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Lessons from the Field: Virginia State Accessibility Taskforce

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>> LAURA GLENECK: Good afternoon, or good morning, everyone, depending on where you are joining us from today. We are just really glad that you're able to be here. During today's webinar, “Lessons Learned from the Field: Virginia State Accessibility Taskforce,” you're going to learn about innovative, cross system practices to promote equity and provide resources that support the workforce innovation and opportunity acts, section 188, equal opportunity and nondiscrimination requirements.

This webinar is being hosted by the LEAD Center, which stands for Leadership for the Employment and Economic Advancement of People with Disabilities, and for those of you who may not, who may be new to the LEAD Center, we are a Workforce Innovation and Opportunity Act, or WIOA, Policy Development Center. LEAD is led by Social Policy Research Associates and National Disability Institute and is funded by the Office of Disability Employment at the U.S. Department of Labor.

So that all of you can fully participate in today's webinar, we want to take a few moments to share some captioning and housekeeping tips. First, we will touch on captioning. Today's webinar is live captioned. If you would like to hide captions, click the “live transcript” button to find the “hide captions” option. You can also adjust the caption size under the “subtitle settings” option.

You also have the option to open the captioning web page in a new browser. The link has been posted in the chat box. You can adjust the background color, text color and font using the dropdown menus at the top of the browser. Just position the window to sit on top of the embedded captioning.

And second, we want to talk about questions and technical support. If you have content questions for panelists during this presentation, we really do encourage you to ask them as you listen to what our wonderful presenters are going to share. For these content questions, please type them into the “Question and Answer” panel. And we are going to save time at the end for a question-and-answer period.

If your question is not content related, for example, if you need technical support, please use the chat box instead.

My name is Laura Gleneck, and I am really delighted to be serving as the moderator for today's webinar. And to kick off our presentation we would like to welcome Taryn Williams. Taryn is the new Assistant Secretary for the Office of Disability Employment Policy with the U.S. Department of Labor. And her position as Assistant Secretary, Taryn advises the Secretary of Labor on how the department's policies and programs impact the employment of people with disabilities and leads the Office of Disability Employment Policy, which is ODEP, and ODEP works with employers in all levels of government to promote evidence-based policy that improves employment opportunities and outcomes for people with disabilities. Previously, Taryn was the managing director for the Poverty to Prosperity Program at the Center for American Progress, which works on progressive policies focused on a broad range of antipoverty strategies. And before joining American Progress, Taryn worked at ODEP on a variety of issues related to education, workforce policy, Social Security, Medicaid, and civil rights. In her role as Director of Youth Policy, Taryn led agency efforts to coordinate education and employment policy in support of improved labor outcomes for disabled youth. From 2014 to 2016 she served as ODEP's Chief of Staff, and she also undertook detailed assignments as Associate Director for Public Engagement and Liaison to the disability community at the White House from 2014 through 2015and as a policy advisor on the U.S. Senate Committee on Health, Education, Labor and Pensions from 2012 through 2013. I personally have the opportunity to work with Taryn when she was part of ODEP's youth team supporting the Department of Labor's disability employment initiative and have experienced firsthand her passion and dedication to disability and employment issues.

So, again, thank you for joining us today, Taryn, to provide a welcome and introduction to this important part of LEAD Center's work and I will turn it over to you.

>> TARYN WILLIAMS: Thank you, Laura, for that introduction. And it is wonderful to be here and to welcome you on behalf of ODEP and the Department of Labor to this webinar, “Lessons Learned from the Field: Virginia State Accessibility Taskforce.” Our focus today will be section 1A of the Workforce Innovation and Opportunity Act, WIOA. As many of you know, and as you just heard, it really was just over a month ago that I was honored to be confirmed by the Senate and sworn in as ODEP's fourth Assistant Secretary. But also, as you learned, I am returning to an office that I know well, as I previously worked in ODEP for nearly a decade in a number of positions. ODEP's mission to promote employment opportunities for people with disabilities is one that I care about deeply and that's been a defining commitment in my career.

I would also like to mention that this webinar occurs just one day before the official start of the National Disability Employment Awareness Month or NDEAM celebrated every October. And this year's theme is “Americans' Recovery: Powered by Inclusion.” This is a special ending for ODEP as it is also our 20th anniversary as an agency this year.

I cannot imagine a better time to discuss Section 188 of WIOA. Given its potential to ensure equitable workforce services for people with disabilities. Section 188 contains the key nondiscrimination and equal opportunity requirements for WIOA programs and services. It requires not only physical accessibility but also programmatic accessibility. This is critical, if workforce programs are located in a building that is ADA compliant, but the programming is not 508 compliant, then people with disabilities are denied equal access. It is only when both the physical space and the programs are accessible that there is genuine access and inclusion for people with disabilities and Section 188 supports this.

Fully implementing and making the most of Section 188 requires state and program administrators learning from one another. ODEP's Section 188 pilot in Virginia was designed to help American Job Centers across the state ensure both aspects of accessibility, physical and programmatic and thus, to make the workforce system fully accessible for people with disabilities.

In a few moments we will have the opportunity to hear more about how they did this, but in closing, I want to thank the LEAD Center for coordinating this webinar. Their work is topnotch, and I know a lot of effort goes into making these webinars run smoothly. I also want to shout out ODEP's workforce systems policy team for making this possible and for their tireless commitment to our mission to advance disability employment. And I want to thank you, to the presenters, thanks to the presenters for sharing their lessons learned with us. I cannot wait to jump into this discussion. So, that is enough from me. And I will turn it back over to Laura.

