

# Civil Rights Compliance and Equal Opportunity Nondiscrimination Monitoring Review Guide

# 2018 – 2020

# Workforce Innovation and Opportunity Act of 2014

# (WIOA)

# For

# Workforce Development Boards and

# Other State - Federally Primary Funded Recipients and Sub-recipients

Contents

[Statutory Authority 4](#_Toc515883022)

[Executive Orders 4](#_Toc515883023)

[Federal Regulations and Policy Guidance: 5](#_Toc515883024)

[Monitoring Process and Procedures 5](#_Toc515883025)

[Desk Monitoring Review: 5](#_Toc515883026)

[Scheduled Monitoring Site Visit Reviews: 5](#_Toc515883027)

[Exit Conference 6](#_Toc515883028)

[Monitoring Review Instrument 7](#_Toc515883029)

[Element 1: Designation of EO Officer 7](#_Toc515883030)

[Element 2: Notice and Communications 8](#_Toc515883031)

[Element 3: Assurance 10](#_Toc515883032)

[Element 4: Universal Access 11](#_Toc515883033)

[Element 5: Compliance with Section 504 of the Rehabilitation Act of 1973 & The American with Disability Act of 1990 13](#_Toc515883034)

[Element 6: Data and Information Collection and Maintenance 16](#_Toc515883035)

[Element 7: Primary Recipient's Compliance with Monitoring Subrecipients Civil Rights Compliance Requirements 17](#_Toc515883036)

[Element 8: Complaint Processing Procedures 18](#_Toc515883037)

[Element 9: Corrective Action/Sanctions 19](#_Toc515883038)

[APPENDICES 20](#_Toc515883039)

[Appendix A - ADA Checklist for Existing Facilities 21](#_Toc515883040)

[Checklist Sections 21](#_Toc515883041)

[Priority 1:   Approach & Entrance 22](#_Toc515883043)

[Priority 2:   Access to Goods & Services 22](#_Toc515883044)

[Priority 3:   Toilet Rooms 23](#_Toc515883045)

[Priority 4:   Additional Access - Drinking Fountains, Public Telephones & Fire Alarms 23](#_Toc515883048)

[Appendix B - Section 508 Checklist for Functional Performance Criteria 24](#_Toc515883049)

[Appendix C - Section 508 Checklist for Software Applications and Operating Systems 28](#_Toc515883057)

[Appendix D - Section 508 Checklist for Video and Multimedia Products 33](#_Toc515883058)

[Appendix E - Section 508 Checklist for Web-based Internet Information](#_Toc515883059) [and Applications 35](#_Toc515883060)

[Appendix F - Section 508 Standards Checklist for Information, Documentation, and Support 43](#_Toc515883067)

[Appendix G - Section 508 Standards Checklist for Self-Contained](#_Toc515883068) [Closed Products 44](#_Toc515883069)

[Appendix H - Section 508 Standards Checklist for Telecommunications Products 46](#_Toc515883070)

[Appendix I - Section 508 Standards for Desktop and Portable Computers 49](#_Toc515883100)

[Appendix J - Program Recruitment and Assessment 50](#_Toc515883102)

[Appendix K - Current Staff Affirmative Action Data 55](#_Toc515883105)

[Appendix L - Employee/Staff Interview 56](#_Toc515883113)

[Appendix M - Client Interview 59](#_Toc515883115)

[Appendix N - Participant File Review Worksheet 62](#_Toc515883118)

[Appendix O - Data Analysis Check List 64](#_Toc515883119)

[Appendix P - Exit Meeting/Exit Conference 66](#_Toc515883128)

# Statutory Authority

This monitoring guide will be used by DWD-DET during annual Monitoring Visits, or because of a request from the DOL, DWD, and/or due to participant complaint(s) alleging a violation of civil rights statutes or regulations. It can be found on-line [here](https://dwd.wisconsin.gov/det/civil_rights/monitoring.htm). All recipients of federal financial assistance are required to comply with all Federal and State statutes, applicable executive orders, regulations, policy manuals, administrative memos, and review guides issued about the administration and provision of programs, services, training, and other activities sponsored or subsidized with Workforce Innovation and Opportunity Act of 2014 (WIOA) funds.

The following nondiscrimination statutes, executive orders, and regulations apply to recipients and sub-recipients of WIOA:

## Statutory Authority

* [Title VI of the Civil Rights Act of 1964, as amended](http://www.dol.gov/oasam/regs/statutes/titlevi.htm)
* [Title VII, Civil Rights Act of 1964, as amended. Section 2000e-16, Employment by Federal Government](https://www.eeoc.gov/laws/statutes/titlevii.cfm)
* [Civil Rights Act of 1991 (DOC)](http://www.dol.gov/oasam/regs/statutes/Civil-Rights-Act-of-1991.doc)
* [Age Discrimination in Employment Act of 1967, as amended (DOC)](http://www.dol.gov/oasam/regs/statutes/Age-Discrimination-in-Employment-Act-of-1967.doc)
* [Age Discrimination Act of 1975, as amended](http://www.dol.gov/oasam/regs/statutes/age_act.htm)
* [American with Disabilities Amendments Act of 1990, as amended](http://www.dol.gov/oasam/programs/crc/ADA-1990.pdf) (PDF)
* [Title IX of the Education Amendments of 1972, as amended](http://www.dol.gov/oasam/programs/crc/titleix.htm)
* [Equal Pay Act of 1963, as amended](http://www.dol.gov/oasam/regs/statutes/equal_pay_act.htm)
* [Section 167 of the Job Training Partnership Act, as amended](http://www.dol.gov/oasam/programs/crc/jtpa_167.htm)
* [Lily Ledbetter Fair Pay Act of 2009 (DOC)](http://www.dol.gov/oasam/programs/crc/Lilly-Ledbetter-Fair-Pay-Act-of-2009.doc)
* [Section 504 of the Rehabilitation Act of 1973, as amended (DOC)](http://www.dol.gov/oasam/regs/statutes/Rehabilitation-Act-of-1973.doc)
* [Section 188 of the Workforce Innovation and Opportunity Act of 2014 (PDF)](https://www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf)
* [Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA)](https://www.dol.gov/ofccp/regs/statutes/4212.htm)
* [Contract Compliance Policies and Procedures Wis. Stats.16.765 & Wis. Adm. Code Chapter Adm. 50 (PDF)](http://vendornet.state.wi.us/vendornet/procman/prod3.pdf)

### Executive Orders

* [Executive Order 13166](http://www.dol.gov/oasam/regs/statutes/Eo13166.htm)- Improving Access to Services for Persons with Limited English Proficiency
* [Executive Order 11246, As Amended](http://www.dol.gov/ofccp/regs/statutes/eo11246.htm)  prohibits federal prime contractors and subcontractors with non-construction (supply and service) federally–assisted contracts from discriminating based on race, color, religion, sex, sexual orientation, gender identity, or national origin in their employment practices. Non-construction prime contractors and subcontractors that have 50 or more employees and have a contract, subcontract, or purchase order amounting to $50,000 or more must file annually, on or before September 30th, an accurate Standard Form 100 (EEO-1) report to the to the contracting or administering agency within 30 days after the award unless such report was submitted within 12 months preceding the date of the award.

### Federal Regulations and Policy Guidance:

* [ADA.gov homepage](https://www.ada.gov/)
* [Title I Employment Practices](https://www.ada.gov/ada_title_I.htm) – [29 CFR part §1630](https://www.ecfr.gov/cgi-bin/text-idx?SID=760293bf60d65935118d110b12cd4c3c&mc=true&node=se29.4.1630_11&rgn=div8)
* [Title II](https://www.ada.gov/ada_title_II.htm) (State and Local Governments)
* [Title 28 CFR Part §35](https://www.ecfr.gov/cgi-bin/text-idx?SID=b693f88507597102a8c89dc8399d38c3&mc=true&node=pt28.1.35&rgn=div5)
* - Nondiscrimination on the Basis of Disability in the State and Local Government Services
* [Title III](https://www.ada.gov/ada_title_III.htm)(Public Accommodations and Commercial Facilities)
* [Title 28 CFR Part §36](https://www.ecfr.gov/cgi-bin/text-idx?SID=a091d4901564cbc87aa97fb701d33d4f&mc=true&tpl=/ecfrbrowse/Title28/28cfr36_main_02.tpl)Nondiscrimination on the Basis of Disability by Public Accommodation and in Commercial Facilities
* [Title 29 CFR Part § 31](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=37a2ae8536a5c394e367bf36f2903e06&mc=true&r=PART&n=pt29.1.31) - Nondiscrimination in Federally-assisted programs of the Department of Labor, effectuation of Title VI of the Civil Rights Act of 1964.
* [Title 29 CFR Part § 32](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=b73d49ace367be4b6421195e8817c7b1&mc=true&r=PART&n=pt29.1.32) - Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Assistance.
* [Title 29 CFR Part § 38](https://www.ecfr.gov/cgi-bin/text-idx?SID=0ddfd810268774814040e739069384ee&mc=true&node=pt29.1.38&rgn=div5) - Implementation of the Nondiscrimination and Equal Opportunity provisions of the Workforce Innovation and Opportunity Act of 2014.

## Monitoring Process and Procedures

Desk Monitoring Review: To ensure DWD-DET has the most current information, recipients must submit a [Desk Review Survey](https://dwd.wisconsin.gov/wioa/monitoring/guides_2017-18/desk_review_survey.docx) prior to the on-site monitoring visit.

Scheduled Monitoring Site Visit Reviews:Civil rights monitoring reviews are scheduled on an annual basis.

The focus of the on-site review is to determine compliance with civil rights, equal opportunity and non-discrimination requirements, and to review significant differences or disparities identified during the desk review. After the Entry Meeting, the reviewer will meet with the appropriate Director/Administrator/Contract Manger and the Local EO Officer to discuss the scope of the review, make arrangements for client and staff interviews or file reviews, and discuss preliminary findings of the data analysis from the desk review.

Areas of emphasis during the on-site review may include, but are not necessarily limited to:

1. Staff composition (Agency Labor Force/Affirmative Action Plan),

2. Management and client interviews,

3. Staff awareness of civil rights, equal opportunity, and nondiscrimination laws;

4. Complaint files (if appropriate),

5. Client file reviews,

6. Client Interviews,

7. Physical aspects of the site – programmatic and architectural accessibility,

8. Observance of reception, intake, and assessment processes – if applicable,

9. Maintenance of relevant policies and complaint files,

10. Interviews of minority community-based organizations when complaints or equal opportunity concerns are raised,

11. Review agreements with local organizations to provide needed services to persons with special needs, and,

12. Display of announcements, mandatory posters, and posters or signs for clients with Limited English Proficiency (LEP) and visual and/or hearing disabilities.

## Exit Conference

Reviewer(s) will conduct a pre-exit meeting with the local EO Officer to discuss positive practices, areas of concern, findings, and corrective action measures. The pre-exit meeting provides the EO Officer with the opportunity to ask questions and get clarification, and allows the EO monitoring team to provide technical assistance as necessary. An EO verbal summary report is also provided during the exit conference scheduled with WDB staff on final day of the site visit.

