

QUÉ HACER SI CONSIDERA QUE HA SUFRIDO DISCRIMINACIÓN

Si usted cree que ha sufrido discriminación en un programa o actividad que recibe asistencia financiera conforme al Título I de la WIOA, puede presentar una reclamación dentro de los 180 días a partir de la fecha de la supuesta violación ante alguna de las siguientes entidades: el oficial de igualdad de oportunidades del beneficiario o la persona que el beneficiario ha designado para este fin;

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o

Director, Civil Rights Center (CRC), U.S. Department of Labor

200 Constitution Avenue NW, Room N-4123, Washington, DC 20210

o de forma electrónica como se indica en el sitio web del Centro de Derechos Civiles (CRC, por sus siglas en inglés) en www.dol.gov/crc.

Si presenta su reclamación ante el beneficiario, debe esperar hasta que el beneficiario emita un aviso de acción final por escrito o hasta que hayan pasado 90 días (lo que ocurra primero) antes de la presentación ante el Centro de Derechos Civiles (vea la dirección anterior). Si el beneficiario no le envía un aviso de acción final por escrito dentro de los 90 días posteriores a la presentación de la reclamación, puede presentar una reclamación ante el CRC antes de recibir ese aviso. Sin embargo, debe presentar la reclamación ante el CRC dentro de los 30 días del plazo de 90 días (en otras palabras, dentro de los 120 días posteriores a la fecha en la que presentó la reclamación ante el beneficiario). Si el beneficiario le envía un aviso de acción final por escrito sobre su reclamación, pero usted no está satisfecho con la decisión o resolución, puede presentar una reclamación ante el CRC. Debe presentar su reclamación ante el CRC dentro de los 30 días posteriores a la fecha en la que recibió el aviso de acción final.

He leído y/o me han leído este formulario. Entiendo mis derechos de presentar una queja. Entiendo que puedo pedir ayuda para presentar una queja al oficial de EO/quejas.

Firma del postulante/participante

Fecha

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2 Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

LOI SUR L'INNOVATION ET LES OPPORTUNITÉS DE MAIN-D'ŒUVRE(WIOA) AVIS SUR LA PROCÉDURE DE RÈGLEMENT DES GRIEFS

Tout postulant ou participant au programme, qui souhaite déposer un grief en raison de la perception d'un traitement injuste, d'une discrimination ou d'une violation des règlements de la WIOA, doit suivre la procédure appropriée décrite ci-dessous. Si un problème survient lors de la prise en considération d'un service ou pendant l'inscription, vous devez d'abord essayer de trouver une solution satisfaisante avec le prestataire de service ou de formation ; ou, si le problème survient lors d'une formation en cours d'emploi (OJT, selon l'acronyme anglais), avec votre employeur. Si cela ne résout pas le problème, contactez le/la responsable de l'égalité des chances (EO, selon l'acronyme anglais) du Bureau des opportunités d'emploi (OWO, selon l'acronyme anglais). Il/elle essaiera de vous aider à trouver une solution qui réponde à vos besoins ainsi qu'à ceux du prestataire de services ou de formation ou de l'employeur. Si le résultat ne vous satisfait toujours pas, vous pouvez donc déposer un grief formel ou une plainte écrite.

- A. Vous pouvez déposer une plainte écrite pour entamer la procédure formelle (disponible auprès de votre spécialiste de la jeunesse, votre responsable de navigation de carrière ou le/la responsable de l'EO dans le dossier). Cette plainte écrite doit détailler le grief spécifique et inclure les informations suivantes :
 - 1. Votre nom, adresse, et numéro de téléphone professionnel et personnel
 - 2. La nature du grief
 - 3. Les règlements ou politiques violés, si vous les connaissez
 - 4. La date du fait allégué
 - 5. Le nom et le titre des autres personnes impliquées dans la situation
- B. Tous les griefs non liés aux droits civils doivent être soumis dans les 90 jours suivant l'incident allégué.
- C. Le/La responsable des griefs peut vous contacter et/ou contacter d'autres parties concernées par la plainte pour obtenir des informations supplémentaires, et peut convoquer une audience formelle. Vous pouvez également demander une procédure de médiation formelle avec un médiateur impartial.
- D. Le/La responsable de l'EO du Bureau des opportunités d'emploi rendra une décision dans les quatre-vingt-dix (90) jours suivant la réception de la plainte.
- E. Si la décision ne vous satisfait pas, vous pouvez choisir de déposer votre plainte auprès du directeur du Bureau des opportunités d'emploi à Concord, NH. Les informations concernant ce processus accompagneront la décision du/de la responsable de l'EO du OWO.
- F. Les recours doivent être déposés dans les 60 jours suivant la réception de la décision faisant l'objet du recours.

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Téléphone : 603-271-0355 Relais : 211

AVIS : LA LOI PRONE L'ÉGALITÉ DES CHANCES

La loi interdit au destinataire de l'aide financière fédérale de pratiquer une discrimination sur les bases suivantes : contre tout individu aux États-Unis, sur la base de la race, la couleur, la religion, le sexe (y compris la grossesse, l'accouchement et les troubles de santé connexes, les stéréotypes sexuels, le statut de transgenre et l'identité sexuelle), l'origine nationale (y compris en raison de compétences limitées en anglais), l'âge, le handicap ou l'affiliation politique ou la croyance, ou contre tout bénéficiaire, postulant ou participant à des programmes financièrement aidés en vertu du Titre I de la Loi sur l'innovation et les opportunités de main d'oeuvre, sur la base du statut de citoyen de la personne physique ou la participation à tout programme ou activité bénéficiant d'une aide financière en vertu du Titre I de la WIOA.

Initiales du participant _____

Le destinataire ne doit pas pratiquer de discrimination dans aucun des domaines suivants : décider qui sera admis ou aura accès à tout programme ou à toute activité bénéficiant d'une aide financière en vertu du Titre I de la WIOA ; offrir des opportunités ou privilégier toute personne dans le cadre dudit programme ou de ladite activité ; ou prendre des décisions en matière d'emploi dans l'administration dudit programme ou de ladite activité, ou en relation avec ces derniers.

Les destinataires de l'aide financière fédérale doivent prendre des mesures raisonnables pour veiller à ce que les communications avec les personnes handicapées soient aussi efficaces que les communications avec d'autres personnes. Cela signifie que, sur demande et sans frais pour les individus, les destinataires sont tenus de fournir des aides et des services complémentaires appropriés aux personnes handicapées qualifiées.

QUE FAIRE SI VOUS PENSEZ AVOIR FAIT L'OBJET DE DISCRIMINATION

Si vous pensez que vous avez subi une discrimination dans le cadre d'un programme ou d'une activité financièrement aidée en vertu du Titre I de la WIOA, vous pouvez déposer une plainte dans les 180 jours suivant la date de la violation alléguée, soit auprès du responsable de l'égalité des chances du destinataire, soit auprès de la personne que le destinataire a désignée à cet effet ;

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Téléphone : 603-271-0355 Relais : 211

ou

Director, Civil Rights Center (CRC), U.S. Department of Labor

200 Constitution Avenue NW, Room N-4123, Washington, DC 20210

ou par voie électronique, en suivant les indications données sur le site Web du Centre des droits civils (CRC, selon l'acronyme anglais) à l'adresse suivante : www.dol.gov/crc.

Si vous déposez votre plainte auprès du destinataire, vous devez attendre soit que le destinataire émette un avis d'action finale par écrit, soit que 90 jours se soient écoulés (selon la première éventualité), avant de déposer une plainte auprès du Centre des droits civils (CRC) (voir l'adresse ci-dessus). Si le destinataire ne vous remet pas un avis d'action finale par écrit dans les 90 jours suivant la date où vous avez déposé votre plainte, vous pouvez déposer une plainte auprès du CRC avant de recevoir cet avis. Toutefois, vous devez déposer votre plainte auprès du CRC dans les 30 jours suivant du délai de 90 jours (en d'autres termes, dans les 120 jours à compter de la date où vous avez déposé votre plainte auprès du destinataire). Si le destinataire vous donne un avis d'action finale par écrit concernant votre plainte, mais que la décision ou la résolution ne vous satisfait pas, vous pouvez déposer une plainte auprès du CRC. Vous devez déposer votre plainte auprès du CRC dans les 30 jours à compter de la date à laquelle vous avez reçu l'avis d'action finale.

J'ai lu et/ou on m'a lu ce formulaire. Je comprends mes droits de déposer un grief. Je comprends que je peux demander de l'aide pour déposer un grief au/à la responsable de l'EO/responsable des griefs.

Signature du postulant/participant

Date

2

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For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

يجب على المبتغى عدم التخلي عن أي من الحقوق التي يتمتع بها، وأباحتاح لوصولك لبرامج أونا شطة (WIOA Title I) المدعومة كلياً لتوفير فرص العمل، أو معاملة أي شخص يتبطله تلك البرامج أو الخدمات؛ أو اتخاذ قرارات للتوظيف في إدارة، أو في مبيعات قبلك لبرنامج أونا شطة.

يجب على المبتغى عدم المساعده على أي إجراء قد يتخذ خطوات عقوبة لضم من أن يكون التوصل مع افراد ذوي الاعاقة ففحاً بقدرة عملياً التوصل مع ا... و هذلي يعني أن ميناء على الطب وبدون تلفيق حمل للفرد يتعين على المبتغى تقديم المساعده وال خدمات الم مة راد ذوي الاعاقه ذوي الاعاقه.

م اذلفعل إذا لفتت أن ك قه عرض ذلك تهييز

إذا لفتت عن ذلك عرض ذلك تهييز يجب أن أورش اط مدعوم كلياً بموجب WIOA Title I (في المبتغى الذي مشتركوى ل 80 ايومًا متاخيخا ت هالكال مزعوم مع اي من: مسؤول الكفالي فرص لا خاص بالمبتغى) أولش خص ال ذي عين هالمبتغى بل هذالك عرض؛

دايرة العمل والشؤون تص ابي فيزي وه اشيري، بظب فرص القوي العاملة
ليزا جيران دمسؤول الكفالي فرص (EEO)
100 North Main Street, Suite 1, Concord, NH 03301
ال هاتف: 603-271-0355 (خطلرحيل) Relay(211:)

أو

المدري، مركز ال حقوق المبطية (CRC)، وزارة العمل امويكية
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210
أو للكتروني لتبع التوجي هاتال موجوده على موقع (CRC) لتتوني. www.dol.gov/crc

إذا قمت بتسقي مشتركواك الى المبتغى فيجب عليك ان تظار إما حتى يصدر المبتغى اخطارًا لمتوبابا راء لن هائي، أو حتى مرور 90 يومًا (أي هم انك قريب) قبل تسقي مشتركوى الى مركز ال حقوق المبطية (لظرك ل جوان أع ه). إذا لفتت ذلك المبتغى اخطارًا لمتوبابا جراء النهاى يجب غرضون 90 يومًا من اليوم الذي قدمبتغى ه للشركوى لخص تبك في لمي ك تسقي مشتركوى الى CRC قبل اس مذك اش عار. ومع هذاي يجب اعلي لتقدي بلل شركوى لخله بك الى CRC في غضون 30 يومًا من الموعد لن هائي لللاغ 90 يومًا به عري آخر في غضون 120 يومًا بعد اليوم الذي قدمبتغى مشتركواك الى المبتغى (د). إذا قام المبتغى ب إعطالك اخطارًا لمتوبابا راء لن هائي في م لي خص للشركوى لخص قبك، ولتلك غير راض عن القرار أو ل حل لمي ك تسقي مشتركوى الى CRC. يجب على المبتغى تقديم شركوى ل CRC لخص قبك في غضون 30 يومًا من تاريخ است مذك اخطار ا راء النهاى.

لق دق رأت/ أوت متق راءه هذالك نموذج لي. أن اعني حتى يفيتقدي م تظم. وأعي لى لمي ك ي طلب المساعده حتى يدم التظم من مسؤول الكفالي الفرص التظم.

التاخيخ

توقني ع التتقدم المش ارك

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قانون و آوری و فووصت دلی نوری کار (WIOA)

۱. مروع ش کلیت

مرتبطی ای ش و کنگین دمبرن ام که می خواد درینج وقتان اعدادن همتی جنس یل قرض مقررات WIOA، شرکتی خود را ثبت کند، بعد از ره همناب یکی در زیرتوضیح داه شده است پیروی کنید. اگر فگام درنظر گرفتن یک سرویس یا در همنابتن نام شرکتی پییش آمد، بلقا بعدس عی کفید راه حل رضیلت بخش ی رلبا ارئه د فده خدماتی آموزش یا در QJT کافر مای خوبی دا کنیگه لبا این کارم شکل جرش د، با مامور فرصت های پربلهفت ریزوی کارت ماسیگی ی د. ط سع ی خو اهنکر هه ش م کم ک کنهتا راه لخی پی دکنی کنه ی ازهای ش م و همچهن ارئه د فده خدماتی آموزش یا کافر م رلبا آورد کنی. اگر قوز رضی ی متهی د، مهتوی د شرکتی رس می و شرکتی تکتبی ارئه می د.

A. ش م مهتوی د ک شرکتی تنگسب یوی ش رو عی و سه رس می اس لیکه (این شرکتی را مهتوان از بقاض ص جوانان، هایش غلی ی مأمور EO موجود در و سیدی و تفکر د.) این شرکتی تنگسب یوی د شرکتی خاص را شرح دهد و شامل عمل و ماتزی ریلش د:

1. نام، آدرس کسب و کار و شماره تفهن فزل ش م

2. ماهی شرکتی

3. مقررنی علالی سی های قرض شده، و صورت ا ع

4. بت ای خب هام

5. نام و هوانی ای رافر اد دگی در موق عیت

B. کلهه نیهای ات غیر رضی بعد ظرف 90 روز پس از وقوع حلهه مورد ادع اارسال ش ود.

C. مامور ریز دگی هه نیهای ات مکن اس تنبا شها و/ی اس رلبا طرف های مرتبط باش شرکتی ماسیگی د تا عمل و ماتزی تری ه دست آورد و مگاس ت جل سورسی گی رس می شکی ل دهبه هوان چگیزی ن، مهتوی ددر خواستی ک فرطن رس می می لگی ه با استفاده از ی ک رلبطی طرف می د.

D. مامور EO فرصت های رضوی کار ظرفن ود (90) روز پس لزی یافت شرکتی تنصم می گیری خو اهنکر د.

E. اگر از تنصم نارطی هسی د، مهتوی د شرکتی خود رلبا مهتوی د فرصت های رضوی کار در کنیگورد، NH ارسال کنی د. عمل و مات می وطبه طر قف رطد بل تنصم می OWO EO همراه خو اهب ود.

F. در خواستی د جدی نظی ای د ظرف 60 روز پس از وصول ای ت جدی نظر خو اهی ثبت ش ود.

ادا و بازگی لی و امورا ق تصادی NH هفتنر

فرصت نوری کار

لهزا جرارد، مامور فرصت های برلبر (EEO)

100 جاده طلی ش ملی، س هیات 1 کنیگورد، NH 03301

شماره تفهن: 603-271-0355

Relay: 211

رفصت برابر می قون و نلس

نتیجی ضی برای طوری اف ت کنی د کم ک ملی فدرال هواس اس مبل ی ز قون اس ت: علهه هرفردی درای ا تم حده هواس اس نژاد، رنگ، مذهب، نسیت) از لجه بار داری، زطمان، و شرلی طیش کی مرتبط کلش ه های نسی، وض عیت ترا خه رتی، و هیت نسی) (نشله ملی از جمله مهارت محدودنگلی) (، سن، نشیونی، ایواسنگی ای اتحق اس یلی، رففع، نقضی ای شکت کنی د در برن امه های یک هتحت هوان ا قون و آوری و فرصت نوری کار کم ک ملی می کنی دمبر اس اس وض عیت ش هرن دفرد ای امش اکت در م WIOA هوان I بن امه ی علهت با کم ک ملی.

حروف اول نام شرکتی کنی د _____

گزارش‌دهنده بیلد در پیچیدگی از زمینه‌های زیربنایی ضعیف‌تر و دشواری در مورد اینکه چگونه به هر یک از این‌ها با استفاده از WIOA Title I کمک می‌شود، به آن دسترسی خواهد داشت. فرصت‌ها و رفتار با هر شخصی در رابطه با این برنامه‌ها؛ یا اختصای مالیات خدای در اداره یا در رابطه با این برنامه‌ها.

دریافت‌کنندگان مک‌های ملی فدرال بیلد اقدامات حقوقی را انجام دهد تا اطمینان حاصل شود که ارتباطات با افراد دارای معلولیت به اندازه مربوطه با دیگران باشد. این بدان معناست که در صورت درخواست و بدون هیچ هزینه ای برای فرد، دریافت‌کنندگان ملزم به ارائه کمک‌ها و خدمات کمکی منطبق با بیلد افراد دارای معلولیت هستند.

اگر هیچ‌یک از این موارد را تجربه کرده‌اید چه بیلد کرد

اگر فکر می‌کنید که تحت‌تأثیر این برنامه‌ها هستید، با WIOA Title I مورتهی ضعیف‌تر را گرفته‌اید، شما می‌توانید ظرف 180 روز از تاریخ وقوع این شکایت‌ها شکایت‌های خود را در وقت فرصت‌های برابر (یعنی این‌ها) با هر یک از این‌ها تماس بگیرید. این کار ضروری است؛

اداره کار و امور اقتصادی NH دفتر

فرصت‌های کار

لیزا جرارد، مامور فرصت‌های برابر (EEO)
100 جاده ملی شملی، سویت 1 کینگورد، NH 03301
شماره تلفن: 603-271-0355
Relay: 211

یا

مدیر مرکز حقوق مدنی (CRC)، وزارت کار ایالت نهم

200 Constitution Avenue NW، اتاق N-4123، واشینگتن، دی سی 20210

وب‌سایت الکترونیکی مطابقت با وب‌سایت CRC به آدرس www.dol.gov/crc.

گزارش‌دهنده خود را از زندگی معمولی که بیلد به نظر می‌دهد یا تا زمانیکه گزارش‌دهنده از اقدامات شما در این مورد تا 90 روز (مرکب از زمانیکه اقدامات شما را از شرکتی که بیلد به نظر می‌دهد، اخذ کرده‌اید، یا اگر گزارش‌دهنده ظرف 90 روز از روزیکه شرکت خود را ثبت کرده‌اید، یا اگر گزارش‌دهنده از زمانیکه اقدامات شما را از مهلت 90 روزه، عباترت دیگر، ظرف 120 روز پس از روزیکه شرکت خود را از زندگی معمولی کرده‌اید (ارسال کرده‌اید). اگر گزارش‌دهنده از زمانیکه اقدامات شما در مورد شرکت خود را به شما می‌دهد، اما شما از تصمیم‌ها یا قطعنامه‌ها ناراضی هستید، می‌توانید با CRC شکایت کنید. شما می‌توانید شرکت خود را ظرف 30 روز از تاریخ دریافت این اقدامات از شما گزارش دهید.

من می‌فهمم که این‌ها برای شما سخت است. من حقوق خود را برای این شرکت می‌دانم. من می‌دانم که ممکن است برای شما سخت است از EO / مامور شرکتی تکمیل خواهم.

تا اینجا

اجرای تحقیقاتی شرکت‌کننده

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For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

د کاري ځواک نوښت اوفرصتوون وټون (WIOA)
د شگل تپروسو ی جړځیو ځی

پروگرام هر څو بنځونکی لگدون کورنۍ، چې غوړي د ناعاد نه چلن د متبعضی WIOA دمقررینو څخه د سرغړونې په اړه شگل تپنګی، بله په ی ډول گروپوسو جړتپنګی بکړي که چېرې یو ختم په پامل کړی و او یا دنوم لگن یپرمهال کوم سټنزه رافین شوه، لږی هیلا تلوو هڅه کړی چې د خدمتی زدکړو د چټک وکړوکی، OJT یا ځلگمارنوکي سره د رضیت وړ د حل ه ووموئ که چېرې دیکار سټنزه حل نکړه، د کاري اچي دفتردمس او یفرصتوون ل همدس وول سره اړیکه یسئ. هڅه به هڅه کړي چې د حل لسی ه وومو چې متناسو، د خنځوړی زدکړو چټک وکړوکی وا ی لکار گمارنوکي بلوی او وته ځواب ووی که چېرې متناسو اوس هم رضین یاسټ، تلو وکی دی ش یو رس م یوا لکلی شگل تپنګی کړی.

- A. تلو وکی ی شئ د رس م یپروسی هیل لپاریو لکلی ی شگل تپنګی کړی (تلو وکی ی شئ هڅه د ځوانانو له تمخصص، د نډی بنودوا یپه وسه کي د JEO همدس وول څخه تر کړی). ل لکلی ی شگل تپنګی د څو کړي شگل ت جړتات وړن کړي او نډی عمل ووم لپنګی شامل وي:
- 1. س تلوون ووم پته کاروا بار او کورود قلوبون شیره
- 2. د شگل ت مای
- 3. کچېرې ولی شې چې مقرر انځپال یسی هتپیسو نډی شوي دي
- 4. د ادعا شوي قدامت ه
- 5. په دې حالت کي دنورو بنکول کس ل ووم و سر لک

- B. تالی غی رمدن ی شگل ت ووبل د ادعا شو ی هیب ی وروسته د 90 ورځو پل رکی سوپارل شې.
- C. شگل ت مت مډی دن ی چارواکیه لبقاسو اونور بنکولو اړخ ونوسره اړیکه یس یتر څو د شگل تپه اړه ت عمل ومنت تر کړي اوکی دی ش ی اوری ن ی رس م یی اسټ تر سر کړي. د ځایزات یپ متگ ه متلو وکی ی شئ دنیل و ی څو کړي په وبل طه د رس م ی څو کړی وپروسو ی غځننه کړی.
- D. نکاري ځواک فرصت وونو EEO م س وول ه د شگل ت ل تر کولو وروسته د 90 ورځو پل ر کي پ وکړه کړي.
- E. که چېرې متناسو ل مپ وکړي څخه رضین ی اسټ، تلو وک شئ نکاري ځواک فرصت دفتو له نظر وکړ سر په کیکور د، NH کي ځلی شگل ت تپنګی کړی. د دپروسو یپه اړوند عمل ومنت ه د EEO پ وکړي سره مل وي.
- F. پ وکړي په اړه متن اف غځنځی ل تر کولو وروسته بلک متن اف غځنځی ه د 60 ورځو پل ر کتیر سره شې.

NH دس ونگری اواقص ادی چارووی پارتی، د کاري ځواک فرصت وون دفتنر
LISA GERRARD دم س او یفرصت وون ووم س وول ه (EEO)
100 North Main Street, Suite 1, Concord, NH 03301
تلفون: 211 603-271-0355 Relay:

مس او یفرصت دقون ځی ده

د نډی موار دوپ رینسټ فدرال ملي مرستو و تر کورکي سر متعی ض کول دقون څ گنل کړي پ متحده آی لټ وکی د نژاد، رنگ، ښ، څیړت (د ښ دواری، د مل و مډی ن ی، اړوند روغی شریط، څیړی چلن د، دوه څیړی حالات او څیړی هیوت) (ملي یس ی په محدودک چ پ ن گلی سی ژبه د مهارت پ گډون)، سن، لمو لیت، ښ هیای باورونو او یا هرنهغ، څو بنځونکي او لگدون کورنۍ یپه مض د چې نکاري ځواک دنوښت اوفرصت وون د لومړی مادی ترچتر نډی ملي مرستی تر سر کوي، یو فو د تبلیغ ت د حالت یا د WIOA د لومړی سر ل کتر چتر نډی په ملي پیر کړ امل غلټ کي گډون کورنۍ.

لگدون کورنۍ د سر لک لومړی توري _____

تر کورنیکو بیله په ندیبرخ کې دی چی ویپرینس بنسټ بنسټی صفت سرمن کړی: د دیپه اړیکو کورنیکو چی شو کبیل د WIOA د لومړي سرله ک د ملي همتی لطف غلی تپ پر کورنیکو اړیکو ش ی ا غوږت ه رسی لاری، د دیپر کورنیکو لطف غلیت وړانې لویو چا سره ځانگړی چلن کول او د دیپر کورنیکو لطف غلیت اړون په اداوکې لگوم اړنې اړون پوکړی تر سر کول.

د فدرال د ملي مرستو تر کورنیکو بیله د مړیو لقا د اقامت سر سر کړی تر څو دایتر ه ش ی چی د لمړیو تلرون کواش خطر سره اړیکه دنورو سره د لیکو په اندازه اغیزناک دی په دی مړی چی د غوږت نیپ هصورت کول شل خص په بل دی دی څو دلی گڼبت پته تر کورنیکو اړ دی چی په شریطو بریلرو لمړیو تلرون کو اش خصوت ه منابې همتی او خنډون مبرلر کړی.

که چېرې په دی بوار همتی چی ت عضوم تچ کړی دیپه دی حل کسې بیلاناسو څه کړی

که چېرې نیاسو فکر کوی چی لقا سره د WIOA د لومړي سرله ک د ملي مرستو پر کورنیکو لطف غلی تتر چتر ندی تبعیض ش ی دی، تلن کو ی ش ی شرکت د ادعا څخه وروسته د 180 ورځو پلرکې، نلی شرکت له ندیبرخو څخه ل هویته واستوی: دمساو فیصبت تر کورنیکو (چاروکی) او ای داغ ش خص چی د همدې موخې هتر کبول لپاوتگل شو ی وی

NH دسولگری اواقص ادي چارووی پانډت، د کاري ځواک فرصتون د فدرال
LISA GERRARD دمساو فیصبت ونومسوله (EEO)
100 North Main Street, Suite 1, Concord, NH 03301
تلفون: 211 603-271-0355 Relay
یا

د بنجده پلانونو نکار وزارت، د مدني څوونو د مرکز، تلرکتر
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210
وا یل همدی یم دلی د مدني څوونو د مرکز (CRC) هوب سرلی بنسټه د www.dol.gov/crc پیډی له ریپ هالکتر وکی ډول واستوی.

که چېرې نیاسو ل هوتر کورنیکو سر شرکت بنسټ کړی وی نیاسو بیلد هتر کورنیکو لخوا د ضرر داری د نیتوی تر څپرولو، یتر 90 ورځو تر نیوی دوپوری (هوی چی ژر وی (یا د مدني څوونو مرکز سره ل هتبول ووران دی بهو نیتوی ته مراجع کړی) صبر کړی که چېرې تر کورنیکو بیله وروسته د 120 ورځو پلرکې شرکت بنسټ کړی (که چېرې تر 90 ورځو پلرکې لیکلې نیتوی ادرن کو، تلن کو ی ش ی د ضرر ل تر کبول وړانې له CRC سره شرکت بنسټ کړی په همدې حال کې نیاسو بیلد له CRC سره نلی شرکت د 90 ورځو ضرر بال عجل پر مهال د 30 ورځو پلرکې کی بنسټ کړی، بله عنیتل وبلد ل تر کورنیکو سره د شرکت بنسټولو وروسته د 120 ورځو پلرکې شرکت بنسټ کړی (که چېرې تر کورنیکو بیله د شرکت بنسټ په اړه د وروستی اقادام اړوند نیتوی ادرکړه کمپر تلن ل پوکړی یا حل څخه رضی ونوی، تلن کو ی له CRC سره شرکت بنسټ کړی بلس وبلد د وروستی اقادام د ضرر ل تر کبول وروسته د 30 ورځو پلرکې له CRC سره شرکت بنسټ کړی.

ما انفورم ولوسیت ه یا ملته ولوسیتل شو هزه د شرکت وړل دی کولی اړون پیل و څوون وبل دی پوی یم. زپ وی یم چی کم شم د شرکت بنسټ منگولی کی د EO/شرکت بنسټولو ل همدس وول څخه د همتی غوږت وکړم.

ښته

د غوږت وکی /گدون کورنیکو ی ک

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**SHERIA YA UBUNIFU WA NGUVU KAZI NA FURSA (WIOA)
TAARIFA YA UTARATIBU WA MALALAMIKO**

Mwombaji maombi au mshiriki yeyote wa mpango, ambaye anataka kuwasilisha malalamiko kwa sababu ya kutendewa isivyo haki, ubaguzi, au ukiukaji wa kanuni za WIOA, lazima afuate utaratibu ufaao ulioainishwa hapa chini. Ikiwa tatizo litatokea wakati wa kuzingatiwa kwa huduma au wakati wa kujiandikisha, unapaswa kujaribu kwanza kupata suluhisho ya kuridhisha na mtoa huduma au mtoa mafunzo, au katika OJT, na mwajiri wako. Iwapo hilo halitatu tatizo, wasiliana na Afisa wa Fursa Sawa wa Nafasi ya Wafanyakazi. Atajaribu kukusaidia kupata suluhu inayokidhi mahitaji yako pamoja na yale ya mtoa huduma au mtoa mafunzo au mwajiri. Ikiwa bado hujaridhika, unaweza kuwasilisha malalamiko rasmi au malalamiko yaliyoandikwa.

- A. Unaweza kuwasilisha malalamiko yaliyoandikwa ili kuanza mchakato rasmi (moja inaweza kupatikana kutoka kwa Mtaalamu wako wa Vijana, Mwelekezaji wa Kazi au Afisa wa EO kwenye faili). Malalamiko haya yaliyoandikwa lazima yaeleze kwa undani malalamiko mahususi na yajumuishe taarifa ifuatayo:
 1. Jina lako, anwani, biashara, na nambari ya simu ya nyumbani
 2. Asili ya malalamiko
 3. Kanuni au sera zilizokiukwa, ikiwa zinajulikana
 4. Tarehe ya kitendo kinachodaiwa
 5. Jina na cheo cha wengine waliohusika katika hali hiyo
- B. Malalamiko yote yasiyo ya haki za kiraia lazima yawasilishwe ndani ya siku 90 baada ya tukio linalodaiwa.
- C. Afisa wa Malalamiko anaweza kuwasiliana nawe na/au wahuusika wengine wanaohusika na malalamiko ili kupata maelezo ya ziada na anaweza kuitisha usikilizaji rasmi. Kama kabadala, unaweza kuomba mchakato rasmi wa upatanishi kwa kutumia mpatanishi asiye na upendeleo.
- D. Afisa wa EO wa Fursa ya Wafanyakazi atatoa uamuzi ndani ya siku tisini (90) baada ya kupokea malalamiko.
- E. Ikiwa haujaridhika na uamuzi huo, unaweza kuchagua kuwasilisha malalamiko yako kwa Mkurugenzi wa Ofisi ya Nguvu Kazi huko Concord, NH. Taarifa kuhusu mchakato huu itaambatana na uamuzi wa OWO EO.
- F. Rufaa lazima ziwasilishwe ndani ya siku 60 baada ya kupokelewa kwa uamuzi unaokatiwa rufaa.

IDARA YA BIASHARA NA UCHUMI YA NH, OFISI YA FURSA YA WAFANYAKAZI
LISA GERRARD, AFISA WA FURSA SAWA (EEO)
100 North Main Street, Suite 1, Concord, NH 03301
Simu: 603-271-0355 Relay:211

FURSA SAWA NI NOTISI YA SHERIA

Ni kinyume cha sheria kwa mpokeaji huyu wa usaidizi wa kifedha wa Shirikisho kubagua kwa misingi ifuatayo: dhidi ya mtu yeyote nchini Marekani, kwa misingi ya mbari, rangi, dini, jinsia (ikiwemo ujauzito, kujifungua, na hali zinazohusiana za kiafya, dhana potofu kuhusu jinsia, hali ya watu waliobadili jinsia, na utambulisho wa kijinsia), asili ya taifa (ikiwemo ufahamu mdogo wa Kiingereza), umri, ulemavu, au uhusiano wa kisiasa au imani, au dhidi ya mnufaika yeyote wa, mwombaji, au mshiriki katika mipango inayosaidiwa kifedha chini ya Kifungu cha I cha Sheria ya Ubunifu na Fursa ya Wafanyakazi, kwa misingi ya hali ya uraia wa mtu binafsi au kushiriki katika mpango au shughuli yoyote ya Title I ya WIOA inayosaidiwa kifedha.

Herufi za Kwanza ya Jina la Mshiriki _____

Mpokeaji lazima asibague katika mojawapo ya maeneo yafuatayo: kuamua ni nani atakayekubaliwa, au kupata ufikiaji, kwa mpango au shughuli yoyote ya Title I ya WIOA inayosaidiwa kifedha; kutoa fursa, au kumtendea mtu yeyote kuhusiana na, mpango au shughuli kama hiyo; au kufanya maamuzi ya ajira katika usimamizi wa, au kuhusiana na, mpango au shughuli hiyo.

Wapokeaji wa usaidizi wa kifedha wa shirikisho lazima wachukue hatua zinazofaa ili kuhakikisha kwamba mawasiliano na watu wenye ulemavu yanafaa sawa na mawasiliano na wengine. Hii inamaanisha kwamba, kwa ombi na bila gharama yoyote kwa mtu binafsi, wapokeaji wanatakiwa kutoa usaidizi na huduma zinazofaa kwa watu waliohitimu wenye ulemavu.

UTAKACHOFANYA UKIAMINI KWAMBA UMEBAGULIWA

Iwapo unafikiri umebaguliwa chini ya mpango wa usaidizi wa kifedha wa Title I wa WIOA au shughuli, unaweza kuwasilisha malalamiko ndani ya siku 180 kuanzia tarehe ya madai ya ukiukaji na: Afisa wa Fursa Sawa wa mpokeaji (au mtu ambaye mpokeaji amemteua kwa kusudi hili);

IDARA YA BIASHARA NA UCHUMI YA NH, OFISI YA FURSA YA WAFANYAKAZI
LISA GERRARD, AFISA WA FURSA SAWA (EEO)
100 North Main Street, Suite 1, Concord, NH 03301
Simu: 603-271-0355 Relay:211
au

Mkurugenzi, Kituo cha Haki za Kiraia (CRC), Idara ya Kazi ya Marekani
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210
au kielektroniki kama ilivyoelekezwa kwenye tovuti ya CRC katika www.dol.gov/crc.

Ukiwasilisha malalamiko yako kwa mpokeaji, ni lazima usubiri hadi mpokeaji atoe Notisi iliyoandikwa ya Hatua ya Mwisho, au hadi siku 90 zipite (yoyote itakayotangulia), kabla ya kuwasilisha kwenye Kituo cha Haki za Kiraia (angalia anwani hapo juu). Ikiwa mpokeaji hatakupa Notisi iliyoandikwa ya Hatua ya Mwisho ndani ya siku 90 baada ya siku ambayo uliwasilisha malalamiko yako, unaweza kuwasilisha malalamiko kwa CRC kabla ya kupokea Notisi hiyo. Hata hivyo, lazima uwasilishe malalamiko yako ya CRC ndani ya siku 30 za tarehe ya mwisho ya siku 90 (kwa maneno mengine, ndani ya siku 120 baada ya siku ambayo uliwasilisha malalamiko yako kwa mpokeaji). Ikiwa mpokeaji atakupa Notisi iliyoandikwa ya Hatua ya Mwisho kuhusu malalamiko yako, lakini hujaridhika na uamuzi au azimio hilo, unaweza kuwasilisha malalamiko kwa CRC. Ni lazima uwasilishe malalamiko yako ya CRC ndani ya siku 30 kutoka tarehe ambayo ulipokea Notisi ya Hatua ya Mwisho.

Nimesoma na/au nimesomewa fomu hii. Ninaelewa haki yangu ya kuwasilisha malalamiko. Ninaelewa kwamba ninaweza kuomba usaidizi wa kuwasilisha malalamiko kutoka kwa EO/Afisa wa Malalamiko.

Saini ya Mwombaji/Mshiriki

Tarehe

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ЗАКОН ПРО ІННОВАЦІЇ ТА МОЖЛИВОСТІ ДЛЯ РОБОЧОЇ СИЛИ (WIOA) ПОВІДОМЛЕННЯ ПРО ПРОЦЕДУРУ РОЗГЛЯДУ СКАРГ

Будь-який заявник або учасник програми, який бажає подати скаргу через несправедливе ставлення, дискримінацію або порушення правил WIOA, повинен дотримуватися відповідної наведеної нижче процедури. Якщо у вас виникла проблема під час розгляду вашої кандидатури на отримання послуги або під час навчання, ви повинні спочатку спробувати знайти задовільне рішення з постачальником послуги або тренінгу, або, у випадку навчання на робочому місці, з вашим роботодавцем. Якщо це не вирішило проблему, зверніться до Фахівця з питань рівних можливостей Управління з питань трудових відносин. Він/вона намагатиметься допомогти вам знайти рішення, яке відповідає вашим потребам, а також потребам постачальника послуг, навчального закладу або роботодавця. Якщо ви залишаєтеся незадоволеними, можете подати офіційну претензію або письмову скаргу.

- A. Ви можете подати письмову скаргу, щоб розпочати офіційний процес (бланк скарги можна отримати у вашого спеціаліста з питань молоді, кар'єрного радника або співробітника відділу кадрів, зазначеного у вашому досьє). Ця письмова скарга має містити детальний опис конкретної скарги та наступну інформацію:
1. Ваше ім'я, адреса, робочий та домашній номер телефону
 2. Зміст скарги
 3. Порушені правила або політики, якщо це відомо
 4. Дата ймовірного інциденту
 5. Імена та посади інших осіб, залучених до ситуації
- B. Усі скарги, що не стосуються цивільних прав, необхідно подавати протягом 90 днів після ймовірного інциденту.
- C. Фахівець з розгляду скарг може зв'язатися з вами та/або іншими сторонами, що мають відношення до скарги, для отримання додаткової інформації, а також може призначити офіційне слухання. В якості альтернативи ви можете звернутися до офіційного процесу медіації із залученням неупередженого посередника.
- D. Фахівець з питань рівних можливостей Управління з питань трудових відносин винесе рішення протягом дев'яноста (90) днів з моменту отримання скарги.
- E. У разі незадоволення рішенням, ви можете подати скаргу директору Управління з питань трудових відносин у Конкорді, штат Нью-Гемпшир. Інформація про цей процес буде супроводжувати рішення Виконавчого директора Управління з питань трудових відносин.
- F. Апеляція подається протягом 60 днів з моменту отримання рішення, що оскаржується.

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Телефон: 603-271-0355 додатковий номер: 211

РІВНІ МОЖЛИВОСТІ - ЦЕ ЗАКОН

Для цього одержувача федеральної фінансової допомоги є незаконною дискримінація за наступними ознаками: проти будь-якої особи в США на підставі раси, кольору шкіри, релігії, статі (включаючи вагітність, пологи та пов'язані з ними медичні стани, статеві стереотипи, трансгендерний статус та гендерну ідентичність), національного походження (включаючи недостатній рівень володіння англійською мовою), віку, інвалідності, політичної приналежності або переконань, або проти будь-якого бенефіціара, заявника або учасника програм, що отримують фінансову підтримку відповідно до Розділу I Закону про інновації та можливості для робочої сили на підставі громадянства або участі в будь-якій програмі або діяльності, що фінансується за Розділом I Закону про інновації та можливості для робочої сили.

Ініціали учасника _____

EQUAL OPPORTUNITY GRIEVANCE PROCEDURE NOTICE POLICY

Policy #: 2024-P-07 Previous #: NONE

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To provide guidance regarding providing the equal opportunity grievance procedure to all individuals enrolling in a Workforce Innovation and Opportunity Act (WIOA) Title I funded program.

POLICY:

It is the policy of the New Hampshire Works Consortium and partner agencies to assure nondiscrimination 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 financially assisted program or activity. Individuals receiving assistance from a WIOA Title I funded program shall be provided the process for filing a grievance if they believe they have been discriminated against.

PROCEDURE(S):

As part of the application process the WIOA Career Specialist (WCS) shall explain equal opportunity and will provide the WIOA Grievance Procedure Notice to all individuals who are applying for services under a WIOA Title I funded program. The individual will be asked to sign a copy of the notice and will be provided an additional copy to keep for future reference. The ECS will upload the signed notice into the documents section of the Job Match System (JMS) as part of the application process.

If English is not the individuals first language, the grievance procedure notice shall be provided in the language that the individual indicates in their JMS registration.

