



COLORADO

Department of Labor and Employment

Programmatic Accessibility Self-Evaluation Toolkit

American Job Centers (AJCs), also known as Workforce Centers, are required to have Physical and Programmatic Accessibility for job seekers with disabilities. Programmatic Accessibility was emphasized in the Workforce Innovation and Opportunity Act (WIOA) legislation in 2014. Section 188 of WIOA is the non-discrimination and equal opportunity section of WIOA.

There is a heavy focus by the United States Department of Labor (USDOL) Employment and Training Administration (ETA) on Programmatic Accessibility and ensuring more job seekers with disabilities (including Social Security Beneficiaries that are Ticket-to-Work holders) are served in WIOA programs and that seamless services are provided between agencies (United States Department of Labor, Training and Employment Guidance Letter [TEGL 16-16 – WIOA Operating Guidance](#)).

This toolkit has been developed for the Colorado Department of Labor and Employment and the Disability Employment Initiative (DEI) Grant so that Workforce Areas in the State of Colorado can evaluate their Programmatic Accessibility. In addition, Workforce Areas will have a clear outline for how to reach full Programmatic Accessibility using this written guidance, checklists, resources and recommendations.

There is a requirement for a Self-Evaluation and Transition Plan for every title II entity. This plan shall include WIOA programs and partners. Self-Evaluations were required to be completed in 1993. The Self-Evaluation is required to be kept, maintained, and on file for at least three years and the public must have access to review the plan.

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Table of Contents

Background	7
Local Area Strategic Plan	10
Public Comment	10
Administrative Requirements	10
Workforce Center Location	12
Resources for Facility Audits	13
Required Policies	14
Program Access	14
Required Program Access Policies	14
Non-discrimination Policy	15
Applicable Colorado PGLs:	15
Grievance Procedures	15
Contractors, Licensing, and Certification	16
Reasonable Modification Program Policy	16
Service Animal Policy	17
Powered Mobility Device Policy	17
Equal Employment Policy	18
Reasonable Accommodation Policy	18
Effective Communication	18
Transportation Access Policy	19
Emergency Management Plan	19
Maintenance of Accessible Features	19
Other Program Access Policies	20
Marketing Plan and Materials	21
Outreach to job-seekers and agencies that serve job seekers with disabilities	23
Groups to consider	23
Communications Access	25
Companion access	25
Auxiliary Aids and Services	25

Qualified Sign Language Interpreter	26
Listening Devices	27
Properly Formatted Electronic Documents	27
Large Print Documents	28
CART Services	28
Qualified note taker	29
Oral interpreter	29
Cued-speech interpreter	29
Tactile interpreter	30
Open captioning, Closed captioning	30
Closed captioning decoders	30
Telephone handset amplifiers	31
Video relay services (VRS)	31
Screen Readers	31
Video remote interpreting (VRI)	32
Qualified reader	32
Braille	32
Audio recording	33
Magnification software	33
Audio Description	34
Information Access	35
Applications and Forms	35
Flyers and Brochures	35
Training Materials	37
Meetings and Events	37
Signs	38
Phone Calls	38
Text Messages	39
Emails	39
Websites	40

WCAG	40
Forms	41
CAPTCHA Verification	41
Blogs	41
Images	42
Alternative Text (Alt-Text)	42
Pictures of Text	42
Computer Generated Alt-text	42
Multimedia - Video and Audio	42
Videos	42
Audio Description	43
Resources	43
Social Media	43
Hashtags	43
Links and Hypertext	44
Shorthand and Emoji	44
Technology Access	45
Staff Training/Professional Development	46
Disability Etiquette	46
Title I for Employers	47
Service Animals	47
Effective Communication	47
Facility Accessibility	47
Temporary Events	48
Minimizing Implicit Bias	48
Emergency Preparedness	48
Motivational Interviewing	48
Mental Health First Aid	49
Intake, Registration, and Program Orientation	50
Self-Disclosure of Disability	51

WIOA Program Enrollment	52
Assessments and Screenings	53
Covered Exams	53
Accommodations	53
Career Planning	54
Implied eligibility or criteria	54
Announcement of Program	54
Reservations	54
Applications	54
During the program	55
Follow-up period	55
Interview Preparation	56
Work-Based Learning	57
Resources for work-based learning	57
Education and Training	58
Financial Literacy for job-seekers with disabilities	59
Cross Agency Referrals & Integrated Resource Teams	60
Benefits Planning – Social Security and Ticket-to-Work	61
Attachment A	62
NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT	62
Attachment B	63
THE AMERICANS WITH DISABILITIES ACT (ADA) NONDISCRIMINATORY ELIGIBILITY CRITERIA POLICY	63
Attachment C	64
THE AMERICANS WITH DISABILITIES ACT (ADA) GREIVANCE PROCEDURE	64
Attachment D	65
THE AMERICANS WITH DISABILITIES ACT (ADA) CONTRACTORS, LICENSING, and CERTIFICATION POLICY	65
Attachment E	66
THE AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE MODIFICATION POLICY	66
Attachment F	67

THE AMERICANS WITH DISABILITIES ACT (ADA) SERVICE ANIMAL POLICY	67
Attachment G	69
THE AMERICANS WITH DISABILITIES ACT (ADA) MOBILITY DEVICE POLICY	69
Attachment H	71
THE AMERICANS WITH DISABILITIES ACT (ADA) EQUAL EMPLOYMENT POLICY	71
Attachment I	75
THE AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATION POLICY	75
Attachment J	76
THE AMERICANS WITH DISABILITIES ACT (ADA) EFFECTIVE COMMUNICATION POLICY	76
Attachment K	78
THE AMERICANS WITH DISABILITIES ACT (ADA) TRANSPORTATION ACCESS POLICY	78
Attachment L	80
THE AMERICANS WITH DISABILITIES ACT (ADA) EMERGENCY MANAGEMENT PLAN DEVELOPMENT POLICY	80
Attachment M	81
Accessible Document Reference Guide	81
Attachment N	82
Accessible Presentation Reference Guide	82
Attachment O	83
Accessible Meeting Checklist	83
Toolkit Checklist.....	84

Background

Under the Workforce Innovation and Opportunity Act (WIOA), the Governor of each State must submit a Unified or Combined State Plan to the Secretary of the U.S. Department of Labor that outlines a four-year strategy for the State's workforce development system.

The [Colorado State Plan for 2020-2023](#) states:

Frequently the first, and most intractable barrier underemployed or unemployed Coloradans with disabilities face is an overemphasis on what is expected that he or she cannot, should not, or is not doing. The lack of balance between a focus on functional limitation rather than on the person's talent and ambitions is expensive and wasteful. The workforce development system in Colorado is committed to providing the high-quality services necessary to prepare individuals with disabilities to compete for jobs and fully participate in Colorado's workforce. Colorado currently ranks 9th in the nation for employment of individuals with disabilities. There are just over 300,000 Coloradans with disabilities, representing 8.9% of the State's population. 41.6% of these individuals are employed compared to 79.1% of Coloradans who do not have a disability. When compared nationally, Coloradans with disabilities fare slightly better than the national average.[5] However, there is still significant work to be done to improve the employment prospects of individuals with disabilities in Colorado, including encouraging participation in the workforce by individuals with disabilities through increased understanding of the supports available to promote their success, and ensuring those who seek to work have opportunities to do so in competitive integrated employment.

The Division of Vocational Rehabilitation (DVR) leads the way by providing the full range of rehabilitation services, including one-on-one vocational guidance and counseling, necessary to understand and mitigate the ways a disability impedes the capacity to show and apply talent at work... In addition to the work of DVR, all Workforce Centers are compliant with Section 188 of the Workforce Innovation and Opportunity Act, ensuring physical and programmatic access to all services and benefits available throughout the workforce development system. Ensuring Physical and programmatic accessibility is also a component of the state's certification policy for one-stop centers, which will help to further ensure that all customers can access services in all parts of the state.

When individuals with disabilities can access services effectively and efficiently, they not only benefit from being productive members of the workforce, but the state benefits from a population that relies less heavily on social services; it is crucial to sustain a supply of capable workers that will continue to grow Colorado business while attracting others to the state.

The [Americans with Disabilities Act](#) (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life. It was signed into law on July 26, 1990, by George H.W. Bush. The ADA guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.

Non-discrimination requirements of the ADA include, but are not limited to: integration of people with disabilities to the maximum extent appropriate, reasonable modifications of practices, policies, and procedures, and effective communication.

[Section 188 of WIOA](#) 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 because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or for beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under title I of WIOA.

Section 188 of WIOA explicitly states that any title II (State or local government) entities that receive WIOA funding are subject to applicable provisions of the ADA, regarding the physical and programmatic accessibility of facilities, programs, services, technology, and materials, for individuals with disabilities.

WIOA defines programmatic accessibility to mean “policies, practices, and procedures providing effective and meaningful opportunity for persons with disabilities to participate in or benefit from aid, benefits, services, and training.”

It is important to note that the term “programmatic accessibility” in this context has a different meaning than the similar term “program accessibility” that is used in title II of the ADA to mean access to programs, services, and activities of a public entity and includes their existing facilities.

Title II, or public entities, are State and local government entities, such as Workforce Centers, Adult Education Programs, and the Division of Vocational Rehabilitation. When we refer to a public accommodation, we are referencing those covered under title III. Title III entities are privately owned and include places like stores, malls, movies, and doctor’s offices. These include all areas the public is welcome but are not operated by the State or local government.

Where public and private entities act jointly, the public entity must ensure that the relevant requirements of title II of the ADA are met; and the private entity must ensure compliance with title III of the ADA. If a Workforce Area has a satellite location that is funded both privately and with public monies, it would have to be built in compliance with the accessibility guidelines of both titles II and III. In cases where the standards differ, the satellite location would have to meet the standard that provides the highest degree of access to individuals with disabilities.

The definition of disability is commonly referred to as a "three-prong" definition as it identifies three ways in which a person can qualify for the protections offered by the ADA. The three “prongs” of the law are reviewed below.

- 1) A person who receives the protections of the ADA under the first prong is a person who is currently experiencing a disability as defined by the law. This person experiences a disability that substantially limits one or more major life activities.

- 2) A person who receives the protections of the ADA under the second prong is a person who has a record of a disability that substantially limited a major life activity. This person may have had cancer that is in remission. While that disability does not currently impact the person's functioning, the person still needs to receive regular medical care to reduce the likelihood of its return.
- 3) A person who receives the protections of the ADA under the third prong is a person who is regarded as having a disability but does not have a disability that substantially limits one or more major life activities. For example, a person who has a facial disfigurement that does not impact the way that they approach their life in any way, might be covered under this prong of the definition. While they experience no impact from the way that they look, if an employer takes an adverse employment action because of their perception of disability, they would qualify for the protections of the ADA.

Local Area Strategic Plan

Local and regional plans are four-year plans and are approved by the Colorado Workforce Development Council. Development of these plans are a required function of a Local Workforce Board. Local boards develop a strategic plan for the Local Workforce Area and must consider the ADA and Section 188 of WIOA throughout its development.

The next cycle for the four-year regional plan is July 1, 2020 – June 30, 2024, per Colorado PGL [#WIOA-2020-01](#).

Public Comment

Local boards are asked to describe their operational process used within their planning region to provide an opportunity for public comment, including comment by representatives of businesses and representatives of labor organizations, and input these comments into the development of the plan before its submission.

There is not a requirement for public hearings on a title II Self-Evaluation. However, you are required to accept comments from the public on the Self-Evaluation. You are strongly encouraged to consult with individuals with disabilities and organizations that represent them to assist in the Self-Evaluation process. Many individuals with disabilities have unique perspectives on WIOA and partner programs, activities, and services and ongoing consultation will ensure these perspectives are stitched into your plan.

Action: Is the public comment process described in the local board's four-year regional plan?

YES NO

Action: Is there a mechanism in place for the local board to accept public comments?

YES NO

Action: Did the local board consult with disability organizations in development of the Self-Evaluation?

