

ELEMENT 3

ASSURANCE

Reference: 29 CFR 37.54(a)(2)(I)(iii), (iv)

The WIB has set up a system for reviewing plans, contracts, assurances, and other similar agreements to carry out WIA Title I-financially assisted programs or activities and included in those documents the nondiscrimination and equal opportunity assurance. Depending on the program, this could include reviewing the (1) five-year plan; (2) job training plan; (3) contracts; and (4) policies and procedures.

Each application for WIA funds is to include a specified assurance Section 37.20 and parts of 37.54 committing the potential recipients to “comply fully with the nondiscrimination and equal opportunity provisions” of WIA and acknowledging the government’s right to seek judicial enforcement of the assurance. The assurance is deemed incorporated by reference, whether or not it is physically incorporated, in the resulting contract or other arrangement.

DOCUMENTATIONS

1. Workforce Investment Act Nondiscrimination and Equal Opportunity Assurances
2. Two Year State Unified Plan
3. Unemployment Plan
4. Arkansas Career Development Network Workforce Center Career Development and Certification Instrument
5. ES Plan of Service
6. Assurance Checklist
7. Example of RFP with Nondiscrimination Equal Opportunity Broiler Plate Language
8. See Nondiscrimination Policies and Procedures Regarding Discrimination prohibited in Section 188 of the Workforce Investment Act of 1998 on pages 20-21.