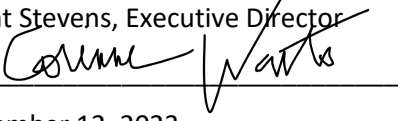


Subcontractor Name: Green Hills Regional Planning Commission
Representative: Corinne Watts, Executive Director
Monitor: Kerry Savage, Compliance Coordinator
Reviewed By: Brent Stevens, Executive Director
Signature: 
Date: December 12, 2023

I. Executive Summary and Scope of the Equal Opportunity Monitoring

The Northwest Workforce Development Board Compliance Coordinator conducted monitor reviews of Green Hills Regional Planning Commission for Program Year 2023 in compliance with the requirements set forth by *29 CFR (Code of Federal Regulations) Part 38*, State of Missouri Nondiscrimination Plan, Office of Workforce Development (OWD) *Issuance 11-2021 (Sub-State Monitoring Policy)*, and Workforce Development Board of North Missouri policy *A-23 (Sub-State Monitoring Policy)*.

The WDB conducted an equal opportunity monitoring of Green Hills Regional Planning Commission compliance with section 188 of WIOA for the period July 1, 2023, through June 30, 2024, in fulfillment of the requirements of the WIOA, Missouri Nondiscrimination Plan, OWD Issuances, and WDB Policies. This review was conducted to ensure compliance with federal Equal Opportunity laws as outlined within section 188 of the Workforce Innovation and Opportunity Act.

Equal Opportunity monitoring is not an audit and due to the limited scope of the monitoring, may not disclose all systems' weaknesses. The results presented in this report are based on the areas reviewed by WDB staff. The United States Department of Labor, the Missouri Office of Workforce Development, or any other applicable federal or state body may conduct reviews and have different conclusions, opinions, and/or results.

The scope of the equal opportunity monitoring utilized guidelines established by section 188 of WIOA, the State of Missouri Nondiscrimination Plan, the Office of Workforce Development's (OWD) Sub-state Monitoring Issuance and Workforce Development Board of North Missouri's Sub-State Monitoring Policy.

The Monitoring utilized a self-monitoring worksheet completed by Green Hills Regional Planning Commission as well as an on-site visit during which the facility and its practices were reviewed for compliance. The following items were reviewed:

- the "Equal Opportunity is the Law" poster was properly posted;
- a complete accessibility workstation for job center customers is provided;
- Signed acknowledgement from the employees that notification of complaint and grievance rights and procedures was received;
- Employees' signed Confidentiality Agreement
- Notice of availability of translation services and other accommodations is posted;
- Accessibility of the facility;

- The organization's policies relating to non-discrimination, complaint process and accessibility;
- Application for employment;
- Any agreements/contracts with other individuals, organizations;
- the organization's website and social media accounts;
- any items or media promoting services;
- organizational practices relating to the notification of the non-discrimination and filing complaints, collecting of demographic data on applicants for employment and employees;
- Storage of participant, applicant, and employee records;
- Affirmative outreach efforts;
- Determination if prior corrective measures have proven effective;
- Compliance with the requirements set forth in the region's Methods of Understanding, Request for Proposals, and Contract Agreements

II. Results of the Equal Opportunity Monitoring Review

The WDB rates issues discovered during monitoring review at two levels of severity: compliance findings and areas of concern, as defined below. In addition, opportunities have been identified and are also included below.

Compliance Findings - Compliance findings (findings) are items that disclose areas of significant non-compliance with WIOA, federal regulations, the state's nondiscrimination plan, workforce development issuances or guidance, and material weaknesses in internal controls. Findings require written corrective action plans by either accepting the WDB's recommendation or proposing and receiving approval for an alternate course of action. Regulatory compliance monitors will provide citations from WIOA, federal regulations, the state's nondiscrimination plan, or OWD issuances and procedures to identify specific areas of non-compliance and will explain the corrective measures necessary for resolution.

The results of our monitoring disclosed four compliance findings.

Compliance Finding 1:

The collection of demographic data is required for all registrants, applicants, participants, employees, and applicants for employment, pursuant to 29 CFR 38.36. Green Hills Regional Planning Commission does not collect demographic data on applicants for employment. This was noted as a compliance finding in PY22 as well.

Corrective Action: Create a written corrective action plan to address the collection of demographic data of applicants for employment and submit to the board within 60 days of the date of this report.

Compliance Finding 2:

Notice of the non-discrimination assurance and complaint process to all registrants, applicants, participants, employees, and applicants for employment is required by 29 CFR 38.36. This statute also requires that a signed acknowledgement of receipt of the assurance and complaint process be maintained. GHRPC does not notify applicants for employment with whom a complaint can be filed and

does not obtain signed acknowledgement of the notice of non-discrimination and complaint procedure from applicants for employment. This was also noted as a finding on the PY22 annual report to be reviewed in PY23.

Corrective Action: Create a written corrective action plan to address the distribution and signed acknowledgment of the EO notice and complaint process to applicants for employment. Submit the action plan to the board within 60 days of the date of this report.

Compliance Finding 3:

CFR 29 Part 38.36 requires the “Equal Opportunity is the Law” poster be posted on the recipient's website. CFR 38.9 requires three posters—English, Spanish, and the next most common language in your region. The GHRPC website does not have these posters on its website.