ACTION:

All staff must be knowledgeable of the contents of this directive.

ATTACHMENTS:

1. WIOA Grievance Procedure Notice English
2. WIOA Grievance Procedure Notice Spanish
3. WIOA Grievance Procedure Notice French
4. WIOA Grievance Procedure Notice Arabic
5. WIOA Grievance Procedure Notice Dari
6. WIOA Grievance Procedure Notice Pashto
7. WIOA Grievance Procedure Notice Swahili

Одержувач не повинен допускати дискримінації в будь-якій з наступних сфер: прийняття рішення про те, хто буде допущений або матиме доступ до будь-якої програми або діяльності, що фінансується за Розділом I Закону про інновації та можливості для робочої сили; надання можливостей або відношення до будь-якої особи у зв'язку з такою програмою або діяльністю; або прийняття кадрових рішень в адміністрації або у зв'язку з такою програмою чи діяльністю.

Одержувачі федеральної фінансової допомоги повинні вживати розумних заходів для забезпечення того, щоб комунікація з особами з обмеженими можливостями була такою ж ефективною, як і комунікація з іншими людьми. Це означає, що за запитом і безоплатно для особи одержувачі зобов'язані надавати відповідні допоміжні засоби та послуги кваліфікованим особам з обмеженими можливостями.

ЩО РОБИТИ, ЯКЩО ВИ ВВАЖАЄТЕ, ЩО ЗАЗНАЛИ ДИСКРИМІНАЦІЇ

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Телефон: 603-271-0355 додатковий номер: 211
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200, Констіт्यूшн-авеню, північний захід, кімната №4123, Вашингтон, округ Колумбія, 20210
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Я прочитав та/або мені зачитали цю форму. Я розумію свої права на подання скарг. Я розумію, що можу звернутися за допомогою у поданні скарги до Виконавчого директора/Фахівця з розгляду скарг.

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Have a Dream Job? Time for a new line of work? Jump-start your CAREER with...

The WIOA Dislocated Worker Program

The Dislocated Worker Program is available statewide at all 12 NH Works offices. Employment Counselor Specialists will determine program eligibility and provide case management services.

Services available include:

- Up to \$6500 available for training
- On the Job Training opportunities to earn while you learn
- Basic Skills Assessment / Educational Services
- Job search assistance
- Resume and interview assistance
- Individual employment planning
- Skill upgrading and retraining

Eligibility:

(determined on a case-by-case basis but could include)

- Over 18 years of age
- Has been terminated or laid-off
- Receiving Unemployment or has exhausted benefits
- US Citizen or has US work authorization
- Unlikely to return to their previous position



Want to learn more?

Email us at: ***DislocatedWorkerNH@nhes.nh.gov***

The preparation of this document was financed under an Agreement with the State of New Hampshire, Department of Business and Economic Affairs, with funds provided by the United States Department of Labor.

NHES is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Have a Dream Job? Time for a new line of work? Jump-start your CAREER with...

The WIOA Dislocated Worker Program

The Dislocated Worker Program is available statewide at all 12 NH Works offices. Employment Counselor Specialists will determine program eligibility and provide case management services.

Services available include:

- Up to \$6500 available for training
- On the Job Training opportunities to earn while you learn
- Basic Skills Assessment / Educational Services
- Job search assistance
- Resume and interview assistance
- Individual employment planning
- Skill upgrading and retraining

Eligibility:

(determined on a case-by-case basis but could include)

- Over 18 years of age
- Has been terminated or laid-off
- Receiving Unemployment or has exhausted benefits
- US Citizen or has US work authorization
- Unlikely to return to their previous position



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NHES 0378c
Rev 10/24

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**Have a
Dream
Job?**

**Time for
a new
line of
work?**



NHES New Hampshire
Employment
Security
www.nhes.nh.gov
We're working to keep New Hampshire working

Jump-start your CAREER with

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NHES 0378e
Rev 10/24

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CONNECT WITH JAG-NH:
603-491-8330
INFO@JAGNH.ORG

LOOKING FOR A NEW CAREER?

Earn while you learn!

Get paid up to \$18 hour to attend hands on training. Get up to \$6,500 towards your occupational skills training. Let us pay for your uniforms and supplies.



OCCUPATIONAL TRAINING:



HEALTHCARE

LNA, EMT, Phlebotomy, LPN, MNA, Dental Tech, Vet Tech, Eye Tech, Medical Coding & Billing



TOURISM / HOSPITALITY

Event Management, Hotel Administration, Culinary Arts, Wedding Planning, Cosmetology



CONSTRUCTION / MECHANICAL

HVAC, Plumbing, Electrical, Carpentry, Gas, Automotive, Welding

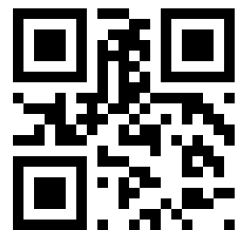


TECHNOLOGY / IT

Programming, Robotics, Data Science / Analytics, Web Design, Salesforce, Java, Python, Web Developer

JOB READINESS PREPARATION

- Between the ages of 16-24?
- Have barriers that make it difficult to find or pay for a training?
- Need help with your resume?
- Need to practice interview skills?
- Reach out to us today!



Jobs for America's Graduates - New Hampshire
www.jagnh.org | info@jagnh.org | 603-491-8330



JAG-NH is sponsored by the NH Dept of Business and Economic Affairs Office of Workforce Opportunity, a proud member of the American Job Center Network and an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

For program funding details in compliance with the Stevens Amendment, please visit:
<https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Are You A Potential Employer?

SCSEP participants have already demonstrated their value to their host agencies. When they apply to you for a job, they are bringing their work history, recent training, and experience to you. You'll gain a responsible, skilled, mature, and enthusiastic employee. SCSEP staff follow-up with participants up to 12 months after they secure a job.

If you are interested in hiring a SCSEP participant, please contact one of the regional offices.



Operation ABLE— Providing employment and training services to workers since 1982.

Please contact your local office for more information:

Marcia Leclerc
Program Coordinator
Cheshire and Sullivan Counties
(603) 860-0814
mleclerc@operationable.net

Hillsborough, Rockingham and
Strafford Counties
(603) 206-4400
skennedy@operationable.net

Suzanne Schryver
Program Manager
Merrimack, Belknap and Carroll
Counties
(603) 309-0662
sschryver@operationable.net

SonSeri Kennedy
NH Regional Director
Coos and Grafton Counties
(603) 206-4400
skennedy@operationable.net

Deborah Delman
SCSEP Program Director
(617) 542-4180 x132
ddelman@operationable.net

Operation ABLE

New Hampshire

Senior Community Service
Employment Program (SCSEP)

For

- ◆ Mature Workers (Age 55+)
- ◆ Unemployed
- ◆ Low Income
- ◆ Committed to finding a job

And

- ◆ Non-Profit 501(c)(3)
Organizations
- ◆ Government Agencies

*Helping mature workers return to
the workforce through community
service assignments*

Operation ABLE
New Hampshire SCSEP Office
228 Maple Street
Manchester, NH 03103
(603) 206-4400
www.operationable.net



Community Service as Training

SCSEP is a stepping stone back to work for many mature workers. Whether they are changing careers, returning after a hiatus, or were laid off from a previous employer, SCSEP participants want to work.

Assigned to non-profit and government agencies, they perform valued community service for which they are paid the state minimum wage. In addition, they develop skills, rebuild their resumes, and conduct job search activities. Many participants take training courses in areas such as Computer Office Procedures, ServSafe®, or English as a Second Language.

SCSEP helps participants to transition successfully back into the workforce.

www.operationable.net

What Does it Mean to be a SCSEP Participant?

You receive on-the-job training up to 20 hours per week while performing community service at a host agency. We pay you minimum wage for your training hours, and you must continue to look for an unsubsidized job while you are enrolled.

Are you 55 or older, unemployed, at or below 125% of the Federal Poverty Level for your family size, and ready to participate in workshops, meetings, and job-search activities? Are you willing to follow a personalized Individual Employment Plan and committed to finding a job? The SCSEP might be right for you.

The length of time anyone is in SCSEP varies. Average length of time is 12-18 months. Rotations to other host agencies/assignments help you develop a broader skill set and know more about different types of careers. It also creates more potential references for your resume.

SCSEP participants cannot have any paid employment while enrolled in the program.

On Being a Host Agency

Being a host agency (training site) is a win-win for all. You get much-needed help at no cost to you. Our participants receive supervision, gain responsibility, and develop skills and work experience.

SCSEP participants are deployed in a wide variety of positions: office administration, healthcare, food service, computer support, administrative, child care, building maintenance, social services and elder care, case management, and many more.

You will provide a meaningful training experience for someone who wants to get back into the workforce. Our participants will be productive and dependable members of your team.

Operation ABLE is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711. See funding details in compliance with the Stevens Amendment at <https://operationable.net/scsep-stevens-amendment/>

Have a Dream Job?

Time for
a new line
of work?



Jump-start your CAREER with...

THE WIOA DISLOCATED WORKER PROGRAM

- ✓ Up to \$6500 available for training
- ✓ On the Job Training opportunities to earn while you learn
- ✓ Support Services available to help you focus on your goal
- ✓ Work one-on-one with our Employment Counselor Specialists
- ✓ Resume and interview assistance
- ✓ Job search and labor market information
- ✓ Basic skills and educational services available
- ✓ Career enhancement opportunities
- ✓ Program available in all 12 NH Works Local Offices

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Want to learn more? Email us at:

DislocatedWorkerNH@nhes.nh.gov

**Please bring the following to your 1st appointment
with the Employment Counselor Specialist:**

Proof of Identity and Employment Authorization,
which can include any of the following:

- ✓ Passport ✓ Permanent Resident Card
- ✓ Driver's License / State ID Card
- ✓ Birth Certificate
- ✓ Social Security Card



NHES New Hampshire
Employment
Security
www.nhes.nh.gov
"We're working to keep New Hampshire working"

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NHES 0380
Rev 03/29/24



Operation ABLE
www.operationable.net



OVER 55 & UNEMPLOYED? ENROLL IN ABLE'S SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) AND EARN INCOME WITHOUT IMPACTING YOUR HOUSING OR SNAP BENEFITS



**UPDATE/LEARN
NEW SKILLS**



**SUPPORT YOUR
COMMUNITY**



**EARN INCOME
WITH SUPPORT**



Enroll in SCSEP FOR PAID WORK TRAINING OPPORTUNITIES

Contact us to learn how you can get paid for on-the-job training at a local nonprofit organization. Update and learn new skills and add current job experience to your resume while making a difference in your community!

CONTACT US

228 Maple St., Suite 300
Manchester, NH 03103
603 206-4400
www.operationable.net

CRITERIA

- NH RESIDENT
- BE CURRENTLY UNEMPLOYED
- AGE 55 AND UP
- MEET FEDERAL LOW-INCOME GUIDELINES

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INTEGRATED SETTING: INDIVIDUALS WITH DISABILITIES POLICY

Policy #: 2018-P-12 Previous #: 2018-0012

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the NH Office of Workforce Opportunity (OWO) policies and procedures for ensuring an integrated setting for individuals with disabilities.

POLICY:

It is the policy of the Office of Workforce Opportunity, One-Stop Partners, and WIOA-Title I recipients/subrecipients will make reasonable efforts to provide qualified individuals with disabilities effective and equal opportunity to participate or benefit from programs or services funded under WIOA.

This goal does not preclude offering separate or special programs specifically designed to meet the needs of individuals (including specific classes) with disabilities. However, individuals with disabilities cannot be excluded from the regular (mainstream) program or activity or be forced/restricted to participate in separate or special programs or activities if they meet the minimal criteria established for participating in the regular program.

A "***qualified individual with a disability***" means:

1. With respect to employment, an individual with a disability who, with or without reasonable accommodation, is capable of performing the essential functions of the job in question;
2. With respect to services, an individual with a disability who meets the essential eligibility requirements for the receipt of such services;
3. With respect to employment and employment-related training programs, an individual with a disability who meets the eligibility requirements for participation under WIOA and who, with or without reasonable accommodation, is capable of performing the essential functions of the job or meets the qualifications of the training program, as applicable.

PROCEDURE(S):

1. WIOA recipients, subrecipients, and vendors are prohibited from denying services or benefits to a qualified individual with a disability.
2. The requirements provide for equality of opportunity, but do not guarantee equality of results.
 - a. Individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a recipient's aids, benefits, and services.
3. The major principles of mainstreaming are:
 - a. Individuals with disabilities will be integrated to the maximum extent appropriate. Separate programs are permitted where necessary to ensure equal opportunity.

- b. A separate program must be appropriate to the particular individual or group of individuals.
 - c. Individuals with disabilities cannot be excluded from the regular program or required to accept special services or benefits.
4. Generally, the WIOA recipient, subrecipient, or vendor may not ask an applicant for employment or training whether he or she has a disability or the nature or severity of a disability. However, this prohibition does not apply to inquiries required or necessitated by federal law or regulation, including:
- a. record keeping and reporting;
 - b. determining, where appropriate, eligibility for a WIOA-funded program or activity;
 - c. determining the extent to which the recipient is operating its WIOA-funded program or activity in a nondiscriminatory manner;
 - d. other use authorized by the nondiscrimination/equal opportunity provisions of WIOA.

When making such inquiries, the recipient should tell applicants for employment or training:

- a. the purpose of the inquiry,
 - b. that the confidentiality of the information will be safeguarded, and
 - c. that refusal to provide the information will not subject the individual to any adverse treatment.
5. Where testing is a part of the selection process, the tests must, if necessary, be modified so that they reflect job skills or aptitudes, rather than hearing, visual, speaking, or manual skills (unless the tests are specifically designed to measure these skills).
6. Applicants may be asked about their ability to perform job or training functions.

ACTION:

All staff must be knowledgeable of the contents of this directive.



ADVISORY: NH WORKS GUIDANCE LETTER NO. 01-06

TO: NH Works Center Partner Agency Management Staff

FROM: NH Works Consortium

SUBJECT: NH Works Partner Referral Forms

1. **Purpose:** To provide procedures regarding the use of a standardized Partner Referral Form in each of the twelve NH Works Centers consistent with the directive set forth by the NH Works Consortium. There is an English and Spanish version of the NH Works Release of Information Form which must be submitted along with the NH Works Referral Form.
2. **Background:** Currently, partner referrals are conducted among NH Works and other partners in a variety of formats both formal and informal. The NH Works Partner Referral Form is designed to provide a mechanism for partner referrals, to streamline the referral process and to facilitate prompt delivery of partner services to the customer.

NH Works Partner Referral Form

3. **Action Required:** Effective **January 1, 2007** each NH Works Center will maintain a supply of NH Works Partner Referral Forms and NH Works Release of Information forms in the office for use in referring customers to partner agencies. Forms will also be available electronically to all NH Works partners. The procedure shall be as follows:
 1. The NHES Managers will ensure that sufficient copies of the referral form and the release form are available at the NH Works office at all times. All partner agencies will be provided with electronic copies of the referral form and the release form.
 2. Upon request, agencies outside of the NH Works Partners will be provided an electronic copy of the referral and release forms to refer customers to NH Works agencies.
 3. Staff who refer customers to other NH Works Partner organizations will complete all sections of the referral form, get the release form completed, and attach pertinent information/documents listed on the form.
 4. Referrals can be made electronically by using a secure method (secure email exchange) so that any Personally Identifiable Information (PII) is secured. If secure electronic methods are not available, referrals can be completed using any other secure delivery method.
 5. When referring a customer, the referring agency will identify whether this referral indicates: a joint services plan or no further services required by the referring agency. In the case of a joint services plan, the agency receiving the referral will be required to provide status/feedback on the enrollment and provision of services to the customer to the referring agency. In the case of a referral out (no further services), no status reporting is required.
 6. A copy of all referrals and release forms along with any follow up documents that result from the referral shall be kept in the customers case file within the appropriate case management system. Should the agency keep paper files, a copy shall be maintained according to PII policies. Referrals shall be retained based on the agencies document retention policy.
 7. If an individual is referred without having a case with the referring partner, the referring partner shall keep documents based on the individual agencies record retention policy.
 8. Both the referring and receiving agency shall retain a copy of the referral and release forms as well as other documents associated with the referral based on the agencies record retention policy.

Additional local management responsibilities include:

- All partner agency management and/or supervisory staff is expected to support the implementation and maintenance of the Partner Referral Form process by assuring that the staff they supervise is informed about and adheres to the process identified in this guidance letter.
- New versions of the NH Works Partner Referral Form and NH Works Release of Information Form will be released by the NH Works Consortium and partner agency management and/or supervisory staff will make sure that staff are using the correct version of the NH Works Partner Referral Form and NH Works Release Form.

4. **Inquiries:** Questions and/or concerns regarding the content of this guidance letter should be directed to your Professional Development Team representative. All inquiries will be reviewed by the NH Works Consortium at the first scheduled meeting following the receipt of the inquiry, and a formal response will be issued within one week of the meeting.

5. **Attachments:** NH Works Partner Referral Form, NH Works Release of Information Form

Issuance Date: January 1, 2007
Effective Date: January 1, 2007
Expiration Date: Ongoing
Updated: November 7, 2014

Issued by: NH Works IDG
Approved by: NH Works Consortium
Revised by: NH Works PDT
Revised: January 4, 2023



NH Works Partner Referral Form

Date:

Referring agency:

Referring staff member:

Agency referring to:

Customer name:

Address:

Phone number:

Email address:

Purpose of referral:

Is customer registered in JMS? Yes No Unsure

Joint service plan needed: Yes No

If joint service plan is needed, what services will the referring agency provide:

The following information is attached:

- _____ NH Works Release of Information (Mandatory)
- _____ Copies of assessments
- _____ Employability plan
- _____ Copy of resume (if available)
- _____ Confirmation of Public Assistance/UI received
- _____ Disability documentation (if applicable)
- _____ Other documentation necessary for the referral

**NH WORKS System Partners
Release of Information**

This form is valid for two years from participant's signature date

NH Employment Security

- Employment Services
- Unemployment Insurance Benefits
- Trade Act Program
- WorkNowNH
- Reentry Program
- Migrant & Seasonal Farmworker Program
- New England Farm Workers Council

NH Department of Education

- Adult Education
- Vocational Rehabilitation

NH Department of Health and Human Services

- TANF
- SNAP
- NHEP

Office of Workforce

- Opportunity/Community Action Agencies**
- WIOA Dislocated Worker
- WIOA Adult
- WIOA Youth
- SCSEP

Community College System of New Hampshire

- WorkReady NH
- Apprenticeship NH
- Community College

NH Job Corps

Operation Able

Veterans' Services

- Harbor Homes
- Veterans Inc.
- U.S. Department of Veterans Affairs Vocational Rehabilitation and Employment
- Clear Path for Veterans New England

Please see back of form for additional information about the programs listed above.

I, _____, authorize _____ to
(individual or agency)

exchange information relating to prior assessment(s) for training and employment including but not limited to: work history, vocational assessments, career planning, documentation related to eligibility, skills, training, quarterly wage data, and Unemployment Compensation benefits with the agency(ies) listed on the left side of this form.

This Release of Information does not authorize the disclosure of any medical information or any other restricted third party information.

I understand that this information may be used to determine eligibility for employment and training services, assist in the development of my individual training plan for education and employment, career planning, and/or may be used for statistical purposes.

I allow the NH Works System Partners listed on the left to release to each other the requested information when I am referred to partner services. I understand the information will be used only on an as needed basis and will remain confidential, to the extent required and/or permitted by law. This information cannot be shared with any other entity without my written permission.

A copy of this Release of Information is as valid as the original. This Release is valid for both program and follow-up services.

Participant's Signature

Date

Guardian's Signature (if applicable)

Staff Signature

Email Address



SYSTEM PARTNERS / PROGRAM SERVICES

NH EMPLOYMENT SECURITY – A free public Employment Service, which benefits the job seeker, the employer, and the economy by helping people find work through work search programs, employment information, and economic and labor market information. <https://www.nhes.nh.gov/>

- Employment Services
- Unemployment Insurance Benefits
- Trade Act Program
- Migrant and Seasonal Farmworker Program
- WorkNowNH
- Reentry Program
- New England Farm Workers Council

DEPARTMENT OF HEALTH AND HUMAN SERVICES – <https://www.dhhs.nh.gov/>

TANF – Cash Assistance provides assistance to needy families with dependent children

FOODSTAMPS – Supplemental Nutrition Assistance Program

NHEP – Employment support program that provides cash assistance to eligible able-bodied parents and assists them in becoming self-sufficient.

NH DEPARTMENT OF EDUCATION – <https://www.education.nh.gov/>

ADULT EDUCATION – Provides a variety of educational opportunities to empower adults to become lifelong learners, to support individuals in identifying and achieving academic and/or career goals.

VOCATIONAL REHABILITATION – Assists eligible NH citizens with disabilities to secure competitive integrated employment and financial and personal independence by providing rehabilitation services.

OFFICE OF WORKFORCE OPPORTUNITY – Serves as the state administrative entity for the Title I Workforce Innovation and Opportunity Act. <https://www.nhworks.org/>

WIOA Youth Program – Provides academic and work based learning services to youth with the goal of self-sufficiency.

WIOA Adult Program – Provides economically disadvantaged adults access to employment, education, training and support services to succeed in the labor market and obtain self-sufficiency.

WIOA Dislocated Worker Program – Provides laid off workers access to employment, training and support services to succeed in labor market and obtain self-sufficiency.

SCSEP – Community Service and Work-based training program for older workers. Provides job training and placement to those 55 or older.

COMMUNITY COLLEGE SYSTEM OF NH – The seven NH community colleges offer associates degree, certificate and skill based programs that provide opportunities for college education and career training. <https://www.ccsnh.edu/>

Work Ready NH – Tuition free workforce development program tailored to meet the needs of job seekers and career builders as well as provide training in the specific skills employers are seeking in their current and future employees.

ApprenticeshipNH – Program supports the development of new registered apprenticeship programs and in healthcare, advanced manufacturing, hospitality and construction and infrastructure sectors. Registered apprenticeship is an employer driven model which combines on the job training and related classroom instruction to increase an apprentice's skill level and wages. <https://www.EarnLearnNH.org>

NH JOB CORPS – A tuition free training and education program that connects young adults to the skills and educational opportunities needed to establish a career. <https://newhampshire.jobcorps.gov/>

OPERATION ABLE – Older Worker program that empowers older workers with job skills supports and training services to re-enter the workforce. <https://operationable.net/staff>

Socios del Sistema NH WORKS
Divulgación de información

Este formulario es válido por dos años desde la fecha de firma del participante

Seguridad de Empleo de NH

Servicios de empleo
Beneficios del seguro por
desempleo
Programa de la Ley de
Comercio
WorkNowNH
Programa de
Reinserción
Programa de Trabajadores
Agrícolas Migrantes y
Estacionales
Consejo de Trabajadores
Agrícolas de Nueva
Inglaterra

Yo, _____, autorizo a

_____ a

(persona o agencia)

intercambiar información relacionada con la(s) evaluación(es) previa(s) para la formación y el empleo, incluido, entre otros: historial de trabajo, evaluaciones vocacionales, planificación profesional, documentación relacionada con la elegibilidad, las habilidades, la capacitación, los datos de los salarios trimestrales y los beneficios de la Compensación por Desempleo con la(s) agencia(s) que figuran en el lado izquierdo de este formulario.

Esta Divulgación de información no autoriza la divulgación de ninguna información médica ni de ninguna otra información restringida de terceros.

Entiendo que esta información puede ser usada para determinar la elegibilidad para servicios de empleo y capacitación, asistir en el desarrollo de mi plan de capacitación individual para educación y empleo, planificación profesional y/o puede ser usada para fines estadísticos.

Permito a los Socios del Sistema NH Works indicados a la izquierda a divulgar entre ellos la información solicitada cuando sea derivado a los servicios de los socios. Entiendo que la información se utilizará solo cuando sea necesario y permanecerá en confidencialidad, en la medida requerida y/o permitida por la ley. Esta información no puede ser compartida con ninguna otra entidad sin mi permiso por escrito.

Una copia de esta Divulgación de información es tan válida como el original. Esta Divulgación es válida tanto para el programa como para los servicios de seguimiento.

Firma del participante

Fecha

Firma del tutor (si corresponde)

Firma del personal

Dirección de correo electrónico

Consulte el reverso del formulario para obtener más información sobre los programas mencionados.

Departamento de Educación de NH

Educación para adultos
Rehabilitación Vocacional

Departamento de Salud y Servicios Humanos de NH

TANF
SNAP
NHEP

Oficina de Oportunidades Laborales/Agencias de Acción Comunitaria

Trabajador desplazado de la ley WIOA
Adulto de la ley WIOA
Joven de la ley WIOA

Sistema de Colegios Comunitarios de New Hampshire

WorkReady NH
ApprenticeshipNH
Colegio Comunitario

NH Job Corps

Operation Able

Servicios para veteranos

Harbor Homes
Veterans Inc.
Departamento de Asuntos de los Veteranos de los EE. UU.
Rehabilitación Vocacional y Empleo
Clear Path for Veterans New England



Las agencias socias NH WORKS One-Stop son empleadores que ofrecen igualdad de oportunidades
Las personas con discapacidad pueden solicitar ayudas y servicios auxiliares. ACCESO TDD: RETRANSMISIÓN NH 1-800-
735-2964

NHES 0350
Rev. a 09/22

SOCIOS DEL SISTEMA / SERVICIOS DEL PROGRAMA

SEGURIDAD DE EMPLEO DE NH: un servicio público de empleo gratuito, que beneficia al solicitante de empleo, al empleador y a la economía, ayudando a las personas a encontrar trabajo a través de programas de búsqueda de empleo, información sobre el empleo e información económica y del mercado laboral. <https://www.nhes.nh.gov/>

- Servicios de empleo
- Beneficios de seguro por desempleo
- Programa de la Ley de Comercio
- Programa de Trabajadores Agrícolas Migrantes y Estacionales
- WorkNowNH
- Programa de Reinserción
- Consejo de Trabajadores Agrícolas de Nueva Inglaterra

DEPARTAMENTO DE SALUD Y SERVICIOS HUMANOS: <https://www.dhhs.nh.gov/>

TANF – La ayuda de dinero en efectivo proporciona asistencia a las familias con necesidad e hijos a cargo **CUPONES PARA ALIMENTOS** – Programa de Asistencia Nutricional Suplementaria

NHEP – Programa de apoyo al empleo que proporciona ayuda de dinero en efectivo a los padres sanos elegibles y los ayuda a ser autosuficientes.

DEPARTAMENTO DE EDUCACIÓN DE NH – <https://www.education.nh.gov/>

EDUCACIÓN PARA ADULTOS – Ofrece una diversidad de oportunidades educativas para capacitar a los adultos para que se conviertan en aprendices de por vida, para apoyar a las personas en la identificación y el logro de las metas académicas y/o profesionales.

REHABILITACIÓN VOCACIONAL – Ayuda a los ciudadanos de NH con discapacidades elegibles para conseguir un empleo integrado competitivo e independencia económica y personal mediante la prestación de servicios de rehabilitación.

OFICINA DE OPORTUNIDADES LABORALES – Sirve como entidad administrativa estatal para la Ley de Innovación y Oportunidad de la Fuerza Laboral del Título I. <https://www.nhworks.org/>

Programa de Jóvenes de la ley WIOA – Proporciona servicios de aprendizaje académico y laboral a los jóvenes con la meta de que sean autosuficientes.

Programa de Adultos de la ley WIOA – Proporciona a los adultos económicamente desfavorecidos acceso al empleo, la educación, la formación y los servicios de apoyo para tener éxito en el mercado laboral y lograr la autosuficiencia.

Programa para Trabajadores Desplazados de la ley WIOA – Proporciona a los trabajadores despedidos acceso al empleo, a la formación y a los servicios de apoyo para tener éxito en el mercado laboral y lograr la autosuficiencia.

SCSEP – Servicio comunitario y programa de formación en el trabajo para trabajadores mayores. Ofrece capacitación para el empleo y ubicación para personas de 55 años o más.

SISTEMA DE COLEGIOS COMUNITARIOS DE NH – Los siete colegios comunitarios de NH ofrecen programas de grado asociado, certificado y basado en habilidades que proporcionan oportunidades para la educación universitaria y la formación profesional. <https://www.ccsnh.edu/>

Work Ready NH – Programa de desarrollo de la mano de obra, sin costo alguno, diseñado para satisfacer las necesidades de los solicitantes de empleo y los creadores de profesiones, así como para proporcionar formación en las habilidades específicas que los empleadores buscan en sus empleados actuales y futuros.

ApprenticeshipNH – El programa apoya el desarrollo de nuevos programas de pasantías registrados y en los sectores de la sanidad, la fabricación avanzada, la hostelería y la construcción e infraestructuras. La pasantía registrada es un modelo impulsado por el empleador que combina la formación en el puesto de trabajo y la enseñanza en el aula relacionada para aumentar el nivel de habilidades y los salarios de un aprendiz. <https://www.EarnLearnNH.org>

NH JOB CORPS – Un programa de formación y educación gratuito que conecta a los jóvenes adultos con las habilidades y oportunidades educativas necesarias para establecer una profesión. <https://newhampshire.jobcorps.gov/>

OPERATION ABLE – Programa de trabajadores de edad avanzada que capacita a los trabajadores adultos con apoyos de habilidades laborales y servicios de formación para reincorporarse a la fuerza de trabajo.
<https://operationable.net/staff>

Section IV Appendix

CONFIDENTIALITY POLICY

Policy #: 2020-P-05 Previous #: 2020-P-005

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity's (OWO) policies and procedures for ensuring the privacy of applicant, participant, and employee information.

POLICY:

It is the policy of OWO that the OWO, NHWORKS One-Stop Partners, and WIOA Title I recipients, subrecipients including Senior Community Service Employment Program (SCSEP), and vendors will hold in strictest confidence any and all information learned through their interaction with applicants, participants, or employees. Employees and/or volunteers of the above entities may inspect records and reports of an individual only when such information will aid in the performance of the employee's duty.

This policy does not preclude divulging information to other agencies and their personnel, provided that

1. Such information is necessary in order to successfully provide service to the individual; **AND**
2. The individual has provided written authority to divulge the information pertinent to him/her; **AND**
3. Information provided by other than the individual is not divulged under any circumstances.

Individuals may inspect, at the convenience of the OWO, One-Stop Partner or WIOA Title I recipient, subrecipient, SCSEP, or vendor, records or reports which pertain to that individual and which were generated by the OWO, One-Stop Partner or WIOA Title I recipient, subrecipient, SCSEP, or vendor.

PROCEDURE(S):

1. All OWO employees and volunteers will be required to sign a Confidentiality Statement (copy attached). The original signed document will be kept in the employee's personnel file and a copy provided to the employee.
2. All WIOA Title I subrecipients shall have the same or similar confidentiality agreement in place for all staff assigned to a WIOA Title I funded program.
3. Revealing confidential information will immediately place the employee's or volunteer's job in jeopardy and subject to disciplinary action. The employee/volunteer may also be subject to criminal and/or civil prosecution as provided by law.
4. All One-Stop Partners, WIOA recipients, subrecipients, and vendors shall follow their own policies, procedures, and disciplinary process, provided that each entity clearly articulates a confidentiality policy, and that policy does not directly conflict with this policy.

ACTION:

All staff must be knowledgeable of the contents of this directive.

ATTACHMENT: Confidentiality Statement

Confidentiality Statement

To ensure the privacy and confidentiality of applicant, participant, and employee information and to comply with the regulations under the [Workforce Innovation and Opportunity Act of 2014 \(Pub L 113-128\)](#), [the Privacy Act of 1974 \(5 USC 5521\)](#), and [the US Office of Management and Budget \(OMB Circular A-130\)](#), all employees and volunteers are required to read and sign this confidentiality statement.

Confidential Nature of WIOA Records

Information obtained from any individual in the course of the administration of the programs that involves OWO oversight shall be held confidential and shall not be published or open to public inspection in any manner revealing the individual's identity except that:

1. An individual may inspect, at the convenience of the OWO, records and reports that pertain to him/her that were generated by the OWO;
2. Employees/volunteers of the OWO or its partners, in performance of their duties, may inspect records and reports of an individual where such information will aid in the performance of the employee's duties;
3. Employees of the US Department of Labor, other federal agencies, and state organizations with lawful responsibility to monitor, audit, and/or evaluate OWO-sponsored programs may inspect records and reports of an individual where such information is necessary for the performance of their legal duties;
4. Information regarding an individual may be divulged to other agencies and their personnel provided that
 - a. such information is necessary in order to successfully provide service to the individual;
AND
 - b. t h e individual has provided written authority to divulge the information pertinent to him/her;
AND
 - c. information provided by other than the individual is not divulged under any circumstances.
5. All information obtained in the course of employment or volunteer work with the OWO, which could reveal the identity of an individual, is completely confidential subject to the exceptions provided.
6. Exchange of information regarding program applicants, participants, or employees among or between OWO employees/volunteers, when such information is not necessary to the performance of official duties, is prohibited.
7. Such exchanges of information with spouses, children, friends, relatives, acquaintances, and strangers is equally forbidden.
8. Unless specific authorization to release confidential information is received in writing, all release of such information is prohibited. All requests for such confidential information, except as noted above should be referred to a supervisor.
9. Releasing confidential information without authorization will immediately place the employee/volunteer's job in jeopardy and subject to discipline, as well as to potential criminal and/or civil prosecution as it may be provided for in the law.

I certify that I have read the above and understand that violation of this confidentiality policy is sufficient cause for immediate discharge.

 WIOA Employee/Volunteer Signature

 Printed Name

 Date

RECORD RETENTION POLICY

Policy #: 2015-P-10 Previous #: 2015-003

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity's (OWO) policies and procedures regarding record retention for all Title I funded programs.

POLICY:

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

- If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- Records for program income transactions after the period of performance. In some cases, recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.
- Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
 - a. If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.
 - b. If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then

the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

PROCEDURE(S):

All Title I funded programs, including OWO, will maintain records outlined above for a period of three years unless part of the exceptions mentioned above.

ACTION:

All staff must be knowledgeable of the contents of this directive.

Section V Appendix

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS
The New Hampshire Vibrant, Inclusive and Prosperous (VIP) Workforce Program
RFP DBEA 2022-12**

Section 1 – Overview and Schedule

A. Executive Summary

The Department of Business and Economic Affairs, Office of Workforce Opportunity (BEA/OWO) is soliciting Request for Proposals (RFP) on behalf of the State Workforce Innovation Board (SWIB) for the NH Vibrant, Inclusive and Prosperous (VIP) Program. The RFP is an opportunity for applicants with applicable experience working with historically marginalized populations (further outlined in the RFP). Applicants are encouraged to submit proposals that will establish innovative workforce solutions to address workforce issues, gaps and needs in historically marginalized populations throughout the State of New Hampshire. We are seeking applicants who will bring new ideas, approaches and partnerships to the NH workforce system. Applicants should have direct experience working with historically marginalized populations. The anticipated period of performance is April 6, 2022, through June 30, 2024.

The qualified applicant(s) will provide outreach and referral in historically marginalized communities in New Hampshire. BEA/OWO is looking for applicant(s) to work directly in communities to engage historically marginalized individuals to refer potential participants to a single provider who will deliver services under the WIOA Adult program requirements statewide. They will be working in close coordination with other agencies to increase project visibility, increase program enrollments and employment outcomes for the VIP program. The VIP program is being funded with WIOA Adult program funding so applicants will need to be familiar with purpose of the program as well as the eligibility requirements.

The award of the contract is contingent on approval by Governor and Executive Council.

The proposed services will be 100% funded under the Workforce Innovation and Opportunity Act (WIOA) of 2014, P.L. 113-128, from part of an award from the U.S. Department of Labor (USDOL) Employment and Training Administration (ETA) for \$2,790,201 in Program Year 2021 Adult Funding; CFDA# 17.258.

B. Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

EVENT	DATE	LOCAL TIME
RFP Released to Proposers (Advertisement)	January 10, 2022	9:00 AM
Vendor Conference	January 14, 2022	10:00 AM
Proposer Inquiry Period Ends	January 24, 2022	4:00 PM
Final Agency Responses to Proposer Inquiries	January 28, 2022	4:00 PM
Proposers Submit Proposals	February 18, 2022	4:00 PM

Estimated Notification of Selection and Begin Contract Negotiations	March 4, 2022	4:00 PM
Targeted Governor and Council Meeting	April 6, 2022, OR TBD	
Anticipated Contract Start Date	April 6, 2022	

Section 2 - Description of Agency/Program Issuing the Request for Proposals

The Department of Business and Economic Affairs is dedicated to enhancing the economic vitality of the State of New Hampshire while promoting it as a destination for domestic and international visitors. For more information visit www.nheconomy.com, www.choosenh.com, or www.nhworks.org.

The proposed services will be funded under Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014. WIOA supersedes the Workforce Investment Act (WIA) of 1998. WIOA was created to provide state and local areas the flexibility to collaborate across systems in an effort to address the employment and skill needs of current employees, job seekers, and employers. For more information on WIOA, visit <http://www.doleta.gov/WIOA>.

WIOA has six main purposes:

1. Increase access to and opportunities for employment, education, training, and support services for individuals, particularly those with barriers to employment
2. Support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system.
3. Improve the quality and labor market relevance of workforce investment, education, and economic development efforts.
4. Promote improvement in the structure and delivery of services.
5. Increase the prosperity of workers and employers.
6. Provide workforce development activities that increase employment, retention, and earnings of participants and that increase post-secondary credential attainment and as a result, improves the quality of the workforce, reduces welfare dependency, increases economic self-sufficiency, meets skills requirement of employers, and enhances productivity and competitiveness of the nation.

Section 3 – Proposed Scope of Work

OWO and the State Workforce Innovation Board are dedicated to the development of a vibrant, inclusive, and prosperous workforce through education and training opportunities and case management that seek to meet the needs of New Hampshire employers and workers. It is our belief that serving all people, including those that have been historically marginalized will increase the economic vitality in the state. Historically marginalized populations are those who have been systemically excluded. For the purposes of this RFP, they consist of communities of color, New Americans including immigrants and refugees, caregivers, women, the LGBTQ+ community, homeless individuals, single parents, and Veterans. Due to the federal eligibility requirements associated with this funding stream, participants served must be 18 or older. Since there are numerous categories of individuals being targeted in this RFP, OWO will consider awarding contracts to multiple qualified applicants based on their experience working with one or more of the targeted populations listed.

The selected applicant(s) will promote and provide outreach to the targeted populations about the VIP program and the WIOA Adult Program. The applicant(s) will also refer potential participants to our already contracted provider of statewide WIOA Adult programming. The applicant(s) will screen potential participants to ensure that they are at least 18 or older and fall under one of the historically marginalized populations as listed above. If a potential participant meets the above minimum criteria, then the applicant(s) will refer them to the current WIOA Adult program provider for further eligibility determination and service provision. The applicant(s) will work closely with our current WIOA Adult Program provider to assist eligible participants in obtaining necessary documentation required for participation in the program. The applicant(s) will also be working in close coordination with other agencies to increase project visibility, increase program enrollments and employment outcomes for the VIP program.

In addition, the selected applicant(s) will work with New Hampshire businesses to increase workforce opportunities for individuals from the targeted populations and promote the VIP program to NH businesses that have workforce vacancies. Businesses with workforce vacancies will be targeted to see how the vacancies can be filled by individuals from targeted populations. The candidate(s) will work with businesses to identify the skills, abilities and training that is necessary for the vacant positions and provide this information to the current WIOA Adult program provider. The applicant(s) will also provide technical assistance, consultation, coordination of efforts and ensure that strategic communication is continuously being maintained to maximize the success of the VIP program.