>> LAURA GLENECK: Thank you, Taryn, for that wonderful introduction. And I hope she gets you all ready to hear exactly how this happens around Section 188 in Virginia. It really is my pleasure to welcome our two presenters, which include a colleague of mine and a longtime friend of the LEAD Center, and its work in this space. First, Constance Green or Connie, as I'm probably going to say throughout the rest of the presentation, our longtime friend, serves as Virginia State Coordinator for Workforce Innovation and Opportunity Act Title I Adult and Dislocated programs. In this capacity Connie develops program, policy and guidance, provides technical assistance to local workforce development areas throughout Virginia, and works with partner agencies to effectively implement WIOA through Virginia's workforce system.

Connie also serves as the team lead for Virginia's WIOA Accessibility Taskforce, which you will learn more about. And in this capacity, she has worked to leverage cross‑agency partnerships to ensure policy and guidance reflect a progressive and forward‑learning approach to implementation of WIOA, including Section 188 in the workforce system. With over 15 years of experience in state and local government, Connie continues to be passionate about improving government in ways that are both meaningful and impactful. And, again, Connie has played an integral role in Virginia's disability and employment initiatives and the work of the LEAD Center over the years, and we are happy to be working with her today.

Joining Connie is my colleague at National Disability Institute, Brian Ingram, who serves as a Subject Matter Expert for the LEAD Center on Section 188 and equal access. Brian has spent his career working on issues of access to the workforce system for job seekers with disabilities and other individuals with multiple barriers to employment as both a Case Manager and Technical Assistance Provider for more than 20 years.

He's been part of another disability employment initiatives that focused on access in the workforce system, including the disability program navigator and disability employment initiatives, and the Workforce Innovation Technical Assistance Center. And he, too, brings passion of helping the workforce system increase access.

So, I want to thank both Connie and Brian for joining us today and sharing the experiences from the field.

So, in this webinar you are going to gain an understanding of how Virginia's Accessibility Taskforce works across systems to promote equal opportunity policies, procedures and practices by workforce staff and partners, including the history, development, and implementation of the Taskforce. Collaborative training that helps to promote cross‑system approaches that supports job seekers, American job center staff and partners. Examples of how these strategies leverage compliance with WIOA Section 188 and to increase access to services for job seekers. Examples of policy and procedures that improve equal opportunity in the certification of American Job Centers, and innovative practices to improve programmatic, physical and communication accessibility, as Taryn shared. And it's going to include key resources from WIOA and disability that Virginia use.

So, after today's session you will learn effective strategies for your ability to create a cross‑system, cross‑title work group to improve outreach and accessibility for people with barriers to employment. And for advancing equity, inclusion, and workforce partnerships.

In addition, today's session is going to discuss key resources to provide more effective workforce services to individuals with barriers to employment, including people with disabilities, and to inform the American Job Center Certification process, including policy and practices from the WIOA Section 188 Disability Reference Guide, which is one of those key resources that I mentioned.

And now it really is my pleasure to turn this presentation over to Connie to share more about Virginia's cross‑system State Accessibility Taskforce and the great things it has done and will continue to do. So, Connie, I will turn it over to you.

>> CONSTANCE GREEN: Thank you, Laura. I appreciate that.

So, Virginia's Accessibility Taskforce is comprised of state‑level workforce agencies representing all four WIOA titles and it designs and implements innovative practices to improve programmatic, physical and communication accessibility within our workforce development system.

Virginia established a statewide WIOA Accessibility Taskforce to enhance accessibility of the Virginia Career Works Network, i.e., our American Job Center Network, and to improve our customer experience. The Taskforce's approach to accessibility is inclusive and collaborative. It incorporates universal design in its planning process.

Our focus is on addressing the needs of people with a diverse set of disabilities and those from diverse backgrounds. There are two main principles that guide the work of the Taskforce. The first is access to the Virginia Career Works Network is everyone's responsibility. And the second is that access to the Virginia Career Works Network is for everyone.

The vision developed by the Accessibility Taskforce is one of an integrated and seamless network of service delivery that is welcoming and fully accessible to everyone, and where every individual has the opportunity to achieve their potential. This is a key component of Virginia's accessibility strategy.

Virginia's WIOA Accessibility Taskforce is composed of diverse agency representatives including representatives from all four of the main titles under WIOA, I through IV, the equal opportunity officers, social services, the statewide association of our Workforce Development Executive Directors. We even have local career work centers representatives on our Taskforce. And we have included the state association of Centers for Independent Living.

One key characteristic of this Taskforce is that due to the diverse membership we have a pretty good understanding of the operational implications of our work. We definitely have a strong connection to the frontline staff in our network because some of them actually sit on our Taskforce.

Interestingly enough, our not-so-secret, secret is that in Virginia all four WIOA titles and the other workforce partners with an interest in accessibility are working together to leverage collective resources towards a shared and agreed upon set of goals.

It is of critical importance to note that the Taskforce is specifically included in the Virginia WIOA combined state plan, both by name and by role. So, we are written into our state plan. We meet on a quarterly basis with work groups assigned as required to accomplish specific tasks in between the Taskforce meetings. So, we are a working body.

The Taskforce has also developed an action plan as a team and it has responsible parties, timelines, expected outcomes, all the things you would expect. The action plan laid out strategies and tasks to achieve the Taskforce's goals in four primary areas in support of our WIOA state combined plan. First is universal access. Second is policies and procedures. Third is training and communications. And fourth is best practices.