Corrective Action: Post the “Equal Opportunity is the Law” poster in English, Spanish, and a third language on the GHRPC website within 60 days of the date of this report.

Compliance Finding 4:

CFR Part 38.9 requires a Babel notice on the organization’s website. GHRPC website does not provide a Babel notice.

Corrective Action: Add a Babel notice to the GHRPC website within 60 days of the date of this report.

Areas of Concern - Areas of concern (concerns) are items that may or may not be compliance-based but may identify practices that could leave the organization vulnerable to a discrimination complaint. Concerns are suggestions to management and do not generally require a response unless specifically indicated. Resolved findings and accompanying corrective actions may be included in this category. Concerns, although resolved, may rise to a level of severity that is subject to follow-up during subsequent review. Regulatory compliance monitors may offer suggestions or guidance to assist the entity in making improvements or may make a referral for further technical assistance.

The results of our monitoring disclosed two Areas of Concern. The areas of concern may require corrective action. A written response to address these concerns, if required, is due within 30 days of the date of this report. The response and action plan are to be submitted to the WDB Office to the attention of Brent Stevens and Kerry Savage at bstevens@mail.ncmissouri.edu and ksavage@mail.ncmissouri.edu.

Area of Concern 1:

The “Equal Opportunity is the Law” posters in the Chillicothe Job Center do not provide the correct contact information for the local EO officer as required by 29 CFR Part 38.29.

Corrective Action: During the on-site visit, the OWD Supervisor at the Chillicothe Job Center stated that this would be corrected immediately. Verify the correct phone number is provided on the “Equal Opportunity is the Law” posters.

Area of Concern 2:

The following issues concerning restroom facilities were noted:

1. The lock on the accessible stall in the restrooms at the Kirksville Job Center requires grasping and pinching.
2. The restroom at the Trenton Job Center does not indicate that it is accessible and the lock on the single-user restroom door requires pinching and twisting of the wrist.

Corrective Action: These facility deficiencies are noted as areas of concern instead of findings due to the compliance manager not being a certified ADA inspector. These deficiencies were noted after using the ADA Assessment Tool provided by the Office of Workforce Development. Please understand that customers and employees with disabilities may have issues with the restrooms and be prepared to make accommodations. Due to the reorganization of previous Northwest and Northeast regions into the newly merged North region, a recertification process of affiliate and comprehensive centers will be necessary. Correcting these issues now could prevent them from being noted in the official review of your facility during the recertification process. The Kirksville Job Center is a state-leased facility, and GHRPC is not responsible for the maintenance of the restrooms. The Compliance Manager is addressing this issue with state personnel.

Opportunities - Opportunities are items the WDB has suggested for revision to indicate to all participants, applicants, and employees the organization has a strong commitment to provide equal access to all programs, services, and employment. These do not require a written response.

During the monitoring, the WDB identified one opportunity for consideration.

Opportunity for Consideration 1:

The employment application requests information that would identify applicants as ex-offenders. According to the EEOC, it is a violation of Title VII of the Civil Rights Act of 1964 for employers to routinely deny employment to applicants for employment with criminal conviction records unless the nature of the crime is related to the job. Once an offer of employment is made, employers may conduct background checks and request information regarding any criminal convictions that are discovered. The employer can consider the type of offense, time elapsed since offense, and whether the offense has any bearing on the position for which the candidate was hired. Consider removing the questions regarding prior convictions of misdemeanors and felonies from the employment application as these questions could exclude protected classes from applying for employment.

Also, in the "Please Read Carefully" section of the employment application, there is a statement that reads, "...I am required to abide by all rules and regulations of True Quality Cleaning LLC." Shouldn't this reference Green Hills Regional Planning Commission?

III. Findings and Concerns of the Previous Year's Monitoring Review

The WDB must review the compliance findings and areas of concern of the previous year's equal opportunity monitoring review. Findings and concerns identified last year that were also noted this year may already have been noted in this report. In some cases, issues identified as an area of concern in the previous year that have not been resolved may be elevated to the level of a compliance finding.

Progress toward improvement has been noted in the following issues identified in the PY22 review:

1. The sample contract was updated to include all protected classes required of 29 CFR 38.25.
2. The non-discrimination policy in the employee handbook has been updated to include “age” as a protected class.
3. All labor posters required by the federal and state employment laws are prominently displayed.
4. The parking lot has been repaved and restriped to include designated accessible parking.
5. The assistive technology station is free from obstacles and obstructions, allowing a wheelchair ample room to approach.
6. Job Center staff are able to access the Microsoft accessibility features.

The following issues were identified in PY22 and continue to be findings or concerns:

1. GHRPC does not request demographic data or attempt to collect demographic data of applicants for employment as required per 29 CFR 38.36.
2. GHRPC does not notify applicants for employment with the equal opportunity notice or the complaint process as required per 29 CFR 38.36,
3. Contact information on the “Equal Opportunity is the Law” posters in Chillicothe is still incorrect.
4. Accessibility issues noted with the Trenton restroom have not been addressed.

Feel welcome to address Brent Stevens or Kerry Savage with any questions or concerns you may have.