The Department of Business and Economic Affairs, Office of Workforce Opportunity (BEA/OWO) is soliciting proposals from qualified organizations to direct federal Department of Labor (DOL) WIOA Title I funds towards the NH VIP Program. Eligible entities may include:

- Non-profit organizations
- Public agencies
- Business associations
- Private for-profit businesses

Using a **\$1,200,000** funding level, proposals must be based on a **27-month** period beginning (estimated) April 6, 2022 and ending June 30, 2024. Proposals must address each item listed below, as well as additional items at the bidder's discretion:

- 1) Proactive and innovative statewide workforce solutions focusing on historically marginalized groups as defined within this RFP.
- 2) Referring participants to the existing WIOA Adult program provider including the coordination of efforts between existing WIOA partners and programs.
- 3) Connecting participants to staff-assisted career and training services to comprehensively support employment and reemployment with the appropriate level of supportive services.
- 4) Organize and maintain strategic partnerships as well as contractual arrangements where appropriate, with community organizations or other entities to develop targeted efforts aimed at identifying and enrolling eligible participants from historically marginalized communities.
- 5) Providing a pipeline of workers to in-demand occupations within the State of New Hampshire.
- 6) Engage with New Hampshire employers to identify and help fill vacant workforce needs with historically marginalized populations.
- 7) Assist the New Hampshire Department of Business and Economic Development in responding to requests for assistance.

The selected vendor(s)' deliverables are:

- Develop, in consultation with OWO, an annual participant referral goal at the specified level of funding.
- Refer potential participants who meet the minimum criteria to the WIOA Adult program provider.
- A minimum of monthly meetings with WIOA Adult program provider Staff and/or OWO.
- Establish a program outreach and marketing plan for chosen historically marginalized group.
- Account and invoice for all staff time and expenses, on a monthly basis, related to VIP Program related activities.
- Provide a monthly update and report on measurable actions taken, developed in consultation with OWO.
- Provide a quarterly performance narrative and participant success stories.
- Develop a plan for long-term program continuation of participant referral services following the end of the award.

The selected applicant(s) of this award will be sub-recipient(s) of federal funds. A *sub-recipient* is a non-Federal entity that receives a sub-award from a pass-through entity to carry out all or part of a Federal program; but does not include an individual that is a beneficiary of such programs. A sub-recipient may also be a recipient of other Federal awards directly from a Federal awarding agency. (2 CFR §200.1 Sub-recipient). A sub-recipient must comply with all applicable uniform administrative requirements, cost principles and audit requirements. In this situation, the pass-through agency of the funds has a responsibility to monitor the sub-recipient to ensure the grant funds are being used for authorized purposes and as required by the grant agreement and applicable regulations. The Selected applicant(s) will enter into a contract with BEA, who shall provide direct and ongoing guidance in the performance of services to ensure consistency of policy and procedures in accordance with BEA, One-Stop Operator Consortium and/or the State Workforce Innovation Board directives. For more information see: 2 CFR Part 200; 2 CFR Part 2900; and ESD Policy 5250 Sub-recipient/Contractor Pass-Through Entity Determination Requirements.

Section 4 – Process for Submitting a Proposal

A. Proposal Submission, Deadline, and Location Instructions

Proposals submitted in response to this RFP must be received by the Department of Business and Economic Affairs no later than the time and date specified in the Schedule section. Proposals must be submitted electronically. Proposals must be addressed to:

State of New Hampshire
Department of Business and Economic Affairs
Office of Workforce Opportunity
 c/o
Joseph A Doiron

Electronic proposals must be submitted to: Joseph.A.Doiron@livefree.nh.gov

Proposals must be clearly marked as follows:

STATE OF NEW HAMPSHIRE
RESPONSE TO RFP 2022-06
The New Hampshire Vibrant, Inclusive and Prosperous (VIP) Workforce Program

Unless waived as a non-material deviation in accordance with Section 6B, late submissions will not be accepted. Delivery of the Proposals shall be at the Proposer's expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above.

All Proposals submitted in response to this RFP must consist of at least:

- a) One electronic copy of the Proposal with all Confidential Information fully redacted, as provided for in Section 7E of this RFP.

Proposers who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

B. Vendor Conference

A vendor conference will be held virtually on January 10, 2022 at 10:00 AM via Microsoft Teams. Vendors will be able to ask questions and receive clarification on the request for proposal. Attendance at the conference is encouraged but not required.

Microsoft Teams meeting
Join on your computer or mobile app
[Click here to join the meeting](#)
Or call in (audio only)
[+1 603-931-4944,,552738102#](#) United States, Concord
Phone Conference ID: 552 738 102#

C. Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Points of Contact:

TO: Joseph.A.Doiron@livefree.nh.gov

Inquiries must be received by the Agency's RFP Point of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

D. Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Point of Contact listed in the Proposal Inquiries section. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential applicant (s) during the selection process, unless otherwise authorized by the RFP Point of Contact. Proposers may be disqualified for violating this restriction on communications.

E. Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

SECTION 5 - Content and Requirements for a Proposal

The items contained in this section must be included in the sub-recipient's proposal to meet the minimum requirements for evaluation. The sections must be in the order described and written in a straightforward and concise manner.

Respondents must carefully examine all requirements stipulated in this RFP and respond to each requirement in their proposal.

Letters of support are not required.

Please note that BEA/OWO cannot enter into contract negotiations with an organization that is not legally permitted to conduct business within the State of New Hampshire or is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

a. Proposal Content Requirements

1. Proposal Cover Sheet	Appendix A	Required	
2. Table of Contents	with Page Numbers	Required	
			100 Point Total
3. Proposal Narrative		Required	60 Point Total
A. Proposed Program Services	Max. Eight (8) Pages	"	35 Points (of 60)
B. Demonstrated Ability / Past Performance	Max. Eight (8) Pages	"	20 Points (of 60)
C. Conflict of Interest	Max. Two (2) Pages	"	5 Points (of 60)
4. Contractor Cover Sheet	Appendix B	Requires	
5. Proposal Budget		Required	40 Point Total
A. Budget Narrative	Max. Four (4) Pages	"	
B. Budget Worksheet	Appendix C	Required	
6. Staff Job Descriptions	Appendix D	Required	
7. State Assurances and Certification	Appendix E	Required	
8. WIOA Assurances and Certification	Appendix F	Required	
9. Miscellaneous	Max. Five (5) Pages	Optional	

b. Proposal Format Requirements

- Font: 12 point – Times New Roman
Spacing: Optional (single spaced or greater)
All content in the proposal must be typed (with the exception of signatures)
Pages: Numbered (exclusive of title page, table of content and miscellaneous pages)
Margins: 1 inch
Email: PDF format – drop box and/or similar tools not allowed.

SECTION 6 – Evaluation of Proposals

A. Criteria for Evaluation and Scoring

Each responsive proposal will be evaluated and considered with regard to the following criteria:

Proposed Program Services – Worth 35 Points (Max of 8 Pages)

In detail, using the guidance below, describe the proposed plan for providing outreach as well as providing referrals to the chosen historically marginalized populations, including how the proposed services will lead to referrals that result in participants receiving Career and Training Services from the WIOA Adult program provider. Bidders are encouraged to utilize evidence-based, promising practices, best practices and/or research in developing their program design.

Please state the question/request before each answer to ensure reviewers can follow your responses.

Approach:

- Describe how your program design will provide comprehensive programmatic services for customers - include the progression from outreach, recruitment and referral to enrollment.
- Describe your programs unique and innovative approaches to working with the chosen historically marginalized populations that will benefit the customer and support the vision and goals set forth in NH's WIOA Combined State plan. In your response, please include your plan to collaborate with partners in providing services. Please list Memorandum of Understandings, contracts, or agreements with partner organizations, if applicable.
- Describe how you plan to provide outreach and referral services to the chosen historically marginalized populations as well as the priority groups identified in the OWO Priority of Service Policy. How will you ensure that those customers that are referred are able to gather and provide documentation so that they can receive services that address their barriers to employment?

Program Staffing and Case Management Strategy:

- Provide your program staffing structure from Leadership to front-line staff, the roles of each position, and the knowledge/education/experience of each staff member who will be engaged in this program.
- Describe how you will ensure that front-line staff will have sufficient time and support to provide the highest quality programmatic services.

- Describe how you will ensure that staff are trained in WIOA policy and procedure, the delivery of effective referral services and customer service training.
- Describe your agencies policy for salary increases, vacation and sick leave procedures. [Please note that federal grants do not pay out bonuses and/or cover costs for any vacation time not accrued during the grant period.]

Outreach:

- Describe how you will provide targeted outreach and engagement to eligible Adults within historically marginalized populations, including any initiatives to serve those mandated by WIOA to receive priority of service. Include methods to reach out to eligible individuals who lack a high school diploma or GED, individuals who are not English Language Proficient and other barriers to employment as described in WIOA Sec 3 (26).
- Describe how you will provide targeted outreach engagement to New Hampshire employers to help fill vacant workforce needs with historically marginalized populations.

Training and Work-Based Learning Activities:

- Describe your approach toward referring customers to a wide range of training services, such as occupational skills training, work-based learning and on-the- job training (OJT), which will result in positive outcomes. For work-based activities such as OJT, the applicant(s) will collaborate with the WIOA Adult program service provider to align and coordinate contact with employers, and to coordinate with community and technical colleges and other training organizations for advanced training and apprenticeships.

Performance Management:

- Describe the methods that will be employed to manage performance.
- Describe how you will ensure continuous quality improvement of your services and outcomes to meet referral goals; understanding that USDOL factors in NH's economic conditions and serving hard to serve populations when goals are set (i.e., the subrecipient is accountable for achieving performance).

Demonstrated Ability and Past Performance – Worth 20 Points (Max of 8 Pages)

Applicant (s) must describe demonstrated ability, clearly articulating years of experience, measurable outcomes and include the roles of specific partners that were involved in achieving program goals.

Please state the question/request before each answer.

- Summarize the relevant qualification, experience, and expertise of the proposing agency in managing federal funds and operating federally funded programs/activities.
- Please note that WIOA does require the use of accrual accounting; however, accrual reporting is required and accruals must be included on all invoices for reimbursement. Please describe your experience in managing accrual reports.
- Describe the organization's familiarity with federal financial management standards and discuss how the organization ensures compliance with those standards.

- Please provide a copy of your most recent audit report. If you do not have annual audits, attach a copy of your most recent financial statements.
- Describe your organization's mission, services provided, current customer base, funding sources, and funding stability. Describe how your proposal to serve WIOA eligible Adults within historically marginalized populations aligns with your organization's goals.
- If applicable, explain if you have operated and managed a workforce development program of similar size and scope to the one proposed and how you addressed customers' employment and training needs.
- Describe how you have collaborated and executed a project with multiple stakeholders. Include the distinct roles of each partner and the steps taken to achieve positive outcomes.
- If you have operated a WIOA Adult program, please give the performance measures outcomes (annual) for last two years. If not, provide similar performance information, if available.

Conflict Of Interest – Worth 5 Points (Max of 2 Pages)

Please explain your plan to comply with potential Conflict of Interest issues by specifically addressing the areas listed below as it relates to your organization.

- Each sub-recipient must maintain a written code of standards or conduct governing the performance of persons engaged in the award and administration of WIOA funds.
- Sub-recipient must disclose any potential conflicts of interest arising from relationships with state leadership, SWIB members, training providers and other service providers. [WIOA Section 121 (d) (4)]
- Any organization that has been selected, or otherwise designated to perform more than one function related to any WIOA program (Titles I, II, III, IV or V) and/or similar federally funded workforce program must develop a written plan. The plan must clarify how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget Uniform Guidance, and conflict of interest policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, certify that WIOA funded staff will not be assigned to work outside of WIOA deliverables as defined under contract, and demonstrate that there are appropriate firewalls within that single entity performing multiple functions.

Budget Section Requirements – Worth 40 points

Part I: Budget Narrative

The Budget Narrative is where the bidder provides an itemized budget breakdown and narrative for each budget category listed on the Budget Worksheet. Describe any leveraged community and partner resources, if any and the source of funding.

In responding to this RFP, the bidder should plan for an annual (July 1 – June 30) budget cycle, with the exception of the first year which has an anticipated start date of April 6, 2022.

The budget narrative must offer sufficient details to allow an assessment of cost reasonableness for costs identified in the Budget Worksheet described below.

Personnel

- Provide the title and duties of each position to be compensated under this project and the importance of each position to the success of the project.
- Provide the salary for each position under this project.
- Provide the amount of time (such as hours or percentage of time) to be spent by each position on this project.
- Provide the basis for cost estimates or computations.
- How many direct service staff are included in your budget? (FTEs)
- How many non-direct service staff or administrative are included in your budget? (FTEs)

Fringe Benefits

- Give the fringe benefit percentages of all personnel included under Personnel.
- Provide the rate and base on which fringe benefits are calculated.
- Do not include fringe benefits for salaries and wages that are treated as part of the indirect cost.

Travel (In-State)

- Explain the purpose of travel explain how it aligns to the project goals and objectives and identify who will travel.
- Provide specifics on how travel expenses are calculated
- Provide information on allowed mileage reimbursement costs.
- Mileage reimbursement may not exceed the federal rate, which can be found at GSA.gov
- Travel for consultants should be included under Contractual (line 6).
- Out of state travel is restricted and requires prior approval from by OWO (most training opportunities are now available on-line).

Equipment

- In general equipment costs are not allowed for this program
- However, the State considers all purchases of \$250 or more to be treated as equipment that must be maintained on inventory and remain property of the program/state. Such purchases require prior approval from OWO.
- The provider shall return all equipment/furniture purchased with federal funds to OWO upon the termination of contract.

Supplies

- Supplies purchased with grant funds should directly benefit the project and be necessary for achieving project goals.
- Direct supplies and materials differ from equipment in that they are consumable, expendable, and of a relatively low unit cost. Provide an estimate of supplies by nature of expense or general category (e.g., instructional materials, office supplies, etc.).
- Explain anticipated need for supplies and how they relate to project success.
- Provide the basis for cost estimates or computations.

Facility Costs (not included in indirect costs)

- For facility cost, include estimated total square feet available and cost per square foot. *[Do not include costs for the NH Works MOU IFA/Space costs for staff located in a NH Works Office. OWO will manage those costs at the state level.]*

Contractual

- The selected Bidder shall not subcontract any responsibilities or duties assigned in the contractual agreement between the Bidder and BEA. However, if the bidder is proposing a service design that includes contractual agreements the following information must be provided.
 - Describe the products to be acquired, and/or the professional services to be provided.
 - Provide the purpose of the product(s) and/or services and their relation to project success.
 - Provide the projected cost per contractor and basis for cost estimates.
 - For professional services contracts, provide the amount of time to be devoted to the project, including the proposed costs to the grant award.

Construction

- Not applicable.

Other

- Provide the purpose for the expenditures and their relation to the proposed strategy during the project period.
- Costs associated with professional development, if applicable.

Total Direct Costs

- The sum total of all direct expenditures, per budget category.

Indirect Costs

- Describe your indirect costs rate – include the percentage and what is included in your base cost for determining your indirect cost rate. If the bidder does not have an approved indirect cost rate, they must use the 10% De Minimis rate.

Administration Costs

- Administration costs are limited to 10% of the contract award.
- Indirect costs are included in the administration costs.
- In general, most cost associated with this program will fall into the direct and indirect costs category.
- Please see WIOA guidance on the administrative cost definition for WIOA.

Total Costs

- Sum total of direct costs and indirect costs.
- Please provide total costs for the year.

Part II: Budget Worksheet

Bidder is required to submit a budget worksheet using Appendix C. All costs included must be reasonable, allowable, necessary, and allocable among the cost categories using cost principles from 2 CFR 200 and 2 CFR 2900, as appropriate.

The budget narrative provided must offer sufficient details to allow an assessment of cost reasonableness.

In addition, please use Appendix D for job description of WIOA funded staff included in the personal costs on the budget worksheet.

D. Planned Evaluations Process

The Agency plans to use the following process:

- Initial screening to ensure that the Proposals are in compliance with submission requirements;
- Preliminary evaluation of the Proposals;
- Final Evaluation of Technical Proposals and scoring;
- Review of Budget Proposals and final scoring; and
- Select the Proposer (s) and begin contract negotiation.

E. Initial Screening

The Technical Review Team comprised of OWO program administrators will conduct an initial screening step to verify Proposer compliance with the submission requirements set forth in the RFP and the content requirements set forth in Section 5 of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

F. Proposal Review

Proposals passing the initial review will be forwarded to the Selection Committee for content evaluation and scoring. No less than three (3) SWIB members shall service as the Selection Committee for this RFP.

G. Budget Proposal Review

Price proposals will be reviewed upon completion of the final technical scoring of proposals. The Proposer's Budget Proposal will be allocated a maximum potential score of 40 points. Proposers are advised that this **is not a low bid award** and that the scoring of the price proposal will be combined with the scoring of the technical proposal to determine the overall highest scoring Proposer.

H. Final Selection

Proposals will be ranked based on the total score received from the Selection Committee. Rankings will be used as a guide for discussion and final selection.

- Formal notification to the selected bidder is subject to Review and Approval by the SWIB and OWO.
- If the results of the review indicate, in the opinion of OWO, that the bidder may not be able to fulfill service delivery expectations, OWO reserves the right to decide to not enter into a contract with the applicant, regardless of the ranking and/or approval of the applicant's proposal.
- OWO reserves the right not to fund part or the entire proposal, regardless of its score and/or rank. Such decisions will be made based on the opinion of OWO that the services proposed are not needed, the goals of the proposal do not align with goals of the SWIB, or the costs are higher than OWO finds reasonable in relation to the overall funds available.

- Additional funds received by OWO may be used to expand services with existing sub-recipients or to fund competitively rated proposals not initially funded under this RFP. These decisions shall be at the discretion of OWO.
- OWO will initiate and negotiate a contract award pending receipt of any additional documentation regarding administrative qualifications and/or any other areas of concern and/or the successful completion of contract negotiations.
- The final contract between OWO and the selected bidder is subject to the NH Governor and Council final approval.

I. Rights of the Agency in Accepting and Evaluating Proposals

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and
- Open contract discussions with the second highest scoring Proposer and so on, if the second highest scoring vendor and so on, if Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).

SECTION 7 – Terms and Conditions Related to the RFP Process

A. RFP Addendum

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

B. Non-Collusion

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

C. Property of the Agency

All material received in response to this RFP shall become the property of the State and will not be returned to the proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

Additionally, the funds authorized via this RFP are 100% federal funds, therefore upon contract award, the Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products

worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated by selling products developed with grant funds, including intellectual property, these revenues are considered as program income. Therefore, program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”

D. Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer’s disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

E. Public Disclosure

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of proposals, the Agency will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this RFP, the Agency will post the name, rank or score of each proposer. In the event that the contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least 5 business days before final approval of the contract.

The content of each Proposer’s Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this request for proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as “CONFIDENTIAL”. A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g., pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency's notice without any liability to the Proposers.

F. Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

G. Proposal Preparation Cost

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

H. Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the state's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

I. Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the agency's authority to conduct this procurement and the form and procedures of this RFP.

a. Debriefing of Unsuccessful Bidders

Unsuccessful bidders may request a debriefing conference. **A written request for a debriefing conference must be emailed to Joseph Doiron at Joseph.A.Doiron@livefree.nh.gov within three (3) business days after the Notification of Unsuccessful Proposal letter is e-mailed to the Bidder.** OWO will acknowledge receipt of debriefing request within three (3) business days.

Discussion will be limited to a critique of the requesting Bidder's proposal. Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

b. Protest Procedure

A bidder questioning an agency's identification of the selected vendor may request that the agency review its selection process. Such request shall be made in writing and be received by the agency within 5 business days after the rank or score is posted on the agency website. The request shall specify all points on which the bidder believes the agency erred in its process and shall contain such argument in support of its position as the bidder seeks to present.

Upon receipt of a protest, a protest review will be held by the Chair of the SWIB or his/her designee who will review the process it followed for evaluating responses and, within 5 business days of receiving the request for review, issue a written response either affirming its initial selection of a vendor or canceling the bid. In its request for review, a bidder shall not submit, and an agency shall not accept nor consider, any substantive information that was not included by the bidder in its original bid response. No hearing shall be held in conjunction with a review. The outcome of the agency's review shall not be subject to appeal.

Protests shall be submitted by email to Joseph.A.Doiron@livefree.nh.gov

Section 8 – Contract Terms and Award

A. Non-Exclusive Contract

Any resulting Contract from this RFP will be a non-exclusive Contract. The State reserves the right, at its discretion, to retain other Contractors to provide any of the Services or Deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal.

B. Award

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding and availability of federal funds for the contract.

C. Standard Contract Terms

The Agency will require the successful bidder to execute a Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Attachment A.

To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

Section 9 - Disclaimers and General Provisions

The following are disclaimers and general provisions under BEA and/or the SWIB. The Bidder shall review each statement below to ensure capacity for compliance before submitting a proposal for consideration. Items listed below may be repetitive of provisions cited earlier in this RFP.

- The RFP is effective for maximum of 27 months.
- This RFP does not commit BEA to award a sub-recipient contract.
- Funding provided through this RFP process does not allow for any expenses related to preparing a proposal under Workforce Innovation and Opportunity Act.
- BEA reserves the right to waive informalities and minor irregularities in offers received.
- The SWIB reserves the right to re-release this RFP in the absence of qualified proposals, and/or due to funding restrictions, reallocations, or any other funding/program-related issues at the state or federal level.
- The selected Bidder shall not subcontract any responsibilities or duties assigned in the contractual agreement between the Bidder and BEA
- All data, material, and documentation originated and prepared by the Bidder pursuant to the RFP shall belong exclusively to the BEA and be subjected to disclosure under the Freedom of Information Act.
- Any changes to the Workforce Innovation and Opportunity Act regulations and guidance, funding level or SWIB direction may result in a change in the sub-recipient contract. In such instances, BEA is not liable for what is in the Bidder's proposal or this RFP package.
- Proposals submitted for funding consideration must be consistent with, and if funded, operated according to, the federal Workforce Innovation and Opportunity Act legislation, all applicable federal regulations, State of New Hampshire policies and laws, and BEA policies and procedures.
- The Bidder selected for funding must also ensure compliance with the provisions referenced in 2 CFR 200.327 which are described in Appendix II to Part 200 and applicable sections of 20 CFR and 29 CFR.
- Post RFP, additional funds received by the BEA may be included in a contract with the selected Bidder to expand existing programs; or by consideration of proposals not initially funded under this RFP, if such proposals rated in the competitive range. These decisions shall be at the discretion of the BEA.
- BEA may decide not to fund part or all of a proposal even though it is in the competitive range.
- The Selection Committee is not required to award bids to the lowest Bidder or to the highest scoring proposal. The Committee may use discretion in considering all factors to select the best overall proposal. These factors include, but are not limited to, price, technical qualifications, and demonstrated experience.
- Any award may be contingent on the results of a pre-award site visit conducted by BEA. This site visit will establish, to BEA's satisfaction, whether the Bidder is capable of conducting and carrying out the provisions of the RFP. If the results of the site visit indicate, in the opinion of BEA, that the Bidder may not be able to fulfill service delivery expectations, BEA reserves the right to reject the proposal and to not enter into contract with the bidder.
- BEA is required to abide by all Workforce Innovation and Opportunity Act legislation and regulations. Therefore, the BEA reserves the right to modify or alter the requirements and standards set forth in this RFP based on program requirements mandated by state or federal agencies.
- The Bidder shall adhere to BEA procedures to collect and verify data and submit required monthly reports as well as invoices to BEA.
- All Bidders must ensure equal opportunity to all individuals. No individual shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any Workforce Innovation and Opportunity Act funded program or activity because of race, color, religion, gender, national origin, age, disability, sexual preference, English proficiency, or political affiliation or belief.
- All Bidders must ensure access to individuals with disabilities pursuant to the Americans with Disabilities Act.

- Bidders must accept liability for all aspects of any Workforce Innovation and Opportunity Act program conducted under contract with BEA. Bidders will be liable for any disallowed costs or illegal expenditures of funds or program operations conducted.
- The funding awarded in a contract resulting from this solicitation are subject to a reduction at any time during the contracting period should a Bidder fail to meet expenditure, participant, and/or outcome goals specified in the contract or when anticipated funding is not forthcoming from federal or state governments.
- The bidder awarded a contract as a result of this RFP, will allow state and federal representatives access to all related records and financial statements, Workforce Innovation and Opportunity Act records, program materials, staff, and customers.
- The bidder awarded a contract (in response to this RFP), is required to maintain all Workforce Innovation and Opportunity Act records for three years, beginning on the last day of the program year. (2 CFR 200.333-337).
- The RFP period will not be final until BEA and the successful Bidder have executed a mutually satisfactory contractual agreement. BEA reserves the right to make an award without further discussion of the proposal submitted. No program activity may begin prior to final BEA approval of the award and execution of a contractual agreement between the successful Bidder and BEA.
- BEA reserves the right to cancel an award immediately if new state or federal regulations or policy makes it necessary to change the program purpose or content substantially, or to prohibit such a program.
- BEA reserves the right to determine both the number of participants to enroll and the funding level for the final contract. Such determination will depend upon overall fund availability and other factors arising during the proposal review process.
- The Review Team will reject any bid submitted that is over the maximum amount of WIOA Title I Adult funds specified for this RFP.
- Registration with the New Hampshire Secretary of State as a Vendor is required. Bidders must provide a current copy of such certification or a copy of the submitted application for certification. The bidder may contact the NH Secretary of State at 603-271-3262 or 3266 for information on vendor registration.

APPENDICES

APPENDIX A - Proposal Cover Sheet

RFP # DBEA-2022-06

BEA Vibrant, Inclusive and Prosperous (VIP) Workforce Program

Organizations Name:	
Street Address:	
Mailing Address:	
Contact Person(s):	
Title of Contact Person(s):	
Telephone Number(s):	
Email Address(s):	

Check the box that most appropriately describes your organization:

<input type="checkbox"/> Unit of Local Government	<input type="checkbox"/> Private Non-Profit Organization
<input type="checkbox"/> For Profit Organization	<input type="checkbox"/> Business Association
<input type="checkbox"/> Other:	

CERTIFICATION: I certify that the information contained in this proposal, fairly represents the entity named above and its capacity to conduct the proposed delivery of WIOA Adult services as described herein. I acknowledge that I have read and understand the requirements of the RFP and that this entity is prepared to implement the proposed activities if selected for contract. I further certify, by my signature below, my authority to sign this proposal and any contractual agreement emanating there from on behalf of the entity submitting the proposal.

_____/_____
(SIGNATURE of Authorized Official) Date

(Printed NAME and JOB TITLE of Authorized Official)

APPENDIX B – Contractor Data Sheet

CONTRACTOR DATA SHEET

Page 1 of 3

(To be completed by Bidder)

1. Years in business: Indicate the length of time you have been in business providing this type of service:

_____ years _____ months

2. References: Indicate below at least three (3) accounts for whom you have provided consultancy services, of which at least two will be related to consortium management/sector organization. Include the date services were furnished, and contacts.

Client	City / State	Dates of Service	Contact Name / Phone / E-mail

3. Are you a subsidiary firm? ____ yes ____ no

If yes, list the location of your parent affiliation:

Address: _____

City: _____ State _____

4. List total number of employees:

_____ Full-time _____ Part-time/other

Authorized Signature(s)

This form must be completed and signed by an officer of the company

Name of Firm: _____

Contact: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Fax: _____

Email: _____

Date of incorporation: _____

If not a corporation, state the type of business organization, names and addresses of the owners, address and phone of the principal place of business, date business began, and state in which organized.

I certify the accuracy of this information.

Signature: _____

Name and title (print or type): _____

Date: _____

APPENDIX C – Budget Worksheet

Name of Organization:

Prepared by:

	Administration	Program	Total Costs
PERSONNEL EXPENSES	\$		
Salaries & Wages	\$		
Fringe Benefits	\$		
PROGRAM OPERATING EXPENSES	\$		
Supplies	\$		
Staff Travel	\$		
Facilities (direct charges for Rent & Utilities, Maintenance & Janitorial)	\$		
Communications (phones, etc.)			
Equipment Rental & Maintenance	\$		
Equipment Purchase (add approval requirement information)	\$		
Staff Training	\$		
Contractual	\$		
Other	\$		
INDIRECT COSTS (% =)	\$		
TOTAL	\$		

APPENDIX D – Staff Job Descriptions

Using this format, complete a separate Job Description for **each Position/Job Classification** that will provide WIOA services under the terms of this agreement, whether funded in full or in part, with WIOA Adult funds.

Please identify the following:

1. Job Title

2. Describe actual job duties or tasks performed in relation to the WIOA Adult program and job title (or attach job description and then *continue to answer questions below*).

3. Minimum education, experience, and qualifications of the person to perform the above job duties.

4. What is the anticipated amount of time this staff person will provide WIOA-funded services?
 - a. _ hours per day
 - b. _ hours per week
 - c. _ office location(s)

5. What is the anticipated amount of time this staff person will provide WIOA-funded services?
Adult _____ Other _____

6. Name of Immediate Supervisor: (If position needs to be filled, indicate this.)

7. Share information on any staff assigned to this position that going to work in other sections/departments of the agency. Please describe.

APPENDIX E – Assurances & Certifications

1. I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related Subrecipient(s):
2. I/we declare that all answers and statements made in the proposal are true and correct.
3. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for restricting competition. However, I/we may freely join with other persons or organizations for presenting a single proposal.
4. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by BEA without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
5. In preparing this proposal, I/we have not been assisted by any current or former employee of BEA whose duties relate (or did relate) to this proposal or prospective sub- award, and who was assisting in other than his or her official, public capacity.
6. I/we understand that BEA will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of BEA, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
7. Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by him/her prior to opening, directly or indirectly to any other Bidder or to any competitor.
8. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
9. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal for restricting competition.
10. I/we grant BEA the right to contact references and others, who may have pertinent information regarding the Bidder's prior experience and ability to perform the services contemplated in this procurement.
11. I/we accept and will abide by State of New Hampshire's Code of Conduct and Conflict of Interest Policy

Signature of Bidder

Title

Date

APPENDIX F – WIOA Assurances & Certifications

As an organization requesting WIOA funding, we assure and certify that our organization will comply with the following provisions:

- 1) Exclusive use of the statewide/regional brand name for the NH Works development system in lieu of traditional workforce development language and organizational names in the marketing and delivery of services and programs; furthermore, will ensure to credit the SWIB and BEA for funding on all marketing and other collateral.
- 2) Consistently identify individual programs and activities in user-friendly terms.
- 3) Designate appropriate job titles for staff who work with WIOA customers and detailed job descriptions will be available for each job title. These job titles will consistently be used with external customers.
- 4) Maintain customer files according to NH Works policies and guidance and adhere to data validation expectations.
- 5) Fully comply with the requirements of the WIOA; all Federal regulations issued pursuant to the Act; the NH WIOA State Plan and policies issued by the SWIB.
- 6) Administer the program in full compliance with safeguards against fraud and abuse as set forth in the law and regulations.
- 7) Ensure that the program does not discriminate against, deny benefits or employment to, or exclude from participation any person on the grounds of race, color, national origin, religion, age, sex, disability, sexual orientation, or political affiliation, or any other non-relevant factor.
- 8) House all WIOA service provider staff at the NH Works Job Center to the greatest extent possible and will accept all associated workforce roles and responsibilities.
- 9) Operate the program in full compliance with health and safety standards established under State and Federal law and that condition of employment and training will be appropriate and reasonable in light of such factors as the type of work, geographical area, and proficiency of the customers.
- 10) Refer ineligible applicants to other appropriate services, including career services available at the NH Works Job Centers.
- 11) Exhaust other resources for support and/training prior to using WIOA funds.
- 12) Ensure that all WIOA customers participating in on-the-job training activities or individuals employed in other activities under WIOA be compensated at the same rates, including periodic increases and working conditions, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. Moreover, that such rate shall be accordance with applicable law. In no event shall the wage be less than the applicable state or local minimum wage law.
- 13) Ensure that no customer is employed to fill a job opening when any other person is on layoff from same or equivalent job, or when employer terminates the employment of any regular employee or otherwise reduces its workforce with the intention of filling vacancies with WIOA customers.

- 14) Ensure no WIOA funds will be used for contributions on behalf of any customers to retirement systems or plans; to impair existing Subrecipients for services for collective bargaining agreements; to assist, promote, or deter union activities; or to displace any currently employed worker.
- 15) Ensure reports to the BEA or its staff will be provided in a timely fashion, as requested.
- 16) Ensure all customer information will be keyed into the client management information system, JMS/GSI WIOA, in accordance with state and local policy, both in terms of content and timeframe expectations.
- 17) Ensure eligibility verification will be completed and documented in accordance with Federal, State, and local policy.
- 18) Ensure WIOA funds are not used for customer loans.
- 19) Ensure the total project costs will not exceed the amount awarded in the subrecipient contract for services.
- 20) Ensure coordination of training site visits by BEA staff and federal staff on request and will fully cooperate with monitoring reviews and other site visits by any representative of the WIOA.
- 21) Ensure will, in carrying out the Subrecipient, refrain from activities involving either actual or the appearance of conflict of interest according to Code of Conduct and Conflict of Interest.
- 22) Ensure will adhere to the BEA records retention policy and all WIOA financial and programmatic records (including customer files) stored by each service provider for a minimum of three years from the date the program year audit is completed.
- 23) Ensure an annual single audit performed in accordance with current Federal regulations and that upon receipt of completed audit, sub-recipient will submit a copy to the BEA within thirty days (30) unless approved for a longer period.
- 24) Ensure will comply with Title VI of the Civil Rights Act of 1964 (PL 88-352).
- 25) Ensure will comply with the nepotism provisions as they relate to federally funded programs.
- 26) Ensure will comply with the Immigration Reform and Control Act of 1986 by completing and maintaining on file an I-9 form for each customer receiving WIOA wages.
- 27) Ensure will comply with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, (PL 91-646) which requires fair and equitable treatment of persons displaced as a result of federally assisted programs.
- 28) Confirm that the organization is not debarred, suspended, proposed for debarment, or declared ineligible from participation in this project.
- 29) Ensure does not use federal funds for lobbying purposes. If lobbying has occurred utilizing funds other than federal funds, the sub-recipient agrees to file a disclosure report, if applicable.
- 30) That no WIOA funding will be used for sectarian activities and that employees paid from WIOA funds will not participate in sectarian religious activities in the execution of their job duties.
- 31) That no WIOA funds will be used to encourage or induce the relocation of a business.
- 32) That no WIOA funds will be used for customized or skill training and related activities after the relocation of a business until after 120 days.
- 33) That no WIOA funds will be used for foreign travel.
- 34) That no WIOA funds will be used to duplicate services available in the area.

- 35) Ensure that customers will not be charged fees for placements or referrals.
- 36) Ensure WIOA financial assistance is not provided to any program that involves political activities and the sub-recipient agrees to comply with the provisions of the Hatch Act, which limits the political activity of certain state and local government employees and enrollees in federally funded programs.
- 37) That all WIOA customers and WIOA funded staff are aware of grievance procedures and the sub-recipient assures and certifies that the sub-recipient has in place an established grievance procedure to be utilized for grievances or complaints about its program and activities from customers/enrollees, sub-recipients and other interested parties.
- 38) The sub-recipient will comply with New Hampshire statues, which prohibits public officials and employees from having a personal interest in any Subrecipient to which s/he is also a party in an official capacity.
- 39) The sub-recipient assures and certifies that it will comply with applicable provisions of the following laws as they relate to employment and training procedures: The Drug Free Workplace Act, the Immigration Reform Act, the Davis-Bacon Act, and Child Labor Laws.

For more information on WIOA assurances visit <http://www.doleta.gov/WIOA>.

I/we certify I/we read, understand and addressed in our proposal submitted on behalf of our organization all specifications contained in the RFP. That the required format has been followed and that all of the information contained in this proposal is true and correct. I further certify that our organization will comply with all of the above assurances, and that the governing body of our organization has duly authorized this proposal.

Signature of Authorized Representative

Date

ADULT PRIORITY OF SERVICE POLICY

Policy #: 2021-P-05 Previous #: 2015-002, 2021-P-005

Source: 7/1/2021, 11/19/2021, Jan. 24, 2022, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity's (OWO) policies and procedures regarding Adult Priority of Service for the Adult Title I funded program.

POLICY:

This policy discusses priority of service requirements for Workforce Innovation and Opportunity Act (WIOA) Title I Adults for Career and Training Services. Priority applies for low-income individuals, participants on public assistance, and individuals who are basic skills deficient. Priority must also be given to Veterans and Eligible Spouses for access to all federally funded training programs. *See the Veterans and Eligible Spouses Priority of Service Policy 2021-P-04 for additional details.*

WIOA increases access to and opportunities for employment, education, training, and support services that individuals need, "*particularly those with barriers to employment.*" To ensure access, [WIOA Title I Section 134\(c\)\(3\)\(E\)](#) requires that priority of service be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient, for receipt of career and training services. Priority for service applies regardless of federal funding levels.

The order for priority service is as follows:

1. <i>Low Income, Public Assistance, or Basic Skills Deficient</i> AND Veteran and Eligible Spouse including Widows and Widowers
2. <i>Low Income, Public Assistance, or Basic Skills Deficient</i>
3. Veterans and Eligible Spouses who are NOT included in the priority group (1 above)
4. Additional priorities established by the Governor or Workforce Development Board: <ul style="list-style-type: none">• Displaced Homemaker• Indians, Alaska Natives, Native Hawaiians• Older individuals (55+)• Individuals with disabilities• Ex-Offenders• Youth who have aged out of the foster care system• Eligible migrant and seasonal farmworkers• Single parents• Long-term unemployed individuals• Individuals who have been directly or indirectly impacted by substance use disorder• Individuals who have none or very limited post-secondary training
5. All other individuals ages 18 and older.

1. The term “low-income individual,” defined in [WIOA Section 3\(36\)](#), means an individual who:
 - a. Receives, or in the past 6 months has received or is a member of a family that is receiving or has received in the past six months, assistance through the Supplemental Nutrition Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI) under Title XVI of the Social Security Act, or a state or local income-based public assistance program; or
 - b. Is in a family with total family income that does not exceed the higher of:
 - i. The poverty line or
 - ii. 70% of the lower living standard income level; or
 - b. Is a homeless individual; or
 - c. Is an individual with a disability whose own income meets the income requirements above but is a member of family whose income does not meet the income requirement.
2. The term “basic skills deficient” is defined in [WIOA Section 3\(5\)](#) to mean a youth or adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.
 The definition of Basic Skills Deficient is further defined by the State as an individual who meets any one of the following criteria:
 - a. Lacks a high school diploma or equivalency and is not enrolled in secondary education; or
 - b. Scores 8.9 or below on an approved assessment test; or
 - c. Is enrolled in Title II Adult Education (including enrolled for ESL); or
 - d. Has poor English language skills (and would be appropriate for ESL even if the individual isn’t enrolled at the time of WIOA entry in an ESL program); or
 - e. The WIOA Career Specialist (WCS) makes observations of deficient functioning and records those observations as justification in a case note.
3. Priority of services does not apply to WIOA Dislocated Worker program and/or participants served as incumbent workers, with the exception of veteran’s priority for service as described in the WIOA Policy# 2021-P-04: Priority of Service for Veterans and Eligible Spouses.

PROCEDURE(S):

WIOA service providers must put processes into place to ensure that priority populations including veteran and eligible spouses, are identified at the point of entry and given an opportunity to take full advantage of priority of service. The point of entry includes physical locations such as NH Works Centers, as well as websites such as NHES Job Match System (JMS), and other virtual service delivery resources. These processes should ensure that priority groups are aware of their entitlement to priority of service, the full array of employment, training, and placement services available under priority of service, any applicable eligibility requirements for those programs and services, and in cases of online points of entry, how to access assistance via the nearest NH Works Office.

WIOA “Priority of service” status is established at the time of eligibility determination. It does not change during the period of participation. WIOA Service providers must ensure proper identification and documentation of priority status in the WIOA JMS case management system.

Training and Employment Guidance Letter (TEGL) No. 7-20 clarifies that recipients of public assistance, individuals who are basic skills deficient or those identified as low income are the three priority groups that WIOA specifically mandates are entitled to priority of service (including veterans and eligible spouses) under the WIOA Adult program. It also says that a state should ensure that at least 75% of a state’s participants receiving individualized career and training services in the adult program are from at least one of these three priority groups and expects the rate to be no lower than 50.1%. Therefore, New Hampshire WIOA Adult Service providers must put processes in place to

ensure that no more than 25% of all Adults enrolled annually are served under the Additional Priority of Services category (3, 4, 5 from chart above).

