



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Labor and Training

Center General Complex
1511 Pontiac Avenue
Cranston, RI 02920-4407

Telephone: (401) 462-8000
TTY: Via RI Relay 711

Lincoln D. Chafee
Governor
Charles J. Fogarty
Director

August 8, 2013

The Honorable Lincoln D. Chafee
Governor of the State of Rhode Island
Office of the Governor
State House
Providence, Rhode Island 02903

Dear Governor Chafee,

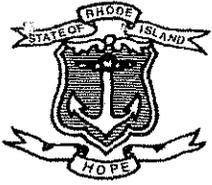
The Federal Regulations published at 29 CFR Part 37, equal opportunity and nondiscrimination provisions of the Workforce Investment Act of 1998 (WIA) require that each Governor establish and adhere to a Methods of Administration (MOA) for state programs. The regulations require that every two years from the date on which the initial MOA is submitted, the Governor review and recertify the MOA and its implementation to determine if any changes are necessary and provide the Director of the Civil Rights Center with those changes that are made.

The attached document shall serve as the State of Rhode Island's methods in satisfying the obligations under the equal opportunity and nondiscrimination provisions of 29 CFR Part 37. We have reviewed all of the required elements. The only change made from our last MOA submission was the designated EO officer, who is now Matthew Weldon.

Questions regarding the MOA may be directed to Matthew Weldon, WIA State Equal Opportunity Officer at (401) 462-8150.

Sincerely,

Charles J. Fogarty
Director



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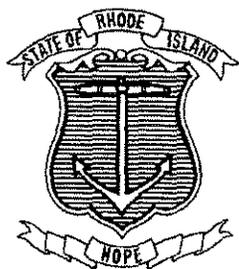
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**STATE OF RHODE ISLAND
METHODS OF ADMINISTRATION**

SUBMITTED TO:
CIVIL RIGHTS CENTER

SUBMITTED BY:
RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING



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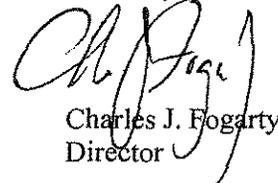
Naomi M. Barry-Pérez
US Department of Labor, Civil Rights Center
200 Constitution Avenue, NW
Washington, DC 20210

Dear Director Barry-Pérez,

This is to inform you that I have appointed Mr. Matthew Weldon to be the Equal Opportunity Employment Officer for the Department of Labor and Training as the administrative entity for the Workforce Investment Act. Matthew is committed to ensuring proper equal opportunity employment oversight and compliance.

In this capacity, Mr. Weldon will perform the responsibilities detailed in the Methods of Administration (MOA). Aside from the appointment of Mr. Weldon, no other changes have been made to our MOA.

Sincerely,



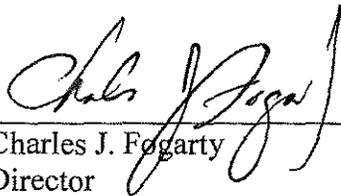
Charles J. Fogarty
Director

STATE OF RHODE ISLAND

**Workforce Investment Act 1998
Methods of Administration**

Workforce Systems
Employment Services
Unemployment Insurance

Submitted in compliance with Title 1 and 29 CFR Part 37



Charles J. Fogarty
Director
RI Department of Labor and Training

8/8/13
Date



Lincoln D. Chafee
Governor
State of Rhode Island

2/12/17
Date

WORKFORCE INVESTMENT ACT METHODS OF ADMINISTRATION

Workforce Systems Employment Services Unemployment Insurance

August 2013

The purpose of the Methods of Administration is to describe how the State of Rhode Island assures that all Workforce Investment Act (WIA), Title I – financially assisted recipients including the Rhode Island Department of Labor, the oversight entity, and adult, dislocated worker and youth service providers are complying, and will comply with all the requirements of Equal Opportunity Nondiscrimination Regulations at 29 CFR Part 37. Additionally, the equal opportunity nondiscrimination provisions contain in these Methods of Administration apply to Wagner-Peyser and Unemployment Insurance funding recipients and all other recipients of Workforce Investment Act including those providing services to participants through the eligible training provider list and employers providing Work Experience and On-the-Job Training paid with Workforce Investment Act Title IB funding.

The regulations published at 29 CFR Part 37, which implement the nondiscrimination and equal opportunity provisions of the Workforce Investment Act of 1998 (WIA), require that each governor establish and adhere to a Methods of Administration (MOA) for all Title I programs under WIA. This documents shall serve as the State of Rhode Island's method for fulfilling its obligations under the equal opportunity and nondiscrimination provisions of 29 CFR Part 37.

The Rhode Island Department of Labor and Training (RIDLT) is designated by the Governor as the Administrative entity for WIA. Since RIDLT is the state's workforce agency, methods are also included to ensure nondiscrimination and equal opportunity in the administration of the Employment Services (ES) and Unemployment Insurance (UI) programs.

The MOA document contains the standards prescribed in Part 37, as well as technical guidance provided by the Civil Rights Center (CRC), United State Department of Labor (USDOL). It consists of nine elements that describe Rhode Island's system and procedures regarding record keeping and other affirmative obligations. It is prepared in tabular form with each tab divided into two parts. The first part is a narrative describing how the State WIA Administrative Entity (RIDLT), and other funded recipients are meeting and will continue to meet the equal opportunity and nondiscrimination assurance requirements of WIA. The second part included the supporting documentation. In some circumstances specific sections of identified manuals, policies, guidelines, have been provided rather than the completed documents.

The MOA reflects actual and continuing non discrimination and equal opportunity. This document shall serve as official policies and procedures for documentation that is not specifically contained in existing rules and manuals. Local Workforce Investment Area and NetworkRI Offices will maintain a copy and have electronic access to the MOA in order to provide reasonable guarantees that required systems and policies will continue to be carried out.

Methods of Administration Elements

- Element 1. Designation of State-and local-level Equal Opportunity (EO) Officers.
- Element 2. Notice and Communication.
- Element 3. Review assurances, job training plans, contracts, and policies and procedures.
- Element 4. Universal Access.
- Element 5. Compliance with section 504 of the Rehabilitation Act of 1973, as amended.
- Element 6. Data and Information Collection and Maintenance.
- Element 7. Monitor Recipients for Compliance.
- Element 8. Complaint Processing Procedures.
- Element 9. Corrective Actions/Sanctions.

DLT's Equal Opportunity Methods of Administration

Element 1

Designation of State and Local-Level Equal Opportunity Officers (29 CFR 37.54 (D) (1) (II))

Each individual designated as a State-level Equal Opportunity Officer and each individual designated as a local-level Equal Opportunity Officer, by name, position, title, business address (including email address if applicable) and telephone number (including TDD/TTY number). (See 29 CFR 37.23)

State Level Equal Opportunity Officer

In April of 2013, Mr. Matthew Weldon was designated as the State's Equal Opportunity Officer.

Mr. Weldon works as Assistant Director, Policy & Program Development within the RI Department of Labor and Training. In this capacity Mr. Weldon is responsible for managing the department's policy and legislative agendas, department operations, emergency management and other general project management duties on behalf of the Executive Office. His duties and responsibilities do not create a conflict of interest or an appearance of a conflict of interest with his responsibilities as EO Officer.

Name: Matthew Weldon
Position Title: State Workforce Investment Act Equal Opportunity Officer/
Assistant Director, Policy & Program Development
Business Address: Department of Labor & Training
1511 Pontiac Avenue
Cranston, Rhode Island 02920
E-mail address: mweldon@dlt.ri.gov
Telephone number: (401) 462-8150
TTY via RI relay 711

The Workforce Investment Act (WIA) Equal Opportunity Officer reports directly to Mr. Charles J. Fogarty, Director, RI Department of Labor and Training. Mr. Weldon has daily access to Mr. Charles Fogarty and Mr. David Tremblay, Administrator of the State Workforce Investment Office. Mr. Tremblay serves as WIA liaison with the Regional Office.

The Equal Opportunity Officer has the authority to conduct all activities relative to Workforce Investment Act programs and Wagner Peyser related complaints of discrimination. Activities include receiving complaints directly from complainants, referring complaints to the appropriate agency (i.e. Human Rights Commission), communicating either orally or in writing with complainants, investigating complaints and recommending decisions to Ms. Kathleen Lanphear, who will mediate disputes for DLT. The Equal Opportunity Officer travels as necessary to conduct onsite investigations, coordinate Workforce Investment Act Equal Opportunity activities, including liaison between the State

and Local Workforce Investment Areas and their service providers; disseminate equal opportunity and nondiscrimination policies to Local Workforce Investment Areas and service providers; provide direction on data collection and record keeping; and monitor for compliance of equal opportunity and nondiscrimination policies.

The duty of the EO Officer, and the manner in which those duties are carried out. (at a minimum, duties assigned to the EO Officer must include those listed in 29 CFR 37.25). Describe the EO duties, responsibilities and activities associated with the implementation of 29 CFR part 37, and all other duties, responsibilities and activities.

Mr. Weldon's responsibilities as Equal Opportunity Officer include, but are not limited to:

- Serving as liaison between the Civil Rights Center and the Rhode Island Department of Labor and Training;
- Liaison between the Department of Labor and Training and the Local Workforce Investment Areas in the area of Equal Opportunity and Nondiscrimination;
- Making known EO policy as it is developed to the Workforce Development Services Division, the Director of the Department of Labor and Training, Rhode Island's Workforce Investment Act System including Local Workforce Investment Area's four One Stop (netWORKri) Centers as well as the Wakefield netWORKri one-stop career operating two days per week;
- Reporting directly to the Director on equal opportunity issues;
- Monitoring and investigating to ensure that recipients and sub-recipients of Workforce Investment Act funds, and the activities of the entities receiving WIA Title I funds are meeting equal opportunity obligations and are in compliance with equal opportunity and non discrimination laws and regulations under the Workforce Investment Act and 29 Part 37;
- Reviewing the Department's written policies to ensure the policies are nondiscriminatory;
- Attend appropriate training to maintain competency in the role of Equal Opportunity Officer;
- Providing technical assistance on equal opportunity and nondiscrimination issues to all recipients of WIA financial assistance, to DLT's Wagner Peyser Unit, Local Workforce Investment Areas and their staff, service providers and other one-stop partners;
- Oversee the development and implementation of Rhode Island's Method of Administration;

The Equal Opportunity Officers ongoing job duties are specific to over-site, review, and update of the department's equal opportunity programs and services. Mr. Weldon performs the duties of his position generally in an independent manner. He has the knowledge, skills and abilities to perform these duties in a concise, timely, and professional fashion.

Training

The State's plan for ensuring that State and Local level EO Officers are sufficiently trained to maintain competency. (See 29 CFR §37.26)

The Rhode Island Department of Labor and Training realizes it is imperative that the EO officer maintains a high degree of proficiency in order to advise, consult and educate management, staff, partners and customers on equal opportunity and nondiscrimination issues. Therefore, the Department will provide the EO officer with every opportunity for training to ensure that he maintains subject expertise and competency in Equal Opportunity matters.

We anticipate the State WIA Equal Opportunity Officer will attend NASWA/CRC Annual Equal Opportunity Conferences. Additionally, the EO officer will serve as a member of the NASWA Equal Opportunity Committee which affords him the advantage of networking with WIA Equal Opportunity Officers throughout the country. These meetings, coupled with the relationships formed networking during these meetings, affords the EO officer a higher level of understanding and competency in the role as EO Officer.

The Department provides the EO officer with every opportunity for EO training to ensure all DLT service providers maintain competency on EO issues.

To ensure that the Local Equal Opportunity Officers are sufficiently trained in order to maintain competency in this field the State Equal Opportunity officer administers EO related training to WIA Center staff, EO Advisory Committee, WIA Local EO Officers, service providers and partners. These meetings focus on the Methods of Administration and the Equal Opportunity Officers responsibility in ensuring that the policies and procedures described in the MOA are followed including, a review of the complaint policy and Equal Opportunity and Nondiscrimination regulations of 29 CFR Part 37. Additional meetings are to be held as necessary to share EO information. Onsite technical assistance to WIA service providers and partners takes place as necessary. Training on the Memorandum of Agreement (MOA), LEP Policy, and Faith Based Initiatives is ongoing.

The State WIA Equal Opportunity Officer developed and distributed new posters with the necessary information as part of the method to apprise applicants, registrants, eligible applicants/registrants, employees, applicants for employment and members of the public of their rights and responsibilities in filing a complaint.

The EO Officer is to provide EO/Civil Rights training for DLT and netWORKri staff. The training includes information regarding the role of the EO Officer, and the covered bases of discrimination under Section 188 of the Workforce Investment Act, Section 504 of the Rehabilitation Act, also, Limited English Proficient Policy.

Staff and other resources assigned:

The level of staff and other resources available to State and local level EO Officers to ensure that WIA Title I financially assisted programs and activities operate in a nondiscriminatory way. (See 29 CFR §37.26 (c)).

There are no additional staff assigned to assist the State EO Officer, however, the staff of the Workforce Investment Act responsible for oversight of the State's WIA program is available for assistance. Also, if necessary the Department's EO Advisory Committee could be available for assistance to the EO Officer. Although the State EO Officer does not have day to day oversight over any of the staff above, the EO Officer provides guidance and procedures for processing equal opportunity issues in an effort to obtain resolution.

Local Workforce Investment assistance to State Equal Opportunity Officer:

When the complaint involves a Local Workforce Investment Area, the State WIA Equal Opportunity Officer can request assistance from the Local Equal Opportunity Officer in the investigation.

Budget:

The State Workforce Investment Act's Equal Opportunity Officer's position is funded through DLT's administrative funds. There is no specific EO budget for EO expenditures to include the ordering of posters, traveling costs for training and National EO conference. This also includes costs associated with the NASWA EO Committee, Train the Trainer workshops, or any other conferences/workshops necessary to keep informed of equal opportunity/non-discrimination updates/changes is taken from the Department of Labor and Training's Administrative budget.

State WIA Equal Opportunity Officer made known:

The manner in which the recipient makes known the identity of the EO Officer to applicants, registrants, eligible applicants/registrants, participants, employees, and applicants for employment, as well as interested members of the public. (See 29 CFR §37.26)

The State Workforce Investment Act Equal Opportunity Officer's identity is made known at service provider sites, Rhode Island's four One Stop (netWORKri) Centers as well as the Wakefield netWORKri one-stop career operating two days per week, and one DLT office, by "Equal Opportunity is the Law" poster, in both English and Spanish. Posters are displayed in prominent locations within the agency. Examples of where posters are prominent displayed include: lobby, entrance, classrooms, break rooms, or other areas where the agency considers them to be noticeable on a universal basis. The audiences reached through the prominent display of the "Equal Opportunity is the Law" poster include employees, employers seeking services, job seekers, participants, registrants, applicants, and the general public. Additionally, individuals receive an "Equal Opportunity is the Law" notice when going through the registration process. A copy is kept in the customers file, as required by 29 CFR Part 37, §37.31.

Local Workforce Investment Area Equal Opportunity Officer Designation:

There are two Local Workforce Investment Boards in Rhode Island: The Workforce Partnership of Greater Rhode Island (WPGRI) and Workforce Solutions of Providence Cranston (WSPC).

The Workforce Partnership of Greater Rhode Island has designated Brian Gambardella as their local Workforce Investment Area Equal Opportunity Officer. Brian has been with the RI Department of Labor & Training for the past six years. Prior to that, Brian worked for the office of Auditor General for 9 years. He has a Bachelor degree in Business Administration with a concentration in Accounting and a Masters in Accounting.

Name: Brian Gambardella
Position Title: Assistant Coordinator
Address: Workforce Partnership of Greater RI
RI Department of Labor & Training
1511 Pontiac Avenue
Cranston, Rhode Island 02920
Phone: (401) 462-8739
FAX: (401) 462-8725
TTY via RI Relay 711
Email: bgambardella@dlt.ri.gov

The Workforce Solutions of Providence Cranston and the Providence Cranston Workforce Investment Board has appointed Ms. Laura Lee Costello as their local Workforce Investment Area Equal Opportunity Officer. Ms. Costello is the Employability Coordinator for Workforce Solutions of Providence/Cranston and the Supervisor of its Workforce Investment Act Training Programs. She is a graduate of the University of Rhode Island with a Bachelor degree in English and Business Administration. Ms. Costello has worked in staff management, social services, and grant administration.

Name: Laura Lee Costello
Position Title: Workforce Development Coordinator
Address: One Reservoir Avenue
Providence, RI 02907
Phone: (401) 462-8902
FAX: (401) 462-8947
TTY via RI Relay 711
Email: llcostello@networkri.org

The State Equal Opportunity Officer forwards all Equal Opportunity training notices to the local Workforce Investment Areas' designated Equal Opportunity Officers. Local EO Officers are encouraged to attend all trainings, including the annual EO conference held in the Washington, DC area in July/August.