So, working together as a team, the Taskforce assisted in several things. We have assisted in drafting the Virginia board for workforce developments statewide WIOA policies on individuals with disabilities and the policy on one-stop certification, including helping with developing the certification tool. The Taskforce members also participated in the one-stop certification validation process for Virginia's 50 plus comprehensive and affiliate workforce centers, including participating in desk reviews and onsite visits to the centers across the state.

So, members of the Taskforce has also engendered a partnership with the Centers for Independent Living, for development of accessibility surveys, for the workforce centers. So, that was a unique relationship there between the government and a nongovernmental entity that worked really well, actually. And the Taskforce has partnered with the NDIs WIOA Policy Development Center or LEAD to provide multiple Section 188 and equal opportunity related trainings for all workforce center partners. And by all, let me note, by all workforce center partners I'm talking about all of the partners, not just Title's I through IV. We have participants from all over the gamut of partnership.

We also have teamed up as Taskforce members to provide technical assistance to our local workforce development boards and their partners in support of accessibility. And these are just a few of the highlights among many other accomplishments to date.

I will now turn it over to Brian to share a little bit more about the training on Section 188 and equal opportunity.

>> BRIAN INGRAM: Thanks, Connie, and hello everyone. Really happy to be here. So, the LEAD Center has been working with Virginia for many years to support the strategic areas of national need focused on Section 188 Nondiscrimination and Equal Opportunity and its applications throughout WIOA. LEAD worked in partnership with the Virginia Community College System, Virginia Employment Commission and Virginia's Department for Aging and Rehabilitative Service to develop and offer, a statewide cross‑system replicable trainings on effective WIOA Section 188 implementation across the state workforce system to broaden access to services for people with disabilities and others who experience barriers to jobs and careers.

This project built on an infrastructure that promotes consistent knowledge and understanding across all four WIOA titles and other workforce partners to learn and apply more effective customer service for all, including job seekers with disabilities and/or multiple barriers to employment.

Part One laid the groundwork on Section 188 compliance and addressed pandemic and current issues. The training in general emphasized a wide range of scenarios, strategies and resources and engaged participants in actual examples from their own systems. It also highlighted strategies for discussing, documenting, and storing disability‑related information, which may improve the accuracy of reporting the number of individuals with disabilities served by the Virginia workforce system.

Part Two focused on promising practices from the Section 188 guide and the Job Accommodation Network resources, along with on‑the‑ground scenarios and solutions to further build the foundation for effective customer service for all customers.

Part Three focused on promising practices related to partnership and collaboration, which included the Integrated Resource Team, virtual scenarios for service delivery to improve support and promote enrollment of and services to customers with disabilities.

The training used case studies to ground the information in real life scenarios. Training participants learned the following promising practice strategies from these case scenarios. So, following the job seeker's choice to identify the preferred method of access or communication. Bringing partners in, instead of referring job seekers out. Engaging in outreach and relationship building to develop job‑driven solutions. Connecting job seekers with a wide range of partners and resources. Letting agencies play to their strengths to assist job seekers, and this is especially highlighted in the IRT strategy. Engaging community partners, such as mental health organizations, Centers for Independent Living, employment services organizations, housing and shelter programs and many others.

So, Connie, I'm going to turn it back over to you to talk maybe a little bit about the outcomes and the next steps.

>> CONSTANCE GREEN: Thank you, Brian. I appreciate that. So, some of the real outcomes of the Taskforce's work include and hopefully will continue to include the creation of consistent accessibility policy and guidance across the titles, which for us is huge in Virginia. Everyone has been living in their own silos and now we are starting to look at it as a single silo together.

We have also come up with the outcome of recognition of, by our local and state partners, that accessibility goes way beyond just checking a box, and to make sure you get through something on a mandatory process, like one-stop certification, for example. We are getting into the nitty‑gritty of what that programmatic access really means.

We have also developed a cross discipline training model that can be scaled to the local level which Brian was speaking to just a moment ago.

In addition, our outcomes include a daunting understanding across all the partners that accessibility is not the responsibility of just VR anymore. It belongs to all partners together. And best of all, the Virginia's WIOA Accessibility Taskforce is on the way to making universal accessibility the everyday norm throughout Virginia's workforce system.

So, Virginia's WIOA accessibility task has taken many strong steps in building a model to support universal accessibility throughout our statewide workforce system. We do recognize, however, that the job is only just beginning. We are currently in the process of identifying our next steps and here are a few of them currently on our list. First of all, we are updating the Taskforce's action plan and setting ourselves with new goals and objectives and strategies. We are contributing to the development and implementation of new policies and guidance. And this is an ongoing process in partnership with all of our Title I through IV partners and with our State Workforce Board and our Governor's Office and our new Secretary of Labor, internal to Virginia.

We are also providing up‑to‑date training on a variety of accessibility topics for the workforce system partners and that is going to be an ongoing activity. The more we find that we need to know, the more we know with the more that we know that we need to know, is a good way to put it, I think. We are also supporting a broader ideal of accessibility which includes addressing the needs of English language learners and those with limited English proficiency. As a matter of fact, related to that, at our most recent Taskforce meeting we had representatives from several English language learners and limited English proficiency groups attend and brief the Taskforce on specific challenges faced by their constituents. And we will be working to address new recommendations on improving access to Virginia's workforce system based on those conversations. We are also going to be including some representatives from those constituencies on our Taskforce moving forward. So, that's a great step forward there.

Finally, on our next steps list are identifying and ensuring promising accessibility practices throughout our system. Identifying and engaging new partners in the accessibility conversation and identifying ways to deepen existing partnerships in support of workforce accessibility for everyone in Virginia.