ACTION:

All staff must be knowledgeable of the contents of this directive.

VETERANS AND ELIGIBLE SPOUSES PRIORITY OF SERVICE POLICY

Policy #: 2021-P-04 Previous #: 2021-P-004

Source: 7/1/2020, 11/19/2021, Jan. 24, 2022, eff. July 22, 2024

PURPOSE:

This policy provides the guidance and establishes the procedures regarding the priority of service requirement for veterans and their eligible spouses for U.S. Department of Labor (DOL) funded programs and services. This policy applies to all recipients and subrecipients of [Workforce Innovation and Opportunity Act \(WIOA\)](#) Title I Funding and funding under the Senior Community Service Employment Program (SCSEP).

POLICY:

Priority of Service: Program operators are required to provide priority of service to veterans and eligible spouses for all WIOA Title I, Wagner-Peyser, and SCSEP funded activities, including technology–assisted activities. Priority of service means that veterans and eligible spouses are entitled to take precedence over non-covered persons in obtaining employment, training, and placement services. More specifically, a veteran or an eligible spouse receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

In implementing priority of service, program operators must ensure veterans and eligible spouses receive basic career services and individualized career services before other non-covered individuals. Additionally, they must ensure veterans and eligible spouses receive first priority on waiting lists for training slots and are enrolled in training prior to non-covered persons. However, once a non-covered participant is enrolled in a workshop or training class, priority of service is not intended to allow a veteran or eligible spouse to bump the non-covered participant from that class or service.

Program operators must ensure that priority of service is applied by all subrecipients of DOL funds. Pertinent language should be included in contracts, sub-grants, solicitations for proposals, memorandums of understanding, and other service provision agreements.

Applying Priority of Service: The application of priority of service varies depending on the eligibility requirements of the particular program. There are four basic categories of DOL-funded programs: universal access programs, programs that require participants to meet specified eligibility criteria, programs with statutory priorities, and programs with discretionary priorities. The following describes how priority of service applies to these basic types of programs:

Universal Access Programs: For workforce programs that operate or deliver services to the public as a whole without targeting specific groups (e.g., WIOA basic career services), veterans and eligible spouses receive priority of service over all other program participants.

Programs with Eligibility Criteria: Eligibility criteria identify basic conditions that each participant in a specific program is required to meet. For example, for the WIOA Adult, Dislocated Worker, and Youth programs as well as SCSEP program, every participant is required to meet program eligibility requirements (e.g., age, selective service registration, etc.). A veteran or eligible spouse must first meet all of the eligibility criteria in order to be considered eligible for participation in the program. Once determined eligible for participation, the veteran or eligible spouse receives priority for participation in the program and receipt of services.

Programs with Statutory Priorities: In addition to the eligibility criteria that all participants are required to meet, some programs have priorities that target certain populations and establish a rank order for enrolling or serving participants as described in the WIOA Policy # 2021-P-005: Adult Priority of Service. While veterans' priority is required under federal law and cannot be waived, it is not intended to displace existing eligibility requirements and statutory priorities. Therefore, in these instances, veterans and eligible spouses must first meet both the program's eligibility and statutory priority criteria to receive priority for participation in the program and receipt of services. WIOA Adult Program operators must determine the status of each individual veteran or eligible spouse and apply priority of service in the following order:

1. Veterans and eligible spouses who meet the program's statutory priority requirement (e.g., veterans and eligible spouses who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient).
2. Non-covered persons who meet the program's statutory priority requirement (e.g., non-covered persons who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient).
3. Veterans and Eligible Spouses who are NOT included in the priority group.
4. Additional priorities established by the Governor or Workforce Development Board.
 - a. Displaced Homemaker
 - b. Indians, Alaska Natives, Native Hawaiians
 - c. Older individuals
 - d. Individuals with disabilities
 - e. Ex-Offenders
 - f. Youth who have aged out of the foster care system
 - g. Eligible migrant and seasonal farmworkers
 - h. Single parents
 - i. Long-term unemployed individuals
 - j. Individuals who have been directly or indirectly impacted by substance use disorder
 - k. Individuals who have none or very limited post-secondary training
5. Non-covered persons outside the program's statutory priority requirement.

Programs with Discretionary Priorities: Programs with discretionary priorities may make an effort to provide a certain level of service to a particular group. However, the law does not mandate that the target group be served before other eligible individuals. With respect to priority of service, the only feature that distinguishes discretionary targeting programs from universal access programs is the additional application of the discretionary targeting criterion to non-covered persons. Therefore, program operators must apply priority of service in the order below:

1. Veterans and eligible spouses.
2. Non-covered persons within the discretionary targeting group.
3. Non-covered persons outside the discretionary targeting group.

Income Eligibility Requirements: When determining eligibility for programs that have a statutory requirement to serve low-income individuals, many types of military service-related income are exempt. Specifically, the following

pay, financial allowances, and financial benefits must be disregarded for veterans, transitioning service members, or any other individuals for whom these amounts would normally be applied in making an eligibility determination.

1. Military pay or allowances paid while on active duty.
2. Military pay or allowances paid by the US Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs (including the VA work study allowance), and including any financial benefits received under the following chapters of Title 38 U.S.C.:
3. [Chapter 11](#) - Compensation for service-connected disability or death.
4. [Chapter 13](#) - Dependency and indemnity compensation for service-connected deaths.
5. [Chapter 30](#) - All-volunteer force educational assistance program.
6. [Chapter 31](#) - Training and rehabilitation for veterans with service-connected disabilities.
7. [Chapter 33](#) – post-9/11 educational assistance.
8. [Chapter 35](#) - Survivors and dependents' educational assistance.
9. [Chapter 36](#) - Administration of educational benefits.
10. Any benefits received under [Title 10 U.S.C. Chapter 1606](#) - Educational assistance for members of the selected reserve.

In contrast, the following types of military-related income are included in low-income calculations:

1. Pension payments authorized by Title 10 U.S.C., such as those received by military retirees, whether or not their retirement was based on disability.
2. Pension benefits paid under [Title 38 U.S.C. Chapter 15](#) – Pensions for low-income, wartime veterans who are disabled for reasons not connected or related to their military service.

It is also important to note that VA benefits for education and training services do not constitute “other grant assistance” under WIOA’s eligibility requirements. Therefore, veterans or eligible spouses who are eligible for the GI Bill or other forms of VA-funded education or training are not required to coordinate their entitlement to those benefits with their eligibility for WIOA-funded training, as stipulated under [20 CFR Section 680.230](#). Specifically, program operators may not require veterans or eligible spouses to exhaust their entitlement to VA-funded training prior to enrolling them in WIOA-funded training.

Definitions: The definitions listed below are for the purposes of implementing priority of service only. The definitions of “veteran” and “eligible spouse” applicable to the priority of service requirement are different from, and broader than, than the definitions of “veteran” and “other eligible persons” applicable to services provided by the Disabled Veterans’ Outreach Program Specialist and Local Veterans’ Employment Representative staff.

Covered Person – a veteran or eligible spouse. A veteran who has served at least one day in the active military, naval, or air service, and who was discharged or released from service under any condition other than a conditional classified as dishonorable is a covered person. This definition includes Reserve units and National Guard units activated for Federal Service.

Eligible Spouse – the spouse (including a same-sex spouse) of any of the following:

1. Any veteran who died of a service-connected disability.
2. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - a. Missing in action.
 - b. Captured in the line of duty by a hostile force.
 - c. Forcibly detained or interned in the line of duty by a foreign government or power.

3. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the U.S. Department of Veterans Affairs (VA).
4. Any veteran who died while a disability, as indicated in category c. of this definition, was in existence.

A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b. or c. above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g., if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level), or upon divorce from the veteran or service member.

Note: A surviving spouse who is a widow or widower **AND** remarries on or after December 16, 2003, **AND** on or after attaining age 57, is entitled to continue to receive Dependency and Indemnity Compensation.

Non-covered Person – any individual who meets neither the definition of veteran nor the definition of eligible spouse.

Point of Entry – the point at which a veteran or eligible spouse expresses an interest in receiving employment, training, and placement services. It may be in-person or online, and can include physical locations such as reception areas, resource areas, and self-services in a NH Works Center, as well as websites such as NHES Job Match System, and other virtual service delivery resources.

Priority of Service – with respect to any qualified job-training program, a covered person shall be given priority over a non-covered person for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provision of the law. Such priority includes giving access to such services to a covered person before a non-covered person or, if resources are limited, giving access to such services to a covered person instead on a non-covered person.

Program Operator – a recipient or subrecipient of DOL funds for a qualified job-training program.

Qualified Job Training Program – any program or service for workforce preparation, development, or delivery funded in whole or in part by the DOL.

Recipient – an entity that is awarded federal financial assistance, in completely or in part, directly from the DOL or through a sub award for any qualified job-training program.

Subrecipient – an entity that is awarded federal financial assistance through a sub award funded by the DOL (B) for any qualified job training program.

Veteran – a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable. Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes. Active service does not include full-time active duty performed by National Guard personnel who are mobilized by state rather than federal authorities.

The term “veteran” is defined in [WIOA Section 3\(63\)](#).

The term “eligible spouse” is defined in [Section 101 of title 38, United States Code](#).

The term “priority of service” is defined in [WIOA Section 133\(b\) and 134\(c\)\(3\)\(E\)](#).

PROCEDURE(S):

Identifying Veterans and Eligible Spouses: Program operators must put processes into place to ensure that veteran and eligible spouses are identified at the point of entry and given an opportunity to take full advantage of priority of service. The point of entry includes physical locations such as NH Works Centers, as well as websites such as the NH Employment Security (NHES), Job Match System (JMS), and other virtual service delivery resources. These processes should ensure that veterans and eligible spouses are aware of their entitlement to

priority of service, the full array of employment, training, and placement services available under priority of service, any applicable eligibility requirements for those programs and services, and in cases of online points of entry, how to access assistance via the nearest NH Works Office.

Documenting Eligibility for Priority of Service: It is not necessary for staff to verify the status of a veteran or eligible spouse until the individual undergoes eligibility determination and is enrolled in a WIOA individualized career service or training service. Until the point at which the participant receives an individualized career service or training service, an individual who states they meet the veterans' priority eligibility criteria must be accorded veterans' priority of service on the basis of self-attestation.

In those instances, in which eligibility determination and enrollment in a WIOA individualized career service occur at the point of entry, a covered person must be enrolled, provided immediate priority, and permitted to follow-up subsequently with any required verification of his or her status as a covered person.

Local Policy and Procedures: Program Operators must establish policy and procedures for implementing priority of service for veterans and eligible spouses within existing service delivery strategies. Local policies must ensure that veteran and eligible spouses are identified at the point of entry and given an opportunity to take full advantage of priority of service. These policies must ensure that veterans and eligible spouses are aware of their entitlement to priority of service, the full array of employment, training, and placement services available under priority of service, and any applicable eligibility requirements for those programs and/or services. Additionally, program operators must ensure that written copies of local priority of service policies are maintained at all service delivery points and, to the extent practicable, posted in a way that makes it possible for members of the general public to easily access them.

ACTION:

All staff must be knowledgeable of the contents of this directive.

Section VI Appendix

[Please see Section 4 for Appendices for related supporting documentation.](#)

Section VII Appendix

EQUAL OPPORTUNITY POLICY

Policy #: 2018-P-05 Previous #: 2018-005

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To provide guidance regarding equal opportunity under the Workforce Innovation and Opportunity Act which requires compliance with [29 CFR Part 38](#) Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act (WIOA).

Section 188 of the workforce Innovation and Opportunity Act provides for equal opportunity within all WIOA funded programs.

POLICY:

It is the policy of the New Hampshire Works Consortium and partner agencies to assure nondiscrimination 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 financially assisted program or activity.

PROCEDURE(S):

The WIOA Career Specialist shall explain and provide the WIOA Grievance Procedure Notice to all individuals who are applying for services under WIOA. As part of the application process, a signed copy of the notice must be included in the individual's Job Match System file and a copy must be provided to the individual. This notice will be provided in the individual's language of choice.

Who may file: Any covered individual who believes that he or she has been discriminated against based on 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.

When to file: A formal complaint must be filed within 180 days of the alleged discriminatory act(s). Complaints initiated more than 180 days from the date of the alleged discrimination may be extended for good cause by the Director of CRC.

How to file: Each complaint shall be in writing and shall:

1. Be signed by the complainant or his/her authorized representative;
2. Contain the complainant's name and address, or specify another means of contact;
3. Identify the person(s) and/or legal entity complained against (the respondent); and
4. Describe the complainant's allegations in sufficient detail to allow determination of whether the complaint

- a. falls under OWO, One-Stop Partner, or WIOA-Recipient jurisdiction
 - b. was timely filed, and
 - c. has apparent merit.
5. Upon receipt of a written complaint alleging discrimination, the OWO EO Officer shall promptly log the complaint and forward it to the appropriate One-Stop Partner or WIOA-Recipient to
- a. initiate review and/or investigation of the complaint, or;
 - b. provide notice, as appropriate, to all parties including the complainant and the respondent of the specific charges;
 - c. inform the complainant and respondent of their right to representation;
 - d. inform the complainant and respondent of their right to present evidence;
 - e. inform the complainant and respondent of their right to rebut evidence presented by others;
 - f. inform the complainant of their right to select an alternative method of dispute resolution, such as mediation; and
 - g. make a decision strictly on the evidence.

Where to file: Complaints may be filed with the Department of Business and Economic Affairs, Office of Workforce Opportunity (OWO) Equal Opportunity (EO) Officer, 100 North Main Street Suite 100, Concord, NH, 03301, Telephone: (603) 271-0355 TDD: 1-800-735-2964 relay 711. With respect to WIOA-funded organizations, complaints may also be filed with the One-Stop Partner or WIOA-subrecipient, who will forward it to the OWO EO Officer for proper logging and processing if appropriate.

Complaints may alternatively be filed directly with the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW, Rm N-4123, Washington, D.C. 20210. Telephone: (202) 219-7026, TDD: 1-800-326-2577.

- The identity of the complainant shall be kept confidential except to the extent necessary to carry out the purposes of [29 CFR 38](#), including the conducting of any investigation, hearing or judicial proceeding arising hereunder. When consent has been provided for release of complainant's identity, disclosure should be under the conditions which will promote receipt of confidential information.
- No person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Equal Opportunity policies or because he/she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing in this part.
- OWO, the One-Stop Partner, or WIOA-subrecipient shall process the complaint within 90 days and offer a resolution to the complainant. If by the end of 90 days, complaint processing has not been completed, or the complainant has not been notified of the resolution, the complainant or his/her representative may, within 30 days of the expiration of the 90-day period or upon notification of resolution, file with CRC.
- OWO, the One-Stop Partner, or WIOA-subrecipient shall notify the complainant immediately in writing upon determining that it does not have jurisdiction over a complaint that alleges a violation of the nondiscrimination and equal opportunity provisions of WIOA. The notification shall include the basis for such determination, as well as a statement of the complainant's right to file a written complaint with the Director of CRC within 30 days of receipt of the notification.
- The complainant has the choice of an Alternative Dispute Resolution rather than the customary process. The complainant must request ADR within 10 days of filing the complaint. If an agreement is not reached under ADR, the complainant may file with the CRC. In the event that the ADR agreement is breached, the non-breaching party may file a complaint with the CRC within 30 days of the date on which the party learns of the alleged breach. If the CRC determines that there has been a breach, the complainant may file a

complaint with the CRC based upon his/her original allegation(s), and the CRC will waive the time deadline for filing such a complaint.

ACTION:

All staff must be knowledgeable of the contents of this directive.

ATTACHMENTS:

1. HOW TO REGISTER A CIVIL RIGHTS COMPLAINT
2. CIVIL RIGHTS COMPLAINT FORM
3. SAMPLE LETTER OF ACKNOWLEDGEMENT
4. NOTICE OF HEARING
5. FINAL DISPOSITION OUTLINE
6. NOTICE OF RIGHT TO APPEAL

FORMS TO BE USED FOR FILING A CIVIL RIGHTS/EO COMPLAINT WITH U.S. DEPT. OF LABOR,
DIRECTORATE OF CIVIL RIGHTS

Director

Civil Rights Center

ATTENTION: Office of External Enforcement

U.S. Department of Labor

200 Constitution Avenue, NW

Room N-4123

Washington, DC 20210

Link: [DIRECTORATE'S COMPLAINT INFORMATION FORM](#), and

Link: [PRIVACY ACT CONSENT FORM](#)

How to register a formal civil rights complaint with NH Department of Business and Economic Affairs Office of Workforce Opportunity

Any applicant, client, potential contractor, contractor or other aggrieved party who seeks to file a civil rights complaint as a result of equal opportunity discrimination 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 must follow this procedure if choosing to file the complaint with the Office of Workforce Opportunity.

1. A written complaint, detailing the specific action deemed to be discriminatory, must be prepared and submitted to the EO Officer. This should be done by completing an OWO Civil Rights Complaint Form which includes the following information:
 - a. Your address, business and/or home phone
 - b. Nature of the complaint,
 - c. Date and detailed description of discriminatory act, and
 - d. Name and title of others involved in the situation (if any).
2. All Civil Rights Complaints must be submitted within 180 days of the alleged unfair or discriminatory act. An extension may be provided for good cause by the Director, CRC.
3. The Office of Workforce Opportunity shall investigate and offer a resolution to the complainant within ninety (90) days from the date of receipt of the Civil Rights Complaint.
4. If the complainant is dissatisfied with OWO's resolution of the Civil Rights complaint, the complainant may file a complaint with the Director of the Civil Rights Center, U.S. Department of Labor within 30 days of the receipt of the final resolution or 90-day resolution period.
5. The complainant has the option of choosing mediation as an alternative method of dispute resolution (ADR). If the complainant wishes to pursue mediation, and resolution is not reached, the complainant may file a complaint with the Director of the Civil Rights Center, U.S. Department of Labor within 30 days of the date of ADR meeting, or 90-day resolution period.

Revised: July 22, 2024

The Department of Business and Economic Affairs/Office of Workforce Opportunity is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

SAMPLE LETTER OF ACKNOWLEDGMENT OF RECEIPT FOR CIVIL RIGHTS COMPLAINT

DATE

RE _____ vs. _____

Dear _____,

This is to acknowledge the receipt of your Equal Opportunity/Civil Rights Complaint dated _____.

Investigation, which may include a hearing, will be conducted and a decision will be rendered within ninety (90) days from the date your complaint was filed.

If you have any additional information or questions concerning your complaint, please do not hesitate to contact me at:

NH Department of Business and Economic Affairs
Office of Workforce Opportunity
100 North Main Street Suite 100
Concord, NH 03301

Phone: 603-271-7275
Relay NH 1-800-735-29541

Sincerely,

Equal Opportunity Officer

Revised: July 22, 2024

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NOTICE OF HEARING

COMPLAINANT: (Name and Address)

RESPONDENT: (Name and Address)

YOU ARE HEREBY NOTIFIED THAT A HEARING WILL BE HELD:

Date Time

Place
BEFORE A HEARING OFFICER

CONCERNING:

You are entitled to appear, with witnesses, if any, at the above scheduled hearing to offer evidence as to the issue(s) raised in an Equal Opportunity/Civil Rights Complaint. You should bring to the hearing this notice and all documents previously received relative to this matter. The hearing will be conducted informally. Technical rules of evidence or procedures will not apply. You may have the Hearing Officer question the witnesses if you wish. If you prefer you may, at your own expense, be represented by an attorney. If a party having received notice fails to appear, the hearing will nevertheless proceed, and the Hearing Officer will review and consider such evidence as is available. A decision will be made within ninety (90) days from the date on which the complaint was filed.

Inquiries can be addressed to:

Name: Equal Opportunity Officer
Address: NH Department of Business and Economic Affairs
100 North Mains Street Suite 100 Concord, NH 03301
Telephone: 603-271-7275
Relay NH 1-800-735-2964

Revised: July 22, 2024

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FINAL DISPOSITION OUTLINE

COMPLAINANT: _____

RESPONDENT: _____

DISPOSITION:

SUMMARY OF COMPLAINT/GRIEVANCE:

FACT FINDINGS:

REGULATIONS AND/OR POLICIES RELIED ON:

CONCLUSION:

EO OFFICER: _____
Date

APPROVAL: _____
Commissioner
NH Dept. of Business
and Economic Affairs
Date

Revised: July 22, 2024

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NOTICE OF RIGHT TO APPEAL

Complainant: _____

vs.

Respondent: _____

Any party to the Equal Opportunity Complaint listed above who is not satisfied with the Office of Workforce Opportunity's resolution of the issue or who has not received a decision within ninety (90) days of filing of the complaint may file with the Secretary, U.S. Department of Labor, utilizing the process previously outlined and the following forms which are available online at: CRC Complaint Forms

1. COMPLAINT INFORMATION FORM, **and**
2. PRIVACY ACT CONSENT FORM.

Filing with the US Dept. of Labor must be within 30 days of the date of receiving the Notice of Final Action.

Complaints and Privacy Act Consent forms may be submitted to CRC in the following ways:

Sent by postal mail to:

Director
Civil Rights Center
U.S. Department of Labor
200 Constitution Avenue, NW., Room: N-4123
Washington DC 20210
ATTN: Office of External Enforcement

Faxed to:

202-693-6505, Attention Office of External Enforcement (limit 15 pages)

Emailed to:

CRCEXternalComplaints@dol.gov

Revised: July 22, 2024

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ALTERNATIVE DISPUTE RESOLUTION (ADR) POLICY

Policy #: 1998-P-02 Previous #: 000-27c

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity (OWO) policies and procedures for alternative dispute resolution on complaints alleging illegal discrimination and non-civil rights grievances.

POLICY:

It is the policy of the OWO that mediation shall be the alternative dispute resolution choice available to civil rights and non-civil rights complainants/grievants. New Hampshire state agencies may follow their own internal policies, procedures and disciplinary guidelines when implementing this policy, as such policies and procedures recognize the constraints imposed by the Collective Bargaining Agreement, the NH Division of Personnel Rules, the NH Administrative Procedures Act and other applicable state laws and regulations. This means that not all complaints or grievances are appropriate or subject to mediation.

For purposes of this policy, mediation is defined as a voluntary attempt by the parties to reach resolution (settlement) of disputed issues through discussion. The mediator is a neutral person who attempts to help disputing parties without having the authority, as an arbitrator does, to impose settlement. A mediator can only act as a catalyst in translating, suggesting, cajoling, persuading, or, at times, recommending possible ways of solving the dispute. The parties can reject the mediator's participation at any time. A mediator can refuse to intervene or participate if he/she determines that the dispute is not suitable for mediation, or if settlement is not the true goal of the parties.

PROCEDURE(S):

1. Who may request mediation: Any individual who has filed a formal discrimination/harassment complaint or non-civil rights grievance.
2. When to request mediation: A request for mediation must be filed within 15 calendar days of the formal filing of a complaint or grievance. Requests initiated more than 15 calendar days from the date of the formal filing of the complaint or grievance will not be considered due to statutory time frames for investigation and resolution.
3. Where to file request: Requests for mediation may be filed with the OWO EO Officer, 100 North Main Street Suite 100 Concord, NH 03301, Telephone: (603) 271-0355 TDD: 1-800-735-2964.
With respect to Title I WIOA-funded organizations, requests may also be filed with the One-Stop Partner or WIOA-subrecipient, who will forward it to the OWO EO Officer for proper processing.
4. How to file: Each request shall be in writing and shall:
 - a. be signed by the complainant/grievant or his/her authorized representative.
 - b. Contain the complainant/grievant's name and address or specify another means of contact;
 - c. Identify the person(s) and/or legal entity complained against (the respondent); and

- d. Reference the original complaint/grievance OR describe the allegations in sufficient detail to allow determination of whether the request for mediation
 - i. is appropriate under the circumstances alleged (this means that not all complaints or grievances are appropriate or subject to mediation), and
 - ii. was filed timely
 - e. Upon receipt of a written request for mediation, the OWO EO Officer shall promptly contact the Respondent and arrange, as soon as possible, a time and location convenient to the parties. Arrangements shall include securing a neutral mediator for the session. If the complaint/grievance involves a One-Stop Partner or WIOA-subrecipient who is a state agency, the OWO EO Officer shall coordinate with the appropriate agency to screen the request and arrange the mediation. NOTE: State agencies shall follow their internal policies and procedures for ADR. See Above Policy Statement.
5. All parties to the mediation shall understand and agree that the details of the mediation session(s) are strictly confidential. Discussion of session details with others, with the exception of a party's legal representation, is strictly forbidden. Notes taken by any party, including the mediator, shall be destroyed at the end of the session. The identities of the parties shall be revealed only to the extent necessary to complete the mediation process.
 6. While representation of the parties is permitted, the goal of mediation is to facilitate an agreement between the complainant and respondent. Thus, representatives shall refrain from participating in the discussions between the parties and be available only for private consultation (caucus) outside of the mediation room. The mediator shall allow each party to initially state their story without interruption from the other party. Discussion will be encouraged after the initial stories have been told. Should the parties fail to respect this basic premise, the mediator may conclude that mediation is not possible under the circumstances and cancel the mediation.
 7. Mediation is not the forum to right past wrongs, and formal rules of evidence are not followed in mediation. Either party may present whatever information they feel is necessary to clarify the issues for resolution. However, since the goal of mediation is to facilitate an agreement for future behavior between the parties, attempts to "prove" past facts will be allowed only to the extent necessary to move the parties forward towards settlement.
 8. Every attempt will be made to encourage resolution between the parties, and such resolution shall be formalized with a written agreement that all parties sign prior to the end of the mediation. All parties shall receive a copy of the signed agreement. In the event agreement cannot be reached, and the parties feel that an additional mediation session will not be conducive towards reaching agreement, the complainant has the right to file with the CRC within 30 days of the date of the failed mediation, or 90 days from the date of the original complaint, whichever date occurs first.
 9. In the event that the ADR agreement is breached, the non-breaching party may file a complaint with the CRC within 30 days of the alleged breach. If the CRC determines that there has been a breach, the complainant may file a complaint with the CRC based upon his/her original allegation(s), and the CRC will waive the time deadline for filing such a complaint.

ACTION:

All staff must be knowledgeable of the contents of this directive.

ATTACHMENTS:

1. How To Request Mediation
2. Mediation Request Form

3. Sample Letter of Acknowledgement
4. Notice Of Mediation
5. Memorandum of Agreement
6. Final Disposition Outline
7. Notice Of Right to File With CRC

Forms To Be Used for Filing A Civil Rights/EO Complaint With U.S. Dept. Of Labor, Directorate of Civil Rights:

Director

Civil Rights Center (CRC) U.S. Department of Labor

200 Constitution Avenue, NW Room: N-4123

Washington, DC 20210

Link: [DIRECTORATE'S COMPLAINT INFORMATION FORM](#), and

Link: [PRIVACY ACT CONSENT FORM](#)

HOW TO REQUEST MEDIATION WITH THE OFFICE OF WORKFORCE OPPORTUNITY

Any applicant, client, potential contractor, contractor or other aggrieved party who seeks to file a civil rights complaint as a result of equal opportunity discrimination (on the basis of race, color, religion, sex, national origin, age, disability, genetics, political affiliation or belief, or citizenship/status as a lawfully admitted immigrant authorized to work in the U.S.) or a non-civil rights grievance may choose mediation as an alternative method of dispute resolution.

1. A written request for mediation must be prepared and submitted to the EO Officer. This should be done by completing an OWO Mediation Request Form which includes the following information:
 - a. Your address, business and/or home phone.
 - b. Reference or original complaint/grievance or
 - c. Date and detailed description of the alleged discriminatory act or grievance, and
 - d. Name and title of others involved in the situation (if any).
2. All requests for mediation must be submitted within 15 calendar days of the alleged act(s). Requests received after this time period may not be considered due to statutory time frames for investigation and resolution of the complaint/grievance.
3. The Office of Workforce Opportunity shall arrange mediation no later than 45 days from date of receipt of the request. The location and time shall be reasonably convenient for all parties.
4. If the mediation does not result in a successful resolution, the complainant may file a complaint with the Director of the Civil Rights Center, U.S. Department of Labor within 30 days of the date of mediation or within the statutory 90-day resolution period, whichever is soonest.

Revised July 22, 2024

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For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

WIOA/OWO Mediation Request Form

<p>Complainant/Grievant:</p> <p>Name: Address:</p> <p>Telephone Number:</p>	<p>Respondent: <i>(the agency or person against whom you believe discriminated)</i></p> <p>Name: Address:</p> <p>Telephone Number:</p>
<p>Reference the Original Complaint -OR- Provide details of the Complaint and Indicate the discriminatory action. Include relevant names, dates, and locations of incidents. If additional space is required, attach a sheet of paper with the complainant's signature.</p> <p>Complainant/Grievant' s Signature:</p> <p>_____</p> <p>Date:</p>	<p>Date of Alleged Act(s):</p> <p>OTHER PROCEDURES: Have you filed an action with U.S. Department of Labor, Director of Civil Rights, court or other agency based on the incidents noted in your complaint? If so, where and with whom?</p> <p>Where: _____ Who: _____</p> <p>OWO: _____ Date Received: _____</p>

Revised: July 22, 2024

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**SAMPLE LETTER OF ACKNOWLEDGMENT
OF RECEIPT FOR MEDIATION REQUEST**

DATE

RE: _____ vs. _____

Dear _____,

This is to acknowledge the receipt of your Equal Opportunity/non-Civil Rights Complaint/Grievance. Mediation will be scheduled as soon as possible, but within the next 45 days, at a time and location reasonably convenient to the parties.

If you have any additional information or questions concerning your complaint/grievance, please do not hesitate to contact me at

Office of Workforce Opportunity
100 North Main Street Suite 100
Concord, NH 03301

Phone: 1-603-271-0355
TDD: 1-800-735-2964

Sincerely,

Equal Opportunity Officer

Revised: July 22, 2024

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NOTICE OF MEDIATION

COMPLAINANT/GRIEVANT:

RESPONDENT:

YOU ARE HERBY NOTIFIED THAT MEDIATION WILL BE HELD

DATE

TIME

PLACE BEFORE A NEUTRAL MEDIATOR

CONCERNING:

INSTRUCTIONS:

The goal of mediation is to seek an agreement between the parties, which focuses on future behavior. It is not meant to right a past wrong. The mediation will be conducted informally. Technical rules of evidence or procedures will apply. You MAY bring to the mediation all documents previously received or relative to this matter, but the mediator may, if he/she chooses, limit the presentation of such information. If you prefer you may, at your own expense, be accompanied by an attorney, but that person will be asked to not participate in the discussion between the parties. If a party having received notice fails to appear, the mediation will be cancelled. If time permits, another session may be scheduled, but if this is impractical, the complainant will be notified of his/her right to file a complaint/grievance directly with the Department of Labor.

Inquiries can be addressed to:

Name: Equal Opportunity Officer
Address: Office of Workforce Opportunity
100 North Main Street Suite 100
Concord, NH 03301

Revised; July 22, 2024

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MEMORANDUM OF AGREEMENT

COMPLAINANT: _____

Vs.

RESPONDENT: _____

DATE FILED: _____

We hereby agree to the provisions listed below in settlement of the above Equal Opportunity Complaint/Civil Rights Grievance:

EO OFFICER		Date		RESPONDENT		Date
COMMISSIONER		Date		COMPLAINANT		Date
NH DEPT. OF BUSINESS AND ECONOMIC AFFAIRS						

Revised; July 22, 2024

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FINAL DISPOSITION OUTLINE

COMPLAINANT: _____

RESPONDENT: _____

DISPOSITION:

SUMMARY OF COMPLAINT/GRIEVANCE:

FACT FINDINGS:

REGULATIONS AND/OR POLICIES RELIED ON:

CONCLUSION:

EO OFFICER: _____
Date

APPROVAL: _____
Commissioner
NH Dept. of Business
and Economic Affairs
Date

Revised: July 22, 2024

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NOTICE OF RIGHT TO FILE WITH THE US DEPARTMENT OF LABOR

Complainant: _____

Vs.

Respondent: _____

Failure to reach resolution at mediation results in the right of any party to the Complaint listed above to file with the Director of Civil Rights Center, U.S. Department of Labor, utilizing the process previously outlined and the following forms:

1. *COMPLAINT INFORMATION FORM, **and***
2. *PRIVACY ACT CONSENT FORM*

U.S. Department of Labor
Director, Civil Rights Center
200 Constitution Avenue, NW., Room: N-4123
Washington DC 20210

Filing with the CRC must be within 30 days of the failed mediation or 90-day resolution period, whichever occurs first.

Revised: July 22, 2024

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Section VIII Appendix

Section VIII Appendix

STATE LEVEL MONITORING POLICY AND PROCEDURES

Policy #: 2015-P-03 Previous #: 2015-003

Source: 7/1/2021, Aug. 24, 2022, eff. July 22, 2024

PURPOSE:

The purpose of this policy and procedure is to establish a monitoring system which contains acceptable standards for ensuring accountability. Monitoring and technical assistance are integral parts of the OWO oversight responsibilities, as required by law. The system includes monitoring and implementation of subrecipient contracts, carrying out monitoring activities at reasonable intervals, and taking prompt and appropriate corrective action when evidence indicates a possible violation of the Workforce and Innovation Act, regulations, subrecipient contracts, or policies of the Office of Workforce Opportunity (OWO) and/or State Workforce Innovation Board (SWIB).

POLICY:

1. The Director of OWO will be responsible for ensuring compliance with federal requirements to monitor subrecipients on an annual basis.
2. Compliance monitoring of each OWO operated program and contract will be conducted at least once during the program year.
3. Compliance monitoring is conducted to verify contract and program compliance with the terms and conditions of the contract, WIOA, and the policies established by the OWO and the SWIB.
4. Compliance monitoring will be conducted by reviewing records and documents maintained by the OWO administrative office on each program or contract; conducting onsite reviews of procedures, records, and documents maintained by the contractor or program operations staff; and submitting written reports of findings, including corrective action recommendations if appropriate.
5. The State Board will certify compliance with WIOA monitoring compliance annually.

PROCEDURE(S):

General Monitoring Procedure

1. A monitoring tool is developed to ensure all acceptable standards of accountability are reviewed.
2. Compliance monitoring activities are scheduled in advance with the contract signatory or designated representative or program operations staff. Those responsible for the contract or program operations are also notified as to the purpose, procedure and specific areas to be monitored.
3. Reports, records and documents, maintained by the OWO administrative office on each contract or program, are reviewed for completeness, accuracy and timeliness of submission. Such reports, records and documents include but are not limited to:
 - a. The approved contract and modifications thereto and/or program specifications;
 - b. Correspondence and reports maintained by the contracting officer in the contract program operations file;
 - c. Transmittal of individual participant records;

- d. Previous monitoring reports; and
 - e. Applicable corrective action plans.
4. Each contract or program is monitored at the site of operation. Annual on-site monitoring may include but not be limited to:
- a. An entry interview with the contract signatory or designated representative or program operations staff;
 - b. A review of applicable written policies and procedures;
 - c. Staff and participant interviews;
 - d. A review of participant records, including eligibility documentation;
 - e. A review of financial procedures, records and documentation; and
 - f. An exit interview with the contract signatory or designated representative or program operations staff.
5. A written report is completed on each monitored contract or program and is submitted to the OWO Director and the contract/program operator. The written report includes but is not limited to:
- a. Completed applicable sections of the written monitoring tool;
 - b. Written comments and recommendations on identified deficiencies.
6. Verbal reports may be made to the Director when apparent deficiencies are identified which may need immediate action. Such deficiencies include but are not limited to:
- a. Inaccurate or insufficient financial management procedures;
 - b. Inaccurate or insufficient participant eligibility determinations;
 - c. Child labor law violations; or
 - d. Blatant non-compliance with the terms of the contract or program specifications or with other applicable federal, state, SWIB, or WIOA requirements.

Special Investigations

Special investigations are conducted when information is received which indicates possible fraud, abuse or alleged criminal activity. The investigation is designed to provide the SWIB and the OWO Director with sufficient information to justify a decision to notify appropriate legal authorities.

1. The OWO Director notifies the SWIB Chair upon receipt of any request to conduct a special investigation and or upon the initiation of any special investigation.
2. The OWO Director or SWIB Chair appoints specific persons as appropriate to conduct special investigations.
3. Assistance or advice from other individuals approved by the SWIB Chair or the OWO Director may be solicited during a special investigation.

Annual Reviews

[WIOA Sec. 184 \(a\)\(4\)](#) requires annual onsite monitoring by the State of each local area's fiscal controls and fund accounting procedures. OWO uses fiscal and programmatic questionnaires to elicit information from managers, front-line staff, participants, and/or partners (including participating employers) about all aspects of service delivery, service quality and program management.

The on-site annual review reveals information about the efficacy of local service delivery design and planning, the quality of services being delivered, the management of federal funds, the methods by which services are delivered and documented, how staff members are trained and assigned, how staff capacity and turnover are anticipated and addressed and how management oversees these same aspects. Monitoring schedules should be provided at least

30 to 60 days in advance of an on-site monitoring event. Both reviewers and recipients of monitoring need time to prepare in advance of annual on-site monitoring.

Processing Procedures

1. The Job Match System (JMS) case management system, the Performance Accountability and Customer Information Agency (PACIA), and OWO/BEA financial systems are used to maintain individual participant data and fiscal data sufficient to generate monthly, quarterly and annual performance reports.
2. Performance reports are generated by PACIA and/or OWO staff and used for the development of performance reviews.
3. A fiscal and program annual review template are developed by OWO staff and used to standardize the monitoring for subrecipients during annual on-site reviews.
4. A pre-review announcement should be sent at least 30-60 days in advance of the monitoring confirming the original monitoring schedule, confirming requested space will be available, and service provider staff members will be available at the scheduled times. The announcement must also identify documents that must be provided in advance and the timeframes by which they must be received by OWO and finally must include a detailed schedule of monitoring activities that will take place.
5. An entrance interview will occur when OWO staff arrive at the subrecipient's office. It is a brief meeting that outlines the purpose of the review, summarizes expectations, goes over the on-site schedule, explains the process and follow-up activities such as the exit-session, the formal report and response expectations and provides the opportunity for those being monitored to ask questions.
6. An exit interview occurs after the on-site event is completed and after all documents and files have been reviewed and OWO staff have had the opportunity to document potential findings or concerns. During the exit interview, OWO staff summarize what they have ascertained from the monitoring exercise. Innovations and best practices are noted, and information is shared about issues that may result in formal findings and or concerns.

Documenting Findings, Concerns, and Best Practices

When a finding is identified, the report must cite the specific law, regulation, contract condition, guidance letter, or policy being violated and must identify the specific action required to resolve the finding. Monitoring reports that identify findings require a formal response explaining the required actions that have been taken and or will be taken and the date by which the finding will be resolved.

The core monitoring guide provided by USDOL references the **4 Cs** as requirements pertaining to documentation of findings; stating that the explanation for each finding should contain four items: condition, criteria, cause, and corrective action. Depending on the findings, corrective actions are identified, and best practices are shared to guide the subrecipients in implementing new initiatives. Best practices are catalogued in monitoring reports and get shared during staff-development and training activities, through newsletters and may even be promoted nationally by the USDOL.

Desk Reviews

OWO conducts a financial, program implementation and performance review quarterly (2nd, 3rd, and 4th quarter) to compare planned levels of service and spending with actual levels of service and to ensure minimum spending thresholds will be met, maximum spending thresholds will not be exceeded and negotiated performance measures will be attained. Participant and financial status reports are reviewed based on actual cumulative data versus plan, actual performance rates versus plan, and actual performance relative to performance standards criteria. These desk reviews ensure that the performance objectives of individual contracts and programs are attained within reasonable limits and are used to determine whether program design and program mix are adequate to meet the

needs of the eligible population and planned objectives. The desk reviews also monitor the subrecipient's financial reports to ensure that the subaward is used for authorized purposes and follows federal statutes, regulations, and terms and conditions.

