



**STATE OF HAWAII**  
**DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**  
**Workforce Innovation and Opportunity Act Nondiscrimination Plan**  
**Element Five — Affirmative Outreach**

(29 C.F.R. § 38.40, (29 C.F.R. §38.54(c)(2)(iv), and (29 C.F.R. §38.54(c)(2)(v))

**POLICY**

The State and DLIR are committed to equal access to their WIOA Title-I financially assisted programs and activities. As the State agency with the primary responsibility for carrying out the equal opportunity and nondiscrimination provisions of the WIOA, the DLIR is committed to ensuring that all recipients reach out to communities protected by Section 188 of the WIOA.

Recipients must take appropriate steps to ensure that they are providing equal access to their WIOA Title-I financially assisted programs and activities. These steps involve reasonable efforts to include members of the various groups protected by these regulations including but not limited to persons of different sexes, various racial and ethnic/national origin groups, various religions, individuals with limited English proficiency, individuals with disabilities, and individuals in different age groups.

In addition, the DLIR is committed to ensuring that all recipients take appropriate steps to ensure that they are complying with federal disability nondiscrimination laws, including Section 504; Title II of the Americans with Disabilities Act of 1990, as amended, if applicable; WIOA Section 188; and this part with regard to individuals with disabilities. Such efforts may include, but are not limited to the following:

- (a) Advertising the recipient's programs and/or activities in media, such as newspapers or radio programs, that specifically target various populations;
- (b) Sending notices about openings in the recipient's programs and/or activities to schools or community service groups that serve various populations; and
- (c) Consulting with appropriate community service groups about ways in which the recipient may improve its outreach and service to various populations.

Priority of services is determined at the local level based on criteria developed by the Local Workforce Development Boards. When considering "priority of service" in American Job Centers (AJCs) (formerly referred to as One-Stop Career Centers) settings, operators must consider the scope of the program or activity, and the size and concentration of the population that needs services (e.g. information in a language other than English). Based on these considerations, recipients must take reasonable steps to provide services and information.

## 1. **Demographic Assessment**

Information for the racial, ethnic, and gender populations in Hawaii, as well as data on individuals with disabilities, limited English proficiency (LEP), and different age groups, have been tabulated to assess the need for additional services. Specific data is provided to the local areas to assist in their diversity planning and services development (*Exhibit A-1, Exhibit A-2, and Exhibit B*). The State of Hawaii population data has been updated using the 2010 Census data.

In addition, the DLIR conducts a biannual LEP survey (*Exhibit B*) to project the changing trend of diversity in the LEP population. The data is used to help its agencies expand their community outreach and improve their services in areas that are found to be inaccessible by newly formed and/or developing ethnic groups.

## 2. **Community Outreach, Local Area Plans & Priority**

The State WIOA Plan (*Exhibit C*) encourages local areas to perform outreach methods to specific target groups, including women, minorities, older individuals, and people with LEP, and persons with disabilities. Upon request, the DLIR can offer assistance to local areas to ensure the outreach and recruitment plans broaden the composition of the applicant, registrant, and participant pools.

HireNet Hawaii is a resource where employers and job seekers can self-register online and is accessible to the public through the internet (*Exhibit D*). Employers can list jobs and seek potential workers while job seekers can search for jobs listed in the database.

The local area grantees (the four counties) are required to identify in their local plans the workforce development needs of the businesses and workers in their local areas and how their needs will be met (*Exhibits E-1 to E-4*). How well the needs of businesses and workers have been met will be measured through the performance outcomes, particularly the customer satisfaction scores for businesses and participants.

## 3. **LEP Outreach**

The DLIR is subject to Chapter 321C, Hawaii Revised Statutes (formerly Part II of Chapter 371, Hawaii Revised Statutes), known as The Language Access Law. In compliance with this law, the DLIR has adopted a LEP Plan that instructs individuals on how to handle LEP encounters (*Exhibit F*).

## 4. **AJCs Disability Access**

As the AJCs reach advanced levels of integration with a broad group of agencies, the system will be expected to serve the full range of the population—from early teens to the elderly. Increasing numbers of people with disabilities are expected to enter these centers for employment, training, and educational services.

Each AJC shall have at least one workstation specifically designed for customers with disabilities. These workstations will be equipped with software and hardware tools, and

other equipment that will ensure effective communication and participation in all services, training, and benefits.