With that, I will turn the presentation back to Laura, to share some key resources that were used in this process.

>> LAURA GLENECK: Great, thank you, Connie. Thank you for sharing how Virginia's cross‑system Accessibility Taskforce has really designed and implemented innovative practices to improve accessibility within the workforce development system, including the WIOA system and partner programs for all job seekers. That includes people with disabilities and others with challenges to employment. I have been serving as part of Disability and Employment National Technical Assistance Centers for over 19 years and if there's one effective practice to create systems change that has always stood out, it is conducting the work through a cross‑system partnership and that that work is being informed by the field. And Virginia's Accessibility Taskforce is doing just that and shows how these effective strategies and practices that you shared, including the three-part training series can really increase access and equal opportunity to be responsive to the needs of the field.

I do know that there have been several key resources on WIOA and disability. Some that we have alluded to that were really instrumental in helping Virginia achieve the outcomes and forward direction that you have experienced to date and that played a key part as part of the three-part training series that Connie mentioned. These resources include EEOC, WIOA Section 188, including the Section 188 Disability Reference Guide, disclosure and accommodation tips and strategies, and a national free responsive resource, the Job Accommodation Network. For those of you who have never heard about it, you will, and I hope access it.

Brian, I am going to turn it back to you to walk through some of the resources. And, Connie, maybe you can chime in on a couple and share how they were specifically used to help your work in Virginia. Brian, I am going to turn it back to you.

>> BRIAN INGRAM: Let's begin with the EEOC, which stands for the U.S. Equal Employment Opportunity Commission. The Equal Employment Opportunity Commission, or EEOC, is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex, including pregnancy, transgender status and sexual orientation, national origin, age, and this includes 40 or over, disability or genetic information. Most employers with at least 15 employees are covered by EEOC laws. Most labor unions and employment agencies are also covered. The laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits.

Because of this, the EEOC website is an important resource and can be consulted by all organizations contracted to deliver WIOA services to ensure compliance with the EEOC regulations. So, let's touch on some of the information and resources you can find on this site.

Section of WIOA, Section 188 of WIOA, which is consistent with the principles of EEOC guidance implements the nondiscrimination in equal opportunity provisions for workforce services, activities, and programs. Section 188 prohibits the exclusion of an individual from participation in, denial of the benefits of, discrimination in or denial of employment in the administration of or in connection with any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA.

So, Section 188 of WIOA prohibits discrimination on the basis of race, color, religion, sex, age, disability, political affiliation or belief, national origin, including limited English proficiency and citizenship status.

Section 188 also defines accessibility under WIOA. This definition is twofold. First, there's physical accessibility. No qualified individual with a disability may be excluded from participation in or be denied the benefits of a recipient's service, program or activity or be subjected to discrimination by any recipient because a recipient's facilities are inaccessible or unusable by individuals with disabilities.

Secondly is programmatic accessibility. All WIOA Title I financially assisted programs and activities must be programmatically accessible, which includes providing reasonable accommodations for individuals with disabilities, making reasonable modifications to policies, practices and procedures, administering programs in the most integrative setting appropriate, communicating with persons with disabilities as effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of the program or activity.

So, who does Section 188 apply to? Recipients are defined as any entity to which financial assistance under WIOA Title I is extended, including: state‑level agencies that administer or are financed by WIOA Title I funds; state employment security agencies; state and local workforce investment/development boards; one-stop center operators; service providers, including eligible training providers; on‑the‑job training employers; job corps contractors and center operators, excluding federally operated job corps centers; and, of course, programs and activities that are part of the one stop delivery system that are operated by one‑stop center partners.

Now, this last bullet is especially important, because any program or activity that touches a one‑stop center will need to have an awareness of Section 188 nondiscrimination regulations and EO practices and it typically falls on workforce staff and EO officers to help educate those partners and programs, including those training providers or employers. With this in mind, I think it's time to take a look at our first resource.

Now, the Taskforce, as I stated earlier, actually, as Connie did, took advantage of technical assistance from the LEAD Center. And as a part of this, used the LEAD Center’s Section 188 guide as a resource both for making policy and procedural recommendations to the field, and as a resource for staff to refer to as they provided services in the job centers. So, let's take a closer look at the guide and see how it can be used effectively to support the field.

To start with, the guide is divided into two main parts, which highlight different aspects of how Section 188 can be applied. Part one is divided into three sections. So, let's look at the first section. In it, we have promising practices related to customer service. We are serving a diverse population that includes individuals with disabilities. It includes practices around strategic planning at the board level, marketing and outreach, collaboration with partners, and staff training. This first section highlights strategies that one‑stop centers and partners are using to ensure equal opportunity and nondiscrimination across their entire customer flow of services.

The second part of part one includes general prohibitions of discrimination, so understanding the things you can't do, which can also be helpful, right? So, reasonable accommodations and modifications, administering programs in the most integrated setting, so breaking down what that really means. Effective communication, which we all may think about a little bit differently. Accessible electronic and information technology. Examples of physical and programmatic accessibility. And also, prohibiting discrimination in employment, which is particularly important for business services. So, this section is loaded with examples that are broken down in plain language.

So, the third section of Part One covers how these promising practices are related to one‑stop center programs. So not just complying with Section 188 on paper, but really using Section 188 compliance to maximize access.