MATTHEW D. WELDON

117 Birch Swamp Road – Warren, Rhode Island 02885 – (401) 497-5510 - weldon20@gmail.com

EXPERIENCE

Rhode Island Department of Labor and Training *September 2011 – Present*
Assistant Director, Planning and Program Development

- ◆ Serve as a senior level administrator in a large state agency.
- ◆ Responsible for policy and program development, including: researching and crafting departmental legislation, analyzing current practices for the purpose of streamlined service delivery and establishing new workforce development initiatives.
- ◆ Act as the agency's government relations liaison by managing the annual departmental legislation in the Rhode Island General Assembly and by working with Rhode Island's Congressional delegation on issues pertaining to unemployment and workforce development.
- ◆ Manage the department's operations division by overseeing all facilities management projects, the department's mail processing and delivery operation and the department's stockroom.
- ◆ Serve as the agency's emergency administrator. Responsible for coordinating emergency evacuation plans, fire drills, disaster recovery plans and the agency's continuity of operations plan.
- ◆ Serve as the Director's designee on inter-governmental boards and commissions, including: The Attorney General's Misclassification and Business Fraud Task Force; The Joint Legislative NFPA 1500 Implementation Plan Review Commission and the Economic Development Corporation Regulatory Reform Committee.

Rhode Island Department of Labor and Training *March 2011 – September 2011*
Chief of Program Development

- ◆ Researched, drafted and managed departmental legislation.
- ◆ Served as the department's liaison to the state legislature – related duties included meeting with legislators to discuss legislation and testifying before legislative committees.
- ◆ Assisted the Director and Deputy Director with policy development and strategic planning initiatives.
- ◆ Represented the agency at inter-governmental meetings.

Rhode Island Superior Court, Office of the Adult Drug Court Feb. 2005 – March 2011
Adult Drug Court Manager

- ◆ Managed the daily activities of the Rhode Island Adult Drug Court program.
- ◆ Acted as the liaison between the court and over 100 participants, attorneys, treatment centers and government agencies involved with the program.
- ◆ Supervised all record keeping, data entry and communication between the Rhode Island Sheriff's Department, the Rhode Island Department of Corrections and the Superior Court Adult Court Drug Court program.
- ◆ Organized and implemented outreach activities to educate members of the legal community, the substance abuse treatment community and the general public about the Adult Drug Court.
- ◆ Served as the Rhode Island delegate to the State Drug Court Coordinator's Association and the Congress of State Drug Court Associations (CSDCA).

Rhode Island State Senate, Office of the Senate President December 2002 – Jan. 2005
Director of Senate Services

- ◆ Supervised operations staff which provided support services to members of the RI State Senate and Senate staff.
- ◆ Responsible for all procurement for the Senate, working as the Senate's liaison to the Joint Committee on Legislative Services and the State Purchasing Office.
- ◆ Acted as the personal assistant to the President of the Senate and the Senate Chief of Staff.

Rhode Island State Senate, Office of the Senate Maj. Leader May 2000 – Dec. 2002
Constituent Liaison

- ◆ Acted as a liaison between Senators, their constituents and local, state and federal government agencies to assist in resolving matters brought to the Senate's attention.
- ◆ Specialized in issues pertaining to the State Department of Human Services, the Registry of Motor Vehicles and the Taxation Division within the State Department of Administration.

EDUCATION

University of Rhode Island, B.A. Political Science

May 2002

PROFESSIONAL REFERENCE

Arthur Robinson, Probation and Parole Officer
RI Department of Corrections
250 Benefit Street
Providence, RI 02903
(401) 222-8823

PERSONAL REFERENCE

Michael J. White, Jr.
Office of the Attorney General
150 South Main Street
Providence, Rhode Island
(401) 274-4400

BRIAN S. GAMBARDELLA

29 Red Cedar Lane
North Providence, RI 02904
401.462.8739
bgambardella@yahoo.com

CAREER OBJECTIVES:

- Eager to handle more responsibilities
- Strong interest in a supervisor or managerial position
- Prepare budgets for employment and training programs

EDUCATION:

Johnson and Wales University
Masters in Business Administration
Global Business Management
Concentration in Accounting

Providence, RI
November 2004

Curry College
Bachelor of Arts
Major: Business Management **Minor:** Applied Computing
Concentration in Accounting

Milton, MA
May 1998

COMPUTER SKILLS:

IBM and Macintosh proficiency in Microsoft Word and Excel
Windows 95,98, & XP, Microsoft Office 97-03 & Windows XP, Access, Microsoft
Outlook, PowerPoint, Rumba, Internet, RISAIL, RIFANS, Oracle, INRHODES,
SNACS System, FARS, Turbo Tax, Pencil Pushers, and Quicken.

WORK EXPERIENCE:

2/09-present

Assistant Coordinator, Department of Labor and Training, Cranston, RI

- Manage contracts for JDF, WIA, and ARRA programs.
- Performed site monitoring visits.
- Provided technical assistant for invoicing, proper documentation, and accounting system maintenance.
- Prepared 9130 and 1512 quarterly reports

10/07-2/09

DLT Business Officer, Department of Labor and Training, Cranston, RI

- Responsible for time distribution and monthly reports through FARS system.
- Prepare journal entries, receipt entries, requisitions, invoicing, and change order forms.
- Track payment for vendors through RIFANS.
- Pay vendors for TAA Program, WIA Program, Rite Aid Program, Workforce Solutions Providence/Cranston and Workforce Partnership of Greater Rhode Island.

6/98-10/07

Auditor, Office of the Auditor General, Providence, RI

- Responsible for auditing State agencies' internal controls.
- Tested INRHODES System, Fixed Asset Module, and SNACS System.
- Worked on State, Single, and Performance audits. Tracing Financial Statements to RISAIL on the State Of Rhode Island Accounting System.

- Prepared Access queries, Excel spreadsheets, and memos for the development of workpapers.
- Responsible for following the Compliance Supplement, Circular A-133 and Circular A-87.

2/98-5/98

Accounting Intern, Office of Accounting, Curry College, Milton, MA
Prepared cash receipts, purchase orders and income statements for college accounts.
Entered general journal entries using the Banner computer management system.

12/97-1/98

Assistant Accountant, Accountemps, Providence, R.I.
Converted manual accounting systems to efficient computerized office systems for a nursing home client. Prepared, monitored and maintained accounts payables and receivables. Designed Excel spreadsheets for Medicare accounts.

9/96-5/97

Accounting Intern, Sandra Lee Greene, CPA, Weymouth, MA
Prepared monthly accounting reports and 1996 tax returns for small business clients using Quicken and Pencil Pushers Software. Generated payroll for business clients.
Managed accounts receivable for the accounting office.

INTERESTS:

Golfing, Vintage Automobiles, Physical Fitness, Computers, Travel

Laura Lee Costello

PO Box 115 • Narragansett, RI 02882

Phone: (401) 345-8232

e-mail: lauraleecn@aol.com

PROFILE

An enterprising and results-driven professional with experience in management, marketing, and communications.

Background includes:

- administering and monitoring federally funded programs for efficacy and compliance
- establishing and augmenting a customer base through the creative use of marketing tools and media
- a demonstrated ability to identify and develop strategic partnerships
- diverse writing experience including press releases, promotional literature, news articles and proposals
- effective verbal communications skills including public speaking, presentations and client relationship management

Proficient in Microsoft Word, Excel, and PowerPoint.

CAREER SYNOPSIS

Workforce Solutions Providence/Cranston, Providence, RI

2012 - Present

WORKFORCE DEVELOPMENT PROGRAM COORDINATOR

Administer a federally funded employability program through the Workforce Investment Act. .

- Monitor program performance to ensure compliance with federal regulations.
- Ensure program activities and data are accurately tracked, produce quarterly and annual reports based on data analysis.
- Facilitate liaisons with educational, vocational and skills training providers.
- Supervise employment placements and counseling to ensure successful hires and increase positive outcomes.
- Effectively develop, budget and promote customized training programs utilizing assorted federal funding sources.
- Manage a staff of employment counselors, intake specialists and administrative personnel.

Comprehensive Community Action Program, Cranston, RI

2009 - Present

PROGRAM COORDINATOR

Designed, implemented and promote a HUD-administered program to prevent homelessness.

- Researched, developed and wrote policies and procedures manual to ensure consistent, positive outcomes.
- Devised public relations strategies to increase awareness of the program.
- Developed and employed various methods of outreach including producing print and web-based newsletters, flyers, mailings and press releases.
- Liaised with members of municipal government, faith-based organizations and non-profit agencies to increase program participation.
- Utilized a statewide Homeless Management Information System to track and evaluate data and program progress.

Cranston Herald, Warwick, RI

2005 - 2009

REPORTER

Specialization in municipal government.

- Interviewed subjects, researched, and wrote news and feature articles.
- Assisted in the editing and layout of the newspaper.

