



LEADING TO EMPLOYMENT

Information Brief

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IMPLEMENTING THE EQUAL OPPORTUNITY PROVISIONS OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (SECTION 188)

The Workforce Innovation and Opportunity Act (WIOA) of 2014 reaffirms the role of a customer focused one-stop delivery system, with a focus on enhancing coordination among key employment, education, and training programs.

Section 188 of WIOA (29 CFR Part 38) prohibits discrimination against individuals who apply to, participate in, work for, or come into contact with programs/activities of the workforce development system, including partners that are part of the American Job Center (AJC) delivery system. Section 188 prohibits discrimination on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, among other bases. WIOA also requires that AJCs be fully accessible physically and programmatically, offering accommodations as needed and incorporating Universal Design wherever possible.

SECTION 188 DISABILITY REFERENCE GUIDE: A Blueprint for Improving Access, Equal Opportunity & Employment Outcomes

There is no one pathway to ensuring equal opportunity and nondiscrimination in the workforce development system. However, there are a diversity of best practices that have been collected nationwide that significantly expanded access for individuals with disabilities. The following strategies emphasize how to use Section 188 as a framework for improving access, equal opportunity and employment outcomes. This interactive Guide includes links that enable users to easily move up and back between Regulations and related Promising Practices.

Collaborate with your state/local Equal Opportunity Officer (EEO).

- While state/local EEOs focus on compliance and monitoring of physical and programmatic access, workforce professionals and AJC partners can and should collaborate to introduce and implement promising practices that meet Section 188 requirements, leading to employment outcomes for individuals with disabilities and others that experience barriers to employment.
- ***Use the [Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide](#).***¹

¹ <http://leadcenter.org/resources/tool-manual/new-promising-practices-achieving-nondiscrimination-and-equal-opportunity-section-188-disability-reference-guide>

The newly updated Section 188 Disability Reference Guide provides promising practices that directly correlate with the nondiscrimination and equal opportunity requirements of Section 188. It is a valuable tool that can be used collaboratively by the State/local EOs, workforce development professionals and AJC partners to learn about and apply varied strategies that not only meet compliance requirements, but positively impact the employment outcomes for people with disabilities.

There are 3 major sections in Part I of the Guide with subcategories that correspond with Section 188. Each of the sections below highlight some of the **best practice themes** found within that section.

SECTION 1: Equal Access to Programs & Activities

SECTION 2: Nondiscrimination and Equal Opportunity Policies, Practices, and Procedures

SECTION 3: Additional Affirmative Obligations

Part II of the Guide has the current Section 188 regulations that form the basis of the promising practices in Part I.

KEY BRIEFS AND WEBINAR RESOURCES

[System Innovation Brief: Missouri's Commitment to Equal Opportunity: Using WIOA's Section 188 to Create a Blueprint for Improving Access & Equal Opportunity \(Feb 2019\)](#)²

[WEBINAR: Achieving Equal Access and Opportunity: Requirements and Promising Practices](#)

WEBINAR SERIES: WIOA from a Disability Perspective & Section 188

- **RECORDING & SLIDES Part I:** <http://leadcenter.org/webinars/wioa-disability-perspective-section-188-powerful-foundation-access-series-1-3>
- **RECORDING & SLIDES Part II:** <http://leadcenter.org/webinars/state-workforce-systems-are-making-equal-opportunity-priority-missouri-virginia-california-series-2-3>
- **RECORDING & SLIDES Part III:** <http://leadcenter.org/webinars/achieving-188-compliance-ajc-certification-key-strategies-actions-policy-procedures-series-3-3>
- **Joint System Innovation Brief:** [WIOA Section 188 & AJC Certification: A Window of Opportunity to Impact Equal Opportunity Policy & Practice to Better Serve Individuals with Disabilities](#)

[WEBINAR: What Disability Advocates Need to Know about New WIOA Equal Opportunity Provisions \(Feb 2017\)](#)³

[WEBINAR: Creating an Inclusive Workforce System: Implementing WIOA Section 188's Equal Opportunity Provisions \(Jan 2016\)](#)⁴

² <http://www.leadcenter.org/resources/report-brief/system-innovation-brief-missouri-s-commitment-equal-opportunity-using-wioa-s-section-188-create-blueprint-improving-access-equal-opportunity>

³ <http://www.leadcenter.org/webinars/what-disability-advocates-need-know-about-new-wioa-equal-opportunity-provisions>

⁴ <http://www.leadcenter.org/webinars/creating-inclusive-workforce-system-implementing-wioa-section-188-s-equal-opportunity-provisions>