OWO staff will make all reasonable attempts to complete quarterly desk reviews no later than the 60th day of the month following the last day of each program year quarter. If subrecipient financial or performance data is not available, this time frame could be longer. Quarter end-dates are September 30, December 31, March 31, and June 30. If an on-site annual review was completed within a specified quarter, OWO staff will not complete a desk review during that quarter. OWO desk review reports will be sent to the subrecipient executive director or program manager assigned by the subrecipient. It is that individual's responsibility to share the report with staff as necessary.

Processing Procedures

1. The Job Match System (JMS) case management system, the Performance Accountability and Customer Information Agency (PACIA), and OWO/BEA financial systems are used to maintain individual participant data and fiscal data sufficient to generate monthly, quarterly, and annual performance reports.
2. Performance reports are generated by PACIA and/or OWO staff and used for development of performance reviews.
3. A fiscal and program desk review template is developed by OWO staff and used to standardize the monitoring for subrecipients during desk reviews.
4. OWO staff maintains monthly contract and program information and reports sufficient to review performance on participant and fiscal outcomes.
5. Quarterly performance review summaries on individual National Dislocated Worker Reserve Grants (NDWRG) contracts and programs as well as the Senior Community Service Employment Program (SCSEP) are submitted to OWO by the contractors.
6. OWO staff develops and submits reports and recommendations to the SWIB relative to attainment of performance goals.
7. Special inquiry reports may be requested by the OWO Director, or SWIB for the purposes of investigating or analyzing specific data or responding to specific performance related inquiries.
8. Following completion of each program year, contractor staff will develop and submit an annual narrative report of performance for the WIOA funded program, which may be shared with the board.

Corrective Action and Follow-up

Corrective action and follow-up are conducted to eliminate reported violations. Corrective action plans are developed and implemented for the purposes of alleviating reported inadequacies in acceptable operating procedures, standards of accountability or program performance standards.

1. All compliance monitoring findings that require corrective action are reported in writing to the OWO Director.
2. Compliance monitoring findings, which may require immediate corrective action, are verbally reported to the Director prior to issuing a written report.
3. Requests for corrective action as a result of performance review findings will be initiated by OWO staff.
4. The OWO staff will conduct corrective action procedures resulting from performance review findings.
5. Written responses to recommendations to initiate corrective action may include any of the following:
 - a. No plan for corrective action with written justification for not initiating such action;
 - b. A written plan for corrective action which includes dates for implementing and completing such action; or

- c. A written explanation of the appropriate action which has been initiated prior to the issuance for the request for corrective action.
6. OWO staff will be responsible for initiating corrective action requests and follow- up on responses and actions.
7. Written reports on corrective action activities are distributed as appropriate by the OWO Director.

Subrecipient Risk Analysis Monitoring

[2 CRF 200-331 \(b\)](#) requires a formal risk assessment of sub-awards to evaluate each subrecipients' risk of noncompliance with federal statutes, regulations, and the terms and conditions of the sub award for purposes of determining the appropriate level of subrecipient monitoring required to minimize potential risk.

1. OWO staff shall within the first quarter after a finalized sub-award agreement is in place conduct a formal risk analysis of the subrecipient's capacity to fully comply with federal statutes, regulations, and the terms and conditions of the sub award. This shall be in addition to any first quarter monitoring activities identified above.
2. At a minimum the risk analysis will assess the following factors:
 - a. Prior experience with the same or similar activities
 - b. Audit results – e.g., A1-33 Single Audits, federal audits or other similar formal audits.
 - c. Degree to which new staff or systems have been put in place that may impede successful outcomes.
 - d. Results of previous state and/or federal monitoring
 - e. Good standing reports – federal (SAM) and state Certificate of Good Standing
3. Other risk factors may be assessed at the discretion of the OWO Director based on unique or specific sub-award requirements considered to have the potential to negatively impact the subrecipient's ability to maintain compliance at all times.

WIOA Compliance Requirement:

The Office of Workforce Opportunity staff shall submit a summary report to the Director of OWO for signature annually, certifying that BEA is in full compliance with WIOA regulations specific to monitoring requirements.

ACTION:

All staff must be knowledgeable of the contents of this directive.

Office of Workforce Opportunity
NH Department of Business and Economic Affairs (DBEA)
Contract Monitoring
PYXX EO On-Site Monitoring Review
Workforce Innovation Opportunity Act Formula Funds (CFDA 17.258 and 17.278)

Contract Agency:

On-site Review Date:

Reviewer:

Review Attendees:

Report Date:

Purpose of Review: To ensure Contractor complies with Equal Opportunity requirements

Corrective Action:

Color Code Definitions

YES	Meeting Performance		
NO	Not Applicable	Performance Improvement is Needed	Not meeting performance, corrective action required

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	Yes	No	
To whom does the EO Officer report? Please provide a job description for the EO Officer.	Yes	No	
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	Yes	No	
How do participants and service providers know the EO Officer’s identity made?	Yes	No	
On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer’s identity and contact information appear?	Yes	No	
Does this person <ul style="list-style-type: none"> • Process complaints? • Review participant reports for equality of service? • Provide EO training to staff and contractors? • Review written policies to make sure they are non-discriminatory? • Develop and publish discrimination complaint procedures? 	Yes	No	
What equal opportunity training has been provided to staff (please specify date and locations)	Yes	No	
What training has been provided to service providers and contractors? Please be specific.	Yes	No	
What professional training has the Local EO Officer attended? Identify the training received and dates.	Yes	No	
Describe staffing support for the EO Officer, if any.	Yes	No	
Do you need technical assistance in this element?		No	

Element 2: Notice and Communication

Where are the WIOA “Equal Opportunity is the Law” posters displayed and which versions are	Yes	No	
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displayed – English, Spanish or both? Are they posted in reasonable numbers and places? Are the posters centrally located and in plain sight?			
How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA “Equal Opportunity is the Law” language? Please provide applicable copies of applicable documents.	Yes	No	
What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need service or information in a language other than English.	Yes	No	
What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in? (I.e. materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I- financially assisted program is an “equal opportunity employer/program” and that “auxiliary aids are services are available upon request to individuals with disabilities”.	Yes	No	
How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground: <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public • Members of the public with disabilities, including impaired vision and hearing • Unions or professional organizations that hold collective bargaining or professional agreement with your organization 	Yes	No	
Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.	Yes	No	
How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide reasonable accommodations to its sub recipients?	Yes	No	

What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes	No	
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes	No	
Do you need technical assistance in this element?	Yes	No	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes	No	
How the contractor or service provider made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes	No	
How do you insure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees? Please provide a copy.	Yes	No	
Do you need technical assistance in this element?	Yes	No	

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes	No	
What reasonable steps has the Contractor taken to ensure services and other information is provided to Limited English Proficient persons?	Yes	No	
In what languages is information provided, other than English?	Yes	No	
What documents have been determined “vital” and translated into languages designated as essential? Please provide examples.	Yes	No	
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes	No	
How are the required notifications provided in alternative forms for the visually impaired?	Yes	No	
How do training providers provide programmatic and architectural accessibility for individuals with disabilities?	Yes	No	
What outreach plans, strategies, and activities have been identified for various groups (members	Yes	No	

of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?			
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes	No	
Do you need technical assistance in this element?	Yes	No	

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes	No	
Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?	Yes	No	
If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please explain when they are anticipated to be completed.	Yes	No	
<p>Are contractor and service provider sites accessible to individuals with disabilities?</p> <ul style="list-style-type: none"> • Is there at least one entrance to the buildings that are wheelchair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these participants directed to go? Explain. • Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTY/TDD or Relay Services available for use? Explain • How often are contractor’s facilities monitored to ensure accessibility? 	Yes	No	
<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and 	Yes	No	

<p>consistent with business necessity.</p> <ul style="list-style-type: none"> Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially. 			
How does the Contractor ensure that it does not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates based on disability?	Yes	No	
How does the Contractor ensure that programs and activities are administrated in the most integrated settings possible?	Yes	No	
How does the Contractor ensure that, in determining the site or location of a facility, selections are not made that have a discriminatory effect?	Yes	No	
How does the Contractor ensure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?	Yes	No	
How does the Contractor ensure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes	No	
How does the Contractor insure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes	No	
Please describe the availability of assistive equipment for individuals with disabilities.	Yes	No	
Please describe the Contractor's web site in regard to its ADA accessibility.	Yes	No	
Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.	Yes	No	

How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?	Yes	No	
Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?	Yes	No	
Describe how medical condition information is maintained separate from other files and secured.	Yes	No	
Do you need technical assistance in this element?	Yes	No	

Element 6: Data and Information Collection and Maintenance

Please explain how EO data has been collected (race/ethnicity, sex, age, and where known, disability status)?	Yes	No	
Please explain how statistical/quantifiable analysis concerning the population being served has been conducted? <ul style="list-style-type: none"> How are these data maintained under safeguards that will restrict access to 	Yes	No	

authorized personnel only? Please explain. <ul style="list-style-type: none"> • Are records kept for a period of three years? • How is staff made aware that data must be collected on race, sex, age, disability, etc.? • How is the data collected by staff? 			
Do you need technical assistance in this element?	Yes	No	

Element 7: Monitor Recipients for Compliance

List the EO Officer monitoring visits conducted for One-Stops, Affiliates and service providers? How often is on-site monitoring conducted? Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIOA Monitoring Review.	Yes	No	
Do you need technical assistance in this element	Yes	No	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes	No	
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes	No	
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> • Name and address • Basis of complaint • Brief description of complaint • Date filed • Disposition 	Yes	No	
Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit. <u>Please respond to the following concerning each complaint:</u> Was the complaint filed within 180 days?	Yes	No	

<p>Was the complainant provided a written notification of receipt of the complaint within 10 days?</p> <p>Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue?</p> <p>Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint?</p> <p>Was the complainant notified that they have the right to representation in the complaint process?</p> <p>Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?</p> <p>Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?</p> <p>Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying the decision?</p> <p>Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint?</p> <p>Has the State EO Officer been advised of the complaint?</p>			
<p>Describe the process established to keep the discrimination complaint records for a period of three years?</p>	Yes	No	
<p>Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible,</p>	Yes	No	

consistent with a fair determination of the issues.			
How is an individual who filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?	Yes	No	
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes	No	
Do you need technical assistance in this element?	Yes	No	

Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes	No	
Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes	No	
Do you need technical assistance in this element?	Yes	No	

Annual Equal Opportunity Review





New Hampshire Department of
**BUSINESS AND
ECONOMIC AFFAIRS**



DATE: November 21, 2023

TO: Niulka (Nina) Nova-Duran, International Institute of New England Equal Opportunity Officer

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity On-Site Review

Dear Ms. Nova-Duran:

Please find attached the PY23 On-Site Equal Opportunity Review for the Workforce Innovation and Opportunity Act contract for the International Institute of New England.

There are no findings or areas of concern at this time. There are a few items that need attention before next year. Please see the items marked in yellow.

Thank you and the staff at IINE for their commitment to WIOA participants. Please contact me if you have any questions.

Sincerely,

Lisa Gerrard
WIOA Program Administrator

cc: Henry Harris, Managing Director, IINE
Joseph Doiron, Director of Workforce Development, Office of Workforce Opportunity

100 North Main Street, Suite 100
Concord, New Hampshire 03301

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**Office of Workforce Opportunity
NH Department of Business and Economic Affairs (DBEA)
Contract Monitoring
PY 23 EO On-Site Monitoring Review
Workforce Innovation Opportunity Act Formula Funds (CFDA 17.258)**

Contract Agency: International Institute of New England
On-site Review Date: October 26, 2023
Reviewer: Lisa Gerrard, WIOA Administrator, OWO
Review Attendees: Niulka (Nina) Nova-Duran, EO Officer
Henry Harris, Managing Director
Report Date: November 21, 2023
Purpose of Review: To ensure Contractor complies with Equal Opportunity requirements under WIOA.
Findings: None at this time.
Areas of Concern: None at this time

Color Code Definitions

YES	Meeting Performance		
NO	Not Applicable	Performance Improvement is Needed	Not meeting performance, corrective action required

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	Yes	No	Niulka Nova- Duran Chief HR Officer
To whom does the EO Officer report? Please provide a job description for the EO Officer.	Yes	No	President and CEO
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	Yes	No	N/A
How do participants and service providers know the EO Officer's identity?	Yes	No	Handbook, training, emails, contracts
On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer's identity and contact information appear?	Yes	No	All the above
Does this person <ul style="list-style-type: none"> • Process complaints? • Review participant reports for equality of service? • Provide EO training to staff and contractors? • Review written policies to make sure they are non-discriminatory? • Develop and publish discrimination complaint procedures? 	Yes	No	Yes Quarterly, yearly and board Documentation & training onboarding Attorneys are currently looking at handbook and finished reviewing all other documents
What equal opportunity training has been provided to staff (please specify date and locations)	Yes	No	Staff receive training on the process at onboarding.
What training has been provided to service providers and contractors? Please be specific.	Yes	No	N/A
What professional training has the Local EO Officer attended? Identify the training received and dates.	Yes	No	At previous HR positions but not yet with IINE Just hired consultant – Jessica Pebbles to conduct agency wide DIEB trainings. 5 formal trainings done for HR staff
Describe staffing support for the EO Officer, if any.	Yes	No	3 staff- HR manager, HR senior generalist, and HR talent acquisition Looking to hire HR coordinator
Do you need technical assistance in this element?	Yes	No	Would like EO resources (sent via email).

Element 2: Notice and Communication

<p>Where are the WIOA "Equal Opportunity is the Law" posters displayed and which versions are displayed – English, Spanish or both?</p> <p>Are they posted in reasonable numbers and places?</p> <p>Are the posters centrally located and in plain sight?</p>	<p>Yes</p>	<p>No</p>	<p>Breakroom/ Intake Room</p>
<p>How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA "Equal Opportunity is the Law" language? Please provide applicable copies of applicable documents.</p>	<p>Yes</p>	<p>No</p>	<p>Clients' rights and responsibilities form.</p>
<p>What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need service or information in a language other than English.</p>	<p>Yes</p>	<p>No</p>	<p>Use Interpreters- not printed. Hire prior clients to serve language and context needs</p>
<p>What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in? (I.e. materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I- financially assisted program is an "equal opportunity employer/program" and that "auxiliary aids are services are available upon request to individuals with disabilities".</p>	<p>Yes</p>	<p>No</p>	<p>An EO tagline needs to be added to the IINE website home page.</p>
<p>How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground:</p> <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public 	<p>Yes</p>	<p>No</p>	<p>In documents and intake paperwork.</p>

<ul style="list-style-type: none"> Members of the public with disabilities, including impaired vision and hearing Unions or professional organizations that hold collective bargaining or professional agreement with your organization 			
Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.	Yes	No	Website project just finished to have more diversity in photos.
How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide reasonable accommodations to its sub recipients?	Yes	No	Processes in place Room for improvement in visuals on webpage
What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes	No	Use translation services: Sign language, phone, written
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes	No	Use multipoint learning styles in trainings and provide translators
Do you need technical assistance in this element?	Yes	No	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes	No	
How is the contractor or service provider made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes	No	In the contracts or agreements. Wouldn't do business with anyone who discriminated.
How do you insure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees? Please provide a copy.	Yes	No	Handbook
Do you need technical assistance in this element?	Yes	No	

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes	No	Run internal reports for board and shareholders on a variety of demographics both employees and clients
What reasonable steps has the Contractor taken to ensure services and other information is provided to Limited English Proficient persons?	Yes	No	Various. Most clients are ELL so this is something that is done daily.
In what languages is information provided, other than English?	Yes	No	All, as needed
What documents have been determined "vital" and translated into languages designated as essential? Please provide examples.	Yes	No	Interpreter used instead of documentation. Most common languages: Afghan, Spanish, French Creole, Swahili.
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes	No	Since most individuals served are low language (even in country-of-origin language) most information is provided verbally.
How are the required notifications provided in alternative forms for the visually impaired?	Yes	No	As needed.
How do training providers provide programmatic and architectural accessibility for individuals with disabilities?	Yes	No	n/a
What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?	Yes	No	Diversity, Inclusion, Equity and Belonging (DIEB)
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes	No	Community, Groups, etc.
Do you need technical assistance in this element?	Yes	No	Need new EO and Stephan's language taglines (provided via email)

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes	No	
Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?	Yes	No	n/a
If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please explain when they are anticipated to be completed.	Yes	No	n/a

<p>Are contractor and service provider sites accessible to individuals with disabilities?</p> <ul style="list-style-type: none"> • Is there at least one entrance to the buildings that are wheelchair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these participants directed to go? Explain. • Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTY/TDD or Relay Services available for use? Explain • How often are contractor's facilities monitored to ensure accessibility? 	Yes	No	<p>Operations team do safety walks.</p> <p>No, in need of phone/computer to use at the office but there are locale options for use.</p>
<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity. • Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially. 	Yes	No	<p>Updated job descriptions and legal screened</p> <p>Trained managers as well</p>
<p>How does the Contractor ensure that it does not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates based on disability?</p>	Yes	No	<p>Standard- like minded missions & philosophy</p>
<p>Does the Contractor ensure that programs and activities are administrated in the most integrated settings possible?</p>	Yes	No	

Does the Contractor insure that, in determining the site or location of a facility, selections are not made that have a discriminatory effect?	Yes	No	
Does the Contractor ensure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?	Yes	No	
Does the Contractor ensure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes	No	Documentation
Does the Contractor ensure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes	No	
Please describe the availability of assistive equipment for individuals with disabilities.	Yes	No	Available at the NH Works Office
Please describe the Contractor's web site in regard to its ADA accessibility.	Yes	No	Please review for ADA accessibility and update taglines

<p>Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.</p> <p>How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?</p> <p>Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?</p>	<p>Yes</p>	<p>No</p>	<p>As HR manager, all employee requests are reviewed. Client requests are brought to manager.</p>
<p>Describe how medical condition information is maintained separate from other files and secured.</p>	<p>Yes</p>	<p>No</p>	<p>Locked file cabinets</p>
<p>Do you need technical assistance in this element?</p>	<p>Yes</p>	<p>No</p>	

Element 6: Data and Information Collection and Maintenance

Please explain how EO data has been collected (race/ethnicity, sex, age, and where known, disability status)?	Yes	No	Via intake
Please explain how statistical/quantifiable analysis concerning the population being served has been conducted? <ul style="list-style-type: none"> How are these data maintained under safeguards that will restrict access to authorized personnel only? Please explain. Are records kept for a period of three years? How is staff made aware that data must be collected on race, sex, age, disability, etc.? How is the data collected by staff? 	Yes	No	Only HR has access to generic demographic information that goes to stakeholders. Processes for both paper and electronic destruction of files
Do you need technical assistance in this element?	Yes	No	

Element 7: Monitor Recipients for Compliance

List the EO Officer monitoring visits conducted for One-Stops, Affiliates and service providers? How often is on-site monitoring conducted? Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIOA Monitoring Review.	Yes	No	Regular reviews and at random- QA Every Friday reviews. Submit monthly reports & review trends and issues.
Do you need technical assistance in this element	Yes	No	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes	No	Handbook and clients get a form
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes	No	Handbook for employee and clients receive a form that is reviewed with them.
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> Name and address 	Yes	No	Have provided the template that is used.

<ul style="list-style-type: none"> • Basis of complaint • Brief description of complaint • Date filed • Disposition 			
<p>Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit.</p> <p style="text-align: center;"><u>Please respond to the following concerning each complaint:</u></p> <p>Was the complaint filed within 180 days?</p> <p>Was the complainant provided a written notification of receipt of the complaint within 10 days?</p> <p>Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue?</p> <p>Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint?</p> <p>Was the complainant notified that they have the right to representation in the complaint process?</p> <p>Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?</p> <p>Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?</p> <p>Did the Notice of Final Action contain your</p>	Yes	No	None

<p>decision on each issue and an explanation of the reason underlying the decision?</p> <p>Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint?</p> <p>Has the State EO Officer been advised of the complaint?</p>			
Describe the process established to keep the discrimination complaint records for a period of three years?	Yes	No	They haven't had one yet
Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible, consistent with a fair determination of the issues.	Yes	No	Only individuals who needed to be involved would know the information.
How is an individual who filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?	Yes	No	In handbook
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes	No	N/A
Do you need technical assistance in this	Yes	No	Provide sample log (provided in email)

element?			
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Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes	No	In OWO policies
Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes	No	none
Do you need technical assistance in this element?	Yes	No	



New Hampshire Department of
**BUSINESS AND
ECONOMIC AFFAIRS**



DATE: December 8, 2023

TO: Eleanor Goodbread, EO Officer, NHES

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity On-Site Review

Dear Ms. Goodbread:

Please find attached the PY23 On-Site Equal Opportunity Review for the Dislocated Worker Workforce Innovation and Opportunity Act contract for New Hampshire Employment Security.

There are no findings or areas of concerns at this time.

Thank you and your staff for their commitment to WIOA participants. Please contact me if you have any questions.

Sincerely,

Lisa Gerrard
WIOA Program Administrator

cc: Sarah Morrissey, NHES Director Employment Service Bureau
Joseph Doiron, Director, Office of Workforce Opportunity

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**O Office of Workforce Opportunity
NH Department of Business and Economic Affairs (DBEA)
Contract Monitoring
PY 23 EO On-Site Monitoring Review
Workforce Innovation Opportunity Act Formula Funds (CFDA 17.278)**

Contract Agency: New Hampshire Employment Security (NHES)
On-site Review Date: November 29, 2023
Reviewer: Lisa Gerrard, WIOA Administrator, OWO
Review Attendees: Eleanor "Ellie" Goodbread, NHES EO Officer
Report Date: December 8, 2023
Purpose of Review: To ensure Contractor complies with Equal Opportunity requirements under Section 188 of WIOA.
Findings: There are no findings at this time.
Areas of Concern: There are no areas of concern at this time.

Color Code Definitions

YES	Meeting Performance		
NO	Not Applicable	Performance Improvement is Needed	Not meeting performance, corrective action required

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	Yes	No	Ellie Goodbread
To whom does the EO Officer report? Please provide a job description for the EO Officer.	Yes	No	Deputy commissioner and Commissioner
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	Yes	No	
How do participants and service providers know the EO Officer's identity made?	Yes	No	Website, grievance form, workforce connect and EO poster
On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer's identity and contact information appear?	Yes	No	Website, grievance form, workforce connect and EO poster, signed acknowledgement benefits and rights and interview eligibility pamphlets.
Does this person <ul style="list-style-type: none"> • Process complaints? • Review participant reports for equality of service? • Provide EO training to staff and contractors? • Review written policies to make sure they are non-discriminatory? • Develop and publish discrimination complaint procedures? 	Yes	No	ELMI report directs monitoring for bias and perceived bias. EO training updates.
What equal opportunity training has been provided to staff (please specify date and locations)	Yes	No	WIOA EO in BET

What training has been provided to service providers and contractors? Please be specific.	Yes	No	N/A
What professional training has the Local EO Officer attended? Identify the training received and dates.	Yes	No	Anything that comes from OWO and US DOL.
Describe staffing support for the EO Officer, if any.	Yes	No	Assistant
Do you need technical assistance in this element?		No	

Element 2: Notice and Communication

Where are the WIOA “Equal Opportunity is the Law” posters displayed and which versions are displayed – English, Spanish or both? Are they posted in reasonable numbers and places? Are the posters centrally located and in plain sight?	Yes	No	All offices and One Stops, Admin offices, cafeteria and in English, Spanish, and French.
How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA “Equal Opportunity is the Law” language? Please provide applicable copies of applicable documents.	Yes	No	UI complaint form, grievance form is signed by participant.
What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need service or information in a language other than English.	Yes	No	Language line, in person ASL, supplemental grant has provided documents needed in Bosnian, Arabic and more as needed.
What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in?	Yes	No	All new documents have EO tagline and offer of auxiliary aids are available per DOL and WIOA notation on all fliers.

<p>(I.e., materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I- financially assisted program is an “equal opportunity employer/program” and that “auxiliary aids are services are available upon request to individuals with disabilities”.</p>			
<p>How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground:</p> <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public • Members of the public with disabilities, including impaired vision and hearing • Unions or professional organizations that hold collective bargaining or professional agreement with your organization 	Yes	No	EO poster, taglines on all documents and website. Recipients sign off on grievance form.
<p>Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.</p>	Yes	No	Photos not often used but when they are best practices to represent all groups in community from stock photos.
<p>How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide reasonable accommodations to its sub recipients?</p>	Yes	No	New hire orientations and HR on site with managers.

What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes	No	This is noted on all NHWorks communications.
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes	No	Upon request as needed.
Do you need technical assistance in this element?	Yes	No	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes	No	
How is the contractor or service provider made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes	No	Everyone is aware. EO is the Law awareness is shared knowledge.
How do you insure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees? Please provide a copy.	Yes	No	State and HR policies
Do you need technical assistance in this element?	Yes	No	

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes	No	UI system offers 6 months reports of LMI
What reasonable steps has the Contractor taken to ensure services and other information is provided to Limited English Proficient persons?	Yes	No	UI form has been translated to many languages and a grant can help fund changes to other languages needed as they come up.

In what languages is information provided, other than English?	Yes	No	Bosnian, Arabic, Chinese, Vietnamese, French and Spanish
What documents have been determined "vital" and translated into languages designated as essential? Please provide examples.	Yes	No	EO, UI and grievance policy.
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes	No	All documents, website, JMS and relay services.
How are the required notifications provided in alternative forms for the visually impaired?	Yes	No	Case by case basis.
How do training providers provide programmatic and architectural accessibility for individuals with disabilities?	Yes	No	Signed policy and procedure.
What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?	Yes	No	TIGER Teams, communications for outreach, fliers and mailer. Events to create awareness and services to implement service.
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes	No	DW lots of outreach, fliers and mailers.
Do you need technical assistance in this element?	Yes	No	

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes	No	
Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?	Yes	No	No issues.
If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please	Yes	No	N/A on structural changes, lease and permits require this.

<p>explain when they are anticipated to be completed.</p>			
<p>Are contractor and service provider sites accessible to individuals with disabilities?</p> <ul style="list-style-type: none"> • Is there at least one entrance to the buildings that are wheelchair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these participants directed to go? Explain. • Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTY/TDD or Relay Services available for use? Explain • How often are contractor's facilities monitored to ensure accessibility? 	<p>Yes</p>	<p>No</p>	<p>Daily Basis.</p>
<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity. • Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on 	<p>Yes</p>	<p>No</p>	<p>HR derived best practices, and process so all requests go through the proper channels.</p>

a voluntary basis for reporting purposes and will be maintained confidentially.			
How does the Contractor ensure that it does not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates based on disability?	Yes	No	State entry prohibits this.
How does the Contractor ensure that programs and activities are administrated in the most integrated settings possible?	Yes	No	In persons meetings, individual needs drive accommodations.
How does the Contractor insure that, in determining the site or location of a facility, selections are not made that have a discriminatory effect?	Yes	No	Facilities are monitored daily.
How does the Contractor ensure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?	Yes	No	WIOA does not screen out and wrap around services are encouraged.
How does the Contractor ensure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes	No	Choice is made available. Staff can make requests - nothing is forced on anyone.
How does the Contractor insure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes	No	Training providers sign off on EO and policy and procedure.
Please describe the availability of assistive equipment for individuals with disabilities.	Yes	No	Document list (same as last year).

<p>Please describe the Contractor's web site in regard to its ADA accessibility.</p>	<p>Yes</p>	<p>No</p>	<p>State system is designed to meet these requirements.</p>
<p>Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.</p> <p>How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?</p> <p>Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?</p>	<p>Yes</p>	<p>No</p>	<p>Protected information by HR.</p> <p>Language lines, ASL, braille, interpreter services and requests are provided as needed.</p>
<p>Describe how medical condition information is maintained separate from other files and secured.</p>	<p>Yes</p>	<p>No</p>	<p>UI system is specific to personnel and secure locations only accessible to claim worker.</p>

Do you need technical assistance in this element?	Yes	No	
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Element 6: Data and Information Collection and Maintenance

Please explain how EO data has been collected (race/ethnicity, sex, age, and where known, disability status)?	Yes	No	Voluntary disclosure, HR protected.
Please explain how statistical/quantifiable analysis concerning the population being served has been conducted? <ul style="list-style-type: none"> • How are these data maintained under safeguards that will restrict access to authorized personnel only? Please explain. • Are records kept for a period of three years? • How is staff made aware that data must be collected on race, sex, age, disability, etc.? • How is the data collected by staff? 	Yes	No	Records for statistical data analyzed, no PII semiannual results sent to specific determinants for analysis in UI system or JMS. Locked files and electronic versions are permission access only.
Do you need technical assistance in this element?	Yes	No	

Element 7: Monitor Recipients for Compliance

List the EO Officer monitoring visits conducted for One-Stops, Affiliates and service providers? How often is on-site monitoring conducted? Please provide a record and/or summary report of the EO monitoring visits (dates,	Yes	No	OWO does this with Local Office manager on a semiannual process.
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locations, entities and findings) since your last WIOA Monitoring Review.			
Do you need technical assistance in this element	Yes	No	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes	No	Non discriminations policy on file, state personnel rules.
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes	No	Large and small booklets by NHES for clients and employees and employee handbooks by the state.
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> Name and address Basis of complaint Brief description of complaint Date filed Disposition 	Yes	No	UI form would use OWO form.
<p>Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit.</p> <p><u>Please respond to the following concerning each complaint:</u></p> <p>Was the complaint filed within 180 days?</p> <p>Was the complainant provided a written notification of receipt of the complaint within 10 days?</p> <p>Was the complainant provided a written statement of each of the issues raised in the</p>	Yes	No	

<p>complaint and whether you would accept or reject each issue?</p> <p>Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint?</p> <p>Was the complainant notified that they have the right to representation in the complaint process?</p> <p>Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?</p> <p>Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?</p> <p>Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying the decision?</p> <p>Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint?</p> <p>Has the State EO Officer been advised of the complaint?</p>			
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Describe the process established to keep the discrimination complaint records for a period of three years?	Yes	No	Logged in and in a locked office for correspondence and private file.
Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible, consistent with a fair determination of the issues.	Yes	No	Need to know basis release only, EO legal counsel and HR.
How is an individual who filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?	Yes	No	Against the law and HR and legal counsel on site.
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes	No	WIOA training providers get the same training as recipients.
Do you need technical assistance in this element?	Yes	No	

Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes	No	None to date.
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Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes	No	None
Do you need technical assistance in this element?	Yes	No	



New Hampshire Department of
**BUSINESS AND
ECONOMIC AFFAIRS**



DATE: January 25, 2024

TO: Allison Joseph, Executive Director My-Turn

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity On-Site Review

Dear Ms. Joseph:

Please find attached the PY23 On-Site Equal Opportunity Review for the Workforce Innovation and Opportunity Act contract for My-Turn.

There are no findings at this time.

There is one area of concern noted in the report.

Thank you and your staff for their commitment to WIOA participants. Please contact me if you have any questions.

Sincerely,

Lisa Gerrard
WIOA Program Administrator

cc: Joseph Doiron, Director, Office of Workforce Opportunity
Jocelyn Mahoney, Equal Opportunity Officer, My-Turn

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**Office of Workforce Opportunity
 NH Department of Business and Economic Affairs (DBEA)
 Contract Monitoring
 PY23 EO On-Site Monitoring
 Workforce Innovation Opportunity Act WIOA YOUTH Formula Funds (CFDA 17.259)**

Sub-grantee Agency: My-Turn Contract PO: 1081372

On-Site Review Date: January 4, 2024

Reviewer: Lisa Gerrard, OWO WIOA Administrator

Review Attendees: Allison Joseph, Executive Director, My-Turn
 Jocelyn Mahoney, Equal Opportunity Officer, My-Turn

Purpose of Review: To ensure subrecipient is in compliance with Equal Opportunity requirements as reflected in contract and federal EO requirements.

Report Date: January 25, 2024

Findings: None at this time.

Areas of Concern: Steven's Amendment language is missing from publications and website. Please make sure that the appropriate language is added to all documents and publications that are created with WIOA funds. Steven's Amendment power point training has been attached to this report for reference.

Color Code Definitions

YES	Meeting Performance		
NO	Not Applicable	Performance Improvement is Needed	Not meeting performance, corrective action required

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	Yes	No	Jocelyn Mahoney
To whom does the EO Officer report? Please provide a job description for the EO Officer.	Yes	No	Executive Director and Board of Directors
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	Yes	No	
How is the EO Officer's identity made known to participants and service providers?	Yes	No	Employee handbook, grievance form, EO posters

On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer's identity and contact information appear? Please provide examples.	Yes	No	Employee handbook, grievance form, EO posters, job postings, and website
Does this person <ul style="list-style-type: none"> • Process complaints? • Review participant reports for equality of service? • Provide EO training to staff and contractors? • Review written policies to make sure they are non-discriminatory? • Develop and publish discrimination complaint procedures? 	Yes Yes Yes Yes	No	
What equal opportunity training has been provided to staff (please specify date and locations)	Yes	No	WIOA OWO training.
What training has been provided to service providers and contractors? Please be specific.	Yes	No	N/A
What professional training has the Local EO Officer attended? Identify the training received and dates.	Yes	No	WIOA OWO supplied training
Describe staffing support for the EO Officer, if any.	Yes	No	Executive Director and Board as needed
Do you need technical assistance in this element?		NO	

Element 2: Notice and Communication

Where are the WIOA "Equal Opportunity is the Law" posters displayed and which versions are displayed – English, Spanish or both?	Yes	No	Posters are hanging in the hallways, offices, common areas in plain sight and in reasonable numbers.
Are they posted in reasonable numbers and places?			
Are the posters centrally located and in plain sight?			
How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA "Equal Opportunity is the Law" language? Please provide applicable copies of applicable documents.	Yes	No	A review of equality through the program process. My Turn offices are accountable and have a copy of grievance.

<p>What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need service or information in a language other than English.</p>	<p>Yes</p>	<p>No</p>	<p>Following community guidelines for translations needs and use Ascentria to meet needs outside that. OWO reminded of many docs in other languages we have available.</p>
<p>What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in? (I.e. materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I- financially assisted program is an "equal opportunity employer/program" and that "auxiliary aids are services are available upon request to individuals with disabilities". Please provide examples.</p>	<p>Yes</p>	<p>No</p>	<p>EO is the law and TTY on job postings, brochures, website and auxiliary aids.</p>
<p>How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground:</p> <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public • Members of the public with disabilities, including impaired vision and hearing • Unions or professional organizations that hold collective bargaining or professional agreement with your organization 	<p>Yes</p>	<p>No</p>	<p>Grievance form, job postings, employee handbooks and at the worksite, WBL paperwork and website.</p>
<p>Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.</p>	<p>Yes</p>	<p>No</p>	<p>Age is predetermined by program, representation of the community served.</p>
<p>How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide</p>	<p>Yes</p>	<p>No</p>	<p>No subgrantees, watching for a pattern of concern.</p>

reasonable accommodations to its sub recipients?			
What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes	No	Brochures, website, translations, ASL, customers preferred method honored.
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes	No	NH Works offices
Do you need technical assistance in this element?	Yes	No	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes	No	WBL packets and WIOA funding.
How is the contractor or service provider made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes	No	N/A No subcontractors, ETPL sign off for WIOA regulations and handbook and there are assurances in the worksite agreement for WBL's.
How do you ensure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees?	Yes	No	EO law for new hires, ongoing verbal conversations, Federal Policy, staff is diverse.
Do you need technical assistance in this element?	Yes	No	

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes	No	Demographics is represented in JMS and LMI is considered.
What reasonable steps has the Sub-grantee taken to ensure services and other information is provided to Limited English Proficient persons?	Yes	No	Translation of documents as needed.
In what languages is information provided, other than English?	Yes	No	Spanish, French and options for print at request
What documents have been determined "vital" and translated into languages designated as essential?	Yes	No	WIOA EO poster.

Where telephone numbers are indicated, what alternate provisions are listed for the hearing impaired, such as TTY/TDD or relay service?	Yes	No	Brochure, website, updated business cards.
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes	No	Brochures, websites, updated business cards.
How are the required notifications provided in alternative forms for the visually impaired?	Yes	No	NH Works for any visual/audio tools.
How do training providers provide programmatic and architectural accessibility for individuals with disabilities?	Yes	No	Only rent spaces that meet ADA compliance.
What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?	Yes	No	Referrals are often word of mouth and through organizations like Voc Rehab from high schools with transitional youth. Referrals also come from community events.
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes	No	Tools reflect the community served and is a specified effort. There is also outreach to local colleges to offer resources.
Do you need technical assistance in this element?	Yes	No	

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes	No	OWO sent link to ADA accessibility survey for existing facilities.
Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?	Yes	No	N/A OWO does this.
If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please explain when they are anticipated to be completed.	Yes	No	N/A
Are contractor and service provider sites accessible to individuals with disabilities? <ul style="list-style-type: none"> Is there at least one entrance to the buildings that are wheelchair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these participants directed to go? Explain. Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain 	Yes	No	Annual review and monitoring is ongoing.

<ul style="list-style-type: none"> • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTD/TDD or Relay Services available for use? Explain • How often are contractor's facilities monitored to ensure accessibility? 			
<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity. • Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially. 	Yes	No	Due to the program, individuals with disabilities are screened in not out.
<p>How does the Sub-grantee ensure that it does not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates on the basis of disability?</p>	Yes	No	Would sever relationship with any organization that was discriminatory.
<p>How does the Contractor ensure that programs and activities are administrated in the most integrated settings possible?</p>	Yes	No	All services are delivered in the same settings unless separation is requested.
<p>How does the Contractor ensure that, in determining the site or location of a facility, selections are not made that have a discriminatory effect?</p>	Yes	No	Selection for spaces is for accessibility, all changes needed are done before occupancy and are built in communities to meet population needs.
<p>How does the Contractor ensure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?</p>	Yes	No	Encouragement is for all abilities for jobs and partners. Eligibility is a screening tool. Referrals as needed in target populations.

How does the Contractor ensure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes	No	Nothing is forced for any participant, self-disclosure and offer of accommodations if needed.
How does the Contractor ensure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes	No	ETPL are required to be in compliance, participant conversations are verbal and supported.
Please describe the availability of assistive equipment for individuals with disabilities.	Yes	No	Voc Rehab or Employment Services if needed.
Please describe the Contractor's web site in regards to its ADA accessibility.	Yes	No	New web redesign is fully compliant

<p>Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.</p> <p>How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?</p> <p>Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?</p>	<p>Yes</p>	<p>No</p>	<p>No accommodations needed or requested this year, previously used Voc Rehab for audio and ASL or translations. Verbal self-advocacy for invisible learning disability.</p> <p>Voc Rehab and eligibility process aid collaboration for employee goals.</p> <p>Building management will install any needed updates or modifications. Using partner programs for aids as needed.</p> <p>Adult Education and Translators as needed.</p>
<p>Describe how medical condition information is maintained separate from other files and secured.</p>	<p>Yes</p>	<p>No</p>	<p>Medical button in JMS.</p>
<p>Do you need technical assistance in this</p>	<p>Yes</p>	<p>No</p>	

element?			
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Element 6: Data and Information Collection and Maintenance

Please explain how EO data has been collected (race/ethnicity, sex, age, and where known, disability status)?	Yes	No	Use reports in system for balance, serves minority participants and is collected at applications.
<p>Please explain how statistical/quantifiable analysis with regards to the population being served has been conducted?</p> <ul style="list-style-type: none"> • How are these data maintained under safeguards that will restrict access to authorized personnel only? Please explain. • Are records kept for a period of three years? • How is staff made aware that data must be collected on race, sex, age, disability, etc.? • How is the data collected by staff? 	Yes	No	<p>JMS is structured to be safeguarded.</p> <p>Archiving process is being deliberated as this electronic now. However, the 3 year time period is still maintained.</p> <p>Intake training us part of applications.</p> <p>Collected at intake by staff verbally.</p>
Do you need technical assistance in this element?	Yes	No	

Element 7: Monitor Recipients for Compliance

<p>List the EO Officer monitoring visits conducted for One-Stops, Affiliates and service providers?</p> <p>How often is on-site monitoring conducted?</p> <p>Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIOA Monitoring Review.</p>	Yes	No	N/A
Do you need technical assistance in this element	Yes	No	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes	No	Verbal reports to Jocelyn, OWO and federal office using WIOA handbook and procedure.
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes	No	Grievance form during intake for participants, employee handbook and EO poster.
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> Name and address Basis of complaint Brief description of complaint Date filed Disposition 	Yes	No	All Yes
Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit. <p><u>Please respond to the following concerning each complaint:</u></p> <ul style="list-style-type: none"> Was the complaint filed within 180 days? Was the complainant provided a written notification of receipt of the complaint within 10 days? Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue? Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint? Was the complainant notified that they 	Yes	No	None to date.