The Quarter Bar and Grill, Narragansett, RI

2004 – 2005

MARKETING & SALES MANAGER

Responsibilities included restaurant promotions, marketing, special event management, operations and bookings.

- Managed advertising, direct mailings, payroll and inventory.

Fitcore Fitness Studio, Narragansett, RI

1995 – 2003

OWNER / DIRECTOR

Founder of an aerobic / wellness studio that grew its clientele to 125 in the first year.

- Developed, implemented and marketed wellness and specialty classes, fundraisers and corporate fitness accounts.
- Established a media and community exposure strategy focused on press releases, advertising and promotional appearances that garnered favorable publicity and exposure for the studio.
- Wrote and produced a quarterly newsletter, promotional literature and an instructor-training manual.
- Developed relationships with area businesses to encourage cross-promotion of products and services.
- Managed and trained a staff of fifteen instructors.

EDUCATION

University of Rhode Island, Kingston, RI

Bachelor of Arts degree in English & French with a minor in Business Administration

Chamber of Commerce and Industry, Paris, France

Certificat Pratique de Francais Commercial et Economique

Université de la Sorbonne

Certificat de Culture Francais

DLT's Equal Opportunity Methods of Administration

Element 2

Notice and Communication (29 CFR §37.54 (D) (1) (III))

Describe the methods and frequency of distribution of the notice, including initial dissemination: (see 29 CFR §37.29)

The State Workforce Investment Act's Equal Opportunity Officer ensures that the notices/posters provided in English and Spanish are prominently displayed in all facilities where WIA activities are conducted, including all five Networkri One Stop Career Centers, and the one DLT Office. In addition notices/posters are displayed in DLT's Administrative Offices. Customers entering any DLT or Networkri Center may view the "EO is the Law" poster, which is prominently displayed in or near the entrance to the facility.

The State Workforce Investment Act's Equal Opportunity Officer also ensures that registrants, applicants, participants, applicants for employment and employees are notified both electronically and through hard copy of their rights regarding Equal Opportunity and Nondiscrimination and where to file a complaint. A copy of the EO notice is retained in the customer's file, and a copy is given to the customer. The Notice is posted on the DLT website, in all four Networkri One Stop Career Centers, as well as the Wakefield netWORKri one-stop career operating two days per week, and the one DLT Job Service Office. It is important to note that customers who are limited English speaking, with Spanish as their primary language, receive the Spanish version of the EO Notice. Both the English and Spanish version is on DLT's home page.

The Notice (Equal Opportunity is the Law poster) has been distributed to all service providers, which includes providers of WIA Adult, Youth, and Dislocated Worker programs.

Notice (Equal Opportunity is the Law poster) is provided to individuals seeking services through the Wagner-Peyser employment services program. (in each Networkri office).

Unemployment Insurance:

Claimants are notified of their right to equal opportunity and nondiscrimination and where to file complaints. Every claimant receives a Benefits Rights and Information (BRI) sheet when they file for benefits. The BRI contains information regarding equal opportunity, as well as how and where to file a discrimination complaint.

Describe the means by which the State ensures that recruitment brochures and other materials are routinely made available to the public.

All brochures, pamphlets, and materials published by DLT include the statement: "The Department of Labor and Training is an Equal Opportunity Employer/ Program. Auxiliary aids and services are available upon request to individuals with disabilities TTY via RI Relay 711. This statement is also included on the DLT homepage.

Describe the manner and the extent to which orientations for registrants, applicants, eligible applicants/registrants, employees, applicants for employment, and members of the public include a discussion of the rights of such persons under WIA Section 188 and 29 CFR Part 37.37.

During orientation workshops for new participants, discussions are held regarding an individual's right under the nondiscrimination and equal opportunity provisions of WIA Section 188 and 29 CFR 37. Each recipient receives a signed copy of the "Equal Opportunity is the Law" Notice, and a copy is placed in the recipients' folder. Copies are available at all Networkri Offices, DLT offices and the Administrative building for all interested persons.

The Rhode Island Department of Labor and Training conducts orientation sessions for all new employees in the department. The orientation agenda includes a discussion of equal opportunity. Employees are provided a copy of the "Equal Opportunity is the Law" Notice. The employee is instructed to sign the form indicating they have read and understood their right to equal opportunity and nondiscrimination. The original signed copy is given to the employee and a copy is placed in their personnel file.

Orientation and training sessions are offered to participants in programs provided by the Local Workforce Investment Areas and the Networkri Offices, and DLT Job Service office. Upon request, Equal Opportunity and Nondiscrimination training can be provided at service provider sites.

Describe the steps taken to ensure that communications with individuals with disabilities are as effective as communication with others.

The Equal Opportunity and Nondiscrimination Notice is available in alternative formats, including reader services (provided by Network staff, DLT staff and/or service provider staff) to ensure individuals receive notice and a copy is placed in the individual's file.

RI DLT also makes every effort to ensure the needs of individuals with limited English skills. When requested, qualified interpreters (these can be staff members) assist the individual with limited English skills. The Notice is available in Spanish.

The State Equal Opportunity Officer also monitors the Local Workforce Investment Areas to ensure that alternate means of communication are available.

DLT's Equal Opportunity Methods of Administration

Element 3

Review of Assurances, Job Training Plans, Contracts, Policies and Procedures (29 CFR §37.54 (D) (1)(I) and (D)(2)(I), (III), and (IV)).

Describe how each grant applicant, and each training provider seeking eligibility, includes in its application for financial assistance under Title I of WIA the required EO assurances. (29 CFR Part 37.20 (a) (1))

Rhode Island's strategic plan provides assurances that it will comply with non-discrimination language in Section 188 of WIA, 29 CFR Parts 31, 32, and 37 nondiscrimination and equal opportunity compliance, Section 504 of the Rehabilitation Act, the ADA Act of 1990 and all other federal, state and local laws governing equal opportunity and nondiscrimination. Only those proposals, which conform in all respects to the requirements contained within WIA, including 29 CFR part 37 are awarded.

Describe how the State ensures that the required assurance is incorporated into each grant, cooperative agreement, contract or other arrangement whereby Federal financial assistance under Title I of WIA is made available. (29 CFR Part 37.20(a) (2)) NOTE: 29 CFR part 37.20(a) (2) provides that the assurance may be incorporated by reference into these documents.

The required assurance is incorporated into all standard contracts for services, grants, and cooperative agreements whereby Federal Financial assistance under Title I of WIA is made available. The assurances contain equal opportunity and nondiscrimination language that it will comply with all equal opportunity and nondiscrimination regulations including the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 as amended, WIA Equal Opportunity and Nondiscrimination Regulations 29 CFR Part 37, and all other federal, state and local laws governing equal opportunity and nondiscrimination and will remain constant for the life of the contract.

The State requires the Local Workforce Investment Areas to comply with the federal and state laws prohibiting discrimination and further identifies the prohibited discrimination. Local Workforce Investment Areas must include equal opportunity language in their contractual agreements with another entity to provide a program or service.

Local Workforce Investment Areas must certify training providers who are to become eligible to provide training services under the Workforce Investment Act. Local Service providers must comply with the equal opportunity/nondiscrimination provisions of WIA Section 188 and its implementing regulations at 29 CFR Part 37.

Boilerplate language is used for service provider agreements therefore all Workforce Investment Act Title IB service provider agreements contain the assurance language.

Monitoring for equal opportunity and nondiscrimination assurance is included in the annual monitoring and Local Area Plans, service provider agreements, memorandum of understanding, and any other WIA documentation that is used to provide policy to service providers. These are all reviewed for assurance language. Included in that review of

assurances is a review of the tool used by the State Workforce Investment Act Equal Opportunity Officer to conduct the review of the local area service providers.

Describe how each grant applicant and each training provider seeking eligibility is able to provide programmatic and architectural accessibility for individuals with disabilities.

The State of Rhode Island certified that it would comply with the nondiscrimination provisions of WIA Section 188 and its implementing regulations at 29 CFR Part 37 in the five-year strategic plan.

The State Workforce Investment Area Equal Opportunity Officer provided the accessibility checklist to all WIA service providers. The State WIA Equal Opportunity will conduct monitoring of the Local Workforce Investment Area service providers by reviewing and determining the sites are:

- fully accessible to individuals with disabilities in regard to physical site and program space
- fully accessible regarding electronic and self-service program components
- fully accessible in terms of all one-stop services, WIA program services, and partner services
- conscious of transportation issues and can provide information to customers as needed.

The EO officer completed the review of the accessibility of the Networkri Office's and DLT's Administrative Offices' in October 2011. This monitoring process is conducted every 2 years.