# Monitoring Review Instrument

## Element 1: Designation of EO Officer

All items reviewed for this element should be submitted as part of the Desk Review Survey.

1. Describe any non-EO related job functions, if any, that may create a conflict of interest or the appearance of a conflict of interest.
2. How is the EO Officer’s identity made known to participants, service providers public, and customers of the one-stop delivery system?

*Please provide examples*.

1. Does the Equal Opportunity Officer;

|  |  |  |
| --- | --- | --- |
| 1. Process complaints? | Yes | No |
| 1. Review participant reports for equity of service? | Yes | No |
| 1. Conduct on-site visits to service providers and contractors or review monitoring reports to ensure that the recipient and its contractors are not violating their nondiscrimination obligations? | Yes | No |
| 1. Provide EO training to staff and contractors? | Yes | No |
| 1. Review written policies to make sure they are nondiscriminatory? | Yes | No |
| 1. Develop and publish discrimination complaint procedures? | Yes | No |

1. Identify any positive practices that the WDB is demonstrating in this element.

## Element 2: Notice and Communications

1. Are the following posters displayed in all required languages?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Notices/Posters | English | Spanish | Hmong | Other (Specify) |
| 1. Equal Opportunity Policy |  |  |  |  |
| 1. Limited English Proficiency Policy |  |  |  |  |
| 1. Complaint Information (WIOA only) |  |  |  |  |
| 1. You Have the Right to an Interpreter |  |  |  |  |
| 1. "I Speak" Card |  |  |  |  |
| 1. Job Center Complaint Coordinator Poster |  |  |  |  |
| 1. Equal Opportunity is the Law (DWD-DET version) |  |  |  |  |
| * Is the English version of the EO is the Law posted in the employee break room? |  |  |  |  |

1. Notice of Equal Opportunity and Nondiscrimination: *(Please provide copies of applicable documents)*

Conduct a file review to determine the presence of this document and if it is in the

participant's preferred language.

1. Are appropriate EO and accessibility taglines, including TTY/TDD/WI Relay used on:

|  |  |  |  |
| --- | --- | --- | --- |
| Internal/External Publications & Communications | None | Some | All |
| 1. Participant Rights and Responsibility |  |  |  |
| 1. Brochures |  |  |  |
| 1. Pamphlets |  |  |  |
| 1. Flyers |  |  |  |
| 1. Calendars |  |  |  |
| 1. Board Agendas |  |  |  |
| 1. Board Minutes |  |  |  |
| 1. Websites |  |  |  |
| 1. Display Monitors (if applicable |  |  |  |
| 1. Other materials distributed or communicated in written, oral or electronic form to applicants, staff and the public? |  |  |  |

What, if any, elements are missing?

1. Does the recipient ensure that **continuing notice of** equal opportunity and nondiscrimination are provided to the following groups?

|  |  |  |
| --- | --- | --- |
| * 1. Applicants, registrants, and participants | Yes | No |
| * 1. Employees and applicants for employment | Yes | No |
| * 1. Other recipients of funds | Yes | No |
| * 1. Members of the public with disabilities, including impaired vision and hearing | Yes | No |
| * 1. Unions or professional organizations that hold | Yes | No |
| * 1. Unions or professional organizations that hold collective bargaining or professional agreement with your organization | Yes | No |

1. If the recipient produces their own public information, do photographs and other pictorial displays include and portray positive images of the following engaged in a variety of workplace and skilled training capacities?

|  |  |  |
| --- | --- | --- |
| * 1. women | Yes | No |
| * 1. minorities | Yes | No |
| * 1. individuals with disabilities | Yes | No |
| * 1. persons of varying age groups | Yes | No |

1. Has the recipient communicated the requirement not to discriminate on the basis of disability and the obligation to provide reasonable accommodations to its sub-recipients?

Yes No

1. Has the recipient ensured that communications with individuals with disabilities are equally as effective as communications with non-disabled individuals?

Yes No

Is the Equal Opportunity Notice provided in alternative formats for individuals with visual impairments? Yes No

1. Identify any positive practices that the WDB is demonstrating in this element.

## Element 3: Assurance

1. Do contracts contain the approved equal opportunity assurance language appropriate to WIOA Programs?

" As a condition of receiving Federal financial assistance from the local [WDB] through the Department of Labor under Title I of WIOA, Department of Workforce Development, Division of Employment and Training, the **[Name of the Subrecipient, Employer, or Worksite Entity]** assures that it will comply with the nondiscrimination and equal opportunity provisions of the following laws and will remain in compliance for the duration of the agreement/contract of federal financial assistance. The WIOA prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the WIOA, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity;

* 1. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
  2. Section 504 of the Rehabilitation Act of 1973, as amended which prohibits discrimination against qualified individuals with disabilities;
  3. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
  4. Title IX of the Education Amendments of 1972, as amended, which prohibits The

**[Name of Employer or Worksite Entity]** also assures that, as a recipient of WIOA Title I-financial assistance, it will comply with 29 CFR part §38 and all other regulations implementing the laws listed above. This assurance applies to the **[Name of Employer or Worksite Entity's**] operation of the WIOA Title I-financially assisted program or activity, and to all agreements **[Name of Employer or Worksite Entity]** makes to carry out the WIOA Title I-financial assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance."

Yes  No

1. Is the sub-contractor or service provider aware of the EO assurances requirements in the contract or agreement?

Yes  No

1. Are there compliant equal opportunity and nondiscrimination policies in place for employees?
2. Identify any positive practices that the WDB is demonstrating in this element.

## Element 4: Universal Access

1. Has the WDB conducted an appropriate analysis of the WDB's LEP population?

Yes No

If no, explain why it's not appropriate or cite the reason why it was not completed.

Based on the data, what are the Significant LEP populations in this WDA?

1. Has the WDB developed an LEP Plan for the one-stop development system? Yes No

If no, when will the LEP be developed?

1. Has the recipient taken reasonable steps to ensure language services, translation of vital documents and vital information is systematically provided to LEP individuals?

Yes No

If no, explain why it's not adequate or site the reason it was not completed.

1. Is the recipient routinely providing information in the languages of significant LEP language groups in the WDA?

Yes No

If no, when will it begin to provide information in the languages of significant LEP language groups?

1. Does the recipient provide vital documents and information to persons with disabilities in alternate formats for:
   1. visually impaired people? Yes No Sometimes
   2. deaf and hard of hearing people? Yes No Sometimes
   3. Significant LEP populations based on Yes No Sometimes

the recipient's LEP population analysis?

If no or sometimes, when will it begin to provide information in appropriate alternate formats?

1. Do sub-recipients provide programmatic and architectural accessibility for individuals with disabilities?

Yes No Some

If no or some, when will they begin to provide programmatic and architectural accessibility for individuals with disabilities or submit a transition plan?

1. Has the recipient developed outreach plans, strategies, and activities have been identified for;

|  |  |  |
| --- | --- | --- |
| 1. People of Color |  |  |
| 1. Ethnic groups in the WDA |  |  |
| 1. Different genders |  |  |
| 1. Individuals with disabilities |  |  |
| 1. Individuals in different age groups |  |  |

1. Identify any positive practices that the WDB is demonstrating in this element.

## Element 5: Compliance with Section 504 of the Rehabilitation Act of 1973 & The American with Disability Act of 1990

1. Did the local Workforce Development Board conducted a Physical Accessibility review to determine ongoing compliance with access to physical facilities with applicable federal accessible design standards, such as the ADA Standards for Accessible Design (1991 or 2010) or the Uniform Federal Accessibility Standards (UFAS)?

Yes No

Which accessible design standards were used? Click or tap here to enter text.

When were the surveys conducted of each facility? Click or tap here to enter text.

1. Section of 504 requires recipients/subrecipients to provide "programmatic accessibility" including reasonable accommodations. Has the EO Officer completed a review of all policies, procedures, including information technology to ensure accessibility?

Yes No

When was it completed? Click or tap here to enter text.

1. Has the EO completed the following self-assessments or checklist:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Standards and Specifications | Yes | No | N/A | Date Completed |
| ADA Accessible Design Standards: (1991 or 2010) |  |  |  | Click or tap here to enter text. |
| Priority 1 Approach and Entrances |  |  |  | Click or tap here to enter text. |
| Priority 2 Access to Goods and Services |  |  |  | Click or tap here to enter text. |
| Priority 3 Toilet Rooms |  |  |  | Click or tap here to enter text. |
| Priority 4 Additional Access |  |  |  | Click or tap here to enter text. |
| Uniform Federal Accessibility Standards |  |  |  | Click or tap here to enter text. |
| WIOA Section 188 Checklist |  |  |  | Click or tap here to enter text. |
| Programmatic Accessibility |  |  |  | Click or tap here to enter text. |
| * 1. Functional performance Criteria for Web-based internet Information and Applications and Software Application and Operating systems? |  |  |  | Click or tap here to enter text. |
| * 1. Information Documentation and Support? |  |  |  | Click or tap here to enter text. |
| * 1. Self-Contained Closed Products Information Documentation and Support? |  |  |  | Click or tap here to enter text. |
| * 1. Software applications and operating systems? Information Documentation and Support? |  |  |  | Click or tap here to enter text. |
| * 1. Video and multimedia products? |  |  |  | Click or tap here to enter text. |
| * 1. Web-based internet Information and applications |  |  |  | Click or tap here to enter text. |
| * 1. Telecommunication Products? |  |  |  | Click or tap here to enter text. |
| * 1. Desktop and portable computers? |  |  |  | Click or tap here to enter text. |
| 1. Excel |  |  |  | Click or tap here to enter text. |
| 1. HTML |  |  |  | Click or tap here to enter text. |
| 1. Multimedia files |  |  |  | Click or tap here to enter text. |
| 1. PDF |  |  |  | Click or tap here to enter text. |
| 1. Power Point |  |  |  | Click or tap here to enter text. |
| 1. Word |  |  |  | Click or tap here to enter text. |
| * 1. Web Accessibility Evaluation Tool (WAVE) |  |  |  | Click or tap here to enter text. |

If no for any of the above, when is the next review scheduled to be conducted?

1. Are contractor and service providers programs, services, activities, and physical sites accessible to individuals with disabilities?

Yes  No

1. If structural changes are needed does the recipient have a transition plan on file?

Yes  No

If no, when will the transition plan be completed?

1. Are public notices and other vital information routinely posted and made available in alternate formats (i.e., audio recording, Braille)

Yes  No

1. Is/are:
   1. at least one entrance to the building wheel chair accessible? Yes No
   2. there signs indicating the location of the nearest accessible entrance at inaccessible entrances? Yes No
   3. the international symbol for accessibility posted at each entrance  Yes No
   4. there a TTY/TDD or a suitable alternative available for use my participants and customers. Yes No
   5. there signs posted indicating where participants and customers can access the

TTY/TDD or a suitable alternative. Yes No

* 1. all required postings displayed in locations accessible to people in wheel chairs or with low vision. Yes No
  2. public notices and other vital information routinely posted and made available in alternate formats (i.e., audio recording, Braille). Yes  No

1. How often are contractor’s facilities monitored to ensure accessibility?
2. Does the recipient have a written reasonable accommodation policy? Yes  No
3. Does the recipient maintain medical information in separate and secure files? Yes  No
4. Identify any positive practices that the WDB is demonstrating in this element.