<p>have the right to representation in the complaint process?</p> <ul style="list-style-type: none"> • Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint? • Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed? • Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying the decision? • Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint? • Has the State EO Officer been advised of the complaint? 			
<p>Describe the process established to keep the discrimination complaint records for a period of three years?</p>	Yes	No	3-7 years for all forms in an EO file, digitally kept with any supporting document in a locked file.
<p>Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible, consistent with a fair determination of the issues.</p>	Yes	No	EO personnel only, whistleblower act covers this complaint policy. None to date, OWO, the Board and Allie or Jocelyn are the processors.
<p>How is an individual who filed a complaint, opposed a practice prohibited by the</p>	Yes	No	Whistleblower policy.

nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?			
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes	No	Same process for any participant filing a complaint.
Do you need technical assistance in this element?	Yes	No	

Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes	No	
Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes	No	N/A
Do you need technical assistance in this element?	Yes	No	

Stevens Amendment Compliance

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Presentation Purpose and Objectives

- **Review the Stevens Amendment Requirement**
- **Review who must comply**
- **Review compliance Strategies**
- **Share compliant examples**
- **Share monitoring finding example**
- **Special guidance: Title I subrecipients**

What is the Stevens Amendment?

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Stevens Amendment Requirement

Requirement to Provide Certain Information in Public Communications

Pursuant to P.L. 116-94, Division A, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state:

1. The percentage of the total costs of the program or project which will be financed with Federal money;
2. The dollar amount of Federal funds for the project or program; and
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this part are separate from those in the 2 CFR part 200 and, when applicable, both must be complied with.

Who must comply?

Stevens Amendment Compliance

- The Stevens Amendment is an appropriations provision that requires grantees of the **Departments of Labor (DOL), Health and Human Services (HHS), and Education** (Education) to disclose for a grant program the percent of the costs financed with federal funds, the federal dollar amount, and the percentage and dollar amount financed by nongovernmental funds (<https://www.gao.gov/assets/gao-19-282.pdf>)
- If a grant must comply, the Grant Award Package will cite the requirement.
- If a grant is not required to comply, the Grant Award Package does not cite the requirement.

Compliance Strategies

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Stevens Amendment Compliance

Statements

- Include a full funding PowerPoint slide in presentations
- Provide full funding in a footnote/endnote or other appropriate section (Background, Overview, Etc.)

Press Releases

- Include a full funding tag line
- Include link to full funding tag line

Requests for Proposals (RFPs) and bid solicitations

- Make full funding information part of the background information or other appropriate section

Other Documents

- Provide full funding information in an appropriate section

Mass Media

- Incorporate a full funding statement into TV/radio spots
- Provide full funding information in an appropriate section of an internet page
 - When necessary, it is allowable for print material, or social media to direct the public to a website for full funding information.

Compliance Examples

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Stevens Amendment Compliance



Non-Compliant Example

“The WIOA Adult program is fully funded by federal funds provided through the Department of Business and Economic Affairs.”

- x Fails to mention percentage of total costs financed with Federal money;
- x Fails to mention dollar amount of Federal funds
- x Fails to mention percentage and dollar amount financed by non-governmental sources

Stevens Amendment Compliance



Compliant Example

Requests for Proposals / Bid Solicitations

“Stevens Amendment: This solicitation is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

Contracts / Award Agreements

“Stevens Amendment Notice: This contract is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

Statements, Press Releases, Flyers, and related Documents [Bottom Tagline]

“The WIOA Adult program is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

OR

“For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>”

Stevens Amendment Compliance



Compliant Example

Webpages [Bottom Tagline]

“The WIOA Adult Program is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

OR

“For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Social Media

“The WIOA Adult program offers free job training, financial support, and career counseling! For more information visit <https://www.snhs.org/services/wioa>. The WIOA Adult program is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

OR

“The WIOA Adult program offers free job training, financial support, and career counseling! For more information visit <https://www.snhs.org/services/wioa>. For program funding details, please visit (add your website URL where funding information can be found)”

Stevens Amendment Compliance



- The Office of Workforce Opportunity will be adding a transparency page to our website
- This transparency page will list the WIOA Title I program funding information for Stevens Amendment Compliance
- Programs will have the option to use this URL (once live) or their own to satisfy the Stevens Amendment requirement when appropriate
- Programs will be responsible for maintaining and updating their own site
- OWO staff will maintain the state site

Monitoring Finding Example

Stevens Amendment Finding Example

Finding: Non-compliance with Federal statutes, regulations, and the terms and conditions of the Federal award

Indicator: 3.a.3: Compliance with Applicable Laws and Regulations

Condition: Neither the grantee's program webpage or its program outreach flyer include the following required language: 1) the dollar amount and percentage of costs financed with Federal funds or 2) the dollar amount & percentage of costs financed with non-governmental sources.

Cause: The grantee was unaware of the requirement.

Criteria: Grant Award Package: 2018 Federal Appropriations Requirement 15k: Requirement to Provide Certain Information in Public Communications) and 2 CFR Part 200.62(3): Internal control over compliance requirements for Federal awards

Corrective Action: If the grantee intends to continue using a flyer for its program, it must find a means to make it compliant to include the required information. It is acceptable to place a sticker on its current flyer that contains the required language. XXXX must also update the section of its website that references funding for its program to include the required information.

Guidance for Subrecipients

WIOA Title I Subrecipients

- WIOA Title I Subrecipients for NH must include Stevens Amendment disclosures on public documents related to WIOA-funded activities.
- WIOA Title I funding is a single source that is easy to identify and does not typically change during a program year.
- For program Year 2021 (FY2022) the amounts are:
 - ▶ Adult: \$2,371,671.00
 - ▶ Dislocated Worker: \$1,977,497.00
 - ▶ Youth: \$2,493,257
 - ▶ SCSEP: \$427,256.00
- For program Year 2022 (FY2023) the amounts are:
 - ▶ Adult: \$2,151,741.00
 - ▶ Dislocated Worker: \$1,801,024.00
 - ▶ Youth: \$2,269,007.00
 - ▶ SCSEP: \$424,495.00
- Full disclosure statements should be included whenever possible and practical
 - “The WIOA XXXX Program is supported by the U.S. Department of Labor as part of an award totaling \$(see above) with \$0 (0%) state, local and/or non-governmental funds.”
- Partial disclosure statements may be included when space is at a premium
 - “For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Let's keep the conversation going.

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DATE: January 31, 2024

TO: Nick Resca, Executive Director, Jobs for America's Graduates-NH (JAG-NH)

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity On-Site Review

Dear Mr. Resca:

Please find attached the PY23 On-Site Equal Opportunity Review for the Workforce Innovation and Opportunity Act contract for Jobs for America's Graduates-NH (JAG-NH).

There are no corrective action issues at this time.
There are two areas of concern at this time which are detailed in the report.

Thank you and your staff for their commitment to WIOA participants. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Lisa Gerrard'.

Lisa Gerrard
WIOA Program Administrator

cc: Joseph Doiron, Director, Office of Workforce Opportunity

100 North Main Street, Suite 100
Concord, New Hampshire 03301

603.271.2341

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**Office of Workforce Opportunity
 NH Department of Business and Economic Affairs (DBEA)
 Contract Monitoring
 PY23 EO On-Site Monitoring
 Workforce Innovation Opportunity Act WIOA YOUTH Formula Funds (CFDA 17.259)**

Sub-grantee Agency: JAG- NH Contract PO: 1081372

On-Site Review Date: January 17, 2023

Reviewer: Lisa Gerrard, OWO WIOA Administrator

Review Attendees: Nick Resca, EO Officer and Executive Director, JAG-NH
 Haley DeYoung, Program Manager, JAG-NH

Purpose of Review: To ensure subrecipient is in compliance with Equal Opportunity requirements as reflected in contract and federal EO requirements.

Report Date: January 31, 2023

Findings: None at this time.

Areas of Concern:

- Steven's Amendment language is missing from publications and website. Please make sure that the appropriate language is added to all documents and publications that are created with WIOA funds. Steven's Amendment power point training has been attached to this report for reference.
- The current location of the administrative offices of JAG-NH is not handicapped accessible. Since participants may come to the building, this could pose accessibility issues for someone with a mobility handicap. During our review, JAG-NH leadership discussed that the organization is considering not renewing their lease at this location. It is highly encouraged that in the meantime, JAG-NH create a policy/procedure document to provide to staff regarding how to handle the lack of accessibility at the building. If the agency stays in this building, a plan will need to be developed with the landlord to make the building accessible. An ADA self-survey should be completed to address all potential issues. This was provided to JAG-NH under separate email.

Color Code Definitions

YES	Meeting Performance		
NO	Not Applicable	Performance Improvement is Needed	Not meeting performance, corrective action required

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Janet Arnett
To whom does the EO Officer report? Please provide a job description for the EO Officer.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The NH JAG Board of Directors
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	None
How is the EO Officer's identity made known to participants and service providers?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Employee handbook, at intake and during explanation of the grievance process.
On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer's identity and contact information appear? Please provide examples.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Employee handbook and EO tagline on all printed materials.
Does this person <ul style="list-style-type: none"> • Process complaints? • Review participant reports for equality of service? • Provide EO training to staff and contractors? • Review written policies to make sure they are non-discriminatory? • Develop and publish discrimination complaint procedures? 	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
What equal opportunity training has been provided to staff (please specify date and locations)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	OWO's new EO training with certification.
What training has been provided to service providers and contractors? Please be specific.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	N/A
What professional training has the Local EO Officer attended? Identify the training received and dates.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	None this year.
Describe staffing support for the EO Officer, if any.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Terry Sciuto and the NH JAG Board of Directors
Do you need technical assistance in this element?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Element 2: Notice and Communication

Where are the WIOA "Equal Opportunity is the Law" posters displayed and which versions are displayed – English, Spanish or both?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Break room, entry and intake rooms, at each satellite office.
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Are they posted in reasonable numbers and places?			
Are the posters centrally located and in plain sight?			
How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA "Equal Opportunity is the Law" language? Please provide applicable copies of applicable documents.	Yes	No	Grievance form, at intake, specialists point out poster, verbally informing the participant as well.
What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need service or information in a language other than English.	Yes	No	This would be on an as needed basis and would reach out to OWO and fellow Partners.
What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in? (I.e. materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I- financially assisted program is an "equal opportunity employer/program" and that "auxiliary aids are services are available upon request to individuals with disabilities". Please provide examples.	Yes	No	"EO is the law" is on all printed materials and website, Steven's amendment and this was outlined as a link option. OWO will be gathering information and providing technical assistance with this.
How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground: <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public • Members of the public with disabilities, including impaired vision and hearing • Unions or professional organizations that hold collective bargaining or professional agreement with your organization 	Yes	No	Grievance form, handbook, verbally and use of federal funding requires following guidelines.

Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.	Yes	No	All photos are of clients and represent the community that is served.
How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide reasonable accommodations to its sub recipients?	Yes	No	Language is contained in all materials and are part of the JAG program and published as such. None needed recently.
What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes	No	TDD/TTY
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes	No	Braille can be ordered as needed, this office has Audio options ready to go.
Do you need technical assistance in this element?	Yes	No	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes	No	N/A
How is the contractor or service provider is made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes	No	NH JAG Board members review as well as staff.
How do you ensure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees?	Yes	No	Employee handbook, policies and board review .
Do you need technical assistance in this element?	Yes	No	

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes	No	Ongoing ELMI verification, brochures reflect the populations served.
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What reasonable steps has the Sub-grantee taken to ensure services and other information is provided to Limited English Proficient persons?	Yes	No	As needed, JAG will provide needed resources to ESL participants. New employee is bilingual English and Spanish.
In what languages is information provided, other than English?	Yes	No	Spanish and French others are available on demand.
What documents have been determined "vital" and translated into languages designated as essential?	Yes	No	One at this time, any documents can be translated with help from International Institute.
Where telephone numbers are indicated, what alternate provisions are listed for the hearing impaired, such as TTY/TDD or relay service?	Yes	No	Any phone number printed has TDD/TYY as well.
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes	No	All JAG materials.
How are the required notifications provided in alternative forms for the visually impaired?	Yes	No	As needed, NH Voc Rehab, audio options, large print.
How do training providers provide programmatic and architectural accessibility for individuals with disabilities?	Yes	No	LNA Health Careers is an accessible OJT provider and all CCSNH locations are accessible.
What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?	Yes	No	Reflective of brochure and populations served, participant outreach and word of mouth.
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes	No	Advertising, community outreach, community services, school, groups.
Do you need technical assistance in this element?	Yes	No	

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes	No	
Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?	Yes	No	N/A
If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please explain when they are anticipated to be completed.	Yes	No	N/A
Are contractor and service provider sites accessible to individuals with disabilities? <ul style="list-style-type: none"> Is there at least one entrance to the buildings that are wheel chair 	Yes	No	Elevator for accessible bathroom on the 2 nd floor and daily maintenance from contractor.

<p>accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these participants directed to go? Explain.</p> <ul style="list-style-type: none"> • Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTD/TDD or Relay Services available for use? Explain • How often are contractor's facilities monitored to ensure accessibility? 			
<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity. • Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially. 	Yes	No	Participants are screened in by design. Questions are not asked unless an indication is clear that participants might do better with assistance.
<p>How does the Sub-grantee ensure that it does not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates on the basis of disability?</p>	Yes	No	Following procedure and keeping processes in place.
<p>How does the Contractor ensure that programs and activities are administrated in the most integrated settings possible?</p>	Yes	No	Continued relationships and locations of programs are integrated by design.
<p>How does the Contractor insure that, in determining the site or location of a facility, selections are not made that have a discriminatory effect?</p>	Yes	No	All facilities are vetted before entering into agreement.

How does the Contractor insure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?	Yes	No	Following current procedures.
How does the Contractor insure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes	No	Individual services to participants are geared to that individual.
How does the Contractor insure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes	No	Developed relationships with training providers and facilities. Providers are known trusted resources.
Please describe the availability of assistive equipment for individuals with disabilities.	Yes	No	Upon request arranged for and provide as needed.
Please describe the Contractor's web site in regards to its ADA accessibility.	Yes	No	Website feature.

<p>Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.</p> <p>How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?</p> <p>Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?</p>	<p>Yes</p>	<p>No</p>	<p>Stethoscope for hard of hearing sound amplifications.</p> <p>Any accommodations needed are an ongoing process so the best option is made available.</p> <p>Partners indicate need and employers provide accessibility.</p>
<p>Describe how medical condition information is maintained separate from other files and secured.</p>	<p>Yes</p>	<p>No</p>	<p>Terry's office, medical box on JMS has been unveiled!</p>
<p>Do you need technical assistance in this</p>	<p>Yes</p>	<p>No</p>	

element?			
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Element 6: Data and Information Collection and Maintenance

Please explain how EO data has been collected (race/ethnicity, sex, age, and where known, disability status)?	Yes	No	JMS
Please explain how statistical/quantifiable analysis with regards to the population being served has been conducted? <ul style="list-style-type: none"> How are these data maintained under safeguards that will restrict access to authorized personnel only? Please explain. Are records kept for a period of three years? How is staff made aware that data must be collected on race, sex, age, disability, etc.? How is the data collected by staff? 	Yes	No	EO analysis of NH OWO programs are small and the sample size does not provide correct statistical data.
Do you need technical assistance in this element?	Yes	No	

Element 7: Monitor Recipients for Compliance

List the EO Officer monitoring visits conducted for One-Stops, Affiliates and service providers? How often is on-site monitoring conducted? Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIOA Monitoring Review.	Yes	No	N/A, OWO does the annual review.
Do you need technical assistance in this element	Yes	No	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes	No	OWO's nondiscrimination plan and JAG handbook.
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes	No	By request, grievance form and further information available from OWO.
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> • Name and address • Basis of complaint • Brief description of complaint • Date filed • Disposition 	Yes	No	
Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit. <u>Please respond to the following concerning each complaint:</u> <ul style="list-style-type: none"> • Was the complaint filed within 180 days? • Was the complainant provided a written notification of receipt of the complaint within 10 days? • Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue? • Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint? • Was the complainant notified that they 	Yes	No	

<p>have the right to representation in the complaint process?</p> <ul style="list-style-type: none"> • Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint? • Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed? • Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying the decision? • Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint? • Has the State EO Officer been advised of the complaint? 			
<p>Describe the process established to keep the discrimination complaint records for a period of three years?</p>	Yes	No	Terry keeps them locked for three years.
<p>Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible, consistent with a fair determination of the issues.</p>	Yes	No	Terry has confidential files and no one has access unless it is needed.
<p>How is an individual who filed a complaint, opposed a practice prohibited by the</p>	Yes	No	Training following procedure.

nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?			
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes	No	Process for contact at NH JAG with Terry and Janet who provide the ongoing policy and programming.
Do you need technical assistance in this element?	Yes	No	

Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes	No	Refer to State level policy if needed, get compliance to fix the issue and follow up with policy changes.
Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes	No	N/A
Do you need technical assistance in this element?	Yes	No	

Stevens Amendment Compliance

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Presentation Purpose and Objectives

- **Review the Stevens Amendment Requirement**
- **Review who must comply**
- **Review compliance Strategies**
- **Share compliant examples**
- **Share monitoring finding example**
- **Special guidance: Title I subrecipients**

What is the Stevens Amendment?

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Stevens Amendment Requirement

Requirement to Provide Certain Information in Public Communications

Pursuant to P.L. 116-94, Division A, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state:

1. The percentage of the total costs of the program or project which will be financed with Federal money;
2. The dollar amount of Federal funds for the project or program; and
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this part are separate from those in the 2 CFR part 200 and, when applicable, both must be complied with.

Who must comply?

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Stevens Amendment Compliance

- The Stevens Amendment is an appropriations provision that requires grantees of the **Departments of Labor (DOL), Health and Human Services (HHS), and Education (Education)** to disclose for a grant program the percent of the costs financed with federal funds, the federal dollar amount, and the percentage and dollar amount financed by nongovernmental funds (<https://www.gao.gov/assets/gao-19-282.pdf>)
- If a grant must comply, the Grant Award Package will cite the requirement.
- If a grant is not required to comply, the Grant Award Package does not cite the requirement.

Compliance Strategies

Stevens Amendment Compliance

Statements

- Include a full funding PowerPoint slide in presentations
- Provide full funding in a footnote/endnote or other appropriate section (Background, Overview, Etc.)

Press Releases

- Include a full funding tag line
- Include link to full funding tag line

Requests for Proposals (RFPs) and bid solicitations

- Make full funding information part of the background information or other appropriate section

Other Documents

- Provide full funding information in an appropriate section

Mass Media

- Incorporate a full funding statement into TV/radio spots
- Provide full funding information in an appropriate section of an internet page
 - When necessary, it is allowable for print material, or social media to direct the public to a website for full funding information.

Compliance Examples

Stevens Amendment Compliance



Non-Compliant Example

“The WIOA Adult program is fully funded by federal funds provided through the Department of Business and Economic Affairs.”

- x Fails to mention percentage of total costs financed with Federal money;
- x Fails to mention dollar amount of Federal funds
- x Fails to mention percentage and dollar amount financed by non-governmental sources

Stevens Amendment Compliance



Compliant Example

Requests for Proposals / Bid Solicitations

“Stevens Amendment: This solicitation is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

Contracts / Award Agreements

“Stevens Amendment Notice: This contract is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

Statements, Press Releases, Flyers, and related Documents [Bottom Tagline]

“The WIOA Adult program is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

OR

“For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>”

Stevens Amendment Compliance



Compliant Example

Webpages [Bottom Tagline]

“The WIOA Adult Program is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

OR

“For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>”

Social Media

“The WIOA Adult program offers free job training, financial support, and career counseling! For more information visit <https://www.snhhs.org/services/wioa>. The WIOA Adult program is supported by the U.S. Department of Labor as part of an award totaling \$2,371,671.00 with \$0 (0%) state, local and/or non-governmental funds.”

OR

“The WIOA Adult program offers free job training, financial support, and career counseling! For more information visit <https://www.snhhs.org/services/wioa>. For program funding details, please visit (add your website URL where funding information can be found)”

Stevens Amendment Compliance



- The Office of Workforce Opportunity will be adding a transparency page to our website
- This transparency page will list the WIOA Title I program funding information for Stevens Amendment Compliance
- Programs will have the option to use this URL (once live) or their own to satisfy the Stevens Amendment requirement when appropriate
- Programs will be responsible for maintaining and updating their own site
- OWO staff will maintain the state site

Monitoring Finding Example

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Stevens Amendment Finding Example

Finding: Non-compliance with Federal statutes, regulations, and the terms and conditions of the Federal award

Indicator: 3.a.3: Compliance with Applicable Laws and Regulations

Condition: Neither the grantee's program webpage or its program outreach flyer include the following required language: 1) the dollar amount and percentage of costs financed with Federal funds or 2) the dollar amount & percentage of costs financed with non-governmental sources.

Cause: The grantee was unaware of the requirement.

Criteria: Grant Award Package: 2018 Federal Appropriations Requirement 15k: Requirement to Provide Certain Information in Public Communications) and 2 CFR Part 200.62(3): Internal control over compliance requirements for Federal awards

Corrective Action: If the grantee intends to continue using a flyer for its program, it must find a means to make it compliant to include the required information. It is acceptable to place a sticker on its current flyer that contains the required language. XXXX must also update the section of its website that references funding for its program to include the required information.

Guidance for Subrecipients

WIOA Title I Subrecipients

- WIOA Title I Subrecipients for NH must include Stevens Amendment disclosures on public documents related to WIOA-funded activities.
- WIOA Title I funding is a single source that is easy to identify and does not typically change during a program year.
- For program Year 2021 (FY2022) the amounts are:
 - ▶Adult: \$2,371,671.00
 - ▶Dislocated Worker: \$1,977,497.00
 - ▶Youth: \$2,493,257
 - ▶SCSEP: \$427,256.00
- For program Year 2022 (FY2023) the amounts are:
 - ▶Adult: \$2,151,741.00
 - ▶Dislocated Worker: \$1,801,024.00
 - ▶Youth: \$2,269,007.00
 - ▶SCSEP: \$424,495.00
- Full disclosure statements should be included whenever possible and practical
 - “The WIOA XXXX Program is supported by the U.S. Department of Labor as part of an award totaling \$(see above) with \$0 (0%) state, local and/or non-governmental funds.”
- Partial disclosure statements may be included when space is at a premium
 - “For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Let's keep the conversation going.

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New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS



DATE: March 19, 2024

TO: Debra Stohrer, SNHS Equal Opportunity Officer

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity On-Site Review

Dear Ms. Stohrer:

Please find attached the PY23 On-Site Equal Opportunity Review for the Workforce Innovation and Opportunity Act contract for Southern New Hampshire Services.

There are no corrective action or areas of concern at this time.

Thank you and the staff at SNHS for their commitment to WIOA participants. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Lisa Gerrard'.

Lisa Gerrard
WIOA Program Administrator

cc: Sara Sacco, Director of Workforce Development, SNHS
Joseph Doiron, Director of Workforce Development, Office of Workforce Opportunity
Donnalee Lozeau, Chief Executive Officer, SNHS

100 North Main Street, Suite 100
Concord, New Hampshire 03301





603.271.2341

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**Office of Workforce Opportunity
 NH Department of Business and Economic Affairs (DBEA)
 Contract Monitoring
 PY 23 EO On-Site Monitoring Review
 Workforce Innovation Opportunity Act Formula Funds (CFDA 17.258)**

Contract Agency: Southern New Hampshire Services (SNHS)
 On-site Review Date: March 13, 2024
 Reviewer: Lisa Gerrard, WIOA Administrator, OWO
 Review Attendees: Deb Stohrer, EO Officer
 Sara Sacco, Director of Workforce Development
 Report Date: March 19, 2024
 Purpose of Review: To ensure Contractor complies with Equal Opportunity requirements.
 Corrective Action: None at this time.
 Areas of Concern: None at this time.

Color Code Definition:

YES		Meeting Performance				
NO		Not Applicable		Performance Improvement is Needed		Not meeting performance, correction action required

SNHS EO Annual Monitoring Review

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Deb Stohrer
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		<input type="checkbox"/> <input type="checkbox"/>	
To whom does the EO Officer report? Please provide a job description for the EO Officer.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Donnalee Lozeau, CEO
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A
How do participants and service providers know the EO Officer's identity made?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Signature, website, posters, participant/provider orientations, grievance form
On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer's identity and contact information appear?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Signature, website, posters, employee orientations, employee portal, grievance form
Does this person: <ul style="list-style-type: none"> • Process complaints? • Review participant reports for equality of service? • Provide EO training to staff and contractors? • Review written policies to make sure they are non-discriminatory? • Develop and publish discrimination complaint procedures? 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Yes but no complaints to date.
What equal opportunity training has been provided to staff (please specify date and locations)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	New hire orientation, EO from OWO on an annual basis.
What training has been provided to service providers and contractors? Please be specific.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A, if needed they would follow SNHS staff training.

What professional training has the Local EO Officer attended? Identify the training received and dates.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	WIOA EO Annual training and on July 11, 2023 Mediation and Investigation (EEO Training Institute)
Describe staffing support for the EO Officer, if any.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Process for specific supports depending on need.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 2: Notice and Communication

Where are the WIOA "Equal Opportunity is the Law" posters displayed and which versions are displayed – English, Spanish or both? Are they posted in reasonable numbers and places? Are the posters centrally located and in plain sight?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	All bulletin boards in all sites in numerous places at NH Works offices and at SNHS offices in English, Spanish, and French. Verified by OWO staff.
How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA "Equal Opportunity is the Law" language? Please provide applicable copies of applicable documents.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Grievance form sign off and Babel Notice.
What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need service or	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Grievance is in English plus 7 other languages: Spanish, Dari, Pashto, French, Swahili, Arabic, Ukrainian.

information in a language other than English.			
<p>What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in? (I.e., materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I- financially assisted program is an “equal opportunity employer/program” and that “auxiliary aids are services are available upon request to individuals with disabilities”.</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>“EO is the law...” and “This Employer is an EO...”</p> <p>SNHS website and flyer.</p>
<p>How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground:</p> <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public • Members of the public with disabilities, including impaired vision and hearing • Unions or professional organizations that hold 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>All public facing material is in compliance, SNHS is intentionally serving this target population.</p>

collective bargaining or professional agreement with your organization			
Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Stock photos and use of a non-gender/race/gender specific emoji type performer. Photos represent the population served and SNHS sought outside critique to ensure this presentation is accurate.
How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide reasonable accommodations to its sub recipients?	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	SNHS staff are trained and annual EO training.
What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	TDD/TTY on all forms and website, will be added to any new business cards made.
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	On a case-by-case basis and by any means necessary, sign interpreter, enlargement screens, or larger monitors.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A
How is the contractor or service provider made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Federal law and all recipients are made aware that EO is the law.
How do you insure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees? Please provide a copy.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	EO nondiscrimination policy in handbook and a digital copy in portal.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Community needs assessment is done every three years, resettlement organization collaborations.
What reasonable steps has the Contractor taken to ensure services and other information is provided to Limited English Proficient persons?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Translations services, website in other languages, on site English opportunities with Adult Ed.
In what languages is information provided, other than English?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Forms in Spanish, Dari, Pashto, Swahili, French, Arabic, and Ukrainian. Translation services available in any language. SNHS website available in multiple languages.
What documents have been determined "vital" and translated	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/>	Grievance Procedure, Referral Form, Release of Information, Verification of

into languages designated as essential? Please provide examples.		<input type="checkbox"/>	Employment, Media Release, Employment Details, Disability Voluntary Verification, Basic Skills Deficient Form, Applicant Statement, Babel Notice, WIOA Flyer.
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	All printed material and website.
How are the required notifications provided in alternative forms for the visually impaired?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	On a case-by-case basis and by any means necessary, enlargement screens, or larger monitors.
How do training providers provide programmatic and architectural accessibility for individuals with disabilities?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	ETP must comply with WIOA process for policy and procedure.
What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	VIP, finding drives and outreach are broad to assist as many as possible in diversity. Working with partner agencies.
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Facilities staff complete and keep up to date; always under consistent review.
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<p>Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?</p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>N/A, NH One Stops</p>
<p>If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please explain when they are anticipated to be completed.</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Permitting requires this.</p>
<p>Are contractor and service provider sites accessible to individuals with disabilities?</p> <ul style="list-style-type: none"> • Is there at least one entrance to the buildings that are wheelchair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these participants directed to go? Explain. • Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTY/TDD or Relay Services available for use? Explain • How often are contractor's facilities monitored to ensure accessibility? 	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Facilities are monitored daily/weekly for any issues that may pop up.</p>

<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity. • Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially. 	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Employment practices, predeterminations, job qualifications and screening in. Self-identify form is part of SNHS new hire. Reasonable accommodations are always given.</p>
<p>How does the Contractor insure that it does not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates based on disability?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Any discriminations would result in severed relationships. Recipients choose the ETP and OJT contracts have a policy to protect.</p>
<p>How does the Contractor insure that programs and activities are administrated in the most integrated settings possible?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Part of the ETP process.</p>
<p>How does the Contractor insure that, in determining the site or location of a facility, selections are</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>SNHS policies.</p>

not made that have a discriminatory effect?			
How does the Contractor insure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Screened in using this WIOA criteria, monitored enrollment rates and referrals. Monthly audits determine if served populations are best suited the current programs.
How does the Contractor insure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Self-disclosure, options are offered nothing is forced.
How does the Contractor insure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	ETP's are expected to follow agreements.
Please describe the availability of assistive equipment for individuals with disabilities.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	As needed on a case-by-case basis.
Please describe the Contractor's web site in regards to its ADA accessibility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Font change and language change.

<p>Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.</p> <p>How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?</p> <p>Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Large monitors, language and sign interpreters, sit and stand desk for employee,</p> <p>Established Pinpoint for collaborations. CCSNH has Accessibility Coordinators and other ETP have similar services.</p> <p>Business partners and HR material.</p>
<p>Describe how medical condition information is maintained separate from other files and secured.</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>JMS medical button and separate locked file in HR.</p>

Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIOA Monitoring Review.			
Do you need technical assistance in this element	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	WIOA policy for EO.
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Grievance form and procedure are all one form and use US DOL civil rights laws.
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> • Name and address • Basis of complaint • Brief description of complaint • Date filed • Disposition 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	OWO EO form.
Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit. <u>Please respond to the following concerning each complaint:</u> Was the complaint filed within 180	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No complaints to date.

<p>days?</p> <p>Was the complainant provided a written notification of receipt of the complaint within 10 days?</p> <p>Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue?</p> <p>Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint?</p> <p>Was the complainant notified that they have the right to representation in the complaint process?</p> <p>Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?</p> <p>Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?</p> <p>Did the Notice of Final Action contain your decision on each issue and an explanation of the</p>			
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<p>reason underlying the decision?</p> <p>Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint?</p> <p>Has the State EO Officer been advised of the complaint?</p>			
Describe the process established to keep the discrimination complaint records for a period of three years?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	All documents are marked for three years, kept in a locked file and accessible to EO and HR as needed.
Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible, consistent with a fair determination of the issues.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Paper file locked on HR, digital only with HR and EO and only those needed are given permissions.
How is an individual who filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Whistleblowers act.
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Same policy as above.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/>	

		<input type="checkbox"/>	
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Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Identify violations and follow up as appropriate.
Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	None
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No



New Hampshire Department of
**BUSINESS AND
ECONOMIC AFFAIRS**



DATE: July 12, 2024

TO: Deborah Delman, SCSEP Director, Operation ABLE

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity Corrective Action Response

Dear Ms. Delman:

Thank you for your response to the findings outlined in the PY23 Annual Equal Opportunity Review dated June 5, 2024. This report outlined findings in three elements which were outlined in the report.

OWO has reviewed the corrective actions and attachments that ABLE has provided. OWO finds that the documentation provided is sufficient to resolve all the findings listed in the report. However, it is noted in their response that ABLE is still working on bringing their website into compliance. OWO is resolving this finding with the acknowledgment that work on the website will continue until all areas are in compliance with the rules of the ADA. OWO will review the website compliance during the PY24 Annual Equal Opportunity review and expects all changes to be completed by then.

Thank you and your staff for their commitment to SCSEP participants. Please contact me if you have any questions.

Sincerely,

Lisa Gerrard
WIOA Program Administrator

cc: Joseph Doiron, Director, Office of Workforce Opportunity
Marian Walsh, President and CEO, Operation ABLE
Paul Preston, Equal Opportunity Officer, Operation ABLE
Mark Gyurina, Chief Program Officer, Operation ABLE

100 North Main Street, Suite 100
Concord, New Hampshire 03301

603.271.2341

visitnh.gov nheconomy.com choosenh.com

7-5-24_Updated Operation ABLE EEO Corrective Action Response

To: Lisa Gerrard

Submitted by: Deb Delman

Element 2.1: Notice and Communication

2.1 ABLE must update the process to notify participants of their rights to file a discrimination complaint at the local or state level to include the local equal opportunity officer as well as the state level equal opportunity officer. They should use a grievance that contains the required Equal Opportunity is the Law language.

A copy of the grievance form should be signed and dated by the participant and filed in the participant's file. The participant should also be provided a copy of the document that was signed for future reference if needed. A copy of the grievance form must be submitted as part of the corrective action response.

ABLE's Response:

ABLE has updated its policy and procedure on Grievances to contain the required Equal Opportunity is the Law language and to clarify that, prior to escalating complaints to the US Department of Labor Office of Civil Rights Office, complaints can be directed to local ABLE and state level Equal Opportunity Officers. **(Attachment 1)**.

Two copies of the Grievance Procedure Equal Opportunity Notice and a copy of the Grievance Form were added to the Enrollment Package. **(Attachments 1 and 2)**. One copy of the policy will be signed and dated by the participant and will remain in the person's file, and the other copy will be provided to the Participant for future reference. Notice has been provided to SCSEP Staff of these changes; Regional Managers/Regional Director training is scheduled for Wednesday July 17th, and a staff training will follow in July as well. On final approval, a notice will go out to participants and host agencies with the update. **(Attachment 4)**. The updated manuals (Participant and Host Agency) will be posted to the [website](#).

Attachments:

- Attachment 1: Grievance Procedure/Equal Opportunity Notice
- Attachment 2: Grievance Form
- Attachment 3: Grievance Policy and Procedure Requirements
- Attachment 4: Participant and Host Agency Notice

Element 2.2: Notice and Communication

2.2 Appropriate Equal Opportunity and Stevens Amendment taglines must be on all websites, communications and documents, including forms, flyers, etc. that are provided to or that participants, host agencies or the public can view or access. Copies of updated documents must be submitted as part of the corrective action response. The appropriate taglines are:

**Operation ABLE is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711*

**For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>*

ABLE's Response:

Whereas ABLE has both a national SCSEP grant and state sub-grant that serve the New Hampshire public, ABLE integrated the Stevens Amendment and Equal Opportunity taglines into language that fulfills this obligation for the entire program. We have provided language to this end for the website and all public facing documents. The PY24 4-month national grant award, announced last week 6/26/24, is currently included in the language below. ABLE will work with NH OWO on any further edits or changes as they occur.

The statement on the website and to be used for emails or flyers, updated for the current grant period, is:

Electronic files / Email signatures

Operation ABLE is a proud member of the NH WORKS System, an American Job Center (AJC) Network and the MassHIRE system, an AJC Network. Operation ABLE is an [equal opportunity employer/program](#). Auxiliary aids and services available upon request to people with disabilities. Relay NH711 and MA 711. See funding details in compliance with the Stevens Amendment [here](#)

Paper flyers / printed material

Operation ABLE is a proud member of the NH WORKS System, an American Job Center (AJC) Network and the MassHIRE system, an AJC Network. Operation ABLE is an equal opportunity employer/program. Auxiliary aids and services available upon request to people with disabilities. Relay NH711 and MA 711. See funding details in compliance with the Stevens Amendment at <https://operationable.net/scsep-stevens-amendment/>

WEBSITE

Operation ABLE is a proud member of the NH WORKS System, an American Job Center (AJC) Network and the MassHIRE system, an AJC Network.

Senior Community Service Employment Program (SCSEP) Funding Details in Compliance with the Stevens Amendment

Operation ABLE has two funding sources for SCSEP.

- 1) A national grant serving New Hampshire and Massachusetts: the US Department of Labor provided an award of \$1,732,021 to Operation ABLE as a national grant with a match of \$192,447 (10%) in state, local and/or non-governmental funds. Massachusetts counties served by this grant: Essex, Middlesex, Norfolk, Suffolk. New Hampshire counties served by this grant: Carroll, Cheshire, Coos, Grafton, Hillsborough, Rockingham, Strafford and Sullivan.
- 2) A state grant serving New Hampshire: The state of New Hampshire provided **two SCSEP sub-grant awards** to Operation ABLE. Counties served by this grant: Belknap, Merrimack, Rockingham. For funding details please visit: <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Equal Opportunity Statement

Operation ABLE SCSEP is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711 and Relay MA 711.

Administrative and program staff have been oriented to the updated language and re-oriented regarding the necessity to include these statements on all public facing communications. Staff are instructed to add the tagline provided in the attachment to their email signatures. **(Attachment 5).**

Attachment 5 also articulates a procedure of document review and provides approved language for the purpose.

Attachment

- Attachment 5: Stevens Amendment-Equal Opportunity Procedure

Element 5: Compliance with Section 504

When using [accessibilitycheck.org](https://www.accessibilitycheck.org), the NH SCSEP website was found to be out of compliance. The website identified 5 critical issues. The report is attached for reference. ABLÉ must bring their website into ADA compliance and provide documentation in the corrective action response.

ABLE's Response:

ABLE made updates to the website. On 6/10/24 we downloaded an audit documenting three (3) rather than five (5) critical issues for correction. **(Attachment 6)**. Based on our experience with the web audit tools, we are currently unsure that it provides stable results and are seeking additional technical assistance for #2 below.

The issues flagged by the web audit tool on 6-10-24 were:

- 1) *Color contrast: the website's color contrast ratio must be in compliance with the WCAG's guidelines **(Attachment 7)**.*

Corrections were made and we continue updating Operation ABLÉ's website branding colors to conform with those colors – specified via Hex code – that are recommended by the web audit tool. See the screenshot attached to view an example.

- 2) *Properly ordered headings: Heading elements must be in a sequentially-descending order. Headings must not skip levels to ensure that the semantic structure of the page is conveyed to users using assistive technologies/screen-readers*

We are seeking additional technical assistance on this topic to ensure the web tool analysis is stable and to examine which web design elements need to be incorporated as standard operating procedure.

- 1) *Links must have a unique name or short description attached to them in the code to enable screen readers to read aloud. **(Attachment 7)**.*

Corrections were made and we continue using the method described by the web audit tool. See handout attached.

Attachments:

- Attachment 6: 6/10/24 web audit
- Attachment 7: Screenshots, updated color contrast; unique link name

Element 8: Complaint Processing Procedures

In reviewing the documentation provided by ABLÉ staff, there is a clear deficiency in both the SCSEP program and Operation ABLÉ's own agency policies regarding equal opportunity discrimination policies and complaint processing procedures. There is no clear Equal Opportunity/Discrimination policy for participants, host agencies or ABLÉ staff. Policies need to be created and added to all handbooks. These policies should include a discrimination/equal opportunity policy and how complaints will be processed and the procedures that ABLÉ staff will utilize should they receive a complaint.