Describe how Job Training Plans, contracts, assurance, and other similar agreements entered into by recipients are both nondiscriminatory and contain the required language regarding nondiscrimination and equal opportunity. (29 CFR Part 37.54(b) (2) (IV))

All agreements and contracts between the Local Workforce Investment Areas and WIA service providers contain equal opportunity and nondiscrimination language that it will comply with all equal opportunity and nondiscrimination regulations including the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 as amended, WIA Equal Opportunity and Nondiscrimination Regulations 29 CFR Part 37, and all other federal, state and local laws governing equal opportunity and nondiscrimination and will remain constant for the life of the contract.

Describe how the State provides assurance that State and local level policy issuances, or issuances from other recipients, are not discriminatory either in intent or effect. (29 CFR Part 37.54 (d) (2) (iii))

Local Workforce Investment Areas provide a draft of all policy issuances relating to equal opportunity/nondiscrimination to the State Equal Opportunity Officer for review and comment prior to issuing the policy in final form to Local Workforce Investment Area service providers.

Describe how the policies on WIA Title I Equal Opportunity and Nondiscrimination issues are developed and implemented in a timely manner.

The State Workforce Investment Office issues, by email, disseminate Workforce Investment Notices (WIN) to the principals of the Workforce Investment system, who in turn, are directed to promulgate the information to its members, service providers, partners, etc. The development and implementation of policies and procedures occurs in a timely manner relative to any time line for providing the policies.

DLT's Equal Opportunity Methods of Administration

Element 4

Universal Access (29 CFR §37.54 (D) (1) (VI))

The State has communicated the obligation of recipients (including, e.g., LWIBS, one stop operators and service providers) to make efforts (including outreach) to broaden the composition pool of those considered for participation or employment in their programs or activities in an effort to include members of both sexes, of the various racial and ethnic groups and of various age groups, as well as individuals with disabilities. (See 29 CFR §37.42).

One of Rhode Island's goals is to provide quality accessible and comprehensive employment-related and supportive services responsive to the needs of all individuals participating in our services.

Rhode Island's Department of Labor and Training strives to bring all persons in Rhode Island who desire to work, including members of both sexes, of various racial and ethnic groups, various national origins, of various age groups, individuals with disabilities, veterans, the economically disadvantaged and public assistance recipients into the workforce.

The Department's website (www.dlt.state.ri.us) is one way we reach out to all individuals interested in employment and training services in Rhode Island. Individuals can request referrals to listed job openings, obtain Labor Market Information (LMI), and find out about our job training. All services within the RI NetworkRI offices (WIA) are also readily available on the Department's website. WIA services are only a click away once clients access the website.

There is extensive collaboration with other state agencies (partners) such as Vocational Rehabilitation, Department of Human Services, Office of Child Support, Department of Education, and local Veterans organizations bringing all individuals into our offices for services.

Also, the Department's Dislocated Workers' Unit performs outreach at all companies who have given notice of their closing, or significant staff reductions. The purpose of these outreach visits is to meet with soon to be dislocated workers to ensure that they receive all needed services in order for them to obtain a meaningful job at wages as close to their previous wages earned as quickly as possible.

Rhode Island's four NetworkRI offices, the Wakefield netWORKRI one-stop career operating two days per week, WIA Service providers, and the one DLT job Service Office are located statewide. All are accessible to individuals with disabilities. Rhode Islanders can select the location and method of access that is most convenient to them. The system is designed to address the diverse needs of all customers, job seekers, and employers. Universal access is achieved by the availability of onsite services, flexible hours, and access to those with limited English speaking proficiency.

Limited English Persons

"The United States Department of Labor (USDOL) guidance regarding persons with limited English proficiency requires recipients of federal financial assistance to ensure meaningful access to their programs and activities by persons with Limited English Proficiency (LEP) pursuant to Title VI of the Civil rights Act of 1964, its implementing regulations, and Section 188 of the Workforce Investment Act of 1998. The guidance does not create new legal requirements or change existing requirements. It clarifies what the law already requires with respect to ensuring that information and services are accessible to LEP persons. Eligible LEP individuals must be able to access the full spectrum of services provided by the recipients. The purpose, as stated in the revised guidance, is "to assist recipients in fulfilling their responsibilities to provide meaningful access to LEP persons under existing law." The USDOL advises that recipients are required by Title VI to take reasonable steps to provide meaningful access to federally assisted programs and activities by LEP persons through language assistance that is reasonable, timely, and effective.

With this above guidance the LEP checklist (see documents) will be used by the State EO Officer as a means of assisting our Department (One Stops/Wagner-Peyser/Unemployment Insurance) in ensuring that LEP persons receive meaningful access to federally assisted programs and activities.

All individuals entering Networkri offices have access to Rhode Island's Workforce system, and to core employment related services. Information about job vacancies, career options, student financial aid, relevant employment trends, and instruction on how to conduct a job search, write a resume, or interview with an employer is available to any job seeker or individual wanting to advance his or her current career. Any individual, whether an employer, job seeker, program participant or service provider, has access to information on services and programs from any Internet connected computer.

Additionally, staff can communicate with Limited English Proficient customers through the web site: <http://translation2.paralink.com>. This site allows individuals to ask questions in their own language, and receive answers in their own language.

Job Seekers are not the only customers in need of more services. Another important customer is the employer. Networkri offices provide a wide array of services to employers. Outreach is provided to employers by our Business Service Representatives to educate them on how to reach untapped labor resources, to understand the services available to employers, (this includes Job Fairs), and how to use our services. Employers are offered information on the Work Opportunity Tax Credit (WOTC) program that provides a federal tax credit incentive to employers to hire individuals from certain targeted groups and job fairs. Labor Market Information is another source available to employers and job seekers with information about the job market as it relates to the State of Rhode Island.

DLT's Equal Opportunity Methods of Administration

Element 5

Compliance with Section 504 of the Rehabilitation Act of 1973, as amended and 29 CFR Part 37 (29 CFR §37.54 (D)(2)(V))

All recipients of WIA funds and partners in the One Stop Delivery System must comply with Section 504 of the Rehabilitation Act of 1973, as amended. Assurance is provided in Methods of Understandings (MOU's) within the local Networkri Offices and between recipients of WIA funds including the RI Department of Labor and Training, Local Workforce Investment Area Boards, and Local Workforce Investment Area Service Providers, WIA Title I mandatory partners and other partners.

Describe how the state ensures that recipients meet their obligation not to discriminate on the basis of disability. (29 CFR §32.12(a), 32.26 and 37.7)

The State of Rhode Island Workforce Investment system is dedicated to providing equal access and accommodations to persons with disabilities. Assurance language requiring compliance in meeting this obligation is in all service provider agreements.

Emphasis on inclusion of individuals with disabilities is recognized throughout all program areas and not just through the provision of rehabilitation services. The philosophy of universal access has changed the way business is conducted within Rhode Island's Department of Labor and Training and its WIA system.

The WIA Section 188 Disability checklist (Final, July 2003) has been used in the monitoring process to ensure nondiscrimination and equal opportunity to persons with disabilities are able to participate in programs and activities operated by Local Workforce Investment Areas (LWIA) grant recipients that are part of the One Stop delivery system.

Describe how the state provides reasonable accommodation for individuals with disabilities (29 CFR §32.13 and 37.8)

The State requires alternative methods of providing services where facilities are determined not to be physically accessible to people with disabilities. DLT provides reasonable accommodation, as needed, when requested by persons with a qualified disability.

The Department of Labor and Training has appointed Ms. Kathleen Lanphear as the ADA Coordinator for WIA programs/facilities and Mrs. Virginia Faria as Facilities Manager (with ADA responsibilities) for the remainder of the Department of Labor and Training programs and facilities. Both work cooperatively to ensure that ADA policies, practices and procedures are carried out appropriately.

Workforce Investment Act programs and services are available to all individuals. The eligibility criterion for individuals with disabilities receiving youth services is the same for all youth as is the eligibility criteria for dislocated workers the same for all dislocated workers throughout the program. The same is true for adults who will receive intensive and training services. Workforce Investment Act services will be made available to all

individuals and/or appropriate referrals will be made to ensure equal opportunity and accessibility to service to everyone. Accessibility and reasonable accommodation is available in all NetworkRI One Stop centers. (A list of assistive technology and resources follows).

Rhode Island takes phone claims; however, those UI claimants that do not have a phone or cannot afford to call from their home, or not call for any other reason may go to any NetworkRI center to phone in their claim. In addition to the NetworkRI centers we have partnered with the local libraries throughout Rhode Island to include areas in Newport, Bristol, Cranston, Woonsocket, East Greenwich, Johnston, Warwick, Narragansett, Pawtucket, Cumberland, and Providence. These libraries serve as additional locations for customers to access computer resource rooms to gain access to EmployRI online services. All offices are accessible for this purpose.

