



DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Workforce Innovation and Opportunity Act Nondiscrimination Plan

Element 2 — Equal Opportunity Officers

(29 C.F.R. §§ 38.28 to 38.33 and § 38.54(c)(2)(vi))

1. Designation of Equal Opportunity Officers

- A. State Level Equal Opportunity Officer—the Governor designated Jade Butay, DLIR Director, for compliance with WIOA equal opportunity and nondiscrimination matters, and Director Butay designated David J. Rodriguez as the State-Level EO Officer. The State-Level EO Officer works in the same office and reports to the DLIR Director.

The State-Level EO Officer provides oversight and guidance to the Local-Level EO Officers and recipients as well as complies with the requirements of 29 C.F.R. § 38.31 for the State of Hawaii. The State-Level EO Officer is responsible for assisting the Governor with the requirements of 29 C.F.R. § 38.54 (Governor's Obligations to Develop and Implement a Nondiscrimination Plan).

David J. Rodriguez
State-Level Equal Opportunity Officer
Department of Labor and Industrial Relations
830 Punchbowl Street, Room 321
Honolulu, HI 96813
Phone: (808) 586-8855
Fax: (808) 586-9099
TDD/TTY: Dial 711 then ask for (808) 586-8866
Email: dlir.eeo@hawaii.gov

- B. Local-Level Equal Opportunity Officers—the Mayor of each county designates its WIOA Local-Level EO Officer. The following individuals are the Local-Level Equal Opportunity Officers and are responsible for carrying out the Local-Level EO Officer duties.

City and County of Honolulu:

Denise L. Tsukayama, CAAP, Equal
Opportunity Administrator/ADA
Coordinator
925 Dillingham Blvd., Suite 180
Honolulu, HI 96817
Phone: (808) 768-8505
TDD/ TTY: Dial 711 then ask for (808)
768-8505
Fax: (808) 768-8490
E-mail: dtsukayama@honolulu.gov

County of Maui:

Local-Level EO Officer
Diana Merantza
Equal Employment Opportunity
Specialist
200 S. High Street, 6th Floor
Wailuku, Maui HI 96793
Phone: (808) 463-3168
TDD/TTY: Dial 711 then ask for (808)
270-6292
E-mail:
diana.m.merantza@co.maui.hi.us

County of Hawaii:

Danny B. Patel, Acting
Local-Level Equal Opportunity
Officer/ADA Coordinator
101 Pauahi St, Suite 2
Hilo, HI 96720-4224
Phone: (808) 961-8361
TDD/TTY: (808) 961-8819
Fax: (808) 961-8617
cohhr@hawaiicounty.gov

County of Kauai:

Kip Cardelli, EEO/ADA Compliance
Officer / Investigator
4444 Rice Street, Suite 200
Lihue, HI 96766
Phone: (808) 241-4924
TDD/TTY: Dial 711 then ask for (808)
241-4924
Fax: (808) 241-6877
E-mail: kcardelli@kauai.gov

2. Recipients' obligations regarding Equal Opportunity Officers

All **recipients** have the following obligations vis-à-vis EO Officers:

- Ensuring that the EO Officer is a senior-level employee reporting directly to the individual in the highest-level position of authority for the entity.
- Designating an individual who can fulfill the responsibilities of an EO Officer.
- Making the EO Officer's name, position title, address, and telephone number (voice and TDD/TTY) public.
- Ensuring that the EO Officer's identity and contact information appear on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs.
- Assigning sufficient authority, staff, and resources to the EO Officer, and support of top management, to ensure compliance with the nondiscrimination and equal opportunity provisions of the WIOA.
- Ensuring that the EO Officer and the EO Officer's staff are afforded the opportunity to receive (at the recipient's expense) the training necessary and appropriate to maintain competency.

3. Equal Opportunity Officer Responsibilities

An Equal Opportunity Officer is responsible for coordinating a recipient's obligations under the WIOA. State-Level EO Officer responsibilities include:

- Serving as a recipient's liaison with CRC;
- Monitoring and investigating the recipient's activities, and the activities of the entities that receive WIOA Title I-financial assistance from the recipient, to make sure that the recipient and its subrecipients are not violating their nondiscrimination and equal opportunity obligations under WIOA Title I. This includes monitoring

the collection of data required to ensure compliance with the nondiscrimination and equal opportunity requirements of the WIOA;

- Reviewing the recipient's written policies to make sure that those policies are nondiscriminatory;
- Developing and publishing the recipient's procedures for processing discrimination complaints under §§ 38.72 through 38.73, including tracking the discrimination complaints filed against the recipient, developing procedures for investigating and resolving discrimination complaints filed against the recipient, making sure that those procedures are followed, and making available to the public, in appropriate languages and formats, the procedures for filing a complaint;
- Conducting outreach and education about equal opportunity and nondiscrimination requirements consistent with § 38.40 and how an individual may file a complaint consistent with § 38.69;
- Undergoing training (at the recipient's expense) to maintain competency of the EO Officer and staff, as required by the Director; and
- Overseeing the development and implementation of the recipient's Nondiscrimination Plan under § 38.54.

4. Equal Opportunity Officer Training

Training for the State-Level EO Officer shall be determined by the DLIR Director. Required training shall be the responsibility of each County to ensure that the designated Local-Level EO Officer is provided training to maintain competency.

The State-Level EO Officer may partner with each Local-Level EO Officers to provide statewide training in discrimination issues. Local-Level EO Officers are required to attend, and if necessary, assist with training in their jurisdictions. Monitoring shall include a review of training for Local-Level EO Officers to ensure compliance.

5. Small Recipient Equal Opportunity Officer Obligations

Small recipients (serve fewer than 15 beneficiaries and employs fewer than 15 employees) are responsible for adopting and publishing complaint procedures and processing complaints, as explained in 29 CFR §§ 38.72 through 38.75. The DLIR will ensure compliance with this requirement through guidance and technical assistance.

6. Service Provider Equal Opportunity Officer Obligations

Service providers are not required to designate an EO Officer. The DLIR and the

Local Workforce Development Boards (LWDBs) shall ensure service provider compliance with the nondiscrimination and equal opportunity provisions of the WIOA.

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 Position Description of State-Level Equal Opportunity Officer (Civil Rights and Equal Opportunity Officer in the DLIR Director's Office)

Exhibit B Representative Sample Position Description of Local-Level Equal Opportunity Officer