YES NO

Administrative Requirements

Title II of the ADA requires the designation of an ADA Coordinator, public notice about the ADA's requirements, and the establishment of grievance procedures. In addition, the ADA lists general prohibitions against discrimination in §35.130.

(7) A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can

demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Any State or local government with 50 or more employees is required to designate at least one responsible employee to coordinate ADA compliance. Some entities may elect to have more than one ADA Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with title II. They are also tasked with investigating any complaints that the entity has violated title II. As Colorado Workforce Centers are State or county run, you may look to your State or county government and use their policies, so long as those policies comply with the ADA.

Action: Can you identify the title II ADA Coordinator?

YES NO

LIST: Click or tap here to enter text.

Each covered title II entity must make the name, office address, and telephone number of the ADA Coordinator readily available to all interested individuals. This posting must include the actual name of the ADA Coordinator, not just the position title or office.

Action: Is the name, office address, and telephone number of the ADA Coordinator readily available:

Online? YES NO

Posted in the Workforce Center? YES NO

Posted in Satellite locations? YES NO

Posted in WIOA Partner locations? YES NO

Available in Writing? YES NO

Available in Alternate Formats? YES NO

In addition to the State or local government named ADA Coordinator, Section 188 states that WIOA programs and partners must designate an Equal Opportunity (EO) Officer who meets the eligibility criteria and assumes prescribed responsibilities regarding individuals with disabilities. These include monitoring, investigating, reviewing written policies, and undergoing training. The EO Officer may also serve as the ADA Coordinator, or work directly with the title II ADA Coordinator as designated by the overarching title II entity.

Action: Does the WIOA program have a designated Equal Opportunity (EO) Officer? YES NO

LIST: Click or tap here to enter text.

An effective EO Officer is critical to successful ADA implementation. However, the roles and responsibilities of an EO Officer are not always clearly outlined. Specific functions, who they should

interact with, and how the EO Officer fits in to the overall structure of a WIOA program or partner agency are all very important to successful implementation of the ADA. The EO Officer, as well as the ADA Coordinator, must have sufficient comprehensive training on the ADA and other disability-related laws.

Action: Has the Workforce Center EO Officer completed comprehensive ADA Training?

YES NO

List training completed: [Click or tap here to enter text.](#)

A public ADA notice is required for all title II entities. The notice shall explain the title II's applicability to the public entity's services, programs, or activities. The public entity shall provide any information that the head of the public entity determines to be necessary to apprise individuals of title II's prohibitions against discrimination. All notices must comply with the title II requirement for effective communication.

Title II entities are required to adopt and publish procedures for resolving grievances arising under title II of the ADA. Grievance procedures set out a system for resolving complaints of disability discrimination in a prompt and fair manner.

The ADA Public Notice must also include brief statements about employment, effective communication, reasonable modifications to policies and programs, not placing surcharges on modifications or auxiliary aids and services, and how to file a complaint.

Action: Does the WIOA program, or overarching title II entity, have an ADA Public Notice?

YES NO

List locations where it can be found: [Click or tap here to enter text.](#)

An ADA Public Notice template is included as [Attachment A](#).

Workforce Center Location

When it comes to programmatic accessibility, no qualified individual with a disability shall be excluded from participation in, or be denied the benefits of the services, programs, or activities of a WIOA program or be subjected to discrimination by that program. This means that WIOA partners must have evaluated all locations for physical accessibility, and determined that comparable programs, services, and activities are in accessible locations. Not all locations are required to be 100% physically accessible, but available program times and geographic dispersion should be comparable between physically accessible and non-accessible locations. Sometimes, ensuring programmatic accessibility may include structural modifications or modifications in policies, practices, and procedures.

Physical accessibility is a major component of the Self-Evaluation and Transition Plan. To comply with the ADA, new construction and alterations must follow the 2010 ADA Standards for Accessible Design.

Effective March 15, 2012, the 2010 ADA Standards were required to be used for new construction and alterations undertaken by State and local governments.

In some cases, not all existing facilities are required to be accessible; so long as when the service, program, or activity, when viewed in its entirety, is accessible. However, common use and public use spaces such as waiting areas, interview rooms, computer labs, etc. are not exempt from these requirements and must be accessible.