Wagner-Peyser services are only available at all One Stop/NetworkRI offices as well as the main DLT office at the Center General Complex. Therefore, all reasonable accommodations is provided to all individuals seeking Wagner-Peyser services in addition to the availability of assistive devices that aid individuals with disabilities in receiving core services, conducting a job search or registering for a program.

Describe how the state provides reasonable modifications to policies practices and procedures. (29 CFR Part 37.8)

Title II of the ADA requires that programs, services, and activities of state and local governments be accessible to and useable by individuals with disabilities. DLT is committed to providing reasonable accommodations to individuals with disabilities.

ADA Coordinators assure that the needs of persons with disabilities are met in the most appropriate, customer friendly, cost efficient and timely manner possible. The individuals in these positions coordinate their efforts and have a true commitment to the customers (both internal and external) they serve. The Department's ADA Policy is accessible to all staff (Department's Affirmative Action Plan, available in the Human Resources Department), and for programs and services through the State Workforce Investment Offices annual plan.

Describe how the state provides architectural accessibility for individuals with disabilities. (See 29 CFR §32.28)

One of the most effective means of providing integrated program services is through the development of a welcoming, inclusive environment.

In 1999 when Rhode Island's first NetworkRI, One Stop office opened, in order to comply with ADA regulations, this office building became the prototype for accessibility for individuals with disabilities.

Some highlights of architectural access in DLT and NetworkRI offices include:

- power assisted door systems. The building entrances are outfitted with electronic systems that provide easy access to services;
- elevators are located in all multi-level buildings. Elevators have signage in Braille.

- restrooms are accessible to all individuals with disabilities. Restrooms can accommodate wheelchairs. Restrooms have signage in Braille. Signage is posted on the walls beside the entrance doors, signage also signifies, male or female restroom;
- there is lever hardware on doors. These are in place of regular doorknobs, as they are better operated by entrants into the offices who have arthritis.
- There are designated handicap parking spaces available at the front entrances at all locations;
- buildings have either front or back entry ramps;
- aisles and door jams are wheelchair accessible; and
- DLT website web pages are "accessible" to people with "disabilities."

Describe how the state provides programmatic accessibility for individuals with disabilities in as integrated a setting as possible. (29 CFR Part 37.7-8)

The Rhode Island Workforce system has taken a very proactive role in assuring programmatic accessibility for individuals with disabilities in as integrated a setting as possible. The following is a list of the various assistive technologies and other assistive tools available at the Networkri offices.

- Notices are posted stating adaptive equipment is available.
- Employment counselors and Veteran representatives providing case management or referrals for individuals with disabilities.
- Access to interpreters for the hearing impaired (a list of interpreters is available).
- Staff is trained and available to assist with accessible equipment.
- Computer access for all individuals with disabilities.
- Adjustable workstations that accommodate wheelchairs.
- Bigger monitors for visually impaired.
- JAWS computer software for visually impaired and individuals with literacy problems.
- MAGIC software for visually impaired.
- Magnifying screens (magnifies documents for visually impaired).
- Access to TTY for the hearing impaired.
- Utilization of Vocational Rehabilitation services through the partner being on site in local netWORKri offices.
- Pocket Talker for the hearing impaired.

The Department of Labor and Training and the Local Workforce Investment Area provides assurances to all applicants for employment within the Department or the local areas. When DLT employees are hired or reclassified the job qualifications are reviewed to ensure nondiscrimination within the Human Resources Department. Job qualifications for other recipients will be reviewed during monitoring visits to ensure nondiscrimination based on disability.

DLT's Equal Opportunity Methods of Administration

Element 6

Data and Information Collection and Maintenance (29 CFR §37.54 (D)(1)(IV) and (VI))

The State ensures that recipients:

Collect and maintain records on applicants, registrants, eligible applicants/registrants, terminees, employees, and applicants for employment.

The Rhode Island Department of Labor and Training's Workforce Investment Act data collection system collects and maintains information on applicants, registrants, eligible applicants/registrants, participants, terminees, and applicants for employment. This information will be collected through the Department's Virtual One Stop System (VOS). This information includes the race/ethnicity, sex, age, and disability status of each applicant, registrant, eligible applicant/registrant, participant, terminee, and applicant for employment. This information is collected during the intake process and updated as needed throughout the individual's participation in the WIA system. All of these records are handled confidentially in accordance with 29 CFR 32.15, 29 CFR 37.37 (b) (2) and 29 CFR 37.41.

Maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIA Section 188 ((29 CFR §37.37 (c)).

The Department's Equal Opportunity Officer maintains a log of all complaints filed that allege discrimination on one or more of the bases prohibited by WIA section 188. The EO Log includes all the CFR required information: the name and address of the complainant, the ground of the complaint, a description of the complaint, the date the complaint was filed, the disposition, and date of disposition of the complaint, and other pertinent information.

Participant files are kept for a minimum of three years (CFR 37.39) from the close of the applicable program year, or if part of an investigation of a complaint of alleged discrimination, a minimum of three years from the completion of that investigation.

Employment related data, for applicants and terminations as well as for employment actions such as promotions and transfers, are also maintained for a minimum of three years. Applicants for employment voluntarily self-disclose their sex, ethnic and racial categories, age, and if applicable, disability status.

The Department's Equal Opportunity Officer will maintain a log of all complaints filed alleging discrimination on one or more of the bases prohibited by WIA Section 188. These records are also maintained for three years. The Rhode Island Department of Labor and Training is required by 29 CFR 37.38 (a) to promptly notify the CRC Director of administrative enforcement actions and lawsuits brought against the Department that allege discrimination on one or more of the basis prohibited by WIA Section 188. Any sub grants issued by the Department will require that sub grantees notify both the CRC

Director and the Department should administrative enforcement actions or lawsuits alleging discrimination as prohibited by Section 188 of WIA be brought against them.

The requirements of 29 CFR 37 which have been placed upon the State will in turn be placed by the State upon Recipients. Language has been added to the Assurances section of new grants and grants modified by the State requiring that Recipients comply with WIA Section 188 and 29 CFR 37. Additionally, Recipients will be required as a condition of initial eligibility and continued eligibility for funds to collect and maintain records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment, record the race/ethnicity, gender, age, and disability status of those persons listed in number 1 above, treat records, particularly those containing medical information, in a manner that ensures their confidentiality, maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIA, section 1288 and 29 CFR 37.37 (c), maintain such records for a period of three (3) years, and, notify the Director of CRC and the Rhode Island Department of Labor and Training of administrative actions and lawsuits brought against them that allege discrimination on one or more of the bases prohibited by WIA Section 188, and 29 CFR 37.37 (c).

Compliance with the above requirements will be verified during scheduled reviews of recipients by the EO Officer.

Describe how recipients, grant applicants, and the State maintain confidentiality of the information collected.

Confidentiality of required information is maintained under the Workforce Investment Act. Confidentiality policies and procedures are included in data collection and maintenance policies.

Rhode Island has begun to use Virtual One Stop System (VOS). The EO Officer has report formatting options available through the State run "Ad hoc" report and can print a report showing demographics of registrants and participants, any services received, the program, local workforce investment area and by service provider in the local area. The Equal Opportunity Officer may use the data during a complaint investigation or to conduct a random sample of services provided in an area or at the service provider level.

Rhode Island's Unemployment Insurance Collection of Claimant Data collection of individual claimant begins when the person contacts the department to file an Unemployment Insurance (UI) claim. This can be done either over the phone or through the internet. Rhode Island's Unemployment Insurance Division began taking telephone claims on April 6, 1998 and filing claims over the Internet on September 12, 2002. Included on the Internet is a section which explains the claimant's rights to privacy and describes the assurances the department provides for that security. The Internet's "Welcome to the Rhode Island Internet Claims System Page" also gives options, according to ADA standards/requirements, to the population of claimants who require them.

Individual data fields include Social Security number, date of birth, gender, educational level, race, ethnicity, disability status, and veteran indicators. The demographic claimant data is not a prerequisite for receiving UI benefits. Through a claim taking "script" the

claimant is informed that all data collected is confidential. It is displayed on screens and stored in the AS400 database.

The Unemployment Insurance division has the capability to query using any of the above data elements as requested by the Equal Opportunity Officer.

Wagner-Peyser data is also collected on the Virtual One Stop System (VOS).

DLT's Equal Opportunity Methods of Administration

Element 7

Monitoring Recipients for Compliance (29 CFR §37.54 (D)(2)(II))

The system for evaluating the extent to which recipients are complying with the administrative obligations of 29 CFR Part 37, including, but not limited to:

The Rhode Island Department of Labor and Training's system for evaluating the extent to which Recipients are complying with the Equal Opportunity and Nondiscrimination administration under 29 CFR 37 includes assurances, equal opportunity officers, notices and communication, data and information collection and maintenance, universal access, complaint processing procedures, monitoring of sub-Recipients of WIA Title I financial assistance, imposing sanctions and corrective actions for violations noted by a Recipient during its monitoring reviews and ensuring EO policy development, communication and training are carried out for and by Recipients.