For example, you know that required statement on everything that says we provide auxiliary aids upon request? So, it's great to state that, of course. But beyond the statement, it's important to understand what it means and be able to explain it to customers. This section is geared to your equal opportunity retainers and includes notice and communication, data collection, monitoring, and complaint resolution. It's important for you to know where to find this information and how it's translated into this system. Now part two of the guide is useful for understanding definitions and regulations like what are auxiliary aids and legal terminology as well. Often learning about practices in a certain area will lead you to the regulations to fully understand the correlation.

So, Parts One and Two are linked so that it's really easy to move between sections.

So, this is quite a comprehensive resource. But it's not so hard to navigate. If you can narrow down what you're looking for and familiarize yourself with the sections and topics, it's definitely manageable. And you can navigate it to find information that can help solve a challenge for you and your customers.

So, here's a little tip. The table of contents is pretty extensive and helpful, and another tip would be, or it’s what I usually use, I like to hit “control F” to search for topics and practices specifically. So, we also wanted to let you know that ODEP is in the process of working with the DOL Civil Rights Center to update the Guide and we hope to add additional best practice examples, including expanding the practices to support more diverse communities and we are also going to be holding events to help collect these practices from the field. So, please stay tuned and learn how you can participate in these national dialogues and listening sessions.

All right, I feel like I've been talking a lot, but before I move on, I want to ask Connie, would you mind sharing a little bit about how this Section 188 Guide played an integral part in your work in Virginia?

>> CONSTANCE GREEN: Sure, Brian. Thank you so much for that summary. What we really found that this Section 188 Disability Guide has been a super-duper resource for us in developing our team, our Taskforce's, understanding of the language around accessibility. And then that has translated into policy for us. So, it advised our policy creation and guidance creation. It has also been an integral part of training for our staff at the local level, because then ‑‑ it's one thing if the statewide taskforce understands everything and gets it, but it's another thing to make sure that the staff at the local level are adequately trained on the resources, where they are, how the terminology is used and what it means, just like what Brian said. We talk about these things that we have to put on our required ‑‑ our documents, that are required. But what does it really mean in actual implementation?

So, this has been useful to us. The EO information has been useful. The Section 188 Disability Guide has been super useful for us. Both in the development of guidance and policy activities, but also in the field as actual implementation of those policies and guidelines. Does that help a little bit, Brian? You're muted.

>> BRIAN INGRAM: Well, let me unmute myself then. There we go. Thank you, Connie that was great.

Let's move on to disclosure and accommodation. So, when using the services of one‑stop centers, a person with a disability needs to decide whether or not to tell staff that he or she has a disability and what type of information he or she should provide regarding the disability. Disclosure of disability information in any setting is a personal decision and there really is no right or wrong answer. The most important thing to recognize is that the job seeker does have a choice about disclosing disability‑related information and no one should make that decision for them.

People with disabilities need to decide what they are most comfortable with and what's going to work best for them in their specific situations. So, this section focuses on best practices and resources around disclosure and accommodation.

Now, state workforce systems collect and maintain records that include race, ethnicity, sex, age and, where known, disability status of every applicant, registrant, participant, applicant for employment, and employee. One‑stop centers develop written policies for staff regarding the legal requirements related to discussion and disclosure of a customer's disability and provide training to staff regarding the applicability of these requirements and policies.

For example, a policy explains that intake staff should tell applicants, participants, and others that they may disclose their disability and request and receive a reasonable accommodation, modification or auxiliary aids and services. In addition, a policy makes clear that disclosure is voluntary and information regarding disability will be kept confidential and maintained in a separate file. So, when asking about disability, one‑stop centers should make clear that providing information is voluntary. That refusing to provide the information will not subject you to adverse treatment. In other words, the one‑stop center cannot refuse to provide services or treat you differently than other customers. And finally, that the information will be kept confidential in accordance with the law.

Questions regarding whether or not an individual has a disability should also be asked of all customers and not just in cases where one‑stop center staff thinks that somebody has a disability.

When using the services of one‑stops, a person with a disability needs to decide whether or not to tell the staff at the one‑stop that he or she has a disability and what type of information he or she should provide regarding that disability. Disclosure of disability information in any setting is a personal decision and there is no right or wrong answer. The most important thing to recognize is that a job seeker does have a choice about disclosing disability‑related information and no one should make that decision for them.

People with disabilities need to decide what they are most comfortable with and what is going to work best for them in their specific situations.

When asking about disability, one‑stops should make clear that providing this information is voluntary. That refusing to provide the information will not subject you to adverse treatment. Again, the one‑stop cannot refuse to provide you services or treat you differently than other customers. The information will be kept confidential in accordance with the law. That questions regarding whether or not an individual has a disability should be asked of all customers and not just in cases where one‑stop's staff think that somebody might have a disability.

There's often excellent reasons for disclosing disability‑related information to a one‑stop, but there are also excellent reasons not to disclose this information. Ultimately, it's going to depend on the job seeker's situation and comfort level.

>> CONSTANCE GREEN: Brian. May I interject there real quick.

>> BRIAN INGRAM: Absolutely. Go ahead, Connie.

>> CONSTANCE GREEN: I would like to say this is super important to ensure that everyone understands this, the concepts Brian was just talking about. Both at the policy level, so that you can get the right language in there and the right requirements in there, but also at the staff level so that they understand what they can and cannot and should and should not do. And so, it's important to go over this. You know, a lot of people make assumptions and that makes things very challenging. So, we want to make sure ‑‑ and in Virginia we have been doing training on all of these resources that you have been hearing about today, because it's important for the staff at the ground level, across all the agencies and partners, to really understand what it is that they can and can't do and what it means, because we have had differences in Virginia, like when staff from one agency will say, “well, we are not allowed to ask about disability,” and then staff from another agency saying, “well, we have to ask about disability.” So, we have to have those conversations among the partners to ensure that we really do all come together on the same page in a way that's appropriate, that's supported by policy and guidance and that is truly beneficial and provides true access to all customers. Okay. Sorry to interrupt.