Action: Has each Workforce Center location been audited for compliance with the 2010 ADA Standards for Accessible Design? YES NO

If yes, has a transition plan been developed and updated? YES NO

If no, an accessibility audit should be scheduled and conducted. Date Scheduled: Click or tap here to enter text.

Resources for Facility Audits

1. [2010 ADA Standards for Accessible Design](#)
2. Rocky Mountain ADA Center Training: [2010 ADA Standards](#)
3. New England ADA Center: [ADA Checklist for Existing Facilities](#)
4. [Meeting the Challenge, Inc.](#): A Colorado-based disability compliance consulting firm
5. [Universal Design Principles](#)
6. [Universal Design Practices to Enhance Work Outcomes](#)

Required Policies

There are several policies that all title II entities are required to establish and post publicly. §35.106 requires a public entity to disseminate sufficient information to applicants, participants, beneficiaries, and other interested persons to inform them of the rights and protections afforded by the ADA and this regulation.

As Workforce Centers in Colorado are both State and county-run, many of the following policies are likely to be in place for the State or county. A Workforce Center may choose to adopt the State or county policy or develop a policy specific to their Local Workforce Area.

The Local Workforce Area may choose to edit or re-word the policy templates provided in this toolkit. You may choose not to formally adopt any or all of these templates (listed below). The Local Workforce Area may prefer to make these templates less formal guidance documents to be bundled and disseminated to staff. It is recommended that each Workforce Center include some form of these policies on their website, making them available to the public, to clearly demonstrate a good faith effort to comply with the ADA.

Program Access

Each WIOA program must make “reasonable modifications” to their typical operation, when necessary, to accommodate people who have disabilities. The program must clearly identify who can modify policies and where policy modifications are documented.

Often routine policies, practices, and procedures, including eligibility criteria, are adopted without considering persons with disabilities. Seemingly neutral policies could also be a barrier to participation.

Action: Review all internal policies, practices and procedures to ensure clear identification of who can approve modifications and where documentation is located.

YES NO

Required Program Access Policies

- Notice of compliance (§35.106) – **Attachment A**
 - See Local Area Strategic Plan, Administrative Requirements
- Non-discrimination Eligibility Criteria (§35.130) – **Attachment B**
- Grievance policy (§35.107(b)) – **Attachment C**
- Contractor Reps & Certs (§35.130(b)) – **Attachment D**
- Reasonable modification program policy (§35.130(b)(7)) – **Attachment E**
- Service animal policy (§35.136) – **Attachment F**
- Powered mobility policy (§35.137) – **Attachment G**

- Equal employment policy (§35.140) – **Attachment H**
- Reasonable accommodation employment policy (§1630.9) – **Attachment I**
- Effective communication policy (§35.160) – **Attachment J**
- Transportation access policy (§37.5) – **Attachment K**

Non-discrimination Policy

WIOA programs must eliminate any eligibility criteria for participation in programs, activities, and services that screen out, or tend to screen out, persons with disabilities. This might include implied criteria such as the ability to read, see, use a computer, understand verbal commands, etc. Separate programs are permitted where necessary to ensure equal opportunity. A separate program must be appropriate for the individual. Individuals with disabilities cannot be excluded from the regular program or be required to accept special services or benefits.

Workforce Centers must also consider how their programs and services are being promoted. For example, a program only promoted through a flyer on a bulletin board may inadvertently screen out those with visual impairments who cannot see.

Eligibility criteria may impose legitimate safety requirements necessary for safe operation. However, these requirements must be based on real risk, not on speculation, stereotypes, or generalizations. Also, you must be able to justify criteria (ex: swim test for a lifeguard position), document your reasoning, and apply the standard equally to every potential participant.

Action: Does the WIOA program have a nondiscrimination eligibility policy? <input type="checkbox"/> YES <input type="checkbox"/> NO
--

Applicable Colorado PGLs:

[Processing Discrimination Complaints](#)

[Equal Opportunity Assurances](#)

A sample nondiscrimination eligibility policy is included as [Attachment B](#).

