

ALABAMA WORKFORCE INVESTMENT SYSTEM

Alabama Department of Commerce
Workforce Development Division
401 Adams Avenue
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Montgomery, Alabama 36130-4103

January 4, 2017

GOVERNOR'S WORKFORCE INNOVATION DIRECTIVE NO. PY2016-05

SUBJECT: Implementation of the Workforce Innovation and Opportunity Act (WIOA) Section 188 Nondiscrimination and Equal Opportunity Requirements

- 1. Purpose.** This Directive transmits **Training and Employment Notice (TEN) No. 20-16** announcing the publication of the Section 188 WIOA Nondiscrimination and Equal Opportunity Regulations (*29 CFR Part 38*) Final Rule, along with a copy of that final rule.
- 2. Discussion.** WIOA Section 188 prohibits discrimination against individuals in any program or activity receiving federal financial assistance under Title I of WIOA, and by one-stop partners as listed in WIOA Section 121(b) that offer programs or activities through the one-stop system. Section 188 prohibits discrimination based on race, color, religion, sex, national origin, age, disability, political affiliation/belief, or based on citizenship status or participation in a WIOA-funded program or activity for beneficiaries, applicants, and participants only. The Civil Rights Center (CRC), U.S. Department of Labor (USDOL), enforces Section 188 and has issued these regulations to implement provisions that require equal opportunity and nondiscrimination in the workforce system.

In **29 CFR Part 38** the CRC has made substantive changes to reflect developments in equal opportunity and nondiscrimination law since previous regulations applicable to the workforce system were originally issued in 1999. Updated provisions reflect USDOL recipients' obligations that have expanded protections against unlawful discrimination on the basis of disability, national origin (including limited English proficiency), and sex. The regulations are effective January 3, 2017.

- 3. Action.** Copies of TEN 20-16 and the regulations at **29 CFR Part 38** are attached for your information. The regulations may also be accessed at <https://www.gpo.gov/fdsys/pkg/FR-2016-12-02/pdf/2016-27737.pdf>.

Revised, updated, and new policies, procedures and guidance applicable to recipients of WIOA Title I financial assistance from the Alabama Department of Commerce, Workforce Development Division, and One-Stop partners in the Alabama Workforce Investment System will follow.

- 4. Contact.** If you have questions, please contact Lillian Patterson, Equal Opportunity Officer, Workforce Development Division, at (334) 242-5861 or by email at lillian.patterson@commerce.alabama.gov.



Steve Walkley, Division Director
Workforce Development Division
Alabama Department of Commerce



Date

Attachment