>> BRIAN INGRAM: I'm really glad you did, Connie, because I have to say that, you know, I was mostly just a witness, but that taskforce model really made that kind of a far and deep reaching conversation possible amongst the partners and has really given Virginia very good opportunity to consistently implement just the things we are talking about. So, I am glad that you jumped in.

We are going to end this discussion by highlighting the Job Accommodation Network or JAN. What is it and how is it useful? The Job Accommodation Network, a federal resource, is the leading source of free expert and confidential guidance on workplace accommodations and disability employment issues. Working towards practical solutions that benefit employers, providers and employees JAN helps people with disabilities enhance their employability and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN's consultants offer one‑on‑one guidance on workplace accommodations, the ADA and related legislation, and self‑employment and entrepreneurship options for people with disabilities. Assistance is available both over the phone and online. Those who can benefit from JAN's services include private employers of all sizes, government agencies, employee representatives, service providers, as well as people with disabilities and their families.

The staff at JAN are knowledgeable and easy to approach and can provide real-time consultation on a variety of disability issues as they arise in your work. It's a very good resource to have in your toolkit.

And, Connie, I will check with you too. How is the Job Accommodation Network been used to support your work in the work of the Taskforce?

>> CONSTANCE GREEN: Thank you, Brian. Yes, we have definitely been using it. I will say that we are using these resources in particular the Job Accommodation Network to help our staff better understand and improve access for the customers. And also having the resources, such as the Section 188 DRG and JAN available is really of immeasurable value to us at the service provider level for our business solutions team. You mentioned employers, the JAN discusses the value to employers and the importance to employers. So, that's a great resource in the hip pocket of our Business Solutions Teams. Our program administrators, obviously, are very interested in making sure that they dot the i’s and cross the t’s, and our policymakers really needed to understand what accessibility is beyond the typical traditional, “okay, tape measure the dollars, okay, that's good, you know, do we have the right slope on the ramps? Is the parking lot retrofitted?” All those things. But it also matters to understand programmatic accessibility, like Taryn referred to earlier. That's the meat and potatoes behind everything.

And these resources have been so helpful in not only the policymakers getting a grasp of the concepts, but also for the frontline staff all the way through, top to bottom, to really understand what accessibility means in the accessibility world and translate that out into the everyday vernacular of the one‑stop centers and the Virginia Career Works Network.

So, I can't say enough good things about these resources and if you haven't looked at them, look them up, take the time, browse through them, get to know them, because they are worth it. So, I think that's the best thing I can say about it.

>> BRIAN INGRAM: Thank you, Connie.

>> CONSTANCE GREEN: Turn it back over to you next, right?

>> LAURA GLENECK: Great. Well, I can tell you while you guys were sharing, we certainly generated a lot of questions. First, really want to thank you both again. Brian, thank you for walking through these key national WIOA and Disability resources. And to Connie, for sharing how they really, you know, are applied at the state and local level and how they can really help support increasing access, inclusion and equity.

And really for both sharing how this work relates to the WIOA system of partner programs in general. So, we are at the question‑and‑answer session, and we have some great questions. So, Connie and Brian, if you're ready, I'm going to get started.

So, Connie, well I will start with this question, I will pose it to both of you. So, does it mean that the requirements and standards in Section 188 apply to all, core, required, and other programs that make their services available through the one‑stop center described in Title I? And that might be referring to programmatic access.

>> BRIAN INGRAM: Yes.

>> CONSTANCE GREEN: Yeah, I would agree. And I know that's a big concept. We are still working on it in Virginia. I think within the Taskforce, we have a good understanding of that. And then advancing it out to the field is part of that as well and working with all of the partners. We have included the Department of Social Services in our Taskforce and making sure that they understand. But, basically, from what Brian's slide said earlier, I hope you caught it, that anybody that's funded by or participates in the WIOA activities, then, yes, you should be compliant. And that's interesting because from the community college perspective, and I can say this because, I actually, Title I resides in the community college systems in Virginia. That can be an interesting discussion because of the fact that Title I, Section 188 is one thing. And then the Department of Education's rules and requirements are ‑‑ they have their own set of structures. And so, we have to somehow find the union to make it work for both sides of that discussion, and that's definitely can become a challenge. And that's just one particular partner that I can speak to, we have lots of others.

>> LAURA GLENECK: Okay. Great. Thank you for that. And we do have one question. Can I ask, while we continue with the questions, if you can go back to the slide that had the Job Accommodation Network on it. Somebody would like to see the contact information for that again. So, if you can go back one slide and then I will just continue with the questions.

And this is an interesting question. I don't know if you know the answer, but how do you keep disability information in a separate folder when you have an electronic case management system?

>> CONSTANCE GREEN: Well, in Virginia, and Brian, you may have some other ideas to add. But in Virginia for Title, I and Title III we have an electronic case file system that is secure. We keep the disability information in that electronic system. Historically, we have had paper files as well, and so those, of course, are kept separate under lock and key, just like HIPAA files. And so, the electronic system is secured. We have controlled access. We know who is in it. We can track by date time, stamp, who touched what files and where. Everyone who has access to the system, of course, signs all the appropriate, I'm not sure what the technical term is, but all the documents you have to sign to be given access to begin with. So, all of that PII and other information, personally identifiable information, etcetera. So, we feel that our system is secure enough that we can track down if there were any issues on the Title I and Title III side.