## Element 6: Data and Information Collection and Maintenance

1. Did the EO Officer conduct a statistical analysis of EO data or quantifiable analysis of applicants' and participants' race/ethnicity, sex, age, and disability status by individual program for the most recently completed program year? Yes  No
2. Did the EO Officer include the Statistical Analysis of Equal Opportunity Data Attachment G Table as part of the Desk Review Survey? Yes  No

If no, when will the analysis be completed? Click or tap here to enter text.

1. Did the EO Officer complete an LEP population data analysis of the WDA? Yes  No

If no, when will the analysis be completed? Click or tap here to enter text.

1. Did the EO Officer include the LEP Population Data Analysis Table Attachment E as part of the Desk Review Survey? Yes  No

If no, when will the analysis be completed? Click or tap here to enter text.

1. Identify any positive practices that the WDB is demonstrating in this element.

## Element 7: Primary Recipient's Compliance with Monitoring Subrecipients Civil Rights Compliance Requirements

1. Has the EO Officer conducted monitoring site visits of sub-recipients to confirm compliance with civil rights statutory and regulatory requirements: Yes  No

If no, when will the monitoring visits be conducted?

1. Identify any positive practices that the WDB is demonstrating in this element.

## Element 8: Complaint Processing Procedures

1. Does the recipient have written complaint policies and procedures that are compliant with [29 CFR part §38](https://www.gpo.gov/fdsys/pkg/CFR-2017-title29-vol1/xml/CFR-2017-title29-vol1-part38.xml)? Yes  No
2. Does the recipient have a written policy for handling discrimination complaints from contractors regarding participants? Yes No
3. Are customers and employees provided a copy of the discrimination complaint policy and procedures and/or discrimination complaint form? Yes No
4. Does the discrimination complaint log for formal discrimination complaints include the following?

|  |  |  |
| --- | --- | --- |
|  | Yes | No |
| 1. Complainant's name |  |  |
| 1. Complainant's contact information |  |  |
| 1. The basis of the complaint |  |  |
| 1. A brief description of the complaint |  |  |
| 1. The date the complaint was filed |  |  |
| 1. The disposition of the complaint |  |  |
| 1. If the decision was rendered w/in 60 days |  |  |
| 1. If the decision was appealed to the local WDB |  |  |
| 1. If the decision was appealed to DET |  |  |
| 1. The date the complaint was resolved |  |  |

1. Does the recipient:
2. protect the identity of the Complainant or any individual who furnishes information relating to, or assisting in an investigation, to the extent possible, consistent with a fair determination of the issues? Yes No
3. protect an individual who filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions, or assisted or participated in any manner in an investigation protected from discharge, intimidation, retaliation, threat or coercion? Yes No
4. Identify any positive practices that the WDB is demonstrating in this element.

## Element 9: Corrective Action/Sanctions

1. Does the recipient have written procedures for;
   1. obtaining voluntary compliance when equal opportunity violations are found?

Yes No

* 1. Investigating and resolving any EO violations

Yes No

1. Identify any positive practices that the WDB is demonstrating in this element.

# **APPENDICES**

|  |  |
| --- | --- |
| Decorative picture of a sign posted with the words "Wording Dogs Are Welcome" | Decorative picture of a poster on a glass entrance door to the Rice Lake Job Cetner Stating; "Reasonable Accommodation Are Your Rights By Law" |
| Decorative picture of a double leaf doors with six international symbols of accessibiilty signifying full access to the facility for people with disabilities. | Decorative picture of an employment bullentin board with postings of civil right laws.  Large letters above the board states; "Employment Laws & Regulations" |

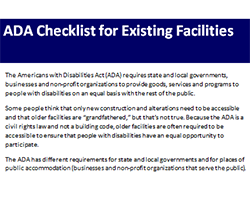
# Appendix A - ADA Checklist for Existing Facilities

Use the following links to access online versions of the ADA Checklist for Existing Facilities

* 
  + [Word Fillable Form (7.4MB)](https://www.adachecklist.org/doc/fullchecklist/ada-checklist-word-fillable-form.doc)
  + [Word Fillable Metric Form (6.9MB)](https://www.adachecklist.org/doc/fullchecklist/ada-checklist-word-metric-fillable-form.doc)
  + [Word Non-Fillable Form (7.0MB)](https://www.adachecklist.org/doc/fullchecklist/ada-checklist-word.doc)
  + [PDF Non-Fillable Form (3.2MB)](https://www.adachecklist.org/doc/fullchecklist/ada-checklist.pdf)
  + [Plain Text (67KB) (To download after opening, right-click and select Save Link As…)](https://www.adachecklist.org/doc/fullchecklist/ChecklistRABR.txt)

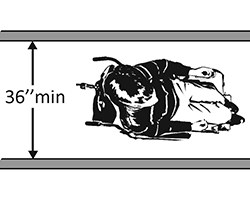
## Checklist Sections

### Introduction



* + [Word (447KB)](https://www.adachecklist.org/doc/intro/checklistintro.doc)
  + [PDF (313KB)](https://www.adachecklist.org/doc/intro/checklistintro.pdf)
  + [Plain Text (12KB) (To download after opening, right-click and select Save Link As…)](https://www.adachecklist.org/doc/intro/checklistintro.txt)

### Priority 1:   Approach & Entrance



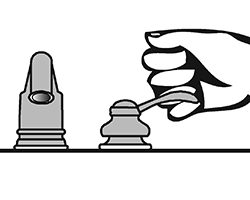
* + [Word Fillable Form (1.5MB)](https://www.adachecklist.org/doc/priority1/priority1-word-fillable-form.doc)
  + [Word Non-Fillable Form (1.3MB)](https://www.adachecklist.org/doc/priority1/priority1-word.doc)
  + [PDF Non-Fillable Form (0.8MB)](https://www.adachecklist.org/doc/priority1/p1.pdf)
  + [Plain Text (16KB) (To download, right-click and select Save Link As…)](https://www.adachecklist.org/doc/priority1/p1.txt)

### Priority 2:   Access to Goods & Services



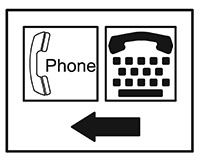
* + [Word Fillable Form (2.5MB)](https://www.adachecklist.org/doc/priority2/priority2-word-fillable-form.doc)
  + [Word Non-Fillable Form (2.4MB)](https://www.adachecklist.org/doc/priority2/priority2-word.doc)
  + [PDF Non-Fillable Form (1.4MB)](https://www.adachecklist.org/doc/priority2/p2.pdf)
  + [Plain Text (28KB) (To download after opening, right-click and select Save Link As…)](https://www.adachecklist.org/doc/priority2/p2.txt)

### Priority 3:   Toilet Rooms



* + [Word Fillable Form (2.4MB)](https://www.adachecklist.org/doc/priority3/priority3-word-fillable-form.doc)
  + [Word Non-Fillable Form (2.2MB)](https://www.adachecklist.org/doc/priority3/priority3-word.doc)
  + [PDF Non-Fillable Form (0.7MB)](https://www.adachecklist.org/doc/priority3/p3.pdf)
  + [Plain Text (20KB) (To download after opening, right-click and select Save Link As…)](https://www.adachecklist.org/doc/priority3/p3.txt)

### Priority 4:   Additional Access - Drinking Fountains, Public Telephones & Fire Alarms



* + [Word Fillable Form (0.7MB)](https://www.adachecklist.org/doc/priority4/priority-4-word-fillable-form.doc)
  + [Word Non-Fillable Form (0.6MB)](https://www.adachecklist.org/doc/priority4/priority4-word.doc)
  + [PDF Non-Fillable Form (0.4MB)](https://www.adachecklist.org/doc/priority4/p4.pdf)
  + [Plain Text (7KB) (To download after opening, right-click and select Save Link As…)](https://www.adachecklist.org/doc/priority4/p4.txt)

# Appendix B - Section 508 Checklist for Functional Performance Criteria

**NOTE:** The Functional Performance Criteria Checkpoints presented here are intended to support the requirements of other Section 508 subparts, including §1194.21 and §1194.22. Refer to the Section 508 Standard Checklists for Web-based Internet Information and Applications and Software Applications and Operating Systems to assure your products meet all applicable requirements. For questions or assistance completing this document, contact: Click or tap here to enter text.