Included in the monitoring review are the following elements:

Assurances (See 29 CFR §37.20 through 37.32)

Accessibility of Local Workforce Investment Areas' administrative entity and review of the process for assuring accessibility at the service provider level.

Equal Opportunity Officers (See 29 CFR §37.23 through 37.28)

Equal Opportunity Officer designation and training. As noted in Element I, Matthew Weldon is the EO Officer for the Department for Workforce Services. There are also two local EO Officers, one for each service delivery area.

Notice and Communication (See 29 CFR §37.29 through 37.36)

Notification of Equal Opportunity and Nondiscrimination. The EO Officer includes a review of signage and other forms of the EO notice and communication in the annual monitoring reviews.

Data Collection and Maintenance (See 29 CFR §37 through 37.41)

Data collection and maintenance is reviewed at both the Administrative and EO position level, once per program year.

Universal Access (see 29 CFR §37.42)

See Element IV.

Complaint Processing Procedures (See 29 CFR §37.70 through 37.80)

See Element VIII.

Performing the responsibilities assigned such recipients by the State through the MOA, such as conducting equal opportunity monitoring/evaluation reviews of applicants for and recipients of "WIA Title I financial assistance (including monitoring assurances of programmatic and architectural accessibility).

See Elements I and V.

Imposing Sanctions and Corrective Actions for Violations noted by Recipient during its Monitoring reviews

See Element IX.

Ensuring Policy Development, Communication, and Training are carried out.

In addition to the monitoring, the EO officer works closely with the Administrative Office; the Department of Administration's, General Government Service Center as well as the State Workforce Investment Office (SWIO) to ensure full compliance with EO policy and procedures.

Ensuring that their programs and activities are operating in a nondiscriminatory manner and ensuring equal opportunity, including but not limited to conducting analysis, by race/ethnicity and sex, of programs and employment activity, including but not limited to rates of application, placement and termination, to determine if significant differences exist, and conducting follow-up monitoring to determine the cause of any such differences, through the analysis of the records of individual registrants, applicants, eligible applicants/registrants, employees and applicants for employment; interviews, and other appropriate techniques.

As part of the monitoring process, the EO officer periodically reviews reports/files. These reviews include analysis of the race/ethnicity, age, disability status, and sex of program and employment activities, placements, terminations, etc., of all DLT customers.

The procedures for reviewing recipients' policies and procedures to ensure that the policies and procedures do not violate the prohibitions contained in 29 CFR §37.5 through 37.10.

The EO Officer, with the assistance of the two Local EO Officers monitors EO requirements and activities periodically, (at a minimum, once per year).

Written reports are prepared for each review. These reports provide, among other things, the results of the monitoring review, and recommendations for corrective action. Reports are distributed to all One Stop Administration staff, the Director of DLT, the affected manager and the appropriate local EO Officer. The report is sent by hard copy or by e-mail, with a thirty-day response time noted in the report. If needed, a follow-up review will be scheduled.

DLT's Equal Opportunity Methods of Administration

Element 8

Recipient Complaint Processing Procedures (29 CFR §37.54(D) (1) (V))

The RI Department of Labor and Training, as a condition of receiving funds under the Workforce Investment Act Title I and III Subpart A (Wagner Peyser) funds certifies that it will comply with the nondiscrimination and equal opportunity requirements and procedures as it applies to the complaint processing procedures. (29 CFR 37.76 – 37.79)

The EO officer will process discrimination complaints for the Department of Labor and Training, and all recipients of WIA funding.

The procedures include an initial **written notice to the complainant** that contains the following information. The notice mailed to complainant within 10 business days includes the following elements.

- Acknowledgement that the Recipient has received the complaint.
- Notice that the complainant has the right to be represented in the complaint process.
- A written statement of the issues, including a statement for each issue stating whether the Recipient will accept the issue for investigation or reject the issue and the reason for each rejection.
- A notice of final action will be issued to the complainant no longer than 90 days from the date of the complaint.
- A 30 day period for fact finding or investigation of the circumstances underlying the complaint.
- A 20 day period during which the Recipient attempts to resolve the complaint including the alternate dispute resolution which is described in the Complaint Procedures.
- At the time a complainant indicates to any member of the Recipient staff that they are dissatisfied on the basis of discrimination with an action of the Recipient, they will be informed by the staff member to whom they are speaking of their right to file a complaint with DLT or CRC or the right to use the ADR process (to follow).
- A written Notice of Final Action will be provided to the claimant within 90 days of the date on which the complaint was filed. The notice will include the Recipient's decision on the issue and an explanation of the reasons underlying the decision or a description of the way the parties resolved the issue; and notice that the complainant has the right to file a complaint with CRC within 30 days of the date on which the Notice of Final Action is issued if they are dissatisfied with the Recipient's final action on the complaint.

ADR Process/Procedures

ADR Process

The EO officer shall inform complainants of the opportunity to participate in the state level ADR process. If the complainant chooses to participate, the complainant shall notify the State WIA Equal Opportunity Officer within five (5) days of receipt of the statement of issues. The State WIA Equal Opportunity Officer shall coordinate the scheduling of mediation at a location convenient to both the complainant and the respondent. Within thirty (30) days of the date the complainant chooses to participate in ADR, the mediator shall provide a copy of the final agreement or notice of failure to reach an agreement to the State WIA Equal Opportunity Officer.

Process if parties fail to reach an agreement under ADR

If the parties are unable to reach an agreement under ADR, the State will resume its investigation of the complaint or the Complainant may file a complaint with CRC. In this instance, the State EO Officer shall issue a Notice of Final Action within fifty (50) days of the date the complaint is filed at the state level after utilizing the ADR process but no later than ninety (90) days after receipt of the original complaint. For each issue raised, the Notice of Final Action shall include the Department of Labor and Training's decision on the issue and the reasons for the decision or a description of the way the parties resolved the issue. The Notice of Final Action must also include a statement that the Complainant has the right to file a complaint with CRC within thirty (30) days of the date on which the notice of Final Action is issued if dissatisfied with the Department of Labor and Training's final action on the complaint.

Breach of ADR Agreement

If an agreement is reached under ADR but is breached, the party to an agreement reached under the ADR procedure may file a complaint with CRC following the process outlined in 29 CFR 37.76 (c)(2).

The State Workforce Investment Act's Equal Opportunity Officer, James White, has taken the lead in the development of Rhode Island's Method Of Administration and as such is responsible for developing, implementing, updating and maintaining the Discrimination Complaint Processing Policy and Procedures and assures compliance with 29 CFR Part 37.

The EO officer's name is on the "Equal Opportunity is the Law" notices (posters and signature sheets) and is the initial contact for all WIA Title I complaints.

The EO officer also receives and processes WIA and Wagner-Peyser external complaints from participants/registrants, employees of DLT and the Local Workforce Investment Areas service providers and the public that are making a complaint of discrimination.

Workforce Investment Act Title IIB funding recipients, including the Local Workforce Investment Areas' Administrative entity and WIA Service Providers, and employers, including private-for-profit employers of Workforce Investment Act participants are

required to have complaint procedures in place. In order to meet the complaint processing requirements in the Workforce Investment Act Equal Opportunity and Nondiscrimination Regulations at 29 CFR Part 37.77 recipients of Workforce Investment Act funds including Local Workforce Investment Areas service providers must adopt this complaint procedure alleging violations of any prohibited factor under the equal opportunity and nondiscrimination provisions of the Workforce Investment Act. Adoption of these elements should be noted in personnel handbooks.

Mediation as an Alternative Dispute Resolution Process

The Department of Labor and Training has been designated by the Governor of Rhode Island as the agency to comply with Section 188 of the workforce Investment Act (WIA) and its implementing regulations. In carrying out these duties the Department of Labor and Training conducts both compliance reviews and discrimination complaint investigations.

Mediation is an informal process that is offered as an alternative to the traditional investigative or litigation process. Mediation is a voluntary, strictly confidential, non-adversarial dispute resolution process or conference that allows people who have a dispute to come together to talk and decide for themselves how to end their dispute. The sessions are not tape-recorded or transcribed. Notes taken during the mediation are discarded. Mediation gives the parties the opportunity to discuss the issues raised in the allegation(s), clear up the misunderstandings, determine the underlying interests or concerns, find agreements and to reach a resolution. The decision to mediate is completely voluntary for the complainant. The mediator does not take sides or make decisions for people, but assists the parties in agreeing on a mutually acceptable resolution.