Grievance Procedures

§35.107 (b) states that a public entity that employs 50 or more persons shall adopt and publish grievance procedures. These procedures provide for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part. The grievance procedure must include:

1. A description of how and where a complaint under title II of the ADA may be filed with the government entity;
2. If written complaints are required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;

3. A description of the timeframes and processes to be followed by the complainant and the government entity;
4. Information on how to appeal an adverse decision;
5. And, a statement of how long complaint files will be retained.

Action: Does the WIOA program have a grievance procedure? YES NO

A sample grievance procedure is included as [Attachment C](#).

Contractors, Licensing, and Certification

WIOA programs may not discriminate based on disability in contracting for the purchase of goods and services. For example, a Workforce Center may not refuse to contract with a janitorial service to avoid hiring individuals with disabilities to clean its offices.

Also, WIOA programs may not discriminate in licensing or certification activities. If a person with a qualified disability can meet the essential eligibility requirements for receiving the license or certification, they must not be disqualified based on their disability. WIOA programs must also ensure work being fulfilled on their behalf by contractors is meeting the applicable required accessibility standards.

Action: Does the WIOA program have a contracting, licensing, and certification policy? YES NO

A sample contracting, licensing, and certification policy is included as [Attachment D](#).

Reasonable Modification Program Policy

WIOA programs and Workforce Centers must operate each service, program, or activity so that, when viewed in its entirety, is readily accessible. One way to achieve programmatic accessibility is to allow for reasonable modifications to rules, policies, or practices. It is important to note that in some cases you may be able to demonstrate that making a modification would fundamentally alter the nature of the service, the program, or activity. However, these cases are rare.

When a participant requests a reasonable modification to a policy, the WIOA program or partner must engage in an interactive discussion to identify alternatives to meet the needs of the participant. This process is similar to the process an employer would use when an employee requests a reasonable accommodation.

Action: Does the WIOA program have a reasonable modification policy? YES NO

A sample reasonable modification policy is included as [Attachment E](#).

Service Animal Policy

§35.136 says that generally a public entity shall modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability. A service animal is any dog* that is

individually trained to do work or perform tasks for the benefit of an individual with a disability. A service animal is not a pet, rather it is a working animal.

If the person handling the service animal does not have an obvious disability your staff members may ask two questions:

1. **Is this a service animal?**
2. **What task has the animal been trained to perform?**

Refrain from asking about the nature or extent of a person's disability or requesting that the handler demonstrate the service animal's tasks. There are no existing documentation requirements proving the animal has been trained, certified, or licensed.

Service animals must always be under the control of their handler. They must have a harness, leash, or other tether unless the handler's disability prohibits their use, or if the animal's task would be adversely impacted by their use. Also note that a vest or any other type of identification is not required.

*There is also a provision for a miniature horse. The same ADA regulations that apply to dogs also apply to miniature horses. Entities are allowed to apply slightly different assessment factors with miniature horses. These factors include: the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Action: Does the WIOA program have a service animal policy? YES NO

A sample service animal policy is included as [Attachment F](#).

Powered Mobility Device Policy

WIOA programs must permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility aids such as walkers, crutches, canes, braces, or other similar devices. You are required to make reasonable modifications in your policies, practices, and procedures to permit the use of other power-driven mobility devices, unless you can demonstrate that the class of other power-driven mobility device cannot be operated following legitimate safety requirements that your public entity has adopted.

Action: Does the WIOA program have a powered mobility device policy? YES NO

A sample powered mobility policy is included as [Attachment G](#).

Equal Employment Policy

No qualified individual with a disability shall, based on disability, be subjected to discrimination in employment under any service, program, or activity conducted by a public entity. It is considered best practice to ensure that the staff at the Workforce Center is representative of those you serve, to include

staff members with disabilities. An updated and enforced Equal Employment Policy will help your Center achieve this best practice.

It is acknowledged that Workforce Center staff hiring may be driven by your State or county policy. However, it is still incumbent upon the Workforce Center to ensure equal employment.