|  |  |  |
| --- | --- | --- |
| Product Name/Version # | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **§1194.31** | **Checkpoint** | **Yes** | **No** | **Not Present** | **Comments** |
| **(a)** | **At least one mode of operation and information retrieval that does not require user vision shall be provided, or support for assistive technology used by people who are blind or visually impaired shall be provided.** |  |  |  |  |
| a.1 | For file types that support it (such as PDF or .doc) are tags used to structure documents, including for overall reading order, columns and form controls? | - | - | - | - |
| a.2 | Are links and active elements worded in such a way that they can be used with screen reading technology? | - | - | - | - |
| a.2.a | For links and active elements, is different text used for different targets or functions? | - | - | - | - |
| a.2.b | Is text for links and active elements, meaningful both in and out of context? | - | - | - | - |
| a.3 | Are tables coded in such a way that they make sense to a user of screen reading technology? | - | - | - | - |
| a.3.a | Are nested data tables avoided? | - | - | - | - |
| a.3.b | Do layout tables present information in the intended order to screen readers? | - | - | - | - |
| a.3.c | In data tables, are means other than empty rows or columns [used for presentation purposes](https://vha.ssbbartgroup.com/admin/standards/view_violation.php?violation_id=907)? | - | - | - | - |
| a.3.d | Do layout tables avoid structural markup (e.g., <th>)? | - | - | - | - |
| a.4 | Are means provided to accurately convey heading levels, list structures, and other visual indicators of hierarchy, order and/or frequency? | - | - | - | - |
| a.4.a | Are implicit headings avoided? | - | - | - | - |
| a.4.b | Are headings provided for Glossary and Index navigation? | - | - | - | - |
| a.4.c | Is the use of characters with non-list meanings avoided for list bullets, (e.g., ©, o)? | - | - | - | - |
| a.4.d | Are lists and nested lists structured properly? | - | - | - | - |
| a.4.e | Is a validly structured and linked table of contents provided for documents 20 pages or longer? | - | - | - | - |
| a.4.f | Are means (such as markup tags and/or textual indicators) besides shape and location used to indicate popularity or frequency, as with elements like data clouds? | - | - | - | - |
| a.5 | Are means provided for users to easily determine their location on a web site or within a web application? | - | - | - | - |
| a.5.a | Are informative, context-sensitive means of determining page title provided? | - | - | - | - |
| a.5.b | Are accessible names provided for Flash movies as a whole, especially where such information cannot be determined through other means? | - | - | - | - |
| a.6 | Are error and alert mechanisms used consistently? | - | - | - | - |
| a.7 | Is off-screen and hidden content that is not relevant to the user ignored by assistive technology? | - | - | - | - |
| a.8 | Does page reading order coincide with the visual layout and tab order of the page? | - | - | - | - |
| a.9 | Can all read-only edit elements receive keyboard focus? | - | - | - | - |
| a.10 | Does embedded audio require user action to start playing? | - | - | - | - |
| a.11 | Can embedded multi-media (including audio, video and animations) be controlled from the page on which they occur? | - | - | - | - |
| a.12 | Can auto-updating content be stopped, paused or hidden? | - | - | - | - |
| a.13 | If visual alerts are provided, are they also available in an auditory manner? |  |  |  |  |
| a.14 | Do content updates define focus to the proper location? | - | - | - | - |
| a.15 | Is error prevention provided for legal commitments, financial data and other protected information? | - | - | - | - |
| a.16 | Are only standard character sets used? | - | - | - | - |
| a.17 | Is each element or interactive component on a page read only once by AT? | - | - | - | - |
| a.18 | Are line breaks and blank characters avoided within words in PDFs? | - | - | - | - |
| a.19 | Is a non-visual indication provided to inform users when input text overflows a field? | - | - | - | - |
| a.20 | Are instructions that rely on sensory characteristics (such as size or location) avoided? | - | - | - | - |
| a.21 | Are focus or property change events fired only once after a single user action? | - | - | - | - |
| a.22 | Are event handlers that automatically trigger navigation or form submission avoided? | - | - | - | - |
| **(b)** | **At least one mode of operation and information retrieval that does not require visual acuity greater than 20/70 shall be provided in audio and enlarged print output working together or independently, or support for assistive technology used by people who are visually impaired shall be provided.** |  |  |  |  |
| b.1 | Does text provide sufficient color contrast? | - | - | - | - |
| b.1.a | Does normal text less than 18 pt use a contrast ratio of at least 4.5:1? | - | - | - | - |
| b.1.b | Does normal text of at least 18 pt and bolded text of at least 14 pt use a contrast ratio of at least 3:1? | - | - | - | - |
| b.2 | Do icons, images of text, and diagrams and charts use appropriate contrast levels (as described above for text)? | - | - | - | - |
| b.3 | Do fonts and other page elements use relative sizing? | - | - | - | - |
| b.4 | If multimedia products are provided, can they be enlarged to full screen or 200% whichever comes first? |  |  |  |  |
| b.5 | Are all checkboxes and radio buttons positioned to the left of their labels? | - | - | - | - |
| b.6 | When resized, do PDF documents reflow properly? | - | - | - | - |
| b.7 | Are watermarks avoided? | - | - | - | - |
| **(c)** | **At least one mode of operation and information retrieval that does not require user hearing shall be provided, or support for assistive technology used by people who are deaf or hard of hearing shall be provided.** |  |  |  |  |
| c.1 | Are equivalent alternatives provided for deaf individuals to access and interpret content? | - | - | - | - |
| c.2 | When Java applets contain multi-media, are they made accessible to users who are deaf? | - | - | - | - |
| c.3 | If multimedia products are provided are they captioned? |  |  |  |  |
| **(d)** | **Where audio information is important for the use of a product, at least one mode of operation and information retrieval shall be provided in an enhanced auditory fashion, or support for assistive hearing devices shall be provided.** |  |  |  |  |
| d.1 | Can users with hearing devices access and interpret content? | - | - | - | - |
| d.2 | Are means available for users of hearing aids to access auditory information, especially in regard to free-standing information devices and kiosks? | - | - | - | - |
| d.3 | Can the volume be adjusted? |  |  |  |  |
| **(e)** | **At least one mode of operation and information retrieval that does not require user speech shall be provided, or support for assistive technology used by people with disabilities shall be provided.** |  |  |  |  |
| e.1 | Are alternatives provided so that speech is not the only means to access content? | - | - | - | - |
| **(f)** | **At least one mode of operation and information retrieval that does not require fine motor control or simultaneous actions and that is operable with limited reach and strength shall be provided.** |  |  |  |  |
| f.1 | Are alternatives to scrollable DIV areas provided? | - | - | - | - |
| f.2 | When supported by the operating system, are all features of the product or service available to users of AT that provide voice command and control? | - | - | - | - |
| f.3 | Are means provided to ease keyboard access for those who cannot use a mouse? | - | - | - | - |
| f.3.a | On pages with more than ten elements reached by a press of the Tab key, are shortcut keys provided for all important functions including toolbars, navigation controls, and media playback controls? | - | - | - | - |
| f.3.b | Do accelerator/shortcut keys avoid conflicts with standard browser keystrokes, especially where those browser functions cannot be accessed through menus or other keyboard-accessible means? | - | - | - | - |
| f.3.c | Is each shortcut or mnemonic key used for a specific function within an application unique? | - | - | - | - |
| f.3.d | Where they exist, are shortcut or mnemonic keys clearly indicated to the user? | - | - | - | - |
| f.4 | Is primary page content viewable without horizontal scrolling at 1024x768 screen resolution? | - | - | - | - |
| f.5 | Is license text accessible via the keyboard? | - | - | - | - |
| f.6 | Is label or static text made keyboard accessible only when needed to comply with other access guidelines (such as being available to screen readers)? | - | - | - | - |

# Appendix C - Section 508 Checklist for Software Applications and Operating Systems

Below are the checklist and best practices for providing software applications (including web apps and the applets, plug-ins, or applications required to use them, such as Flash, Java apps, and media players) and operating systems that conform to Section 508. For questions or assistance completing this document, contact:

|  |  |  |
| --- | --- | --- |
| Product Name/Version # | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **§1194.21** | **Checkpoint** | **Yes** | **No** | **Not Present** | **Comments** |
| **(a)** | **When software is designed to run on a system that has a keyboard, product functions shall be executable from a keyboard where the function itself or the result of performing a function can be discerned textually.** |  |  |  |  |
| a.1 | Can the user navigate and use all aspects of the application with the keyboard? | - | - | - | - |
| a.1.a | Do context menus have keyboard or redundant methods of access such as hot keys? | - | - | - | - |
| a.1.b | If contiguous and noncontiguous text and data can be selected, copied, and/or pasted via the mouse, can these tasks be accomplished with the keyboard? | - | - | - | - |
| a.1.c | Can objects/windows be moved, resized, and manipulated via the keyboard? | - | - | - | - |
| a.1.d | Can meaningful rollover content be triggered by keyboard actions? | - | - | - | - |
| a.1.e | Can drop-down lists be opened via the keyboard? | - | - | - | - |
| a.1.f | Can users navigate between application panes via the keyboard? | - | - | - | - |
| a.1.g | Is focus order equivalent to the visual reading order? | - | - | - | - |
| a.1.h | Is toolbar functionality keyboard accessible or duplicated in menu structure? | - | - | - | - |
| a.2 | Does keyboard focus only move to visible, meaningful, and interactive elements? | - | - | - | - |
| a.2.a | Is dynamically changing text accessible with the keyboard? | - | - | - | - |
| a.2.b | Are focus changes avoided unless initiated by the user? | - | - | - | - |
| a.2.b.1 | If focus changes cannot be avoided, is the user notified before any unanticipated keyboard focus shift? | - | - | - | - |
| a.2.b.2 | If focus changes occur, is context maintained? | - | - | - | - |
| a.2.b.3 | Is there tabbing which results in excessive keystrokes to activate an element | - | - | - | - |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| a.3 | | If a control is auto-selected or checked when focused, can the user unselect, uncheck or change the selection? For example, if focus is placed on a checkbox, and the checkbox is automatically checked, the user can uncheck the checkbox. | - | - | - | - | |
| a.4 | | Is it possible for a user to be stuck on a control? For example, if focus is placed on a control via the keyboard, is a keyboard user able to move focus away from the control without the use of a pointing device? | - | - | - | - | |
| **(b)** | | **Applications shall not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards. Applications also shall not disrupt or disable activated features of any operating system that are identified as accessibility features where the application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available to the product developer.** |  |  |  |  | |
| b.1 | | Can all of the documented accessibility options that are available via the operating system be adopted by the application? | - | - | - | - | |
| b.2 | | Does the application allow assistive technology to function without interference? | - | - | - | - | |
| b.2.a | | Do applications not override functions and settings of assistive technologies? | - | - | - | - | |
| b.2.b | | Can assistive technology operate within the open application? | - | - | - | - | |
| **(c)** | | **A well-defined on-screen indication of the current focus shall be provided that moves among interactive interface elements as the input focus changes. The focus shall be programmatically exposed so that assistive technology can track focus and focus changes.** |  |  |  |  | |
| c.1 | | Do all interactive controls expose programmatic focus? | - | - | - | - | |
| c.2 | | Is keyboard focus indicated visually? | - | - | - | - | |
| c.3 | | Is the focused control scrolled into view when focused via the keyboard? | - | - | - | - | |
| c.4 | | Is the focus set appropriately after user action? | - | - | - | - | |
| c.5 | | If data is auto-populated based on user selection, is it focusable by the end user? | - | - | - | - | |
| **(d)** | | **Sufficient information about a user interface element including the identity, operation and state of the element shall be available to assistive technology. When an image represents a program element, the information conveyed by the image must also be available in text.** |  |  |  |  | |
| d.1 | | Do user interface elements, including custom controls and informative graphics, provide a textual name, description, role, state, and value? | - | - | - | - | |
| d.2 | | Are obscured layered components and content made inactive by pop-up panels or page tabs unavailable to assistive technologies? | - | - | - | - | |
| d.3 | | Are shortcut keys and mnemonics indicated when the user interface element is not in the tab order? | - | - | - | - | |
| d.4 | | Is hierarchy indicated for components including text? | - | - | - | - | |
| d.5 | | Are the proper programmatic accessibility events fired to provide context changes? | - | - | - | - | |
| d.6 | | Is a meaningful and descriptive title assigned to every window (including dialog boxes)? | - | - | - | - | |
| **(e)** | | | **When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images shall be consistent throughout an application's performance.** |  |  |  |  |
| e.1 | | | Do individual icons mean the same thing throughout the application? | - | - | - | - |
| **(f)** | | | | **Textual information shall be provided through operating system functions for displaying text. The minimum information that shall be made available is text content, text input caret location, and text attributes.** |  |  |  |  |
| f.1 | | | | Is all text presented in the application readable by assistive technologies? | - | - | - | - |
| f.2 | | | | Is information provided about text content, text input caret location, and text attributes? | - | - | - | - |
| f.3 | | | | Is accessibility enabled at the application level? | - | - | - | - |
| f.4 | | | | Does windows and dialog content properly render to text? | - | - | - | - |
| **(g)** | | | | | **Applications shall not override user selected contrast and color selections and other individual display attributes.** |  |  |  |  |
| g.1 | | | | | Are the user’s color, contrast or other display attributes and settings unaffected by the application (e.g. terminal or client-based systems)? | - | - | - | - |
| g.2 | | | | | Do text and image-only elements follow user settings for color and contrast? | - | - | - | - |
| g.3 | | | | | Does application text enlarge without distortion? |  |  |  |  |
| **(h)** | | | | | **When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.** |  |  |  |  | |
| h.1 | | | | | If animated objects exist, does the information conveyed by the animated object exist in another non-animated method? | - | - | - | - | |
| h.1.a | | | | | Is there a non-animated method to step through or control animation? | - | - | - | - | |
| h.1.b | | | | | Is animation content sufficiently described in audio or text? | - | - | - | - | |
| h.2 | | | | | Do alternatives to animation provide the equivalent functionality? | - | - | - | - | |
| h.3 | | | | | Does screen transition animation settle within 5 seconds? | - | - | - | - | |
| **(i)** | | | | | **Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.** |  |  |  |  | |
| i.1 | | | | | If color is used to convey information, is the information displayed in another format that does not require the user to notice or distinguish specific colors? | - | - | - | - | |
| i.1.a | | | | | Is there a means of communicating selection other than color and text formatting alone? | - | - | - | - | |
| i.1.b | | | | | Is there a means of communicating errors other than color and text formatting alone? | - | - | - | - | |
| i.1.c | | | | | Where instructions are given, are actions or controls described in terms other than color alone? | - | - | - | - | |
| **(j)** | | | | | **When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.** |  |  |  |  | |
| j.1 | | | | | If users can adjust color and contrast settings, is there a variety (at least four) of color and contrast settings available from which to choose? | - | - | - | - | |
| j.2 | | | | | Is highlighting also viewable with inverted colors? | - | - | - | - | |
| **(k)** | | | | | | **Software shall not use flashing or blinking text, objects, or other elements having a flash or blink frequency greater than 2 Hz and lower than 55 Hz.** |  |  |  |  |
| k.1 | | | | | | Is the flicker so fast that it is unnoticeable? | - | - | - | - |
| k.2 | | | | | | Is the flicker slower than twice per second? | - | - | - | - |
| **(l)** | | | | | | | **When electronic forms are used, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.** |  |  |  |  |
| l.1 | | | | | | | Can all areas of the form be completed, and can the form be submitted, using only the keyboard? | - | - | - | - |
| l.2 | | | | | | | Does the tab order of the form proceed logically and reflect the normal flow of form use? | - | - | - | - |
| l.3 | | | | | | | Are meaningful accessible names provided for all form elements? | - | - | - | - |
| l.4 | | | | | | | Do elements with multiple labels expose these in their accessible names? | - | - | - | - |
| l.5 | | | | | | | Is there a means of indicating completion or error other than audio information alone? | - | - | - | - |
| l.6 | Is focus returned to the last focused element when returning to an open form? | - | - | - | - |
| l.7 | Are form field constraints clearly indicated? | - | - | - | - |
| l.8 | Are error messages explicitly indicated and easily found by a user? | - | - | - | - |
| l.9 | Is instructive text placed at the beginning of a form or prior to the relevant form field? | - | - | - | - |
| l.10 | Are proper programmatic accessibility events fired to provide access to context changes? | - | - | - | - |
| l.11 | Are form control groups properly labeled? | - | - | - | - |
| l.12 | Are radio button groups properly formed? | - | - | - | - |
| l.13 | When a timed response is required, is a warning provided to the user that is available to assistive technology? | - | - | - | - |
| l.14 | Is the user given sufficient time to interact and/or request more time? | - | - | - | - |
| l.15 | If pop-up errors and modal dialogs are displayed, do they receive focus? | - | - | - | - |