Mediation Election Form

I have read the information on the role of the State of Rhode Island's Department of Labor and Training in the equal opportunity and complaint resolution process under the Workforce Investment Act (WIA) including, the offer of Mediation as an alternative to the formal complaint investigation procedure.

Based on the information provided to me, I have voluntarily and freely made the following election with regard to Mediation.

_____ **Yes**, I elect to avail myself of the mediation option of complaint resolution. I agree to participate in the mediation efforts led by the Department of Labor and Training's EO Officer and to attempt to settle the issues in dispute between the respondent and me.

_____ **No**, I elect not to use mediation as an alternative method of dispute resolution, and request that the formal complaint investigative process begin as soon as this form is received by the Equal Opportunity Officer.

Please complete the above and return it within five (5) days to:

Matthew Weldon, EO Officer
Department of Labor and Training
1511 Pontiac Avenue
Cranston, RI 02920

Complainant Name (please print)

Signature

Date

DLT's Equal Opportunity Methods of Administration

Element 9

Corrective Action Sanctions (29 CFR §37.54 (D)(2) (VII))

Corrective action may occur whenever a recipient is cited as the result of an EO monitoring review or a complaint investigation being conducted. If discrimination is found, a conciliation agreement and corrective action will be required. The corrective action must address the particular act of discrimination, must completely correct the discrimination, and must include timetables by which to correct the discrimination. A written assurance must accompany a corrective action (to ensure that the discrimination does not recur) stating that the recipient will cease in its discriminatory practices where necessary, retroactive and/or prospective relief will be required.

Describe the standard for corrective and remedial actions to be applied when violations of WIA Section 188 or 29 CFR Part 37 are found. Corrective and remedial actions must be designed to completely correct each violation. For each corrective action, a time frame should be established that sets the minimum time necessary to completely correct the violation. In the case of a finding of discrimination, the procedures must provide, where appropriate, for retroactive relief (including but not limited to back pay) and prospective relief (e.g. training, policy development and communication) to ensure that the discrimination does not recur.

Corrective Action

The corrective actions will be appropriate for the violation identified and designed to end the discrimination and/or redress the specific violation(s).

Two different types of violations are addressed in this element: Technical violation and discrimination violation.

Technical violations include but are not limited to the failure to include required language in assurances, failing to post Equal Opportunity notices and failure to provide alternative methods of communication. Technical violations may require a different timeframe for corrections than discrimination findings.

Technical violations should be corrected as promptly as possible and will be addressed at the time of the discovery.

Technical assistance is provided to the Local Workforce Investment Areas (boards, service providers, and administrative entities), based on the need and may be provided at anytime throughout the program year. However, the State will provide technical assistance to a Local Workforce Investment Area that has failed to meet one or more of its expectations regarding equal opportunity and nondiscrimination compliance. The type of technical assistance given will be based on a State and local assessment of the reason(s) of the violation. If the violation(s) continue after technical assistance has been provided, sanctions will be applied in accordance with appropriate federal guidelines and regulations. The type of sanctions and corrective actions will be examined on a case – by

- case basis and will depend on the reason for failure and the most effective way for correcting the deficiency. Obviously, if through monitoring or discrimination complaint, the State discovers that notice is not appropriately provided because posters are not prominent in an area noticeable by potential applicants or registrants, etc., or registrant files do not have the complaint signature form, the corrective action to be taken would include ensuring that the notice is posted immediately and remains posted in the future. One method of ensuring compliance is to ensure the review for appropriate notice is included in the Local Workforce Investment Area monitoring instrument both by the State WIA Equal Opportunity Officer and the Local WIA Investment Area Equal Opportunity Officer.

Where appropriate, the corrective action will include educating the individuals responsible for implementing this requirement. Technical assistance will be provided by the State WIA Equal Opportunity Officer or may be in coordination with the Local WIA Equal Opportunity Officer, as appropriate. The training would be done on-site or at a mutually agreed upon location. Technical violations usually will not warrant the discontinuance of funds or services from the State.

Discrimination violations include but are not limited to findings of disparate treatment, disparate impact and failure to provide a reasonable accommodation. Complaints of discrimination violations will be addressed promptly.

The State will conduct a full review of any Local Workforce Investment Area(s) where noncompliance of equal opportunity and nondiscrimination laws and regulations is suspected. Depending upon the nature of the noncompliance, the review may be conducted in coordination with the Local Workforce Investment Area(s). The State Equal Opportunity Officer will notify the recipient in writing of deficiencies found during equal opportunity monitoring reviews.

Recipients found to be in violation of 29CFR Part 37 or WIA Section 188 will have 60 days to attain compliance. During that timeframe that entity will have 30 days in which to submit a corrective action plan describing the means by which they intend to correct the violations. The corrective action plans will be provided to the State WIA Equal Opportunity Officer and may be submitted to the State and/or Local Workforce Investment Boards for review, if deemed necessary.

The State WIA Equal Opportunity Officer will review the corrective action plan for assurance that corrective action has been implemented. If corrective action provides assurance that the deficiency has been resolved satisfactorily the State Equal Opportunity Officer will send a letter of compliance notifying the Local Workforce Area and advising the area that a follow up review could occur to verify the corrective action.

Corrective action plans must address the particular act of discrimination, must correct the discrimination, and must include time tables by which to correct the discrimination. A written assurance must accompany a corrective action (to help insure that the discrimination does not recur) stating that the Local Workforce Investment Area or their administrative entity, one-stops or WIA service providers have ceased any discriminatory practices and must attest to taking steps to correct the deficiency so that it does not recur.

Describe the procedures for follow up monitoring to ensure that commitments to take corrective action and remedial action are fulfilled.

The State will conduct an on-site review for equal opportunity/ nondiscrimination compliance within 90 days of implementation of the corrective action plan and to ensure the entity in violation of equal opportunity and nondiscrimination regulations has taken steps to correct the deficiency.

Reviews conducted of noncompliance include on-site visits and follow up visits to ensure the terms of any corrective actions are met. The State Workforce Investment Act Equal Opportunity Officer, in cooperation with Local workforce Equal opportunity Officers may conduct reviews, as appropriate. Findings will be documented in writing, provided to the violator and retained in the Equal Opportunity file.

Describe the required reports from the violating recipients regarding actions taken, individuals involved in the corrective action, dates and times.

Sanctions: Continued non compliance issues will be addressed as follows:

1st level of action:

A letter of demand for compliance (within 10 days) will be sent to the non compliant entity, with copies to the appropriate manager or director of the affected agency and the Local Workforce Area Board and their administrative entity.

2nd level of action:

If the deficiencies of noncompliance cannot be resolved or corrected on a voluntary basis, technical assistance will be provided.

- Technical assistance may be provided by the State or Local Workforce WIA Equal Opportunity Officer or through the coordinated effort of the two officers.
- The State may request periodic reports including copies of the training rosters and written assurances.
- The State may conduct an onsite visit where necessary to evaluate the degree of progress made toward resolving existing noncompliance factors. **NOTE:** The Local Workforce Investment Areas are made aware that follow up monitoring may occur at any time.

3rd level of action:

Rhode Island's State Workforce Investment Board may impose sanctions, including but not limited to disciplinary action, up to and termination of employment (DLT staff), removal from the eligible training provider list, loss of funds to WIA service providers and termination of contracts with service providers or other sub-recipients of WIA funds.

The State Workforce Investment Office may take steps as described in 29 CFR Part 37.94(b)(1) – (3) and 37.95.

The State may place sanctions on a Local Workforce Investment Area after all attempts to provide assistance and correction of deficiencies fail or it is apparent that the Workforce Investment Act Title II recipient (administrative entity, service providers or One Stop Operator) fails or refuses to correct the violations within the timeframes established; fails

or refused to correct the violations voluntarily or technical assistance has not worked. The severity of the sanction is dependent upon the severity of the noncompliance and will be imposed on a case-by-case basis. Sanctions may include:

- reduction, termination or withholding of Workforce Investment Act funding;
- termination of funds to the Local Workforce Investment Area or any of their service providers or One Stop operators found in noncompliance;
- discontinuing of referrals of participants to sites against which discrimination allegations have been proven; and,
- removal of participants from sites refusing to implement corrective actions.

Termination, the denial of funds or to discontinue Workforce Investment Act funds would be a last resort and this action would be taken by the U.S. Department of Labor.

Issues of noncompliance in equal opportunity and nondiscrimination requirements that can not be resolved locally or at the State level through corrective action plans or technical assistance will be referred to the Civil Rights Center for processing as outlined in 29 CFR Part 37.95.