We are working on an integration of systems across the other partners with vocational rehabilitation, social services, Department of Education. So that process is still ongoing, and we haven't solved that question yet, but stay tuned. We hope to have that done in the next few years. Fingers crossed.

Brian, anything to add?

>> BRIAN INGRAM: Just that, I mean, what you outlined is pretty common. So, there are systems and procedures in place. And it's really just ‑‑ you know, it's ‑‑ and, again, this is what a cross‑system taskforce is so very good at. It's making sure that everyone attached to this system, or feeding into it, has the same information and is following those procedures so that the information that you're collecting is appropriate and that it's kept safe.

>> LAURA GLENECK: Okay. Great. I'm going to go to our next question. And, Connie, I will direct it to you. How important is continuous Section 188 training for one‑stop staff? How does your job center system deliver the training?

>> CONSTANCE GREEN: I would say it is super important to have an ongoing training structure set up. And we started this training, gosh, it was a couple years ago, I believe. And we did three parts. And we made sure that we made the training accessible to as many of our partners and staff as possible. We had over 3,000 folks participate. I believe was the final number was way up there. And we plan to make some more on demand training available. And we are actually using this training model as we look at partnering in other programs on other topics. So, I think that it's really important because we may not have, our staff may not have, a daily interaction with individuals with disabilities or even individuals with limited English proficiency.

So, they need to be consistently updated and reminded of what we need to do. So, reviewing your policies and procedures at the local level is key. Providing training through the state is also key. And making sure it's ongoing is super important. And I will give an example that brought this home to us is when we were doing the site visits for one‑stop certification, and one of the members of the Taskforce who went with us is actually an individual with a disability. And when he went with us and folks would have all the policies in place that say, “yes, we do provide equal communications accessibility,” but when you get to the front door and you walk in and the person at the front desk is not quite sure how to handle communicating, because they are not ASL fluent or even sign fluent with English. And so, making sure that they know what to do and how to do it is critical. And if they are faced with a situation, you don't want them to either panic or to shut down and say, “we can't do anything. Come back.” Neither of those is an adequate option. So, revisiting this topic, practicing scenarios, these kinds of trainings are going to be critical to keep on going. And the more we do this properly, the more comfortable our staff will be in the long run and implementing the policies and procedures that we have managed to write.

Brian, any thoughts?

>> BRIAN INGRAM: Just, I mean, just to completely agree with what you're saying. I mean, it is critical and important that staff are trained on Section 188. And that you present to them what your policies are and what you want your procedures to be. But just by ‑‑ by its definition, access is very complicated moving target. And you are going to have to live through it. And staff are going to have to go into those situations and come through them, the other side of them, providing access. So, I can't emphasize enough how important it is that they are getting consistent feedback. No matter who they are asking they are getting the same answers that are going to be procedurally lined up with your policies. The more that you do that, the less you will have to. Right? The better and more consistent the advice you are given to the field is, the more the field is going to be able to handle this on their own and do it appropriately. So that's what I like to add to that. But, yeah, that's a very good question.

>> LAURA GLENECK: We have a lot of, a lot of great questions. I'm going to touch on a few more of them. And, Connie, I'll start with you for specifically what Virginia does and then maybe, Brian, you can talk more about it. It's a great question. For people with invisible disabilities or nonapparent disabilities, such as mental health, what are you teaching, Connie? What are you have to stay to one‑stop centers about the degree of disclosure that's needed or not needed?

>> CONSTANCE GREEN: That's the million-dollar question there. That is definitely a good one. Really, like Brian had mentioned earlier, everyone should be informed, all customers should be informed, that you may disclose, you may ask for accommodations, and that way you're hitting everyone. And you're not singling out anybody that's, you know, has a visible physical disability and say, only dealing with that.

So, if you ask everyone the same question, then you are treating everyone equally and giving them the opportunity to disclose. Mental health is another one of those areas we are just beginning to delve into how we should train on. We have had lots of conversations amongst Brian and his team and our team starting with making sure that everyone is, we need to make sure everyone has gone through trauma informed training, so that's another thing we are going to be trying to roll out across the board here soon. Some of our folks have had that already. Not everyone yet.

And just making sure that there's ‑‑ that everyone understands the difference between clinical assessment and treatment versus nonclinical, which is going to be what we are talking about in the workforce centers. Unless you are actually certified to do clinical work with mental health, then you should not be going very far down that path. And so, we are going to be talking a lot with our folks about looking at that and what it means and how to interpret it. Just like we did with physical accessibility, and we talked about with programmatic accessibility. So, stay tuned. We will have more on that one in the future. Thank you. Brian?

>> BRIAN INGRAM: Just to add, in that situation it is a matter of training and support, because, you know, in the Title I system, in the workforce system, what makes you eligible for an accommodation is disclosure. And what that accommodation should be is what that person suggests they need to get access to the service, or the outcome associated with the service. So, through training and support and consistent feedback, staff can learn to understand that if somebody comes in and says, hey, I have a disability and, you know, one of the things ‑‑ I will just turn back to Connie, my experience I had in job center sometimes was, you know, I'd like to have the service that's usually delivered and a workshop delivered one-on-one because I had anxiety. And the answer to that question should be yes, that's enough. I mean it's simple, and it's not that hard to provide. So, a lot of times, the issue around access is more, you know, the fretting that goes on around whether something is appropriate or not. When really if you look at Section 188, those aren't the important questions to be asking. That make sense?