## **5. State and DLIR Initiatives for Individuals with Disabilities**

The State has developed policies and procedures to ensure that all recipients meet their obligations not to discriminate on the basis of disability and their responsibility to provide both structural and programmatic reasonable accommodations. Ongoing training and monitoring ensures that all recipients continue to meet their obligation not to discriminate (Samples in *Exhibits H-1 and H-2*).

The State has adopted the Americans with Disability Act Accessibility Guidelines (ADAAG) for use by State agencies in providing access to persons with disabilities. A "Disability Access to Programs and Services Manual," which is distributed to all departments and agencies of the state, provides specific guidelines and procedures on accessibility to programs and services (*Exhibit I*). DLIR has updated and distributed to its agencies all policies, including policy statements for persons with disabilities (*Exhibits J-1 and J-2*).

Recipients are required to provide reasonable accommodation to employees and participants, and to ensure that all programs and activities are accessible to persons with disabilities. Regular compliance monitoring by the State-Level and Local-Level EO Officers will further ensure equal opportunity for the disabled. In addition, the ADA Coordinators of the four counties assure that persons with disabilities needs are met in the most appropriate, customer friendly, cost-efficient, and timely manner possible within their county jurisdiction.

Recipient agencies shall conduct programmatic and architectural accessibility compliance site reviews for their own and sub-recipient sites at least once every two years. Training of recipient and sub-recipient staff shall be provided on an on-going basis (*Exhibit K*). All recipients are expected to provide reasonable accommodation of policies, practices, and procedures to comply with Section 504 as described at 29 C.F.R. § 38.12, and to establish and maintain a schedule for regular evaluation of job qualifications to ensure qualifications are not discriminatory on the basis of disability. Local-Level EO Officers shall review job announcements (employee recruitments), job descriptions, position description questionnaires, and other job recruitment materials to ensure that they are non-discriminatory against persons with disabilities.

All recipients shall ensure that individuals with disabilities participate in the most integrated setting appropriate to each individual. Program facilities will be equipped to accommodate individuals with physical disabilities, as well as hearing and vision impaired, to provide universal access to all customers.

Generally, recipients shall modify their policies, practices, or procedures to permit the use of a service animal by an individual with a disability.

Recipients must take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with persons without disabilities. Recipients must:

- Provide appropriate auxiliary aids or services where necessary to give people with disabilities an equal opportunity to participate in or benefit from a particular program or activity,
- Utilize telecommunications devices for individuals with hearing impairments (TDD/TTY), or equally effective communications systems, such as telephone relay services,
- Ensure that interested individuals, including individuals with visual or hearing impairments, can obtain information as to the existence and location of accessible services, activities, and facilities, and,
- Have signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities.

**Equal Opportunity Employer/Program**

**Auxiliary aids and services are available upon request to individuals with disabilities.**

**TDD/TTY: Dial 711 then ask for (808) 586-8866**

## EXHIBITS

- Exhibit A Demographic Assessment of State of Hawaii Population
- Exhibit A-1 Labor Force Information by Sex and Race, 2015
- Exhibit A-2 Hawaii Disability Statistics
- Exhibit B DLIR LEP Statistics
- Exhibit C Hawaii WIOA Unified State Plan (Approved Final 2018)
- Exhibit D HireNet Webpage
- Exhibit E-1 Oahu Local Area Plan Exhibit E-2  
Hawaii County Area Plan Exhibit E-3  
County of Maui Area Plan Exhibit E-4  
Kauai County Area Plan Exhibit F  
DLIR Language Access Plan
- Exhibit G One-Stop Disability Access Checklist (Electronic Technology)
- Exhibit H-1 Sample of Ongoing Disability Training—Disability Employment Initiative
- Exhibit H-2 Sample of Ongoing Disability Training—Hawaii’s Disability Core State Leadership Team Training
- Exhibit I Programs and Services Manual for Persons with Disabilities
- Exhibit J-1 DHRD Policy No. 601.002 - Reasonable Accommodations for Employees and Applicants with Disabilities
- Exhibit J-2 DHRD Policy No. 601.001 - Discrimination/Harassment-Free Workplace Policy
- Exhibit K Department of Health Disability Communication Access Board ADA Curriculum for State and County Government Entities