# Appendix D - Section 508 Checklist for Video and Multimedia Products

For questions or assistance completing this document, contact

|  |  |  |
| --- | --- | --- |
| Product Name/Version # | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

| **§1194.24** | **Checkpoint** | **Yes** | **No** | **Not Present** | **Comments** |
| --- | --- | --- | --- | --- | --- |
| **(a)** | **All analog television displays 13 inches and larger, and computer equipment that includes analog television receiver or display circuitry, shall be equipped with caption decoder circuitry which appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape, and DVD signals. As soon as practicable, but not later than July 1, 2002, widescreen digital television (DTV) displays measuring at least 7.8 inches vertically, DTV sets with conventional displays measuring at least 13 inches vertically, and stand-alone DTV tuners, whether or not they are marketed with display screens, and computer equipment that includes DTV receiver or display circuitry, shall be equipped with caption decoder circuitry which appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape, and DVD signals.** |  |  |  |  |
| **(b)** | **Television tuners, including tuner cards for use in computers, shall be equipped with secondary audio program playback circuitry.** |  |  |  |  |
| **(c)** | **All training and informational video and multimedia productions which support the agency’s mission, regardless of format, that contain speech or other audio information necessary for the comprehension of the content, shall be open or closed captioned.** |  |  |  |  |
| c.1 | Is accurate captioning for audio content provided and synchronized with audible content in the multimedia? | - | - | - | - |
| c.2 | Is the current speaker indicated when appropriate for multimedia? | - | - | - | - |
| c.3 | Are important sounds indicated in the captioning? | - | - | - | - |
| c.4 | Is a text transcript provided for audio only presentations? | - | - | - | - |
| **(d)** | **All training and informational video and multimedia productions which support the agency’s mission, regardless of format, that contain visual information necessary for the comprehension of the content, shall be audio described.** |  |  |  |  |
| d.1 | Is visual content sufficiently described in the audio/narration portion of the multimedia? | - | - | - | - |
| d.2 | If your answer to d.1 is NO, is audio description provided and synchronized with visual content in the multimedia? | - | - | - | - |
| d.3 | Is a text transcript or audio track of video-only presentations provided? | - | - | - | - |
| **(e)** | **Display or presentation of alternate text presentation or audio descriptions shall be user-selectable unless permanent.** |  |  |  |  |
| e.1 | Can closed captioning in video or multimedia be turned on or off by the user? | - | - | - | - |
| e.2 | Can audio descriptions in video or multimedia be turned on or off by the user? | - | - | - | - |
| e.3 | If answers to e.1 or e.2 are NO, then are these permanent features of the multimedia? | - | - | - | - |

# Appendix E - Section 508 Checklist for Web-based Internet Information

# and Applications

Below are the checklist and best practices for providing web pages, web-based documents (including formats such as PDF, Microsoft Word and PowerPoint) and web applications that conform to Section

508. For questions or assistance completing this document, contact: Click or tap here to enter text.

|  |  |  |
| --- | --- | --- |
| Product Name/Version # | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

