

## ATTACHMENT E – Equal Opportunity Nondiscrimination Assurance and Affirmative Action Plan Requirements Compliance

Bidders and successful Contractors must, as a condition of receiving Federal assistance, acknowledge and agree to comply with (these requirements apply to any other sub-grantee, subcontractor, successors, transferees, and assignees that is extended Federal assistance under this subcontract), applicable provisions of national laws and policies prohibiting discrimination, including but not limited to:

- Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin (42 U.S.C. 200d et seq.), [as implemented by the Department of Labor (DOL), 29 CFR Part §31.

As clarified by Executive Order 13166-Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination on the basis of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access and equal opportunity to your program in accordance with DOL Enforcement of Title VI of the Civil Rights Act of 1964 Federal Register Vol. 68, No. 103. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons served or encountered both in developing your budgets and in conducting your programs and activities. For assistance and information regarding LEP obligations, go to

<http://www.lep.gov>;

- Title IX of the Education Amendments of 1972 as amended, prohibits discrimination on the basis of sex in education programs or activities (20 U.S.C. 168 et seq.), as implemented by DOL 29 CFR Part §36;
- The Age Discrimination Act of 1975, as amended, prohibits discrimination on the basis of age (42 U.S.C. 6101) as implemented by DOL 29 CFR Part §35;
- Section 504 of the Rehabilitation Act of 1972, as amended, prohibits discrimination on the basis of disability (29 U.S.C. 794) as implemented by DOL 29 CFR Part §32;
- Title VII of the Civil Rights Act of 1964, prohibits discrimination on the basis of race, color, religion, national origin, or sex (including gender identity, sexual orientation and pregnancy), protection is afforded to individuals due to retaliation for having filed a complaint of discrimination.
- The Age Discrimination Act of 1967 (ADEA)
- The Genetic Information Nondiscrimination Act of 2008 (GINA), prohibits discrimination on the basis of genetic information with respect to health insurance and employment.
- The Equal Pay Act of 1963 (EPA), makes it illegal to pay different wages to men and women if they perform equal work in the same workplace and retaliation against persons because the person complained
- Title I, II, and III of the American with Disability Act of 1990, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain entities conducting testing (42 U.S.C. §§ 12131 – 12189), as implemented by the Department of Justice regulations at 28 C.F.R. Part 35 and 36.

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The successful bidder/contractor acknowledges and agrees that it must comply and require any sub-grantees, sub-contractors, successors, transferees, and/or assignees to also comply with all applicable provisions governing **Workforce Development Board of South Central Wisconsin** and allow DWD-DET and DOL access to records, accounts, documents, information, facilities, and staff as follows:

- The Bidder/Contractor must cooperate with any compliance review or complaint investigation conducted by WDBSCW or DWD-DET.
- The Bidder/Contractor must give the WDBSCW, DWD-DET, and/or DOL access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant. Must also permit access to facilities, personnel, and other individuals and information as may be necessary, as required under DOL provisions at 29 CFR Part §31.5 (c), 29 CFR Part §32.44 (c), and 29 CFR Part §38.40.
- The Bidder/Contractor must keep such records and submit to the responsible Department official or designee timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the responsible Department official or his designee may determine to be necessary to ascertain whether the Bidder/Contractor has complied or are complying with relevant obligations.
- The Bidder/Contractor must comply with all other reporting, data, collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
- If, during the past three years, the Bidder/Contractor has been accused of discrimination on the basis of race, color, national origin (including LEP), sex (include gender identity, gender expressions, and sex stereotyping, and on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom), age, disability, religion, or family status, against the Bidder/Contractor, or the Bidder/Contractor settled a case or matter alleging such discrimination, you must provide a list of such proceedings, pending or completed, including outcome and copies of settlement agreements.
- In the event any court or administrative agency rules there is a finding of discrimination on the basis of race, color, national origin, (including LEP), sex (include gender identity, gender expressions, and sex stereotyping, and on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom), age, disability, religion, familial status, against the Bidder/Contractor or the Bidder/Contractor settle a case or matter alleging such discrimination, you must forward a copy of the complaint and findings to **Workforce Development Board of South Central Wisconsin (EO Officer or Executive Director)**.

The WDBSCW, the Department of Workforce Development, Division of Employment and Training and the United States Department of Labor have the right to seek judicial enforcement of these obligations.

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The Bidder/Contractor also acknowledges and agrees that it must comply with (and requires any sub-grantees, sub-contractors, successors, transferees, and assignees to comply) with applicable provisions of Section 188 of WIOA nondiscrimination policy requirements and regulations at 29 CFR Part §38.

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations as herein described, that the information submitted in conjunction with this RFP document is accurate and complete, and that the Bidder/Contractor is, or will come into, compliance with the nondiscrimination requirements set forth above.

Submitting / Lead Organization Name:

Authorized Representative Signature:

Authorized Representative Name:

Authorized Representative Title:

Date: