



LOS ANGELES COUNTY

WIA Adult, Dislocated Worker, and Youth Programs DIRECTIVE

Number: WIA ADY D-10-05

**Subject: Physical and Program
Accessibility Self-Assessment Checklist**

Date: October 7, 2010

Effective Date: Immediately

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FOR YOUR IMMEDIATE ATTENTION

TO: WIA CONTRACTORS

The State of California Employment Development (EDD) issued directive WSD10-2 on July 21, 2010. This directive requires all Local Workforce Investment Areas (LWIAs) to complete the Electronic Monitoring Checklist (EMC) and Physical and Program Accessibility Checklist (PPA) on a biennial basis. The County of Los Angeles LWIA is required to submit a response that reflects the entire Workforce Development System. The County of Los Angeles will be responsible for responding to the EMC. Each WorkSource Center (WSC) and Youth Site (YS) must complete the PPA for each location. The PPA must be completed for each location listed on Attachment A. **(The WSC's and YS's will not be completing the EMC).**

PURPOSE:

The completion of the PPA will ensure that Los Angeles County WSC's and YS's operators are in compliance with the requirements set forth by the Federal and State disability laws. In addition, it includes procedures to ensure that all customers have universal access (physical and program) to services.

ACTION

The County of Los Angeles is required to submit a response to EDD that reflects the entire Workforce Development System. Los Angeles County WSC's and YS's are required to complete the Attachment to EDD Directive WSD10-2, Physical and Program Accessibility (PPA) self-assessment checklist (see attached), for each one of their locations. It is recommended that these documents be completed by a team, which includes the Equal Opportunity Complaints Officer, the Disability Coordinator, and/or the Program Director. It is also recommended that the team work on these checklists on a daily basis until the submittal date in case minor accessibility problems are discovered that can be corrected before the final submittal. The PPA for each WSC and YS must be submitted to Los Angeles County electronically.

TECHNICAL ASSISTANCE

A Technical Assistance Questions and Answers (Q&A) will be held via WebEx for those WSC's and YS's representatives responsible for completing the PPA checklist. It is expected that a first draft of the PPA for each site be completed prior to participation in the Q&A WebEx. Please participate (1) of the two (2) Q&A WebEx sessions. Schedule is as follows:

DATE: Wednesday, October 20, 2010

TIME: Morning Session: 10:00 a.m. to 11:00 a.m.

or

Afternoon Session: 2:00 p.m. to 3:00 p.m.

(WebEx instructions will be provided via e-mail)

PROCEDURES:

Your agency will receive an email with additional instructions to complete the PPA Checklist on-line and your unique identification (ID)/Authentication Code. Your agency must complete the electronic PPA portion and save a copy of your answer summary as a word document. The summary for each of your locations must be submitted as an attachment via e-mail no later than **Monday November 1, 2010 at 5:00 p.m.**, to Irene Pelayo at ipelayo@css.lacounty.gov.

If you have any questions, please contact Irene Pelayo, at (213) 351-5246 or via email at ipelayo@css.lacounty.gov.



Josie Marquez, Assistant Director
Workforce and Community Services Branch

Attachments

DIRECTIVE

WORKFORCE SERVICES

Number: WSD10-2

Date: July 21, 2010

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: BIENNIAL LWIA SELF-ASSESSMENT

EXECUTIVE SUMMARY:

Purpose:

The purpose of this directive is to communicate to Local Workforce Investment Boards (LWIB), Local Workforce Investment Areas (LWIA), One-Stop Career Center (OSCC) operators, and associated partners, the requirements regarding compliance with federal and State disability laws. In addition, it includes procedures to ensure that all customers have universal access to all Workforce Investment Act (WIA) or Wagner-Peyser (W-P) programs and services.

This directive informs the workforce development community of a change in the process for ensuring compliance with federal and State requirements relating to self-assessment efforts. The Compliance Monitoring Checklist (CMC) has been redesigned and automated, and is now called the Electronic Monitoring Checklist (EMC). The EMC remains divided into two sections, the Nondiscrimination and Equal Opportunity (NEO) self-evaluation checklist as required by WIA, and the Physical and Program Accessibility (PPA) self-assessment checklist. Both the NEO and the PPA can now be completed on-line and submitted to the Employment Development Department's (EDD) Equal Employment Opportunity (EEO) Office electronically.

Scope:

This directive applies to all LWIBs, LWIAs, OSCC operators, and other recipients providing services through WIA Title I or W-P funded programs and activities.

Effective Date:

This directive is effective on date of issuance.

REFERENCES:

- WIA Section 188
- Americans with Disabilities Act (ADA) of 1990

EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Special requests for services, aids, and/or special formats need to be made by calling (916) 654-8055 (Voice). TTY users, please call the California Relay Service at 711.

- Section 504 and Section 508 (as amended) of the Rehabilitation Act of 1973
- Title 20 of the Code of Federal Regulations (CFR) Sections 667.260(a), 667.275(a)(3), 667.410(b)
- Title 29 CFR Part 37
- Title 24 of the California Building Code
- California Government Code Section 11135
- Workforce Services Directive WSD10-1, Subject: Nondiscrimination and Equal Opportunity Procedures (July 21, 2010)
- WIA Directive WIAD00-7, Subject: Standards for Oversight and Instructions for Substate Monitoring (April 10, 2001)

STATE-IMPOSED REQUIREMENTS:

This directive contains some State-imposed requirements. These requirements are indicated in ***bold, italic*** type.

FILING INSTRUCTIONS:

This directive supersedes Workforce Services Directive WSD07-7, dated May 20, 2008, and finalizes Workforce Services Draft Directive WSDD-41, issued for comment on June 3, 2010. There were no comments received during the draft comment period. Retain this directive until further notice.

BACKGROUND:

The WIA Section 188 and Title 29 CFR Part 37 set forth the authority of the Civil Rights Center of the Department of Labor to monitor all recipients of WIA assistance to determine whether they are in compliance with these provisions and with Section 504 of the Rehabilitation Act of 1973, and Section 508 of the Rehabilitation Act, as amended. Title II of the ADA prohibits State and local government agencies from discriminating against persons with disabilities and from excluding participation in, or denying benefits of programs, services, or activities to persons with disabilities. California Government Code Section 11135 also prohibits discrimination by any program or activity funded by or receiving financial assistance from the State. The LWIAs in California also must meet the physical and program access standards in law, including [ADA Title II Accessibility Guidelines \(ADAAG\)](#) and [Title 24 of the California Building Code](#).

The WIAD00-7, Standards for Oversight and Instructions for Substate Monitoring, requires that LWIA monitoring include compliance with the federal and State requirements regarding nondiscrimination and equal opportunity. The State's Nondiscrimination and Equal Opportunity Procedures, WSD10-1, outlines the general requirements for universal access to programs and activities, including access for individuals with disabilities. In accordance with Title 20 CFR Section 667.410(b), and WIA Section 183 (a), (b) and (c), the EDD's, EEO Office is responsible for monitoring recipients of WIA funds in California for compliance with the WIA and related regulations.

POLICY AND PROCEDURES:

The WIAD00-7, dated April 10, 2001, requires the LWIAs to monitor the compliance of all local grant recipients and subrecipients of WIA or W-P funds, including OSCCs. In order to assist the LWIAs in identifying the compliance status of their programs and those elements of compliance that may require technical assistance, the EDD created the NEO and PPA Addendum.

Beginning in PY 2003-04, each LWIB was required to integrate the NEO and PPA Addendum (or subsequent State revisions) into staff monitoring of LWIA administrative offices, OSCCs and other local recipients of WIA or W-P funds. Beginning in PY 2007-08, the NEO and PPA Addendum (including the PPA self-assessment checklist to address Element Five of the CMC) was incorporated into one package and called the CMC. For PY 2010-11, the two-part self-assessment process remains in effect, but with some modifications. The CMC has been redesigned and automated, and is now called the EMC.