Additionally, the policy (or separate policies should also address: the process for keeping complaint records for 3 years, the process that will be used to keep the identity of the complainant or any individual who furnishes information confidential, the process of keeping the complainant or anyone else safe from retaliation, discharge, intimidation, threat, or coercion and the process/policy for handling discrimination complaints from contractors regarding participants.

In addition, a discrimination/grievance form should be utilized so that participants, host agencies and ABLÉ staff know who and how to file a discrimination complaint (see element 2).

ABLE's Response:

See Element 2 above including Attachments 1-4 describing and demonstrating how ABLÉ addressed Grievance Policy and Procedure/Equal Opportunity/Discrimination. ABLÉ updated the SCSEP Grievance section in the Handbooks with

the language in Attachment 1. It updates and clarifies progressive steps for a participant to use. It describes staff and program requirements in the preamble Section 4.1. displayed below **(and also as Attachment 3)** including record retention and providing notice of appeal rights. It addresses the protection of participants, witnesses and parties to the incident(s) such that they are free from retaliation or other harms. It requires that the grievance policy/procedure be handed out to all participants, including a form to use for complaints, and alerts participants to the opportunity to ask for assistance in making a written complaint.

As mentioned, a training date is set for Regional Managers and Regional Director to be trained on the update policy and procedure and all staff will be trained before the end of July. In addition, a draft letter **(Attachment 4)** will be sent to existing participants and Host Agency supervisors to alert them to the policy change as well as remind them that Handbooks and forms can be opened or downloaded from Operation ABLE's timesheet webpage. We post useful documents on this page because participants and host agency supervisors are familiar with it whereas they must visit this page every biweekly pay period.

The language of Sections 4.1 **(Attachment 3)** of the grievance policy / procedure is as follows:

4.1. Requirements. SCSEP Representatives are required to give all SCSEP participants a written copy of Operation ABLE's SCSEP Grievance Procedures and Equal Opportunity is the Law Notice during the initial enrollment, along with a verbal explanation of the policy. This procedure must be applied fairly, consistently and uniformly. Operation ABLE will not tolerate retaliation, discharge, intimidation, threat, or coercion of a participant and/or parties to or witnesses of the incident(s) being addressed by the grievance. In furtherance of this, the identity of the complainant or any individual who furnishes information, and all Operation ABLE/SCSEP grievances and rendered decisions including appeals, must be kept confidential and stored in a segregated locked file at Operation ABLE's administrative office. These records must be secured and maintain for a minimum of three (3) years from the time that the resolution is final, inclusive of any appeals. On notifying the complainant of a final decision, Operation ABLE must advise the complainant of their right to further appeal as described in this procedure.



Operation ABLÉ

98 North Washington Street, Suite 200
Boston, MA OperationABLE.net | 617-542-4180

PROVIDING TRAINING AND EMPLOYMENT SERVICES TO JOB SEEKERS SINCE 1982.

July 5, 2024

Dear HA / Participant,

As we enter the new program year, here are several updates we would like you to be aware of:

EQUAL OPPORTUNITY

We have updated our Equal Opportunity information and the procedure we make available to resolve concerns or complaints. Please review the enclosed. You will also find this procedure and form at www.operationable.net/scsep-participant-timesheet/ (where you find the timesheet for each payroll.)

ENJOY A PARTICIPANT'S STORY – RECOMMEND ABLÉ SCSEP TO SOMEONE WHO IS READY!

One of our many, many wonderful participants, Deborah R, joined NH SCSEP Regional Director Kristin Gorrie on Facebook Live on May 20th. Go online to hear an inspiring interview by host Mike Apfelberg on [United Way Connections Show](#). When Deborah said "I've found my purpose..." it reminds us all that SCSEP can be life changing for people who are ready to make that step!

PARTICIPANTS: GET COMFY ON A LAPTOP! BE CONFIDENT ON THE INTERNET!

Apply now for ABLÉ Beginnings. Don't delay, we need time to prepare you well before the class starts! It's a beginner computer course that starting August 5th. We will loan you a laptop for 6-8 weeks! To apply, please speak to your ABLÉ staff person or call the Manchester office at 603-206-4400.

With best wishes for a wonderful summer, lots of growth, and a sunny dose of relaxing fun,

Deb Delman
SCSEP Director
Cell: 617-872-7768

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TAGLINE TRAINING & IMPLEMENTATION TOOL

Stevens Amendment and Equal Opportunity alerts are required on public-facing documents

COMBINED STEVENS & EQUAL OPPORTUNITY TAGLINES

An Operation ABLE webpage hosts the current language for more detail on these statements:

<https://operationable.net/scsep-stevens-amendment/> The website language will be updated when the language below is approved.

APPROVED STATEMENTS

The statement on for website and to be used for emails or flyers, updated moving forward from 7-5-24 are:

Electronic files / Email signatures

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Paper flyers / printed material

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Operation ABLE has two funding sources for SCSEP.

1) A national grant serving New Hampshire and Massachusetts: the US Department of Labor provided an award of \$1,732,021 to Operation ABLE as a national grant with a match of \$192,447 (10%) in state, local and/or non-governmental funds. Massachusetts counties served by this grant: Essex, Middlesex, Norfolk, Suffolk. New Hampshire counties served by this grant: Carroll, Cheshire, Coos, Grafton, Hillsborough, Rockingham, Strafford and Sullivan.

2) A state grant serving New Hampshire: The state of New Hampshire provided **two SCSEP sub-grant awards** to Operation ABLE. Counties served by this grant: Belknap, Merrimack, Rockingham. For funding details please visit: <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

Equal Opportunity Statement

Operation ABLE SCSEP is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711 and Relay MA 711.

Operation ABLE is a proud member of the NH WORKS System, an American Job Center (AJC) Network and the MassHIRE system, an AJC Network. Operation ABLE is an [equal opportunity employer/program](#). Auxiliary aids and services available upon request to people with disabilities. Relay NH711 and MA 711. See funding details in compliance with the Stevens Amendment [here](#)

PROCEDURES

The SCSEP Director updates Stevens Amendment language when SCSEP grant funding is changed or as directed by the Department of Labor or NH BEA Office of Workforce Opportunity regarding the NH State grant. The Equal Opportunity (EO) Officer updates Equal Opportunity language as helpful or required.

SCSEP Staff will include statements in their email signature lines as provided by the SCSEP Director.

Operation ABLE Communications & Marketing staff will update the website, marketing materials and communications as directed by the SCSEP Director and EO Officer.

SCSEP Staff, SCSEP Program Assistants and Operation ABLE Administrative staff will send materials to supervisors for review before disseminating to the public. Authorized review supervisors are the SCSEP Director, NH SCSEP Regional Director, Marketing, Chief Operating Officer.

BACKGROUND INFORMATION

Stevens Amendment

US Department of Labor federal funding awards must be transparently communicated to the public. Stevens Amendment language accomplishes this and must be present on every public-facing document and electronic communication possible.

Stevens Compliance: current federal / SCSEP funding information:

Operation ABLE's SCSEP funding sources are on our website at: <https://operationable.net/scsep-stevens-amendment/>

- 1) For June 30, 2024 through October 31, 2024 a SCSEP National Grant award was made 6/26/24
- 2) The New Hampshire State SCSEP program provides two sub-grants from two awards made by the Department of Labor to the New Hampshire BEA Office of Workforce Opportunity. These funding dollars are reported on their website at <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>. By agreement with NH BEA OWO, Operation ABLE reports their url on our Stevens Amendment webpage to ensure the public can quickly locate accurate funding information.

Equal Opportunity Compliance: current required information:

Public facing documents must include the statement: Operation ABLE is an [equal opportunity](#) employer/program. Auxiliary aids and services available upon request to people with disabilities. Relay NH711 and MA 711.

This information alerts the public that:

- They may follow the url to understand how Operation ABLE ensures fair and nondiscriminatory services and employment practices
- People with disabilities should request accommodations needed to access Operation ABLE's services or to apply for / obtain / fulfill a job at Operation ABLE
- Deaf/deaf, Hard of Hearing and people with speech disabilities, in both New Hampshire and Massachusetts, will reach us by using 711 relay services

Operation ABLE is a proud member of the NH WORKS System, an American Job Center (AJC) Network and the MassHIRE system, an AJC Network. Operation ABLE is an [equal opportunity employer/program](#). Auxiliary aids and services available upon request to people with disabilities. Relay NH711 and MA 711. See funding details in compliance with the Stevens Amendment [here](#)

Section 4: Grievance and Equal Opportunity Policy and Procedure

4.1. Requirements. SCSEP Representatives are required to give all SCSEP participants a written copy of Operation ABLE’s SCSEP Grievance Procedures and Equal Opportunity is the Law Notice during the initial enrollment, along with a verbal explanation of the policy. This procedure must be applied fairly, consistently and uniformly. Operation ABLE will not tolerate retaliation, discharge, intimidation, threat, or coercion of a participant and/or parties to or witnesses of the incident(s) being addressed by the grievance. In furtherance of this, the identity of the complainant or any individual who furnishes information, and all Operation ABLE/SCSEP grievances and rendered decisions including appeals, must be kept confidential and stored in a segregated locked file at Operation ABLE’s administrative office. These records must be secured and maintain for a minimum of three (3) years from the time that the resolution is final, inclusive of any appeals. On notifying the complainant of a final decision, Operation ABLE must advise the complainant of their right to further appeal as described in this procedure.

4.2. Grievance Procedures. Operation ABLE is committed to a safe training environment. Any SCSEP participant who believes that s/he has encountered differential, irregular, or illegal action at a Host Agency must be directed to take specific actions and follow the appropriate steps outlined below.

Step 1: If a problem arises when you are an applicant for SCSEP or while enrolled in SCSEP you should immediately try to find a satisfactory solution with the SCSEP staff or with your Host Agency. If the problem is with your Host Agency, you should **also** inform Operation ABLE staff:

MASSACHUSETTS – Operation ABLE Regional Managers			
Suffolk / Middlesex-MetroBoston	. Keith Benton	Cbenton@operationable.net	617-542-4180
Norfolk / Middlesex-MetroWest	.... Angel Miranda	Amiranda@operationable.net	617-302-2731
Essex / Middlesex North	..... Dave Wilkins	Dwilkins@operationable.net	617-459-8262

NEW HAMPSHIRE – Operation ABLE Regional Director		
All Counties	..... Kristin Gorrie	kgorrie@operationable.net 603-206-4407

Grievances should be in writing. A grievance form is provided to you on enrollment and is also found on the Operation ABLÉ SCSEP timesheet web-page. The written grievance should include:

- Your name, address and contact information
- Date, time and location of the incident(s)
- Names and contact information of people involved in or witnesses of the incident(s)
- A clear explanation of the incident itself and circumstances that may pertain to it

If the grievance **can** be resolved, the SCSEP Regional Manager or Regional Director will send you a written copy of the resolution within seven (7) business days of receiving the complaint from you.

Step 2: If that does not solve the problem, contact the SCSEP Director or the New Hampshire Office of Workforce Opportunity Equal Opportunity Officer within thirty (30) days of the initial incident. S/he will try to help you find a solution that meets your needs as well as those of the service or training provider or employer. If you are still not satisfied, you may file a formal grievance or written complaint.

NEW HAMPSHIRE and MASSACHUSETTS: Operation ABLÉ SCSEP Director	
Deborah Delman	ddelman@operationable.net 617-542-4180

The SCSEP Director will hear your concern and will interview individual(s) who witnessed or were involved in the incident(s). Within five (5) business days of completing the interviews, and not more than ten (10) days of receiving the complaint, the SCSEP Director will issue a decision in writing describing the grounds upon which the decision was made.

Step 3: If you are dissatisfied with Operation ABLÉ’s decision then, within 10 days of receipt of the SCSEP Director’s decision or (if you do not receive a decision) within 15 days of when you were entitled to receive a decision (whichever is sooner) you may request a review and/or a hearing:

GRIEVANCE RESOLUTION or REVIEW	
NEW HAMPSHIRE RESIDENTS NH Department of Business and Economic Affairs, Office of Workforce Opportunity Lisa Gerrard Equal Opportunity Officer	100 North Main Street, Suite 1 Concord, NH 03301 Phone: 603-271-0355 Relay: 711
MASSACHUSETTS and NEW HAMPSHIRE RESIDENTS Operation ABLÉ Paul Preston Equal Opportunity Officer	98 North Washington St. Suite 200 Boston MA 02114 ppreston@operationable.net Phone: 617-542-4180—Relay: 711
MASSACHUSETTS RESIDENTS MassHire Department of Career Services Office of the Director Staff Monitor Advocate	19 Staniford Street - 1 st floor Boston, MA 02114 Phone: 617-626-5300—Relay: 711 DCSUnifiedComplaint@detma.org

A review or hearing of the process the provider used to resolve the grievance or the grievance itself will be conducted within 30 days after you file the grievance, and a decision will be made no later than 60 days after the grievance is filed.

Step 4: If you do not receive a decision within 60 days, then within 15 days of the date you were entitled to a decision you may appeal to or request a review by the U.S. Department of Labor:

***Send original to:* U.S. Department of Labor, Employment and Training Administration,
200 Constitution Ave., NW, Washington, D.C., 20210 Attention: ASET**

***Send a copy to:* U.S. Department of Labor, Employment and Training Administration,
John F. Kennedy Federal Building, 25 New Sudbury Street Room E-350,
Boston, MA 02203**

4.3 CRIMINAL COMPLAINTS

All information and complaints involving fraud, waste, abuse or criminal activity shall be reported directly and immediately to:

***Original to:* Office of the Inspector General, 200 Constitution Avenue, NW,
Room S-5506, Washington, D.C., 20210 or call 1-800-347-3756**

***Copy to:* Office of Internal Control and Security, Charles F. Hurley Building,
19 Staniford Street, 4th floor, Boston, MA 02114**

4.4 EQUAL OPPORTUNITY POLICY AND PROCEDURE

Operation ABLE is an equal opportunity provider and employer. It is against the law for this SCSEP provider to discriminate on the basis of race, color, religion, sex (including pregnancy and gender identity), sexual orientation or status as a parent, national origin (including limited English proficiency), age, disability, political affiliation or belief, citizenship/status as a lawfully admitted immigrant authorized to work in the United States and participation in a program or activity that receives financial assistance under WIOA Title I. Retaliation or intimidation against anyone who takes action related to nondiscrimination or equal opportunity is prohibited for actions such as: filing a discrimination complaint, opposing a practice that is made illegal by civil rights law, or giving information to, testifying at, or in any other way taking part in an investigation, a compliance review, a hearing, or any other type of civil rights-related activity.

The SCSEP provider 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.

The SCSEP provider 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 the recipient’s Equal Opportunity Officer:

<p><u>MASSACHUSETTS Recipient</u> Operation ABLE ppreston@operationable.net Paul Preston Equal Opportunity Officer 98 North Washington St. Suite 200 Boston MA 02114 Phone: 617-542-4180—Relay: 711</p>	<p><u>NEW HAMPSHIRE Recipient</u> NH Department of Business and Economic Affairs, Office of Workforce Opportunity Lisa Gerrard Equal Opportunity Officer 100 North Main Street, Suite 1 Concord, NH 03301 Phone: 603-271-0355—Relay: 711</p>
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OR

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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.

Section 4: Grievance and Equal Opportunity Policy and Procedure

4.1. Requirements. SCSEP Representatives are required to give all SCSEP participants a written copy of Operation ABLE’s SCSEP Grievance Procedures and Equal Opportunity is the Law Notice during the initial enrollment, along with a verbal explanation of the policy. This procedure must be applied fairly, consistently and uniformly. Operation ABLE will not tolerate retaliation, discharge, intimidation, threat, or coercion of a participant and/or parties to or witnesses of the incident(s) being addressed by the grievance. In furtherance of this, the identity of the complainant or any individual who furnishes information, and all Operation ABLE/SCSEP grievances and rendered decisions including appeals, must be kept confidential and stored in a segregated locked file at Operation ABLE’s administrative office. These records must be secured and maintain for a minimum of three (3) years from the time that the resolution is final, inclusive of any appeals. On notifying the complainant of a final decision, Operation ABLE must advise the complainant of their right to further appeal as described in this procedure.

4.2. Grievance Procedures. Operation ABLE is committed to a safe training environment. Any SCSEP participant who believes that s/he has encountered differential, irregular, or illegal action at a Host Agency must be directed to take specific actions and follow the appropriate steps outlined below.

Step 1: If a problem arises when you are an applicant for SCSEP or while enrolled in SCSEP you should immediately try to find a satisfactory solution with the SCSEP staff or with your Host Agency. If the problem is with your Host Agency, you should **also** inform Operation ABLE staff:

MASSACHUSETTS – Operation ABLE Regional Managers			
Suffolk / Middlesex-MetroBoston	. Keith Benton	Cbenton@operationable.net	617-542-4180
Norfolk / Middlesex-MetroWest	.... Angel Miranda	Amiranda@operationable.net	617-302-2731
Essex / Middlesex North	..... Dave Wilkins	Dwilkins@operationable.net	617-459-8262

NEW HAMPSHIRE – Operation ABLE Regional Director		
All Counties	..... Kristin Gorrie	kgorrie@operationable.net 603-206-4407

Grievances should be in writing. A grievance form is provided to you on enrollment and is also found on the Operation ABLE SCSEP timesheet web-page. The written grievance should include:

- Your name, address and contact information
- Date, time and location of the incident(s)
- Names and contact information of people involved in or witnesses of the incident(s)
- A clear explanation of the incident itself and circumstances that may pertain to it

If the grievance **can** be resolved, the SCSEP Regional Manager or Regional Director will send you a written copy of the resolution within seven (7) business days of receiving the complaint from you.

Step 2: If that does not solve the problem, contact the SCSEP Director or the New Hampshire Office of Workforce Opportunity Equal Opportunity Officer within thirty (30) days of the initial incident. S/he will try to help you find a solution that meets your needs as well as those of the service or training provider or employer. If you are still not satisfied, you may file a formal grievance or written complaint.

NEW HAMPSHIRE and MASSACHUSETTS: Operation ABLE SCSEP Director	
Deborah Delman	ddelman@operationable.net 617-542-4180

The SCSEP Director will hear your concern and will interview individual(s) who witnessed or were involved in the incident(s). Within five (5) business days of completing the interviews, and not more than ten (10) days of receiving the complaint, the SCSEP Director will issue a decision in writing describing the grounds upon which the decision was made.

Step 3: If you are dissatisfied with Operation ABLE’s decision then, within 10 days of receipt of the SCSEP Director’s decision or (if you do not receive a decision) within 15 days of when you were entitled to receive a decision (whichever is sooner) you may request a review and/or a hearing:

GRIEVANCE RESOLUTION or REVIEW	
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Operation ABLE, Inc.
Senior Community Service Employment Program (SCSEP)



98 North Washington Street
 Suite 200
 Boston, MA 02114



228 Maple Street
 Suite 300
 Manchester, NH 03103



Signature Required

I received a copy of this document and a verbal explanation of the document on the date shown below.

As a SCSEP applicant or participant, I understand that if I believe I have encountered unfair treatment, discrimination, or illegal action at Operation ABLE or a Host Agency, then I am entitled to file a grievance and follow the steps in this document.

I understand that I may ask for help from the Equal Opportunity Officer to file a grievance.

<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>

GRIEVANCE POLICY AND PROCEDURES
EQUAL OPPORTUNITY IS THE LAW NOTICE
Operation ABLE is an equal opportunity provider and employer

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Audited by: accessibilitychecker.org

Scan your website for free, identify accessibility issues, and get exact instructions on how to fix them



Audit results of

<https://operationable.net/scsep-new-hampshire-residents/>

Status:



NOT COMPLIANT

You are currently in risk of accessibility lawsuits

Score:



Websites with a score lower than 90% are in risk of accessibility lawsuits

Results:


Critical Issues 3 items (15%)


Passed elements 16 items (85%)

Required Manual Audits 22 items (100%)

Solutions:

Based on our analysis, we recommend the following accessibility solutions providers to help your website meet compliancy under:

 United States law

 accessiBe

[GO TO WEBSITE](#)

 UserWay

[GO TO WEBSITE](#)

Book a free call with
an Accessibility
Expert

BOOK NOW

Critical Issues (3):



Visual issue

Background and foreground colors do not have a sufficient contrast ratio.

1. FAILING ELEMENTS

`div.fl-module-content > div.fl-button-wrap > a.fl-button > span.fl-button-text`

`div.fl-module-content > div.fl-button-wrap > a.fl-button > span.fl-button-text`

`div.fl-module > div.fl-module-content > h1.fl-heading > span.fl-heading-text`

`div.fl-module > div.fl-module-content > h1.fl-heading > span.fl-heading-text`

`div.fl-module > div.fl-module-content > h1.fl-heading > span.fl-heading-text`

`div.fl-module-content > h2.fl-heading > span.fl-heading-text > em`

`div#gform_fields_6 > div#field_6_1 > div.ginput_container > div.charleft`

Low-contrast text is difficult or impossible for many users to read. [Learn how to provide sufficient color contrast]

2. IN PLAIN WORDS

For example, someone who is color-blind will view the green and red apples in the top image as simply yellow apples, as demonstrated in the image below.



Therefore, your website's color contrast ratio must be in compliance with the WCAG's guidelines.

3. WHOM DOES THIS AFFECT?

People with visual impairments or color-blindness.



Visual issue

Heading elements are not in a sequentially-descending order

1. FAILING ELEMENTS

div.fl-col-content > div.fl-module > div.fl-module-content > h5.fl-heading

div.fl-col-content > div.fl-module > div.fl-module-content > h4.fl-heading

div.fl-col-content > div.fl-module > div.fl-module-content > h4.fl-heading

div.fl-col-content > div.fl-module > div.fl-module-content > h4.fl-heading

div.fl-module > div.fl-module-content > div.fl-rich-text > h5

div.fl-module > div.fl-module-content > div.fl-rich-text > h5

`div.fl-module > div.fl-module-content > div.fl-rich-text > h5`

`div.fl-module > div.fl-module-content > div.fl-rich-text > h5`

`div.fl-col-content > div.fl-module > div.fl-module-content > h5.fl-heading`

Properly ordered headings that do not skip levels convey the semantic structure of the page, making it easier to navigate and understand when using assistive technologies. [Learn more about heading order]

2. IN PLAIN WORDS

Users of screen readers and other assistive technologies rely on frame titles to describe the contents of frames. Navigating through frames and inline frames can quickly become difficult and confusing for assistive technology users if the frames are not marked with title attributes.

3. WHOM DOES THIS AFFECT?

Blind people and other visually impaired people who use screen readers.



Visual issue

Links do not have a discernible name

1. FAILING ELEMENTS

`div.fl-module-content > div.fl-icon-group > span.fl-icon > a`

`div.fl-module-content > div.fl-icon-group > span.fl-icon > a`

`div.fl-module-content > div.fl-icon-group > span.fl-icon > a`

`div.fl-module-content > div.fl-icon-wrap > span.fl-icon > a`

div.ctct-form-defaults > p.ctct-form-footer > span > a.ctct-form-footer-link

div.fl-module-content > div.fl-icon-group > span.fl-icon > a

div.fl-module-content > div.fl-icon-group > span.fl-icon > a

div.fl-module-content > div.fl-icon-group > span.fl-icon > a

Link text

2. IN PLAIN WORDS

Links must have a unique name or short description attached to them in the code to enable screen readers to read out loud. Otherwise the screen reader will simply read out loud "link," and the user won't have a contextual understanding of where this link leads.



Therefore, your website's color contrast ratio must be in compliance with the WCAG's guidelines.

3. WHOM DOES THIS AFFECT?

People who use screen readers, including the blind and visually impaired



Required Manual Audits (32):



Visual & motor [accesskey] values are unique

Access keys let users quickly focus a part of the page. For proper navigation, each access key must be unique. [Learn more about access keys]

2. IN PLAIN WORDS

Links must have a unique name or short description attached to them in the code to enable screen readers to read out loud. Otherwise the screen reader will simply read out loud "link," and the user won't have a contextual understanding of where this link leads.

3. WHOM DOES THIS AFFECT?

People who use screen readers, including the blind and visually impaired



Visual issue

`button`, `link`, and `menuitem` elements have accessible names

When an element doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [[Learn how to make command elements more accessible](#)]



Visual issue ARIA input fields have accessible names

When an input field doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [[Learn more about input field labels](#)]



Visual issue ARIA `meter` elements have accessible names

When a meter element doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [[Learn how to name `meter` elements](#)]



Visual issue ARIA `progressbar` elements have accessible names

When a `progressbar` element doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [[Learn how to label `progressbar` elements](#)]



Visual issue Elements with an ARIA [role] that require children to contain a specific [role] have all required children.

Some ARIA parent roles must contain specific child roles to perform their intended accessibility

functions. [\[Learn more about roles and required children elements\]](#)



Visual issue : [role]s are contained by their required parent element

Some ARIA child roles must be contained by specific parent roles to properly perform their intended accessibility functions. [\[Learn more about ARIA roles and required parent element\]](#)



Visual issue : ARIA toggle fields have accessible names

When a toggle field doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [\[Learn more about toggle fields\]](#)



Visual issue : ARIA `tooltip` elements have accessible names

When a tooltip element doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [\[Learn how to name `tooltip` elements\]](#)



Visual issue : ARIA `treeitem` elements have accessible names

When a `treeitem` element doesn't have an accessible name, screen readers announce it with a generic name, making it unusable for users who rely on screen readers. [\[Learn more about labeling `treeitem` elements\]](#)



Visual & motor

The page contains a heading, skip link, or landmark region

Adding ways to bypass repetitive content lets keyboard users navigate the page more efficiently. [Learn more about bypass blocks]

2. IN PLAIN WORDS

Your website must allow users to use the browser zoom function so that the visually impaired are able to read the text of your website. The browser zoom function will be disabled if you did one of the following:

1. Made the **"User-scalable"** parameter = **"no"** in the
2. Put the **[maximum-scale]** attribute at less than **5**.

3. WHOM DOES THIS AFFECT?

People with visual impairments



Visual issue

`<dl>`'s contain only properly-ordered `<dt>` and `<dd>` groups, `<script>`, `<template>` or `<div>` elements.

When definition lists are not properly marked up, screen readers may produce confusing or

inaccurate output. [Learn how to structure definition lists correctly]



Visual issue

Definition list items are wrapped in <dl> elements

Definition list items



Visual issue

ARIA IDs are unique

The value of an ARIA ID must be unique to prevent other instances from being overlooked by assistive technologies. [Learn how to fix duplicate ARIA IDs]

2. IN PLAIN WORDS

Having a `<title>` element on every page not only makes your website more accessible to people who use screen reading technology. It also improves your website's search engine optimization:

- Search engine users rely on the title to determine whether a page is relevant to their search.
- The title also gives users of screen readers and other assistive technologies an overview of the page. The title is the first text that an assistive technology announces.

3. WHOM DOES THIS AFFECT?

Blind people and other visually impaired people who use screen readers



Visual issue

No form fields have multiple labels

Form fields with multiple labels can be confusingly announced by assistive technologies like screen readers which use either the first, the last, or all of the labels. [\[Learn how to use form labels\]](#)



Visual issue

`<input type="image">` elements have `[alt]` text

When an image is being used as an `<input>` button, providing alternative text can help screen reader users understand the purpose of the button. [\[Learn about input image alt text\]](#)



Visual issue

The document does not use `<meta http-equiv="refresh">`

Users do not expect a page to refresh automatically, and doing so will move focus back to the top of the page. This may create a frustrating or confusing experience. [\[Learn more about the refresh meta tag\]](#)



Visual issue

`<object>` elements have alternate text

Screen readers cannot translate non-text content. Adding alternate text to `<object>` elements helps screen readers convey meaning to users. [\[Learn more about alt text for `object` elements\]](#)



Visual issue

Cells in a `<table>` element that use the `[headers]` attribute refer to table cells within the same table.

Screen readers have features to make navigating tables easier. Ensuring `<td>` cells using the `[headers]` attribute only refer to other cells in the same table may improve the experience for screen reader users. [\[Learn more about the `headers` attribute\]](#)



Visual issue

`<th>` elements and elements with `[role="columnheader"/"rowheader"]` have data cells they describe.

Screen readers have features to make navigating tables easier. Ensuring table headers always refer to some set of cells may improve the experience for screen reader users. [\[Learn more about table headers\]](#)



Visual issue

`[lang]` attributes have a valid value

[Specifying a valid \[BCP 47 language\]](#)



Visual issue

`<video>` elements contain a `<track>` element with `[kind="captions"]`

When a video provides a caption it is easier for deaf and hearing impaired users to access its information. [\[Learn more about video captions\]](#)



IN SHORT

ARIA roles (short for "Accessible Rich Internet Applications") provide semantic meaning to objects, allowing screen readers and other tools to present and support interaction with objects in a way that is consistent with user expectations.



ARIA roles can be used to describe elements that don't natively exist in HTML, or exist but don't yet have full browser support. If the role is not defined then the screen reader user will not be able to identify the purpose and functionality of the element.

WHOM DOES THIS AFFECT?

Blind people and visually impaired users who rely on screen readers.





Motor issue

Custom controls have associated labels

IN SHORT

Some users require a keyboard (tab key) for navigation on web pages. Tab focus is what moves to each and every interactive element on a page.

Every interactive element must be focusable so that keyboard users can recognize where keyboard focus is at all times.

WHOM DOES THIS AFFECT?

People with motor impairments.



Visual issue

User focus is not accidentally trapped

IN SHORT

Some users require a keyboard (tab key) for navigation on a page and tab focus to move between interactive elements. If focus gets trapped, keyboard users will not be able to navigate forward on a page.

WHOM DOES THIS AFFECT?

People with motor impairments



Motor issue

Interactive controls are keyboard focusable

IN SHORT

Some users require a keyboard (tab key) for navigation on a page and tab focus to move between interactive elements.

Every interactive element must be focusable so that keyboard users can recognize where keyboard focus is at all times.

WHOM DOES THIS AFFECT?

People with motor impairments.



Visual issue

Interactive elements indicate their purpose and state

IN SHORT

Elements such as links, buttons, combo boxes, etc. have a defined state. For example, the current page state is defined for links to improve navigation for users.

Expanded/collapsed state is defined for combo boxes so that users can identify the element's current state. If state is not defined, it will confuse screen reader users.

WHOM DOES THIS AFFECT?

People who use screen readers, such as people who are blind or visually impaired, and people with motor impairments.





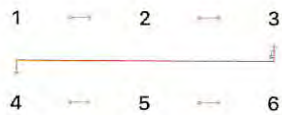
Visual issue

The page has a logical tab order

IN SHORT

Every page has a logical navigation order. Keyboard navigation should follow standard tab order ie. from top to bottom and from left to right.

Implementing a logical tab order is an important part of providing your users with a smooth keyboard navigation experience. If focus does not move in a logical order, the user will not be able to perceive the content in the way it is presented.



WHOM DOES THIS AFFECT?

People who use screen readers, such as people who are blind or visually impaired, and people with motor impairments.



Visual issue

The user's focus is directed to new content added to the page

IN SHORT

Sometimes when a user performs an action on a web page, a modal window or popup appears. Whenever this occurs, the focus should immediately shift inside that modal window/ popup. Focus should not remain on the background page. If focus does not move, the user will not be able to access the content present on the modal window/ popup.



WHOM DOES THIS AFFECT?

Blind people and visually impaired users who rely on screen readers.



Visual issue

Off-screen content is hidden from assistive technology

IN SHORT

Some content is used to style a web page or make it more interactive for visual users. Examples include content that's offscreen or just presentational, decorative images, etc. Because this content is present on the page for styling purposes, it should be hidden from screen reader users. Assistive technologies should not be able to read this content as it will only confuse the user.

WHOM DOES THIS AFFECT?

Blind people and visually impaired users who rely on screen readers.

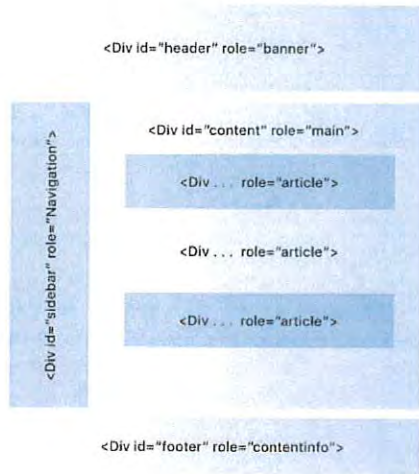


Visual issue

Use landmark elements to improve navigation

IN SHORT

Landmarks such as header, main, and footer are defined to divide a web page into different regions. Screen reader users use these landmark regions to understand the structure of the web page. If landmark regions are not defined, it will confuse screen reader users and they will not be able to understand the structure of the web page.



WHOM DOES THIS AFFECT?

Blind people and visually impaired users who rely on screen readers.



Visual & motor

Visual order on the page follows DOM order

IN SHORT

Some users will navigate your website using the Tab key, which means every page should have a logical navigation order. Keyboard navigation should generally follow standard Tab order ie. from top to bottom and from left to right.



Implementing a logical tab order is an important part of providing your users with a smooth keyboard navigation experience. If focus doesn't move in a logical order, the user will not be able to perceive the content in the way it's presented.

WHOM DOES THIS AFFECT?

Blind people and visually impaired users who rely on screen readers.



Passed audits (16):



Visual issue

`[aria-hidden="true"]` is not present on the document `<body>`

THE ELEMENT PASSED

Assistive technologies, like screen readers, work inconsistently when ``aria-hidden="true"``` is set on the document `<body>`. [Learn how ``aria-hidden`` affects the document body]



Visual issue

[aria-hidden="true"] elements do not contain focusable descendents

THE ELEMENT PASSED

Focusable descendents within an [aria-hidden="true"] element prevent those interactive elements from being available to users of assistive technologies like screen readers. [Learn how `aria-hidden` affects focusable elements]



Visual issue

[role]s have all required [aria-*] attributes

THE ELEMENT PASSED

Some ARIA roles have required attributes that describe the state of the element to screen readers. [Learn more about roles and required attributes]



Visual issue

[role] values are valid

THE ELEMENT PASSED

ARIA roles must have valid values in order to perform their intended accessibility functions. [Learn more about valid ARIA roles]



Visual issue

[aria-*] attributes have valid values

THE ELEMENT PASSED

Assistive technologies, like screen readers, can't interpret ARIA attributes with invalid values. [\[Learn more about valid values for ARIA attributes\]](#)



Visual issue

[aria-*] attributes are valid and not misspelled

THE ELEMENT PASSED

Assistive technologies, like screen readers, can't interpret ARIA attributes with invalid names. [\[Learn more about valid ARIA attributes\]](#)



Cognitive issue

Buttons have an accessible name

THE ELEMENT PASSED

When a button doesn't have an accessible name, screen readers announce it as "button", making it unusable for users who rely on screen readers. [\[Learn how to make buttons more accessible\]](#)



Visual issue

Document has a <title> element

THE ELEMENT PASSED

The title gives screen reader users an overview of the page, and search engine users rely on it heavily to determine if a page is relevant to their search. [\[Learn more about document titles\]](#)



Visual & motor

`<frame>` or `<iframe>` elements have a title

THE ELEMENT PASSED

Screen reader users rely on frame titles to describe the contents of frames. [Learn more about frame titles]



Visual issue

`<html>` element has a `[lang]` attribute

THE ELEMENT PASSED

If a page doesn't specify a ``lang`` attribute, a screen reader assumes that the page is in the default language that the user chose when setting up the screen reader. If the page isn't actually in the default language, then the screen reader might not announce the page's text correctly. [Learn more about the ``lang`` attribute]



Visual & motor

Image elements have `[alt]` attributes

THE ELEMENT PASSED

Informative elements should aim for short, descriptive alternate text. Decorative elements can be ignored with an empty alt attribute. [Learn more about the ``alt`` attribute]



Visual issue

Form elements have associated labels

THE ELEMENT PASSED

Labels ensure that form controls are announced properly by assistive technologies, like screen readers. [\[Learn more about form element labels\]](#)



Visual issue

Lists contain only `` elements and script supporting elements (`<script>` and `<template>`).

THE ELEMENT PASSED

Screen readers have a specific way of announcing lists. Ensuring proper list structure aids screen reader output. [\[Learn more about proper list structure\]](#)



Visual issue

List items (``) are contained within ``, `` or `<menu>` parent elements

THE ELEMENT PASSED

Screen readers require list items



Visual issue

`[user-scalable="no"]` is not used in the `<meta name="viewport">` element and the `[maximum-scale]` attribute is not less than 5.

THE ELEMENT PASSED

Disabling zooming is problematic for users with low vision who rely on screen magnification to properly see the contents of a web page. [\[Learn more about the viewport meta tag\]](#)



Visual issue

No element has a [tabindex] value greater than 0

THE ELEMENT **PASSED**

A value greater than 0 implies an explicit navigation ordering. Although technically valid, this often creates frustrating experiences for users who rely on assistive technologies. [Learn more about the `tabindex` attribute]

Terms and conditions

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SCREENSHOTS – changes for 504 compliance

Color Contrast

The colors below, found [here](#) at the top of the page, are an example of colors changed to values recommended by the web audit tool.

The web audit tool provides Hex code recommendations for each element flagged in the audit.



Link Descriptions:

The link descriptions must be added to some buttons in this manner.





New Hampshire Department of
**BUSINESS AND
ECONOMIC AFFAIRS**



DATE: June 5, 2024

TO: Marian Walsh, President and CEO, Operation ABLE

FROM: Lisa Gerrard, WIOA Program Administrator
Office of Workforce Opportunity (OWO)

RE: WIOA PY23 Equal Opportunity On-Site Review

Dear Ms. Walsh:

Please find attached the PY23 On-Site Equal Opportunity Review for the Senior Community Services Employment Program (SCSEP) contract for Operation ABLE.

There are findings in three of the elements listed in this report. These include Element 2: Notice and Communication, Element 5: Compliance with Section 504, and Element 8: Complaint Processing Procedures. The findings and corrective actions are discussed in detail in the report that follows.

Operation ABLE must submit a corrective action response and take the necessary steps to bring each finding into compliance. The corrective action response and all necessary attachments must be submitted in writing to Lisa Gerrard no later than July 5, 2024.

There are no additional areas of concern.

Thank you and your staff for their commitment to SCSEP participants. Please contact me if you have any questions.

Sincerely,

Lisa Gerrard
WIOA Program Administrator

cc: Joseph Doiron, Director, Office of Workforce Opportunity
Paul Preston, Equal Opportunity Officer, Operation ABLE
Mark Gyurina, Chief Program Officer, Operation ABLE
Deborah Delman, SCSEP Director, Operation ABLE

100 North Main Street, Suite 100
Concord, New Hampshire 03301

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**Office of Workforce Opportunity
NH Business and Economic Affairs
PY23 EO On-Site Monitoring Review
Senior Community Service Employment Program (SCSEP)
PY23 (07/01/2023- 6/30/2024)
CFDA 17.235**

CONTRACTOR: Operation ABLE

CONTRACT PO: 1093691

ON-SITE REVIEW DATE: May 28, 2024 (virtual)

REPORT DATE: June 5, 2024

ATTENDEES: Paul Preston, Operation ABLE Equal Opportunity Officer
Mark Gyurina, Chief Program Officer, Operation ABLE
Deborah Delman, SCSEP Director, Operation ABLE

REVIEWER: Lisa Gerrard, WIOA Program Administrator

PURPOSE OF REVIEW: To ensure Contractor complies with Equal Opportunity requirements under Section 188 of WIOA.

FINDINGS:

There are multiple findings being issued at this time. They can be found in Element 2: Notice and Communication, Element 5: Compliance with Section 504, and Element 8: Complaint Processing Procedures.

Element 2: Notice and Communication: Currently, ABLE does not notify participants of their rights to file a discrimination complaint at the local or state level. In their participant handbook, participants are referred to US Department of Labor Office of Civil Rights if they wish to file a discrimination complaint. Although this is one way that a participant can file a complaint, ABLE must update this process to include the local equal opportunity officer as well as the state level equal opportunity officer. Additionally, they should be utilizing a grievance form (sample was provided under separate email) that contains the required Equal Opportunity is the Law language. A copy of the grievance form should be signed and dated by the participant and filed in the participant's file. The participant should also be provided a copy of the document that was signed for future reference if needed. A copy of the grievance form must be submitted as part of the corrective action response.