>> LAURA GLENECK: So, thank you for that. So, I think Connie and Brian, I'm going to leave you with two questions that I will combine around the Taskforce. So, how did Virginia workforce develop the relationships necessary to implement the Taskforce, and combined with that, how was the implementation of WIOA relevant to forming the Taskforce?

>> CONSTANCE GREEN: Okay. Well, actually, I will start with the second question first, if that's okay.

>> LAURA GLENECK: Sure.

>> CONSTANCE GREEN: So, the switchover from WIA to WIOA did have a big part to play in this, because we were definitely looking ‑‑ overhauling all of our processes and plans of what we were up to, to make sure that they fit with the new version of the act. And in that process, it was determined that we need to have some discussion around Section 188 and accessibility. We were fortunate in Virginia, and this gets into your first question, to have a champion within our VR community who saw and understood the need to partner with our Title I, Title III and Title ‑‑ and Department of Education folks.

So, that champion got together with the leadership from the different agencies, the title agencies, and they determined that, yep, we do need to come up with some kind of group. And this group originated, in the beginning it originated as a kind of, support group for the leadership of the four titles to kind of figure out issues.

And since then, it became a part of our actual Combined State Plan and it's taken on an engaging, larger life by adding more relevant partners and starting to address more topics and developing training and moving ‑‑ kind of like the snowball is going down the hill and we are just rolling with it. So, we were lucky enough to have the support of our partners at NDI and the LEAD Center, and they really helped guide us to the resources, helped us, kind of, implement DEI and make sure it was going well and then build off of the lessons learned from DEI into this greater process that we have in place now.

So, hopefully that answers the question. Brian, what did I miss?

>> BRIAN INGRAM: I can't think of a thing. That was a great answer Maybe we can go together and try to answer ‑‑ because, actually, the answer to the first question answers the second in a lot of ways. But how did Virginia workforce, how did you develop the relationships necessary to put this Taskforce together? And I'll start this time.

Like you said, Connie, it was a long and involved process of these different systems, that were later identified as core partners under WIOA, kind of realizing that what they were doing was intersecting and who they were serving were intersecting a lot. And so, using these resources that were temporarily available to really build these relationships. I mean, you mentioned Voc Rehab in Virginia. They were absolutely visionary, that's what I would say. Working with workforce, starting, you know, 15, 20 years ago this started.

They built this relationship slowly. And they brought in others as time and situation necessitated it. So, I really do think WIOA has sort of turned up the heat on that pressure cooker a little bit and given everybody a lot more incentive to get together and have these kinds of conversations.

So, even though it took Virginia a long time to develop these relationships, the kind of relationships that they developed are relationships that have such value in the WIOA environment, service delivery environment, that in Virginia, now these things are progressing really, really quickly. And we are also seeing in other places and in other states similar strategies are starting to evolve and it's not taken 20 years, right? It's happening a lot more quickly.

Connie, is there anything you would like to add to that?

>> CONSTANCE GREEN: I think that while it's taken us a while to get going, we have gotten to where we are doing a good job. And the other piece about it is we have established a structure that lives beyond the individual champions. The champion from Voc Rehab that I mentioned earlier has since retired and has gone on to another career and is, of course, doing fabulously. But the system lives on. And my predecessor turned her activities over to me and, you know, and so forth and so on.

Another key that we have done is we figured out recently that we want to do co‑leads to the Taskforce and it's not just one title that is leading, it is partnerships. So, Voc Rehab and Title I share leadership and then when the Voc Rehab person retired, then we switched over and Department of Education is co‑leading the Taskforce now with Title I. And in the future, we probably will flip, and each Title will have a share of all of this. And I think that ‑‑ that that says a lot in that the system is in place and solid enough that it's going to outlive the individuals within it, which is so important for the longevity of this process.

>> LAURA GLENECK: Great, I think that's a wonderful way to end it, the longevity and the continuing. Several questions talked about information that was on previous slides. We are going to be posting this information to the LEAD Center website, which I will give you soon. So, you will be definitely able to capture this information along with the recording.

So again, thank you both for sharing this. We could probably continue. Time doesn't allow us. We are just going to move on. If we can go to the next slide, please.

This slide and the next one are going to include some helpful equal opportunity resources, some of which we highlighted today.

So, if we can go to the next slide just to show you. And then go to the next slide. As I promised, we encourage you to follow the LEAD Center and sign up for our newsletter. We are really excited. Today we launched a new and refined website today, so do visit it. Check it out. This slide includes a link to the LEAD Center website where you can sign up to get information and notifications on a regular basis. I hope you do it. It's on this site that we will post an accessible version of the slide deck and the recording in about four or five business days.

And here are some additional ways that you can connect with the LEAD Center. You can follow us via Facebook, Twitter, LinkedIn and YouTube.

And this is a disclaimer.

Before we close, I want to take this opportunity to thank each of you for joining us today. Beginning with the assistant secretary Taryn Williams for your passion and dedication and to this work and for helping to open today's webinar. To our wonderful presenters, Connie and Brian, for showing the why, what, and how of working towards equity and inclusion within the public workforce system.

And finally, to all of you, for the participants for joining us today. We hope to share with you again during upcoming LEAD Center webinars and other events, and, as Brian shared, please stay tuned. We will have some national events that we are going to open up to the field to learn about what you are doing around equal opportunity and nondiscrimination practices.

So, with that, thank you everybody. And enjoy the rest of the day. And we look forward to seeing you in the future. Thank you.

(Session was concluded at 3:14 p.m. CT)

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