

Mardy Leathers, DMgt, Director

Office of Workforce Development

July 17, 2020

The Honorable Glenn Eagan
Presiding Commissioner
Shelby County Courthouse
Post Office Box 186
Shelbyville, Missouri 63469

Mr. Corey Mehaffy
GSG Growth Services Group, LLC
124 El Rancho Drive
Hannibal, Missouri 63401

Dear Commissioner Eagan and Mr. Mehaffy:

Both Section 188 of the Workforce Innovation and Opportunity Act (WIOA) and 29 CFR 38 require the State's monitoring system to provide a minimum of annual monitoring reviews of its regions to ensure programs, services, and employment practices are nondiscriminatory. To ensure compliance, the Office of Workforce Development (OWD) Equal Opportunity (EO) Unit performs quarterly monitoring in each service area. During this monitoring, the OWD EO Unit reviewed the following in accordance with the law and the State of Missouri's Nondiscrimination Plan (NDP)¹:

- Sections 38.25 through 38.27 (Assurances);
- Sections 38.28 through 38.33 (Equal Opportunity Officers);
- Sections 38.34 through 38.39 (Notice and Communication);
- Sections 38.41 through 38.45 (Data and Information Collection and Maintenance);
- Section 38.40 (Affirmative Outreach);
- Section 38.53 (Governor's Oversight Responsibility Regarding Recipients' Recordkeeping);
- Sections 38.72 and 38.73 (Complaint Processing Procedures); and

¹ [Missouri Nondiscrimination Plan](#). See also [29 CFR 38.54](#)

- Sections 38.51 and 38.53 (Monitoring Responsibilities)

Please contact Danielle Smith, State Equal Opportunity Officer at (573) 751-2428 or (573) 751-3349 with questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mardy Leathers', written in a cursive style.

Mardy Leathers, DMgt
Director

c: Diane Simbro, LWDB Director
Sharon Hillard, Local EO Officer
OWD Senior Staff

OWD EO Monitoring Review Ratings

The OWD EO unit uses three (3) different levels in its monitoring review.

- **FINDING** – a violation indicating failure to comply with Section 188 of WIOA and 29 CFR 38 regulations. Findings may result in corrective action up to sanctions.² A finding may also include a violation of discrimination under Section 188 of WIOA and 29 CFR 38.
- **CONCERN** – a significant technical violation that must be immediately corrected to ensure compliance with Section 188 of WIOA. If the concern is not corrected within the timeframe described in report, the concern will be elevated to a finding.
- **RECOMMENDATION** - guidance or technical assistance that improves policies or standard operating procedures in workforce and employment services and practices.

² [Missouri Nondiscrimination Plan](#). Per its authority under, [29 CFR Part 38.54](#) Governor's obligations to develop and implement a Nondiscrimination Plan.

3rd Quarter PY19-20 Equal Opportunity Monitoring Review Summary Results

Northeast Region Service Area

During the 3rd quarter review, the OWD EO Unit monitored the Northeast Workforce Development Board. The OWD EO Unit did not find any concerns. This quarter's EO monitoring report included a review of the Board's statistical and quantifiable analysis of programs, services and activities offered within this service area.

Source Reviewed:

The source for this review is the Board's Program Data Analysis report submitted April 18, 2020.

Section 38.51 (Governor's Oversight and Monitoring Responsibilities for State Programs):

An adverse impact study should focus on the following groups:

- WIOA Adult Employment Rate 2nd Qtr.- **Age Group:** 55 and over
- WIOA Adult Employment Rate 4th Qtr. - **Age Group:** 55 and over
- WIOA DW Employment Rate 2nd Qtr.- **Age Group:** 55 and over
- WIOA DW Employment 4th Qtr. - **Age Group:** 55 and over
- WIOA Youth Employment Rate 2nd Qtr.- **Race/Ethnicity:** Black/African American
- Wagner Peyser Employment Rate 2nd Qtr.-**Age Group:** 55 and over
- Wagner Peyser Employment Rate 4th Qtr.-**Age Group:** 55 and over
- Veteran's Program Employment Rate 1st Qtr.- **Race/Ethnicity:** White/Caucasian, **Individuals with Disabilities, Age Groups:** 20-29, 30-54, 55 and over

The Board provided analysis on its methods for and results of conducting an adverse impact investigation. The Board's investigation found that discrimination was not the cause of any differences discovered by the adverse impact report. The investigation included a review of records, policies and/or procedures, anecdotal evidence, and other appropriate means to mitigate the adverse impact identified with the PY18-19 programs, services and activities. Finally, the

Board provided the results from the PY18-19 Affirmative Outreach Plan that was implemented to improve access to services for those demographic groups targeted to increase awareness with programs, services and activities in PY18-19. No concerns at this time.

Sections 38.40 (Affirmative Outreach):

The Board provided the results of the PY2018-2019 Affirmative Outreach Plan. The Board's analysis report included a detailed Affirmative Outreach Plan to address each demographic group experiencing adverse impact in this review. No concerns at this time.