| **§1194.22** | **Checkpoint** | **Yes** | **No** | **Not Present** | **Comments** |
| --- | --- | --- | --- | --- | --- |
| **(a)** | **A text equivalent for every non-text element shall be provided (e.g., via "alt", "longdesc", or in element content).** |  |  |  |  |
| a.1 | Are ALT attributes provided for all images? | - | - | - | - |
| a.1.a | Is alternative text provided for image-type buttons in forms? | - | - | - | - |
| a.1.b | Are complex images (such as charts or graphs) accompanied by appropriately descriptive text (such as with a linked description)? | - | - | - | -\*\* |
| a.1.c | Are ALT attributes provided for area elements of client-side image maps? | - | - | - | - |
| a.2 | Does the alternative text concisely convey the meaning and/or intent of the image it accompanies? | - | - | - | - |
| a.2.a | Are empty ALT attributes (““) provided for images used for decorative and/or layout purposes (including spacers)? | - | - | - | - |
| a.2.b | Are empty ALT attributes (““) provided for images that are list bullets? | - | - | - | - |
| a.2.c | For PDF documents, are artifacts and remnants grouped and tagged appropriately? | - | - | - | - |
| a.2.d | Are mathematical formulas provided through appropriate mark up or as text? | - | - | - | - |
| a.2.e | Do simulated controls like tree and outline components, page tabs and menus provide textual name, type, state and level information? | - | - | - | - |
| a.3 | Are text equivalents provided for background, animated and interactive content? | - | - | - | - |
| a.3.a | Is alternative text provided for progress bars and progress images? | - | - | - | - |
| a.3.b | Do CSS background images that convey meaning have textual equivalents? | - | - | - | - |
| a.3.c | Are ALT attributes provided for animated images? | - | - | - | - |
| a.3.d | Is a non-animated equivalent or method to step through animated content available? | - | - | - | - |
| a.3.e | Does screen transition animation settle within 5 seconds? | - | - | - | - |
| a.3.f | Are there text equivalents for audio information (including transcripts of spoken information)? | - | - | - | - |
| a.3.g | Do video files have audio equivalents or full-text descriptions? | - | - | - | - |
| a.3.h | Are ALT attributes provided for applets? | - | - | - | - |
| a.3.i | Are electronic files (such as .pdf, .doc and .ppt) accessible or do they have text equivalents? | - | - | - | - |
| a.3.j | Are text equivalents provided for embedded elements that are not detected by assistive technologies? | - | - | - | - |
| a.3.k | Are text equivalents provided for scanned information, including handwritten documents? | - | - | - | - |
| **(b)** | **Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.** |  |  |  |  |
| b.1 | Is complete, accurate, synchronized captioning in videos provided for audio content including sounds and music? | - | - | - | - |
| b.2 | Are clear and meaningful audio descriptions of visual content provided and synchronized in the video? | - | - | - | - |
| **(c)** | **Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.** |  |  |  |  |
| c.1 | Where color is used to convey meaning, is text, icons or symbols provided to convey the same meaning? For example: ▪ Task 1 ▪ Task 2 (\*IMPORTANT\*) ▪ Task 3 | - | - | - | - |
| c.2 | If color is used to convey information, is the information presented by another method? | - | - | - | - |
| c.3 | Is information that has been conveyed with color available to users who cannot see the screen? | - | - | - | - |
| c.3.a | Is information that has been conveyed with color still available when display colors and contrast have been changed? | - | - | - | - |
| c.4 | Where instructions are given, are actions or controls described in terms other than color? For example: “Press green Start button” rather than “Press green button”. | - | - | - | - |
| c.5 | Are means other than color alone used to convey the state of a control (e.g. selected, unavailable)? | - | - | - | - |
| **(d)** | **Documents shall be organized so they are readable without requiring an associated style sheet.** |  |  |  |  |
| d.1 | Is the reading order of content and elements correct when viewed without style sheets or when read with assistive technology? | - | - | - | - |
| d.2 | With style sheets turned off, is dynamic content rendered in-line with controls that change it or is focus moved to the content? | - | - | - | - |
| d.3 | Can user-defined styles be used in the application? | - | - | - | - |
| **(e)** | **Redundant text links shall be provided for each active region of a server-side image map.** |  |  |  |  |
| e.1 | If the page uses a server-side image map, is there a separate set of links that duplicates the functionality provided by activating regions of that image map? | - | - | - | - |
| **(f)** | **Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.** |  |  |  |  |
| f.1 | Are client-side image maps being used instead of server-side except where the clickable region cannot be defined by a circle, rectangle or polygon? | - | - | - | - |
| **(g)** | **Row and column headers shall be identified for data tables.** |  |  |  |  |
| g.1 | Are the header elements for a data table provided in the same table as the content? | - | - | - | - |
| g.2 | Are row and column header cells identified with the <TH> tag? | - | - | - | - |
| g.3 | Do header cells defined for data rows and columns have content? | - | - | - | - |
| g.4 | When it is necessary, is the scope attribute used and appropriately implemented and defined? | - | - | - | - |
| g.5 | Do all data cells use a <TD> tag? | - | - | - | - |
| g.6 | Does each table cell contain only one cell’s worth of information? (e.g. no merged data cells) | - | - | - | - |
| g.7 | Do data and header cells that visually span multiple columns or rows use colspan and/or rowspan? | - | - | - | - |
| g.8 | For multi-page tables in PDF documents, do column headers repeat across page breaks? | - | - | - | - |
| g.9 | If you’re using a grid to display data, does the format use data table elements? | - | - | - | - |
| **(h)** | **Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.** |  |  |  |  |
| h.1 | Do tables with more than one level of header cells (e.g., using the colspan or rowspan attributes) use either the scope attribute or the combination of headers and id attributes to associate data and header cells? | - | - | - | - |
| h.2 | Are ids and headers used when header cells are not applied to every cell within its scope (row or col)? | - | - | - | - |
| **(i)** | **Frames shall be titled with text that facilitates frame identification and navigation.** |  |  |  |  |
| i.1 | Do all frames (including those without visual content) have meaningful descriptive titles using the title attribute for identification and navigation? | - | - | - | - |
| i.2 | Does the title identify each frame and facilitate user navigation? | - | - | - | - |
| **(j)** | **Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.** |  |  |  |  |
| j.1 | Is the flicker so fast that it is unnoticeable? | - | - | - | - |
| j.2 | Is the flicker slower than twice per second or less? | - | - | - | - |
| **(k)** | **A text-only page with equivalent information or functionality shall be provided to make a web site comply with the provisions of this part, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.** |  |  |  |  |
| k.1 | Have you verified there is no other means to make this content accessible? | - | - | - | - |
| k.2 | If a page cannot be made accessible, is there an alternate text-only page? | - | - | - | - |
| k.3 | If so, is the content of that page updated whenever the primary page changes? | - | - | - | - |
| k.4 | Does the text-only page provide equivalent functionality? | - | - | - | - |
| **(l)** | **When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by assistive technology.** |  |  |  |  |
| l.1 | Can the functionality of scripted elements or tagged PDF elements (including links in documents) be used with only a keyboard? (i.e., no mouse installed) | - | - | - | - |
| l.1.a | Can menus and sub-menu items be opened from the keyboard? | - | - | - | - |
| l.1.b | Can sortable table columns be sorted with the keyboard? | - | - | - | - |
| l.1.c | Are selectable rows selectable from the keyboard? | - | - | - | - |
| l.1.d | Are calendar components accessible from the keyboard? | - | - | - | - |
| l.1.e | Are tree and outline node components accessible from the keyboard? | - | - | - | - |
| l.1.f | Can embedded elements be navigated through or past with the keyboard? | - | - | - | - |
| l.1.g | Does the tab order of elements make sense, such as providing a logical tab order? | - | - | - | - |
| l.2 | Is keyboard focus visually and programmatically discernable? | - | - | - | - |
| l.2.a | If there are forced focus changes, are they clearly indicated to users of assistive technology? | - | - | - | - |
| l.2.b | Are event handlers that trigger focus changes avoided? | - | - | - | - |
| l.2.c | When simulated dialogs and calendars are activated within the same window, does focus move to the new information? | - | - | - | - |
| l.2.d | When the simulated dialog or calendar is closed, does focus return to an appropriate position? | - | - | - | - |
| l.2.e | Is sufficient information about a user interface element including the identification, operation and state of the element available to assistive technology? | - | - | - | - |
| l.3 | Is all content information of the scripted element available to users of assistive technology? | - | - | - | - |
| l.3.a | Can assistive technology detect change in content? | - | - | - | - |
| l.3.b | Do simulated dialogs and calendars indicate the beginning and end of content? | - | - | - | - |
| l.3.c | Do links that spawn simulated dialogs and/or calendars clearly indicate that to the user? | - | - | - | - |
| l.4 | Where settings exist to enable access to assistive technology users, are they used correctly? | - | - | - | - |
| l.5 | If any of the answers to l.1 thru l.4 are NO, then can all of the web page functionality be accessed with JavaScript turned off? | - | - | - | - |
| **(m)** | **When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with §1194.21(a) through (l).** |  |  |  |  |
| m.1 | If a page uses plug-ins, applets, etc., are links to those plug-ins, applets, etc. provided? NOTE: Verify that the product is on the VA approved tools list at <http://www.va.gov/viewer.htm>. | - | - | - | - |
| m.2 | Does that software meet the applicable software applications and operating system standards in §1194.21 (a) to (l)? | - | - | - | - |
| **(n)** | **When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.** |  |  |  |  |
| n.1 | Are buttons labeled using a value attribute or other accessibility supported method (e.g. aria-labelledby) that describes the purpose of the button? | - | - | - | - |
| n.2 | Are form fields explicitly labeled using unique and meaningful labels, title attributes, or other accessibility supported method (e.g. aria-labelledby) that provide important information (such as “Required” when this information is not provided by another method e.g. the required or aria-required attribute) and the expected input format)? | - | - | - | - |
| n.3 | Are related elements grouped using the appropriate structure (such as with the fieldset element with an appropriate legend in HTML, or the grouping functions in PDF) for example, a common name attribute? | - | - | - | - |
| n.4 | Is information laid out so that it is accessed in a logical tabbing and reading order? | - | - | - | - |
| n.5 | Where it exists, is instructive text placed at the beginning of a form? | - | - | - | - |
| n.6 | When error messages are generated, are they easily discoverable and clearly indicated to users of assistive technology? | - | - | - | - |
| n.7 | Are there text alternatives to audio cues? | - | - | - | - |
| n.8 | Are there accessible alternatives provided for security measures like CAPTCHA? | - | - | - | - |
| n.9 | When an element’s state changes, does related alternative text update accordingly? | - | - | - | - |
| **(o)** | **A method shall be provided that permits users to skip repetitive navigation links.** |  |  |  |  |
| o.1 | If a group of links is repeated over more than one page, is there a visible skip navigation link? | - | - | - | - |
| o.2 | Is a valid skip link target present and located before the unique content of the page? | - | - | - | - |
| **(p)** | **When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.** |  |  |  |  |
| p.1 | If the page includes automatic redirects, automatic refreshing, etc., is there a warning that alerts the user? | - | - | - | - |
| p.2 | Is the user warned that time is going to run out and provided an opportunity to request more time? | - | - | - | - |
| p.3 | Is there sufficient time for the user to indicate that additional time is required? Does the user have a minimum of twenty seconds to request more time? | - | - | - | - |

# Appendix F - Section 508 Standards Checklist for Information, Documentation, and Support

For questions or assistance completing this document, contact: Click or tap here to enter text.

|  |  |  |
| --- | --- | --- |
| Product Name/Version # | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

| **§1194.41** | **Checkpoint** | **Yes** | **No** | **Not Present** | **Comments** |
| --- | --- | --- | --- | --- | --- |
| **(a)** | **Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge.** |  |  |  |  |
| a.1 | Is a process in place to receive requests for alternative formats at no additional charge? | - | - | - | - |
| a.2 | Is a process in place to generate alternative formats at no additional charge? | - | - | - | - |
| a.3 | Is a process in place to deliver the alternative formats at no additional charge? | - | - | - | - |
| **(b)** | **End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge.** |  |  |  |  |
| b.1 | Is an accessibility section provided in the documentation at no additional charge? | - | - | - | - |
| b.2 | Is a list of keyboard shortcuts provided at no additional charge? | - | - | - | - |
| **(c)** | **Support services for products shall accommodate the communication needs of end-users with disabilities.** |  |  |  |  |
| c.1 | Are alternatives to audio support services, such as TTY support and relay services provided? | - | - | - | - |
| c.2 | Do online support mechanisms, such as web chat, knowledge bases, and FAQs meet the relevant Section 508 requirements for web sites, applications or software applications respectively? | - | - | - | - |

# Appendix G - Section 508 Standards Checklist for Self-Contained

# Closed Products

For questions or assistance completing this document, contact: Click or tap here to enter text.

|  |  |  |
| --- | --- | --- |
| Product Name/Version | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

| § 1194.25 | Standard Checkpoint | Yes | No | Not Present | Comments |
| --- | --- | --- | --- | --- | --- |
| **(a)** | **Self-contained products shall be usable by people with disabilities without requiring an end-user to attach assistive technology to the product. Personal headsets for private listening are not assistive technology.** |  |  |  |  |
| **(b)** | **When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.** |  |  |  |  |
| **(c)** | **Where a product utilizes touch screens or contact-sensitive controls, an input method shall be provided that complies with §1194.23 (k) (1) through (4).** |  |  |  |  |
| **(d)** | **When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.** |  |  |  |  |
| **(e)** | **When products provide auditory output, the audio signal shall be provided at a standard signal level through an industry standard connector that will allow for private listening. The product must provide the ability to interrupt, pause, and restart the audio at any time.** |  |  |  |  |
| **(f)** | **When products deliver voice output in a public area, incremental volume control shall be provided with output amplification up to a level of at least 65 dB. Where the ambient noise level of the environment is above 45 dB, a volume gain of at least 20 dB above the ambient level shall be user selectable. A function shall be provided to automatically reset the volume to the default level after every use.** |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| § 1194.25 | Standard Checkpoint | Yes | No | Not Present | Comments |
| **(g)** | **Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.** |  |  |  |  |
| **(h)** | **When a product permits a user to adjust color and contrast settings, a range of color selections capable of producing a variety of contrast levels shall be provided.** |  |  |  |  |
| **(i)** | **Products shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.** |  |  |  |  |
| **(j)** | **Products which are freestanding, non-portable, and intended to be used in one location and which have operable controls shall comply with the following:** |  |  |  |  |
| j.1 | The position of any operable control shall be determined with respect to a vertical plane, which is 48 inches in length, centered on the operable control, and at the maximum protrusion of the product within the 48 inch length (see [Figure 1](https://www.law.cornell.edu/cfr/text/36/appendix-Figures_to_part_1194) of this part). |  |  |  |  |
| j.2 | Where any operable control is 10 inches or less behind the reference plane, the height shall be 54 inches maximum and 15 inches minimum above the floor. |  |  |  |  |
| j.3 | Where any operable control is more than 10 inches and not more than 24 inches behind the reference plane, the height shall be 46 inches maximum and 15 inches minimum above the floor. |  |  |  |  |
| j.4 | ) Operable controls shall not be more than 24 inches behind the reference plane (see [Figure 2](https://www.law.cornell.edu/cfr/text/36/appendix-Figures_to_part_1194) of this part). |  |  |  |  |

**Figures to Part 1194**

Figure 1 - Vertical Plane Relative to Operative Control

Figure one above illustrates two bird's-eye views of the Vertical Plane Relative to Operative Control. In both views, the vertical plane is centered on the control area. In the first view, the vertical plane is set back from the control area by a protrusion on the device. In the second view, there are no protrusions on the device and the vertical plane is right up against the control area.

Figure 2 - Height of Operative Control Relative to a Vertical Plane  
Figure two above illustrates two front views of Height of Operative Control Relative to a Vertical Plane. The first view illustrates a reach of no more than 10 inches deep with the control area between 15 and 54 inches. The second view illustrates a reach greater than 10 inches but not more than 24 inches deep with the control area between 15 and 46 inches.

# Appendix H - Section 508 Standards Checklist for Telecommunications Products

For questions or assistance completing this document, contact: Click or tap here to enter text.

|  |  |  |
| --- | --- | --- |
| Product Name/Version | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| § 1194.23 | Standards/Checkpoint | Yes | No | Not Present | Comments |
| **(a)** | **Telecommunications products or systems which provide a function allowing voice communication and which do not themselves provide a TTY functionality shall provide a standard non-acoustic connection point for TTYs. Microphones shall be capable of being turned on and off to allow the user to intermix speech with TTY use.** |  |  |  |  |
| **(b)** | **Telecommunications products which include voice communication functionality shall support all commonly used cross-manufacturer non-proprietary standard TTY signal protocols.** |  |  |  |  |
| **(c)** | **Voice mail, auto-attendant, and interactive voice response telecommunications systems shall be usable by TTY users with their TTYs.** |  |  |  |  |
| **(d)** | **Voice mail, messaging, auto-attendant, and interactive voice response telecommunications systems that require a response from a user within a time interval, shall give an alert when the time interval is about to run out, and shall provide sufficient time for the user to indicate more time is required.**  **(e) Where provided, caller identification and similar telecommunications functions shall also be available for users of TTYs, and for users who cannot see displays.** |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| § 1194.23 | Standards/Checkpoint | Yes | No | Not Present | Comments |
| **(e)** | **Where provided, caller identification and similar telecommunications functions shall also be available for users of TTYs, and for users who cannot see displays.** |  |  |  |  |
| **(f)** | **For transmitted voice signals, telecommunications products shall provide a gain adjustable up to a minimum of 20 dB. For incremental volume control, at least one intermediate step of 12 dB of gain shall be provided.** |  |  |  |  |
| **(g)** | **If the telecommunications product allows a user to adjust the receive volume, a function shall be provided to automatically reset the volume to the default level after every use.** |  |  |  |  |
| **(h)** | **Where a telecommunications product delivers output by an audio transducer which is normally held up to the ear, a means for effective magnetic wireless coupling to hearing technologies shall be provided.** |  |  |  |  |
| **(i)** | **Interference to hearing technologies (including hearing aids, cochlear implants, and assistive listening devices) shall be reduced to the lowest possible level that allows a user of hearing technologies to utilize the telecommunications product.** |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| § 1194.23 | Standards/Checkpoint | Yes | No | Not Present | Comments |
| **(j)** | **Products that transmit or conduct information or communication, shall pass through cross-manufacturer, non-proprietary, industry-standard codes, translation protocols, formats or other information necessary to provide the information or communication in a usable format. Technologies which use encoding, signal compression, format transformation, or similar techniques shall not remove information needed for access or shall restore it upon delivery.** |  |  |  |  |
| **(k)** | **Products which have mechanically operated controls or keys, shall comply with the following:** |  |  |  |  |
| k.1 | Control and keys shall be tactilely descendible without activating the controls or keys. |  |  |  |  |
| k.2 | Control and keys shall be operable with one hand and shall not require tight grasping, pinching, or twisting off the wrist. The force required to activate controls and keys shall be 5 lbs. (22.2 N) maximum. |  |  |  |  |
| k.3 | If the key repeat is supported, the delay before repeat shall be adjustable to at least 2 seconds. Key repeat rate shall be adjustable to 2 seconds per character. |  |  |  |  |
| k.4 | The status of all locking or toggle controls or keys shall be visually discernible, and discernible either through touch or sound. |  |  |  |  |

# Appendix I - **Section 508 Standards for Desktop and Portable Computers**

For questions or assistance completing this document, contact: Click or tap here to enter text.

|  |  |  |
| --- | --- | --- |
| Product Name/Version | Project Manager Name | Date |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

| **§ 1194.26** | Standards Checkpoint | Yes | No | Not Present | Comments |
| --- | --- | --- | --- | --- | --- |
| **(a)** | **All mechanically operated controls and keys shall comply with §1194.23 (k) (1) through (4).** |  |  |  |  |
| **(b)** | **If a product utilizes touch screens or touch-operated controls, an input method shall be provided that complies with §1194.23 (k) (1) through (4).** |  |  |  |  |
| **(c)** | **When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.** |  |  |  |  |
| **(d)** | **Where provided, at least one of each type of expansion slots, ports and connectors shall comply with publicly available industry standards.** |  |  |  |  |

# Appendix J - Program Recruitment and Assessment

**OPTIONAL**   
(For use if other related information is not available)

|  |  |
| --- | --- |
| Recipient Name | Location |
| Recruitment/Outreach service provider | Programs |
| **Person(s) Interviewed** |  |
| Name *(first, last*) | Position Title |
| Name *(first last)* | Position Title |
| Name *(first, last)* | Position Title |
| Interviewer Name | Interview Date |

Questions with an asterisk (\*) are related to WIOA Funded programs only

## Program Recruitment

1. Describe your recruitment (marketing and outreach) process (e.g., school visits, media ads, etc.).
2. Describe your recruitment (marketing and outreach) process targeted at recruiting and enrolling protected groups required to be served under WIOA (e.g., Blacks, Hispanic/Latinos, Native Americans living off the reservation, Asian, Migrant & Seasonal Farmworkers, Veterans, Persons with Disabilities, Welfare-to-Work (W-2), Job Corps participants, Females, Refugees properly authorized to work).
3. Who is responsible for recruitment? List by name and job title.
4. How is the eligible population determined (for the program(s) listed above)?
5. What media are used to recruit applicants?
6. What non-English media is used to notify the public considered to be LEP and potentially eligible of available employment and training services?
7. What specific resources are used to recruit racial/ethnic minorities, Females, Veterans, Persons with Disabilities, Migrant and Seasonal Farmworkers, Black African American Native Americans living off the reservation, and Asian, Refugees and other immigrants properly authorized to work in the U.S.?
8. When does a **customer** officially become an **applicant?** \*How often is orientation offered to potential applicants?
9. \*How often is orientation offered to potential applicants?
10. \*What is the “typical” number of attendees?
11. \*Who is responsible for conducting the orientation? List by name and title.
12. \*What is the format of the orientation? *i.e. lecture only, video, question and answer, etc*.
13. \*How is it determined whether a customer will need an accommodation (because of a disability) to attend orientation or to apply for services?
14. How is orientation offered and provided to individuals who are LEP?
15. \*What attendance records are kept for each orientation session?
16. \*Are there follow-up contacts with individuals who attend orientation but do not complete an application? Yes No
17. \*Are there occupations that are in high demand in your region? Yes No. If Yes, list the occupations: Click or tap here to enter text.

## Program Assessment

1. Describe the assessment process.
2. Are there locally developed forms (that is, forms developed within the region) that are used in the process? Yes No. If yes, please list the form names and describe how the forms are used.
3. Are forms translated to those language groups that meet the criteria for translation of vital documents in according to Executive Order 13166 and DOL LEP Guidance?

Yes No

If yes, list the language groups for which forms and or other vital documents/vital information has been translate to: Click or tap here to enter text.

1. Who evaluates the information provided on the application for services?
2. Are all applicants tested? Yes No. If No, who or what determines which applicants are tested?
3. How are the tests scored? Click or tap here to enter text.
4. Is there a cut-off score to indicate “failed” or “passed”? Yes No
5. What tests, by name, are administered? Click or tap here to enter text.

Have the tests been validated? Yes No

1. Who administers the tests, and where? Click or tap here to enter text.
2. Who scores the tests, and interprets the results? Click or tap here to enter text.
3. How is consistency of interpretation determined? Click or tap here to enter text.
4. Do test scores determine eligibility and placement in all programs or just in certain programs? (Name, if appropriate) Yes No
5. Are service providers, other than assessment staff, involved in assessment, selection, and placement of individuals into programs? Yes No

If yes, describe Click or tap here to enter text.

1. What happens to someone who is not accepted into a program of his or her choosing? Click or tap here to enter text.
2. Are individuals who do not qualify for federal assisted programs informed of possible alternatives? Yes No

If yes, describe Click or tap here to enter text.

1. Are individuals who are not selected for federal assisted programs tracked?

Yes No

If so, is any data retained on those individuals? Yes No

Where is the information kept? Click or tap here to enter text.

1. What accommodations are available for an applicant with disabilities or impairments during application and assessment? Click or tap here to enter text.

Are readers available to visually impaired persons who do not use Braille?

Yes No

1. Discuss the percentage of women and racial/ethnic minority applicants and participants who go into nontraditional jobs. How are applicants informed of opportunities in nontraditional jobs? Click or tap here to enter text.
2. How does the local system assure that Core services are delivered in self-serve,

staff facilitated, and staff-assisted (one on one) modes to Migrant and Seasonal

Farmworkers (MSFWs) and others? Click or tap here to enter text.

Has the WDB or system decided that a minimum set of intensive services are to be provided within the One Stop Center or local workforce system? Yes No

If yes, what are they and what reports are made to the Board about this (examine to see if MSFW receipt of intensive services is covered) Click or tap here to enter text.

1. What policies or guidance other than state policy has the WDB created about priority for receiving intensive services? What are they, how were they set, what’s the process and frequency for reviewing them and what reports are provided the Board? (examine for impact on MSFWs receiving intensive services if MSFW population is present during the program year) Click or tap here to enter text.
2. What policies or guidance has the WDB created for use of training money, including priorities? Click or tap here to enter text.
3. What affirmative steps has the WDB developed to conduct outreach to MSFW, refugees and other LEP job seeker customers within the last year? Click or tap here to enter text.
4. Does the MOU(s) address the employment and training needs of MSFW adults and MSFW youth, including refugees, work authorized immigrants (i.e., career counseling, referral to vocational training, supportive services or educational English as a Second Language (ESL), Adult Basic Education (ABE), and General Equivalency Diploma (GED) classes)? Yes No
5. Does the MOU indicate how the service delivery process of each partner is customized and integrated to better serve the special needs of MSFW and other protected customers? Yes  No
6. Does the local WDB WIOA Plan address how MSFW's will be offered and provide WIOA program information, recruitment, services and activities?
7. Does the local WIOA service plan describe the services required to be provided to MSFW authorized under Wagner-Peyser Act? Yes No
8. Does the plan explain how the "full range" of core services, benefits and protections will be made accessible and provided to MSFWs by mandated partners in the One-Stop Center(s)? (If not, ask manager and staff to explain how the full range of services are made accessible.) Yes No
9. Does the plan explain how services are going to be monitored to assure or improve performance levels set in the MSFW Equity and Minimum Service indicators?