As part of the Department's overall monitoring of LWIAs for compliance with WIA Section 188 and Title 29 CFR Part 37, ***biennially (once every two years), EDDs EEO Office requires that all LWIAs and their associated OSCCs complete and submit an EMC and PPA self-assessment.***

The EMC is designed to collect information in our efforts to ensure policies, procedures, and systems provide a reasonable guarantee of compliance with the nondiscrimination and equal opportunity requirements. The EMC gathers informational data from the LWIAs to validate their efforts in meeting these regulatory requirements.

The PPA self-assessment checklist combines physical and program access elements that LWIA offices and OSCCs must assess. This may only be the first in the effort to make the facilities and programs universally accessible for all customers with disabilities. Where deficiencies are found, further review and exploration with other experts or architects may be required to fully understand and respond to specific, detailed requirements.

The LWIA Equal Opportunity (EO) Officers are responsible for assuring that an EMC is completed at the LWIA administrative level and that each OSCC within the LWIA also completes the PPA self-assessment portion of the EMC for their individual facility.

The EDD's EEO office will send each EO Officer an email containing: (1) an electronic link to the EMC and PPA self-assessment checklists, and (2) their distinct Authentication Identification Code to access and complete the checklists. For PY 2010-11, the EEO Office requests that the EMC checklist be submitted electronically and one hard copy with required attachments be mailed to the EDD's EEO Office. A PDF copy of the EMC and PPA self-assessment checklists can be viewed as attachments to this directive.

The LWIAs should complete the EMC assessments as described above. Once completed for the LWIA administrative office and all local OSCCs, the EO Officer for the LWIA should organize the information into one package for electronic

submission to the EDD's EEO Office no later than November 8, 2010. Electronic submittal instructions will be included within the EMC survey. Additionally, a hard copy of the EMC and all items listed on the Required Attachments Checklist are to be mailed to the addresses shown below on this page of this directive. **The EDD requires that copies of the completed EMC and PPA checklists be kept on file locally. This EMC copy should be used as an assessment reference when developing corrective actions plans, and for a scheduled on-site review that may be required by authorized federal and State reviewers.**

The EEO Office monitoring staff will coordinate with the LWIA EO Officers to address any technical issues and concerns regarding compliance reviews. Any additional information needed (including the Required Attachments Checklist) will be requested by the EEO Office monitoring staff prior to beginning the LWIA reviews.

This assessment tool does not meet all State accessibility standards. The State standards are more stringent and must be met before a lease can be executed to house State employees in an OSCC or LWIA office. If a partner is going to enter into a lease with the EDD or another State agency, the partner may be required to correct accessibility barriers within a shorter period of time than shown in their individual transition plans. The EDD may require the removal of certain architectural barriers prior to occupancy. Transition plans developed as part of this process are not approved or denied by the EDD's EEO Office. They are the first step in developing awareness at the local level of the various State and federal requirements.

ACTION:

Bring this directive to the attention of the LWIA EO Officer, Assistant EO Officer, and any other applicable individuals in support of Section 188 within the LWIA.

The EO Officer for the LWIA should organize the information into one package for electronic submission to the EDD's EEO Office **no later than November 8, 2010.**

Forward one hard copy of the EMC and all items listed on the Required Attachments Checklist to:

Mail: Employment Development Department
 Equal Employment Opportunity Office, MIC 49
 P.O. Box 826880
 Sacramento, CA 94280-0001

Overnight Mail: Employment Development Department
 Equal Employment Opportunity Office
 800 Capitol Mall, Room 2130, MIC 49
 Sacramento, CA 95814

INQUIRIES:

If you have any questions, please contact your [Regional Advisor](#) at (916) 654-7799.

/S/ MICHAEL EVASHENK, Chief
Workforce Services Division

Attachments are available on the Internet:

1. [Required Attachments Checklist](#) (PDF)
2. [EMC Self-Assessment Checklist](#) (PDF) (402k)
3. [PPA Self-Assessment Checklist](#) (PDF) (512k)