An additional finding under this element is the lack of appropriate Equal Opportunity and Stevens Amendment taglines on all documents. The appropriate taglines are:

Operation ABLE is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

These taglines must be included on all websites, communications, documents, including forms, flyers, etc. that are provided to or that participants, host agencies or the public can view or access. Copies of updated documents must be submitted as part of the corrective action response.

Element 5: Compliance with Section 504: When using accessibilitycheck.org, the NH SCSEP website was found to be out of compliance. The website identified 5 critical issues. The report is attached for reference. ABLE must bring their website into ADA compliance and provide documentation in the corrective action response.

Element 8: Complaint Processing Procedures: In reviewing the documentation provided by ABLE staff, there is a clear deficiency in both the SCSEP program and Operation ABLE's own agency policies regarding equal opportunity discrimination policies and complaint processing procedures. There is no clear Equal Opportunity/Discrimination policy for participants, host agencies or ABLE staff. Policies need to be created and added to all handbooks. These policies should include a discrimination/equal opportunity policy and how complaints will be processed and the procedures that ABLE staff will utilize should they receive a complaint. Additionally, the policy (or separate policies should also address: the process for keeping complaint records for 3 years, the process that will be used to keep the identity of the complainant or any individual who furnishes information confidential, the process of keeping the complainant or anyone else safe from retaliation, discharge, intimidation, threat, or coercion and the process/policy for handling discrimination complaints from contractors regarding participants.

In addition, a discrimination/grievance form should be utilized so that participants, host agencies and ABLE staff know who and how to file a discrimination complaint (see element 2).

AREAS OF CONCERN:

There are no areas of concern at this time.

Color Code Definition:

YES	<input checked="" type="checkbox"/>	Meeting Performance				
NO	<input checked="" type="checkbox"/>	Not Applicable	<input checked="" type="checkbox"/>	Performance Improvement is Needed	<input checked="" type="checkbox"/>	Not meeting performance, corrective action required

EO Annual Monitoring Review

Element 1: Designation of EO Officer(s)

Name of Local EO Officer:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Paul Preston
To whom does the EO Officer report? Please provide a job description for the EO Officer.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Marian Walsh, ABLE President/CEO
Describe any non-EO related job functions that may create a conflict of interest or the appearance of a conflict of interest.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	None
How do participants and service providers know the EO Officer's identity made?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	The SCSEP handbook refers them to US DOL Civil Rights Center. The name of the local EO officer and the state level EO officer should be included in the handbook.
On what internal and external communication concerning the nondiscrimination and equal opportunity programs does the EO officer's identity and contact information appear?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	In the Personnel Practices Manual. There is no mention of the identity of the EO officer on the website or any other external documents.
Does this person: <ul style="list-style-type: none"> Process complaints? Review participant reports for equality of service? Provide EO training to staff and contractors? Review written policies to make sure they are non-discriminatory? Develop and publish discrimination complaint procedures? 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> Yes Yes, with assistance of SCSEP Director No Yes Yes, with assistance of SCSEP Director

What equal opportunity training has been provided to staff (please specify date and locations)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Last May, AIM provided HR training to staff and participants here at our main office. SCSEP staff attended the annual EO training provided by OWO.
What training has been provided to service providers and contractors? Please be specific.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	None
What professional training has the Local EO Officer attended? Identify the training received and dates.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	None
Describe staffing support for the EO Officer, if any.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Staffing support is provided by the SCSEP Program Director and the Chief Program Officer.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 2: Notice and Communication

Where are the WIOA "Equal Opportunity is the Law" posters displayed and which versions are displayed – English, Spanish or both?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Posted in the common areas of the ABLE office.
Are they posted in reasonable numbers and places?			Yes
Are the posters centrally located and in plain sight?			Yes
How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIOA "Equal Opportunity is the Law" language? Please provide applicable copies of applicable documents.	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Listed in the Participant Handbook and covered during the orientation. This is not enough notification. A notice should be provided to each individual regarding the grievance process with a signed copy retained in the participant's file.
What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Most of our participants speak English as a first language. If needed, we would make arrangements for translating to appropriate language.

likely to be directly affected, need service or information in a language other than English.			We have flyers in Spanish.
<p>What equal opportunity tagline is included in brochures, pamphlets and flyers? In which is it included? What other forms of communications is the tagline included in? (I.e., materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public). Is the tagline included in program announcements and broadcasts? The appropriate tagline indicates that the WIOA Title I-financially assisted program is an "equal opportunity employer/program" and that "auxiliary aids are services are available upon request to individuals with disabilities".</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>"Operation ABLE SCSEP is an equal opportunity program. Auxiliary aids and services are available upon request to individuals with disabilities, Video relay calls are welcome."</p> <p>This language is included on flyers and on our website. Language is missing on actual forms being utilized including participant and host agency forms.</p> <p>ABLE does have auxiliary aides which are used in our training programs and during intake/assessment.</p> <p>Stevens Amendment language is missing from the Site Supervisor handbook and site supervisor forms. On documents where it is listed, it references an ABLE website which must be updated annually.</p>
<p>How does the Contractor ensure that continuing notice is provided to the following applicable groups that it does not discriminate on any prohibited ground:</p> <ul style="list-style-type: none"> • Applicants, registrants, participants • Employees and applicants for employment • Other recipients of WIOA funds • Members of the public • Members of the public with disabilities, including impaired vision and hearing • Unions or professional organizations that hold collective bargaining or professional agreement with your organization 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<ul style="list-style-type: none"> • Through our flyers • Through our personnel practices handbook • Through our program catalogues and orientation materials • Through State Rehabilitation agencies • NA

Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Photos and other promotional material portray positive images of women, minorities and individuals with disabilities.
How has the Contractor communicated the requirement not to discriminate on the basis of disability and the obligations to provide reasonable accommodations to its sub recipients?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA
What efforts does the Contractor make to ensure that communications with individuals with disabilities are just as effective as communication with others? In all communications indicating that the Agency may be contacted by telephone, is the telephone number for the TDD/TTY or relay service provided?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	We make every effort to ensure that communication to individuals with disabilities is effective. Program information is provided in a number of ways: website; flyers; phone; in-person; mailings; TV and radio; printed media; and through relationships with the State Rehabilitation Commission. TDD/TTY number is provided on our website.
How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	If they were needed, they would be requested.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 3: Assurances

Do contracts contain the approved equal opportunity assurance language?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA
How is the contractor or service provider made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA

How do you ensure equal opportunity and nondiscrimination for employees? What equal opportunity and nondiscrimination policies are in place for employees? Please provide a copy.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Copy was provided.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No

Element 4: Universal Access

Describe efforts to conduct a demographic analysis of the population to be served using labor market information?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	LMI is utilized in the SCEP program to identify and secure Host Agencies, to ensure that the training provided prepares participants for unsubsidized employment, and to guide us in our outreach and recruitment efforts. ABLE also uses the Equitable Distribution information provided by national office when looking at data.
What reasonable steps has the Contractor taken to ensure services and other information is provided to Limited English Proficient persons?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	We have flyers in other languages and possess language capacity in the agency to serve those speaking other languages.
In what languages is information provided, other than English?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Spanish
What documents have been determined "vital" and translated into languages designated as essential? Please provide examples.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	If forms were needed to be translated, ABLE would work with OWO to accomplish this.
What brochures, pamphlets and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	All materials have included this information. We will make sure they are updated to fulfill this requirement.
How are the required notifications provided in alternative forms for the visually impaired?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	If a participant has a visual or hearing disability, we make arrangements to provide
How do training providers provide programmatic and architectural	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	All sites are accessible to individuals with disabilities.

accessibility for individuals with disabilities?			
What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	We have prepared flyers in Spanish and will look to provide information in other languages if needed.
Do these measures include: Advertising? Notices to schools and community service groups? Consultation with community service groups?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Yes
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 5: Compliance with Section 504

Does the Contractor have an Americans with Disability Act (ADA) self-survey on file?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Copy on file.
Have ADA assessments been completed for One-stops and affiliates. If so, please explain the shortfalls. If not, when are they anticipated?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA
If structural changes are needed, does the Contractor have transition plans on file? If so, please provide a copy. If not, please explain when they are anticipated to be completed.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA
Are contractor and service provider sites accessible to individuals with disabilities? <ul style="list-style-type: none"> Is there at least one entrance to the buildings that are wheelchair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Yes <ul style="list-style-type: none"> Yes

<p>are these participants directed to go? Explain.</p> <ul style="list-style-type: none"> • Do inaccessible entrances have signs indicating the location of the nearest accessible location? Explain • Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain • Are TTY/TDD or Relay Services available for use? Explain • How often are contractor's facilities monitored to ensure accessibility? 			<ul style="list-style-type: none"> • Yes • Yes • ABLE has a TTY/TDD services available • On a yearly basis
<p>Describe efforts to prohibit discrimination on the basis of disability in employment practices by the Contractor?</p> <ul style="list-style-type: none"> • Requiring the provision of reasonable accommodations in employment when appropriate. • Reviewing job qualifications to ensure that it does not use selection criteria that screens out or tends to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity. • Prohibiting pre-employment inquiries regarding disability except to ask for individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes and will be maintained confidentially. 	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>See attached EEO/AA policy.</p>
<p>How does the Contractor ensure that it does not aid or perpetuate discrimination by providing significant</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/> <input type="checkbox"/></p>	<p>We do "our homework" and strive to ensure that none of our partner organizations or sites perpetuate any discriminatory practices.</p>

assistance to a person or entity that discriminates based on disability?		<input type="checkbox"/>	
How does the Contractor ensure that programs and activities are administrated in the most integrated settings possible?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	We strive to ensure that the sites/office/agencies we utilize for programming are as diverse as possible and reflect the community at large.
How does the Contractor ensure that, in determining the site or location of a facility, selections are not made that have a discriminatory effect?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	We work closely to ensure that organizations that we work with/lease from do not discriminate in any way. And that facilities are accessible.
How does the Contractor ensure that eligibility criteria that screen out or tend to screen out an individual with a disability or class of individuals with disabilities are not imposed unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The program is designed to bring in individuals with disabilities and not to screen them out.
How does the Contractor ensure that an individual with a disability is not required to accept an accommodation, aid, benefit, service, training, or opportunity that the individual chooses not to accept?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	We will agree with the individuals' request to not be provided with accommodations.
How does the Contractor ensure that, for employment-related training, the selection criteria are reviewed to ensure that they do not screen out, or tend to screen out, an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	See attached AA/EEO policy
Please describe the availability of assistive equipment for individuals with disabilities.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Large 60-inch diagonal TVs which are used as monitors in the classrooms and during intake/counseling sessions. In the Laptop Loaner Program, for individuals with difficulty using a laptop, we provide external standard-size keyboards.

			<p>We have two stand-alone magnifiers which are used in front of the computer screen to assist those individuals who are vision impaired. We also have headsets with integrated microphones for the hearing impaired both onsite and in our loaner program.</p> <p>All loaner laptops have external mice for those with difficulty using the touchpad. We have also borrowed instructor-utilized microphones (from Easter Seals) to assist students with auditory issues.</p>
<p>Please describe the Contractor's web site regarding its ADA accessibility</p>	<p>Yes <input type="checkbox"/></p>	<p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>In using accessibilitychecker.org, the website was found not to be ADA accessible. Every effort should be made to make corrections to the website to obtain ADA accessibility.</p>
<p>Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.</p> <p>How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?</p> <p>Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>All offices are accessible to individuals with disabilities. We make every effort to provide accommodations to individuals who need assistance in applying for and participating in our programs.</p>

of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?			
Describe how medical condition information is maintained separate from other files and secured.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Medical information is contained in a separate file.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Element 6: Data and Information Collection and Maintenance

Please explain how EO data has been collected (race/ethnicity, sex, age, and where known, disability status)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	This information is collected during the application process and entered into GPMS and the agency's Salesforce database.
Please explain how statistical/quantifiable analysis concerning the population being served has been conducted? <ul style="list-style-type: none"> How are these data maintained under safeguards that will restrict access to authorized personnel only? Please explain. Are records kept for a period of three years? How is staff made aware that data must be collected on race, sex, age, disability, etc.? How is the data collected by staff? 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<ul style="list-style-type: none"> Access to our database is restricted and limited to only a few staff Records are kept for seven years. Staff collect this data as part of the SCSEP application process Data is collected by staff during face-to-face intake and application meeting.
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No

Element 7: Monitor Recipients for Compliance

List the EO Officer monitoring visits conducted for One-Stops, Affiliates and service providers?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/>	NA
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How often is on-site monitoring conducted? Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIOA Monitoring Review.		<input type="checkbox"/>	
Do you need technical assistance in this element	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Element 8: Complaint Processing Procedures

What discrimination complaint policies and procedures are used? Please provide copies.	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Grievance Policy is included and explained in our SCSEP Participant Manual. However, the discrimination complaint process and procedures are missing from the handbook. The handbook refers individuals to US DOL Civil Rights Office instead of the local or statewide EO Officer.
Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	All SCSEP applicants and participants receive a copy of the Manual. Again, although the grievance process is outlined, the discrimination complaint process is not outlined nor is a form provided.
Does the discrimination complaint log for formal discrimination complaints include the following: <ul style="list-style-type: none"> • Name and address • Basis of complaint • Brief description of complaint • Date filed • Disposition 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Yes
Please list any formal complaints that have been filed with the Contractor since the last EO monitoring visit. <u>Please respond to the following</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA

concerning each complaint:

Was the complaint filed within 180 days?

Was the complainant provided a written notification of receipt of the complaint within 10 days?

Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue?

Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint?

Was the complainant notified that they have the right to representation in the complaint process?

Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?

Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?

Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying

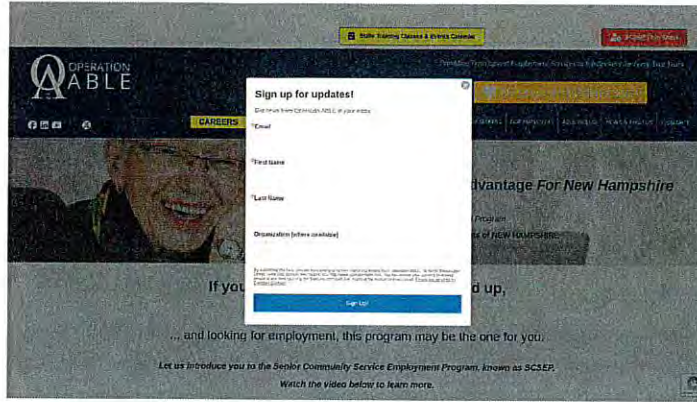
<p><u>concerning each complaint:</u></p> <p>Was the complaint filed within 180 days?</p> <p>Was the complainant provided a written notification of receipt of the complaint within 10 days?</p> <p>Was the complainant provided a written statement of each of the issues raised in the complaint and whether you would accept or reject each issue?</p> <p>Was the complainant sent a written notice of lack of jurisdiction when the Contractor determined that it did not have jurisdiction over a complaint?</p> <p>Was the complainant notified that they have the right to representation in the complaint process?</p> <p>Was the complainant offered Alternative Dispute Resolution as an effort to resolve the complaint?</p> <p>Was the complainant provided a written Notice of Final Action within 90 days of the date the complaint was filed?</p> <p>Did the Notice of Final Action contain your decision on each issue and an explanation of the reason underlying</p>			
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<p>the decision?</p> <p>Did the Notice of Final Action inform the complainant that he/she has a right to file a complaint with CRC within 30 days of the date in which the Notice of Final Action is issued if he/she is dissatisfied with your final action on the complaint?</p> <p>Has the State EO Officer been advised of the complaint?</p>			
Describe the process established to keep the discrimination complaint records for a period of three years?	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	ABLE Needs to establish these polices and add them to their handbook and/or personal rules.
Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation confidential to the extent possible, consistent with a fair determination of the issues.	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	ABLE Needs to establish these polices and add them to their handbook and/or personal rules.
How is an individual who filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion?	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	ABLE Needs to establish these polices and add them to their handbook and/or personal rules.
Describe the policy for handling discrimination complaints from contractors regarding participants.	Yes <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	ABLE Needs to establish these polices and add them to their handbook and/or personal rules.
Do you need technical assistance in this element?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Provided documents including OWO EO policies and the NH WIOA Non-Discrimination Plan.

Element 9. Corrective Actions/Sanctions

Describe the procedures for obtaining voluntary compliance when equal opportunity violations are found. What is the follow up policy for violations?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA
Describe any corrective actions/sanctions taken against contractors since the last monitoring review.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NA
Do you need technical assistance in this element?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No

Back to Home



<https://operationable.net/scsep-new-hampshire-residents/>

Audit results :

Download audit

Status:

✗ NOT COMPLIANT

You are currently at risk of accessibility lawsuits

Fix Issues

Score:

64

Websites with a score lower than 85 are at risk of accessibility lawsuits

Results:

Critical Issues	5 items
Passed Audits	18 items
Required Manual Audits	10 items
Not Applicable	19 items

Critical Issues (5):

Visual issue

Elements with an ARIA [role] that requires children to contain a specific [role] are missing some or all of those required children

Visual issue

Background and foreground colors do not have a sufficient contrast ratio

Visual issue

Heading elements are not in a sequentially-descending order

Visual & motor

Image elements do not have [alt] attributes

Visual & motor

Links do not have a discernible name

FIX ISSUES

Passed audits (18): ⓘ

[Read more](#)

Required Manual Audits (10): ⓘ

[Read more](#)

Not Applicable (19): ⓘ

[Read more](#)

[FIX ISSUES](#)

CORRECTIVE ACTIONS – EO COMPLIANCE POLICY

Policy #: 2012-P-01 Previous #: 2012-000-085

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the NH Workforce Opportunity (OWO) policies and procedures for corrective actions and/or sanctions in the event a recipient, subrecipient, vendor, staff, or participant is in non-compliance of Section 188 of the Workforce Innovation and Opportunity Act (WIOA).

POLICY:

The OWO will follow similar procedures utilized by the Civil Rights Center to ensure enforcement to effect compliance with the nondiscrimination and equal opportunity provisions of WIOA. Sanctions permitted by statute or regulation may be imposed only after all appeal rights have been exhausted. State agencies shall follow their internal policies, procedures, and disciplinary policies for staff-related issues.

PROCEDURE(S):

1. In the event that monitoring activities or formal complaints indicate a lack of compliance with Section 188 of WIOA, the OWO shall attempt to resolve the non-compliance through education and/or consultation with the recipient, subrecipient, vendor, staff member, or participant.
2. Should non-compliance continue and collaborative educational efforts fail, the OWO may issue a Warning notice.
3. If, after 15 days from the date of the Warning, compliance has not been achieved, the OWO may issue a Final Determination Notice, which will indicate the potential sanctions which may be imposed and inform the party of his/her right to request a hearing within 30 days from the date of the Final Determination. NOTE: Personnel issues will be subject to the organization's internal personnel policies, procedures, and disciplinary guidelines.
4. Should a hearing be requested, the policies of OWO shall be followed.
5. Should a hearing **not** be requested, the OWO may proceed with the sanction deemed most appropriate for the circumstances.
6. Appropriate sanctions include, but are not limited to, suspension or termination, in whole or in part, from the program (or funding source); referral to the N.H. Attorney General's Office, with a request that the AG's Office obtain compliance; deferral of new grant funding; and/or any action as may be provided by law.

ACTION:

All recipients, subrecipients, vendors, staff and participants must be knowledgeable of this directive.

ATTACHMENTS:

1. Notice of Non-Compliance with Section 188
2. Final Determination of Notice of Non-Compliance with Section 18

3. Final Order for Sanctions Due to Non-Compliance with Section 188



Notice of Non-Compliance with Section 188 of the Workforce Innovation and Opportunity Act

Party/Organization: _____

Address: _____

Contact Person: _____

Phone: _____

Through monitoring or the receipt of EO complaint(s), it has been determined that you are not in compliance with Section 188 of WIOA, as implemented by 29 CFR part 37. Non-compliance is evidenced by the following:

This notice is an official **WARNING** that begins the corrective actions/sanctions process. You have fifteen (15) days from the date of this warning to correct the matters noted above. Failure to do so may result in a Final Determination of Non-Compliance Notice.

Should you receive a Final Determination of Non-Compliance Notice, you have the right to request a hearing on this matter. The request must be in writing and be received by the OWO EO OFFICER, 100 North Main St. Suite 100, Concord, NH 03301 no later than thirty (30) days from the date of Final Determination Notice. The request for a hearing should include an answer to the issues noted in the Final Determination Notice.

Failure to request a hearing will result in a final decision by OWO that non-compliance exists and has not been corrected. The OWO may, within 45 days, then Order sanctions, which may include, but not be limited to:

1. suspension or termination, in whole or in part, from the program (or funding source);
2. referral to the N.H. Attorney General, with a request that the AG obtain

- compliance;
- 3. deferral of new grant funding; and/or
- 4. any action as may be provided by law.

NOTE: Sanctions permitted by statute or regulation may be imposed only after all appeal rights have been exhausted.

The Final Order may be appealed, within thirty (30) days of the date of the Order, directly with the Civil Rights Center, U.S. Department of Labor, or a request for review by OWO may be filed.

Any case reviewed by OWO under the above paragraph must be decided within 180 days of the notification of such review. If OWO fails to issue a Final Decision and Order within the 180 day period, the initial decision and order of OWO becomes the Final Decision.

OWO EO Officer

Date

Revised: July 22, 2024

The Department of Business and Economic Affairs/Office of Workforce Opportunity is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>



Final Determination Notice of Non-Compliance with Section 188 of the Workforce Innovation and Opportunity Act

Party/Organization: _____

Address: _____

Contact Person: _____

Phone: _____

On _____ you were issued a Warning Notice of Non-Compliance for the following EO matters:

Since you have failed to correct the matters noted above, this Final Determination Notice has been issued.

You have the right to request a hearing. You must do so in writing within thirty (30) days from the date of this notice. Your request must be sent to the OWO EO Officer, 100 North Main St. Suite 100, Concord, NH 03301.

Failure to request a hearing will result in this Final Determination becoming the Final Order for Sanctions.

Sanctions include but are not limited to:

1. suspension or termination, in whole or in part, from the program (or funding source);
2. referral to the N.H. Attorney General, with a request that the AG obtain compliance;
3. deferral of new grant funding; and/or
4. any action as may be provided by law.

NOTE: Sanctions permitted by statute or regulation may be imposed only after all appeal rights have been exhausted.

OWO EO Officer

Date

Revised: July 22, 2024

The Department of Business and Economic Affairs/Office of Workforce Opportunity is a proud member of the NH WORKS system, an American Job Center Network, and is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay NH 711

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Final Order for Sanctions Due to Non-Compliance with Section 188 of the Workforce Innovation and Opportunity Act

Party/Organization: _____

Address: _____

Contact Person: _____

Phone: _____

On _____ you were issued a Final Determination of Non-Compliance for the following EO matters:

Since you have failed to request a hearing within 30 days of the Final Determination of Non-Compliance Notice noted above, this Final Order for Sanctions has been issued.

Sanctions imposed:

You have the right to request to appeal or request a review of this decision to order sanctions. You must do so in writing within forty-five (45) days from the date of this order.

Your request for an **appeal** must be sent to the Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue, NW, Rm N-4123, Washington D.C. 20210.

Your request for a review must be sent to the OWO EO Officer, 100 North Main St. Suite 100, Concord, NH 03301. A decision on the review must be issued within 180 days of the date of the initial decision.

Sanctions permitted by statute or regulation may be imposed only after all appeal rights have been exhausted.

OWO EO Officer

Date

Revised: July 22, 2024

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For program funding details in compliance with the Stevens Amendment, please visit <https://www.nheconomy.com/office-of-workforce-opportunity/about-us/transparency>

SANCTIONS – EQUAL OPPORTUNITY POLICY

Policy #: 2018-P-13 Previous #: 2018-0013

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

The Workforce Innovation and Opportunity Act (“WIOA”) and the New Hampshire NH Works Consortium require compliance with 29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.

POLICY:

It is the policy of the NH Works Consortium that any action to suspend, terminate, deny or discontinue WIOA financial assistance must be limited to the particular political entity, or part thereof, or other recipient (or grant applicant) as to which the finding has been made, and must be limited in its effect to the particular program, or part thereof, in which the noncompliance has been found.

No order suspending, terminating, denying or discontinuing WIOA financial assistance will become effective until after all appeal rights have been exhausted or waived and the respective agency Commissioner (or designee) has issued a Final Determination or Notification of Breach of Conciliation Agreement.

PROCEDURE(S):

1. Once all appeal rights have been exhausted or waived, the respective NH Works partner may impose whatever sanctions noted in the Final Order for Sanctions.
2. Sanctions include, but are not limited to:
 - a. Suspension or termination, in whole or in part, from the program (or funding source);
 - b. Referral to the N.H. Attorney General, with a request that the AG obtain compliance;
 - c. Deferral of new grant funding; and/or
 - d. Any action as may be provided by law.
3. When the NH Works Partner Agency withholds funds from a recipient or grant applicant under this policy, the NH Works Partner agency may disburse the withheld funds directly to an alternate recipient. In such case, the NH Works Partner will require any alternate recipient to demonstrate:
 - a. The ability to comply with these regulations; and
 - b. The ability to achieve the goals of the nondiscrimination and equal opportunity provisions of WIOA.
4. A grant applicant or recipient adversely affected by a Final Order may at any time petition the respective NH Works Partner Commissioner to restore its eligibility to receive WIOA financial assistance.
 - a. A copy of the petition must be served on the parties to the original proceeding that led to the Final Decision and Order.
 - b. The petition must be supported by information showing the actions taken by the grant applicant or recipient to bring itself into compliance.

- c. The grant applicant or recipient has the burden of demonstrating that it has satisfied the requirement.
- d. While proceedings under this section are pending, sanctions imposed by the Final Decision must remain in effect.
- e. The respective NH Works Partner Commissioner must issue a written decision on the petition for restoration. If it is determined that the grant applicant or recipient has not brought itself into compliance, he or she must issue a decision denying the petition.
- f. Within 30 days of its receipt of the Commissioner's decision, the recipient or grant applicant may file a petition for review of the decision by the Secretary of the US Department of Labor, setting forth the grounds for its objection to the Commissioner's decision to be handled within 14 days.

ACTION:

All staff must be knowledgeable of the contents of this directive.

ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES POLICY

Policy #: 1998-P-01 Previous #: 000-082

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the NH Office of Workforce Opportunity (OWO) policies and procedures for ensuring an environment which promotes reasonable accommodations for individuals with disabilities.

POLICY:

It is the policy of the OWO that the OWO, One-Stop Partners, and WIOA-Title I recipients/subrecipients will make reasonable accommodation to the known physical or mental limitations of otherwise qualified applicants, employees, or participants with disabilities, unless it can be shown that such accommodations would impose an undue hardship on program operations.

For purposes of this policy, reasonable accommodation means any change or adjustment to a training or work environment that permits a qualified applicant, participant, or employee with a disability to participate in the application process, to perform the essential function of the job, or to enjoy the benefits or privileges of employment equal to those enjoyed by others.

Examples of accommodations include, but are not limited to:

- acquiring or modifying equipment or devices
- job restructuring
- part-time or modified work schedules
- providing readers or qualified interpreters
- making the workplace or program facility accessible to and usable by individuals with disabilities

PROCEDURE(S):

1. Decisions regarding reasonable accommodation for individuals with disabilities will be determined on a case-by-case basis.
2. Individuals who are not satisfied with accommodations provided may file a grievance or EO complaint in accordance with the equal opportunity policy.
3. Individuals will not be forced to accept an accommodation if they choose not to.

ACTION:

All staff must be knowledgeable of the contents of this directive.

RELIGIOUS ACCOMMODATION POLICY

Policy #: 2014-P-01 Previous #: 2014-1

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity (OWO) policies and procedures for Religious Accommodation.

POLICY:

Title VII of the Civil Rights Act of 1964 prohibits employers from discriminating against individuals because of their religion in hiring, firing, and other terms of employment. The Act also requires employers to reasonably accommodate the religious practices of an employee or prospective employee, unless to do so would create an undue hardship upon the employer (see also 29 CFR 1605). Flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers are examples of accommodating an employee's religious beliefs.

PROCEDURE(S):

Employers cannot schedule examinations or other selection activities in conflict with a current or prospective employee's religious need, inquire about an applicant's future availability at certain times, maintain a restrictive dress code, or refuse to allow observance of a Sabbath or religious holiday, unless the employer can prove that not doing so would cause an undue hardship on the employer.

An employer can claim undue hardship when accommodating an employee's religious practices if allowing such practices requires more than ordinary administrative costs. Undue hardship also may be shown if changing a bona fide seniority system to accommodate one employee's religious practices denies another employee the job or shift preference guaranteed by the seniority system.

An employee whose religious practices prohibit payment of union dues to a labor organization cannot be required to pay the dues but may pay an equal sum to a charitable organization.

Mandatory "new age" training programs, designed to improve employee motivation, cooperation or productivity through meditation, yoga, biofeedback or other practices, may conflict with the non-discriminatory provisions of Title VII. Employers must accommodate any employee who gives notice that these programs are inconsistent with the employee's religious beliefs, whether or not the employer believes there is a religious basis for the employee's objection.

Service Providers will take steps necessary to ensure that Religious Accommodation occurs in programs, projects, and activities, funded through federal WIOA Title-I funds. Particular attention to this subject should be made when considering potential worksites for On-the-Job training (OJT), Work Based Learning (WBL) or summer employment activities.

ACTION:

All staff must be knowledgeable of the contents of this directive.

SAME SEX MARRIAGE POLICY

Policy #: 2018-P-07 Previous #: 2018-007

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

The [Workforce Innovation and Opportunity Act \(“WIOA”\)](#) and the New Hampshire Works Consortium require compliance with DOL’s Employment and Training Administration’s policy on same-sex marriages. On June 26, 2013, the Supreme Court found that [Section 3 of the Defense of Marriage Act \(DOMA, codified at 1. U.S.C. section 7\)](#) violates the U.S. Constitution. Because that section no longer controls the definition of marriage or spouse under the federal framework for ETA workforce grant programs, DOMA no longer bars the recognition of same-sex marriages in such programs. As with the Department of Labor, NH Works policy is to recognize lawful same-sex marriages as broadly as possible to the extent that federal law permits, and to recognize all marriages valid in the jurisdiction where the marriage was celebrated.

POLICY:

[TEGL 26-13](#) dated June 18, 2014 entitled Impact of the U.S. Supreme Court’s Decision in United States v. Windsor on Eligibility and Services Provided Under Workforce Grants Administered by the Employment and Training Administration section 5 states:

“Consistent with the Supreme Court’s Windsor decision and with ETA’s policy of treating all individuals equally, regardless of sexual orientation, ETA interprets gender specific terms of marriage such as “widow,” “widower,” “husband,” and “wife” to include married same-sex spouses.”

The definition of family means two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- a. A husband, wife, and dependent children
- b. A parent or guardian and dependent children
- c. A husband and wife

Although the definition of “family” uses the terms husband and wife, both ETA and NH Works requires grantees to apply these terms in a gender-neutral manner so that same-sex married couples are included in the definition of family.

PROCEDURE(S):

N/A

ACTION:

All staff must be knowledgeable of the contents of this directive.

Section IX Appendix

SERVICE ANIMALS PROVIDING ACCOMMODATION POLICY

Policy #: 2020-P-10 Previous #: 2020-P-010

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

The [Workforce Innovation and Opportunity Act \(“WIOA”\)](#) and the New Hampshire Works Consortium require compliance with [29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act](#).

POLICY:

[29 CFR 35.16](#)

It is the policy of the NH Works Partners to permit the use of a service animal by an individual with a disability. However, there may be exceptions that may cause the removal of a service animal from the premises if:

1. The animal is out of control and the animal's handler does not take effective action to control it; or
2. The animal is not housebroken.

If a partner property excludes a service animal for one of the reasons identified above, the NH works partner must give the individual with a disability the opportunity to participate in the WIOA financially assisted service, program, or activity without having the service animal on the premises.

Animal under handler’s control: A service animal must be under the control of its handler. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control (e.g., voice control, signals, or other effective means).

Care or supervision: A NH Works Partner is not responsible for the care or supervision of a service animal.

Inquiries: NH Works Partner staff or programs funded with WIOA funds must not ask about the nature or extent of a person’s disability but may make two inquires to determine whether an animal qualifies as a service animal. S/he may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. Furthermore, s/he must not require documentation, such as proof that the animals has been certified, trained, or licensed as a service animal. Generally, program staff may not makes these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person’s wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Access to areas of a recipient’s facilities:

1. In general: Individuals with disabilities must be permitted to be accompanied by their service animals in all areas of the recipient's facilities where members of the public, participants in services, programs or activities, beneficiaries, registrants, applicants, eligible applicants/registrants, applicants for employment and employees, or invitees, as relevant, are allowed to go.
2. Use of service animals in food preparation areas: An employee, applicant or beneficiary with a disability who needs to use a service animal in a food preparation area must be allowed to do so unless the employer, after an individualized assessment, can demonstrate, that the presence of the service animal presents a direct threat to health and safety that cannot be eliminated or reduced by a reasonable accommodation to the employee, applicant or beneficiary.

Surcharges: Programs funded with WIOA funds must not ask or require an individual with a disability to pay a surcharge because of the individual's service animal, even if people accompanied by pets are required to pay fees or comply with other requirements generally not applicable to people without pets. If a recipient normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by the individual's service animal.

PROCEDURES:

N/A

ACTION:

All staff must be knowledgeable of the contents of this directive.

SEXUAL HARASSMENT POLICY

Policy #: 1998-P-03 Previous #: 000-065

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity (OWO) policies and procedures for ensuring a work environment free from sexual harassment.

POLICY:

It is the policy of the OWO that sexual harassment by or against any employee or program client of the OWO, One-Stop Partners, or WIOA-Title I recipients/subrecipients will not be tolerated. New Hampshire State Agencies shall follow their internal policies, procedures, and disciplinary guidelines when implementing this policy.

For purposes of this policy, sexual harassment is defined to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- such conduct has the purpose or effect of interfering with an individual's work performance or creating a hostile or offensive work environment.
- Submissions to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual.
- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment. ([Sec. 1604.11 of the EEO's guidelines on Sex Discrimination](#))

Examples of conduct which may, if continued or repeated, constitute sexual harassment are:

- unwelcome sexual propositions
- graphic comments about a person's body
- derogatory or sexually explicit statements about an actual or supposed sexual relationship
- unwelcome touching, patting, pinching, or leering
- derogatory gender-based humor

PROCEDURE(S):

1. **Who may file:** Any individual who believes that he or she has experienced, or been the victim of, sexual harassment. Any individual may also submit complaints whether or not the individual was personally subjected to harassment. Complaints may be filed regardless of whether the behavior occurred on or off duty, if it results in work-related sexual harassment.
2. **When to file:** Complaints should be filed as soon after the alleged act(s) as possible.
3. **Where to file:** Complaints may be filed with the individual's immediate supervisor, who will forward it to the OWO EO Officer, or with the OWO EO Officer, 100 North Main Street, Suite 100, Concord, NH, 03301, Telephone: (603) 271-0355 TDD: 1-800-735-2964.

Complaints may alternatively be filed directly with the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW, Rm N-4123, Washington, D.C. 20210. Telephone: (202) 219-7026, TDD: 1-800-326-2577.

4. **How to file:** Complaints by individuals experiencing the harassment may be verbal or written and shall:
 - a. Identify the person(s) and/or legal entity complained against (the respondent); and
 - b. Describe the complainant's allegations in sufficient detail to allow the OWO or appropriate State Agency EO Officer to
 - i. conduct a preliminary review/investigation in an effort to resolve the issue without further formal action being taken,
 - ii. prepare a written statement of action taken, with a copy to all appropriate parties, and, in the event a formal administrative investigation is required,
 - iii. conduct a formal administrative investigation as outlined in these procedures.

NOTE: Complaints by individuals other than the victim shall be in writing

- c. Upon receipt of a verbal or written complaint alleging harassment, the OWO EO Officer shall
 - i. promptly log and initiate review and/or investigation of the complaint;
 - ii. provide notice, as appropriate, to all interested parties;
 - iii. inform all interested parties of their ability to submit information relevant to the complaint; and
 - iv. make a decision strictly on the evidence.
- d. Investigations shall be conducted with particular care to preserve the confidentiality of all persons involved. Only those who have an immediate need to know, including, but not limited to, the investigator, the complainant, and the alleged harasser or retaliator shall be provided with the identity of the complainant and allegations.
- e. No employee or program client shall be required to file a complaint with supervisor who is hostile to that individual, and/or who engages in conduct or has been alleged to have engaged in conduct which could be considered sexual harassment. No person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Equal Opportunity policies or because he/she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing.
- f. OWO shall process the complaint within thirty (30) days and offer a resolution to the complainant.
- g. Investigation shall be based on behavior, intent, and frequency. Resolution may include, but not be limited to
 - i. disciplinary action against the harasser or retaliator,
 - ii. removal of all records from the victim's file that may have been tainted by the sexual harassment, and replacement with records that more accurately reflect the victim's work performance,
 - iii. financial restitution to the victim,
 - iv. opportunities for the victim to transfer, although the victim would not be required to take a transfer.
- h. Supervisory staff or management who knew that work-related harassment was occurring in his/her chain of command and failed to take action as required under this policy may also be subject to disciplinary action.
- i. Any party who objects to the discipline they have received as a result of the implementation of this policy may file a grievance.
- j. Nothing in this policy should be construed to prohibit an individual from filing a complaint of sexual harassment with any appropriate State or Federal Enforcement Agency.

ACTION:

All staff must be knowledgeable of the contents of this directive.

SITE SELECTION TO ASSURE ACCESSIBILITY POLICY

Policy #: 2012-P-05 Previous #: 2012-005

Source: July 1, 2021, eff. July 22, 2024

PURPOSE:

To transmit the Office of Workforce Opportunity (OWO) policies and procedures for ensuring accessible programs, activities, and services to individuals with disabilities.

POLICY:

It is the policy of the OWO, that the OWO, One-Stop Partners, and WIOA Title-I recipients, subrecipients and vendors will not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. All aspects of the program or activity should be accessible; however, each facility or every part of an existing facility need not be totally accessible, as long as arrangements are made to ensure full participation by individuals with disabilities.

PROCEDURE(S):

Program accessibility may be achieved by a number of methods: Providing access to facilities through **structural** methods--altering existing facilities or acquiring or building additional ones may be the most efficient way to provide program accessibility. However, alternatives to structural changes to achieve program accessibility may also be pursued. **Non-structural methods** include:

- redesign of equipment,
- reassignment of classes or other services to accessible buildings or sites,
- home visits,
- delivery of services at alternate accessible sites, and
- use of auxiliary aids.

Where methods other than facility renovation and construction are successful in achieving program accessibility, the time and expense of renovating facilities may be avoided.

Signs: Recipients, subrecipients and vendors must provide signs at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. In addition, the international symbol for accessibility should be used at each primary entrance of an accessible facility and appropriate signs should direct individuals with disabilities to accessible secondary facilities, for example, restrooms, lunchrooms, water fountains, etc.

Transition Plan: Where structural changes to facilities are required, the (sub) recipient/vendor must develop a transition plan with the assistance of interested persons, including qualified individuals with disabilities, and make that plan available for public inspection. The plan must:

- Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to qualified individuals with disabilities.
- Describe in detail the methods that will be used to make the facilities accessible as expeditiously as possible or within a 3-year period.
- Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than 1 year, identify steps that will be taken during each year of the transition period.
- Name of the person responsible for implementing the plan.

Training Sites: All recipient/subrecipient/vendor training site locales shall be handicap-accessible including, at a minimum, entrance, classroom, and restrooms. If the training site is not handicap-accessible, an alternative plan of delivering training must be approved in advance and indicated in the contract. Programs that are not accessible and without an alternative plan will not be re-funded until accessibility is achieved.

ACTION:

All staff must be knowledgeable of the contents of this directive.