Yes No

1. Describe what monitoring occurs by the Center operator or others in the local system to determine whether qualitatively equivalent and quantitatively proportionate service delivery occurs. Click or tap here to enter text.
2. Does the plan identify the local MSFW partner organizations or farm worker groups contacted to provide input on the local WIOA Plan? Yes No
3. Was the plan distributed to MSFW community service organizations or agencies and MSFW advocates to review and provide public comment? Yes No
4. Does the local WIOA Plan include correspondence to and the comments from MSFW community organizations and other groups and the local board’s responses to those comments? Yes No
5. What, if any, changes were made and disagreements identified? Click or tap here to enter text.
6. Does the local WIOA Plan discuss marketing and outreach of system services to job seekers? Does this specifically discuss MSFWs? Marketing/outreach in Spanish?

Yes No

# Appendix K - Current Staff Affirmative Action Data

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| *EMPLOYEES TOTAL* |  | *MALE* |  | *FEMALE* |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| *JOB CATEGORIES* |  | TOTAL | MINORITY | DISABLE | TOTAL | MINORITY | DISABLED |
| Officials and Managers | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Professionals | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Technicians | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Sales Workers | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Administrative Support Workers | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Craft Workers | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Operatives | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Laborers and Helpers | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Service Workers | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Total | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Total Employment Reported in Previous Analysis Dated: Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

# Appendix L - Employee/Staff Interview

Assure the employee that his/her name will not be a part of the review record, only the nature of his/her response.

|  |
| --- |
| Interviewer Name:  Interview Date: |
| Location: |
| Employee Function in the Job Center |

1. What training have you received regarding Equal Opportunity requirements related to your work? WhenClick or tap here to enter text. and where? Click or tap here to enter text.
2. Does your local supervisor or manager discuss equal opportunity and equal access for clients with the staff? Click or tap here to enter text.
3. What arrangements are made to provide services to limited English proficient (LEP) individuals? (Identify staff and partners used to help customers). Click or tap here to enter text.
4. Are you aware of the different languages spoken by customers in this area who are (LEP)?

Yes  No

What are they? Click or tap here to enter text.

1. Where do you obtain the agency's/WDB policies, procedures or guidance regarding the provisions of language and translation services to LEP individuals? Click or tap here to enter text.
2. What questions do you have on how to serve LEP individuals? Click or tap here to enter text.
3. What arrangements are made to provide services to the visually impaired, deaf, and/or non-ambulatory clients? *(Please be specific)*. Click or tap here to enter text.
4. What do you do if a person comes in with a need for an American Sign Language interpreter? Click or tap here to enter text.
5. Who do you ask when you have a question about services to individuals with a disability? Please explain and be specific. Click or tap here to enter text.
6. Are you aware of local policies and procedures regarding individuals with disabilities?

Yes  No

Where do you find the policies, procedures or information? Click or tap here to enter text.

1. What questions do you have on how to serve individuals with disabilities? Click or tap here to enter text.
2. Are you involved with job orders? Yes  No

If yes, what is your understanding of nondiscriminatory job orders? Click or tap here to enter text.

1. What do you do if a client tells you that they feel they have been discriminated against by you or someone in your office because of their race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the WIOA, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity?

Do you know what their rights are? Please explain. Yes  No

1. What do you do if you feel you have been discriminated against because of your race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the WIOA, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity?

Do you know what your rights are? Please explain. Yes  No

1. What questions or comments do you have? Click or tap here to enter text.

## Summary – Employee/Staff Interview Results

Number of staff interviewed: Click or tap here to enter text.

* Frequency WDB, One-Stop-Center Operator, or Partner agency provides CRC training to staff?
* What is the level of employee's knowledge regarding Civil Right Compliance laws and their applicability to beneficiaries?
* How often do supervisors, managers review the CRC & EO policies and procedures in regular meetings and or annual training?
* Overall employee understanding of participant's policies & procedures to request a disability accommodation? Under what circumstances are accommodations provided.
* Overall employee understanding of Executive Order 13166, Title VI of the Civil Rights Act of 1964, DOL's Limited English Proficiency Guidance, DET LEP policies, and the WDB, One-Stop Centers policies and procedures for providing language access services to LEP individuals.
* Do employees know which vendors must be used to provide language services to LEP customers? Who is the vendor under contract?
* Do employees know what vital document have been translated to other languages?
* Overall employees understanding of the LEP population groups language assistance needs of those living in the workforce development service area and knowledge of the largest LEP groups?
* Do employees know who the EO Officer is for their WDA?
* Can employees articulate the functions of an EO Officer vs., the Job Center Complaint Coordinator's function within the One-Stop-Center system?
* Do employees know what discrimination complaint system is in place?
* Do employees know what types of complaints can be filed with Job Center Complaint Coordinator?
* Do employees know what rights they have under Federal and/or State employment laws?

**Summary Comments** Click or tap here to enter text.

# Appendix M - Client Interview

## Interviews should be conducted in a location that ensures privacy.

"Sample introduction*: “I am conducting a monitoring review of this office. [Provide a business card.] I would like to ask you a few questions regarding your experiences with this office. Your participation is completely voluntary. Neither your participation nor your responses will in any way affect the services you receive from this office. Absolutely none of the information will be recorded in any files pertaining to you. Do you have any questions regarding this?”*

Interviewer:

Location:

Date:

Client City of Residence:

“The following is **strictly voluntary** and will be treated confidentially. It will not affect your status in receiving benefits or services:”

Please indicate the following:

|  |  |  |
| --- | --- | --- |
| Gender: | Male | Female |
| Ethnic Origin: | Hispanic or Latino |  |
| Race (Check all that apply): |  | American Indian or Alaskan Native  Asian  Black or African American  Native Hawaiian or Other Pacific Islander  White |
| Are you an individual with a disability? |  | Yes  No |

1. Please describe the frequency of your visits or contacts here: Click or tap here to enter text.
2. Do you feel that this office is accessible to all, regardless of their;

* Race/Color/Ethnicity?  Yes  No
* Sex or Gender?  Yes  No
* Disability?  Yes  No
* Religion?  Yes  No
* National Origin?  Yes  No
* Age (over 40)?  Yes  No
* Limited ability to speak or understand English?  Yes  No
* Citizenship?  Yes  No
* Political Affiliation or Belief?  Yes  No

1. What recommendations, if any, do you have to assist the office in providing universal access? Click or tap here to enter text.
2. What is your opinion of the quality of service provided here? Click or tap here to enter text.
3. Did anyone inform you of your equal opportunity/nondiscrimination rights as a program applicant or participant? (For example, did anyone inform you of what to do if you believe you were discriminated against based on your race, gender, age, disability, national origin, etc.?)  Yes  No

When you registered, did you get a copy of those rights?  Yes  No

1. What comments, concerns, or suggestions do you have about the program? Click or tap here to enter text.

“Would you like to be contacted regarding your concerns?”  Yes  No.

If yes, can we provide your contact information to the WDB EO Officer?

Thank you.

Name:

Address:

City, State, Zip:

Phone

## Summary - Interview Results from Interviews with Clients

\_\_\_\_ Number of clients interviewed

\_\_\_\_ Overall knowledge of rights

\_\_\_\_ Overall understanding of illegal job orders

\_\_\_\_ Overall understanding of access for LEP persons

\_\_\_\_ Overall understanding of access for individuals with disabilities

**Summary Comments**

# Appendix N - Participant File Review Worksheet

**OPTIONAL**

|  |  |
| --- | --- |
| File Review Date: Click or tap here to enter text. | File Reviewer Name: Click or tap here to enter text. |
| Workforce Development Board: Click or tap here to enter text. | One Stop Center: Click or tap here to enter text.  Service/Training Provider: Click or tap here to enter text. |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| # | Participant's Name | PIN # | Program | Gender | Race/ Ethnicity | LEP | Disability | Medical Information Identifying Type of Disability | Inappropriate comments | Signed copy of the “EO is the Law” notice (29 CFR §§38.34, 38.36, and 38.39) retained in the participant File |
| 1 |  |  |  |  |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |  |  |  |  |
| 5 |  |  |  |  |  |  |  |  |  |  |
| 6 |  |  |  |  |  |  |  |  |  |  |
| 7 |  |  |  |  |  |  |  |  |  |  |
| 8 |  |  |  |  |  |  |  |  |  |  |
| 9 |  |  |  |  |  |  |  |  |  |  |
| 10 |  |  |  |  |  |  |  |  |  |  |
| 11 |  |  |  |  |  |  |  |  |  |  |
| 12 |  |  |  |  |  |  |  |  |  |  |
| 13 |  |  |  |  |  |  |  |  |  |  |
| 14 |  |  |  |  |  |  |  |  |  |  |
| 15 |  |  |  |  |  |  |  |  |  |  |

**Key**

**PIN Number: Is the personal identification number assigned for the participant's case file.**

**Disability:** Is the participant registered as a person with a disability on the registration sheet?

**Medical Information Identifying the Participant's Disability**: Is there any medical condition information in the file that could be construed as revealing a disability or relating to a disability? This Includes information in case notes.

**Inappropriate Comments**: Subjective or Inappropriate Comments?

# Appendix O - Data Analysis Check List

## The following are data sources that may be reviewed as part of the monitoring visit if there is any indication of adverse impact.

### Employment services

* from job applicant to job referral
* from job referral to job placement
* average referral wage
* average placement wage
* receipt of core services
* receipt of intensive services

### Unemployment insurance

* payment to nonpayment
* by reason for nonpayment
* alleged misconduct
* job refusal
* not able to or available for work
* reporting requirement not met
* denials by adjudicator
* results of appeal
* profiling

### WIOA Title I

* from populations eligible to be served to applicant
* from applicant to eligible applicant
* from eligible applicant to participant
* completed WIOA or partner services
* received supportive services

### Adult and Dislocated-Worker Programs

* adult education/basic skills/literacy activities
* on-the-job training
* occupational skills training
* nontraditional training

### Youth Programs

* education achievement services
* employment services
* summer youth employment opportunities

### Terminations

* received follow-up services
* entered training-related employment
* entered nontraditional employment
* attained certificate/diploma/degree
* entered postsecondary/advanced training
* other exits (institutionalized/health-medical/deceased)
* Earnings at program completion (structure of the analysis is to be determined)

### Youth

* goal attainment
* basic skills
* occupational skills
* work-readiness skills
* education
* attained diploma/GED/is attending school
* placement (structure of the analysis is to be determined)

Any of the preceding analyses may be applied to specific groups, where appropriate, to include:

* migrant and seasonal farm workers
* veterans
* individuals with disabilities
* TANF recipients
* welfare-to-work program participants
* Job Corps participants and to programs for Native Americans, where appropriate.

# Appendix P - Exit Meeting/Exit Conference

|  |  |
| --- | --- |
| Reviewer(s) | Recipient /agency Representatives(s): |
| **Preliminary Observations and Recommendations/Findings and Required Actions** | |

|  |
| --- |
| **Feedback from the recipient /agency** |

DETS-16607 (N. 6/2009)