Action: Does the WIOA program have an equal employment policy? YES NO

A sample equal employment policy is included as [Attachment H](#).

Reasonable Accommodation Policy

WIOA programs and partners are required, absent undue hardship, to provide a reasonable accommodation to an otherwise qualified individual who meets the definition of disability under the 'actual disability' prong or the 'record of' disability prong but is not required to provide a reasonable accommodation to an individual who meets the definition solely under the 'regarded as' prong. Refer to the three-prong definition of disability as outlined in the [Background section](#) of this document.

Section 188 lays out responsibilities for WIOA programs and partners in making reasonable accommodations for applicants and registrants. Requirements include modifications or adjustments to the application and registration process that enables a qualified applicant or registrant with a disability to be considered for the aid, benefit, services, training, or employment that the individual desires.

Action: Does the WIOA program have a reasonable accommodation policy? YES NO

A sample reasonable accommodation policy is included as [Attachment I](#).

Effective Communication

Effective communication is a key component to the Americans with Disabilities Act. People with disabilities that affect hearing, seeing, speaking, reading, writing, or understanding may use different ways to communicate.

Information must be as clear and understandable to people with disabilities as it is for people who do not have disabilities. The goal is to ensure that communication with people with disabilities is equally effective as communication with people without disabilities. There are a variety of auxiliary aids and services that can assist in providing effective communication. [Auxiliary aids](#) and services are discussed later in this toolkit.

Action: Does the WIOA program have an effective communication policy? YES NO

A sample effective communication policy is included as [Attachment J](#).

Transportation Access Policy

The ADA protects the rights of individuals with disabilities in transportation, as well as through any State or local government program. Inasmuch as a WIOA program uses any type of transportation for program participants, a transportation access policy is required.

Action: Does the WIOA provide transportation for any program participants? YES NO

IF YES: Does the WIOA program have a transportation access policy? YES NO

A sample transportation access policy is included as [Attachment K](#).

Emergency Management Plan

One of the primary responsibilities of State and local governments is to protect residents from harm, including assistance in preparing for, responding to, and recovering from emergencies and disasters. State and local governments must comply with title II of the ADA in the emergency- and disaster-related programs, services, and activities they provide. This requirement applies to programs, services, and activities provided by WIOA programs. The emergency management plan shall align with the Colorado Department of Labor and Employment's Continuity of Operations Plan.

Action: Does the WIOA program have an emergency management plan? YES NO

A sample emergency management plan is included as [Attachment L](#).

Maintenance of Accessible Features

§35.133 states that WIOA programs must maintain, in operable working condition, those features of facilities and equipment that are required to be readily accessible and usable by people with disabilities. There is an exception for isolated or temporary interruptions in service of these features due to maintenance or repairs.

While the ADA does not have a requirement for a policy around the maintenance of accessible features, it is highly recommended that Workforce Centers have clear procedures in place to maintain these features.

Other Program Access Policies

This toolkit outlines the required policies to be adopted by each Workforce Center and understands that each region will have other policies in place to guide WIOA programs, activities, and services. These other policies must also be in alignment with the Americans with Disabilities Act. All policies shall be audited and reviewed to ensure they are not unintentionally discriminatory or cause barriers to those with disabilities.

Action: Has the WIOA program reviewed all program access polices for alignment with the ADA?

YES NO

List policies that have been reviewed: [Click or tap here to enter text.](#)

Marketing Plan and Materials

Your Workforce Center marketing strategies must consider effective communication and include outreach to the disability community in your Local Workforce Area.

Disabilities that affect hearing, seeing, speaking, reading, writing, or understanding may impact the way an individual communicates. Information must be as clear and understandable to people with disabilities as it is for people who do not have disabilities. Marketing materials must comply with your WIOA program effective communication policy (see [Attachment J](#)).

Action: Do marketing materials comply with your WIOA program effective communication policy?

YES NO

List marketing materials and date of audit for effective communication policy: [Click or tap here to enter text.](#)

All marketing materials shall be evaluated for effective communication to assure that they do not inadvertently screen out individuals with disabilities. WIOA programs are required to provide appropriate auxiliary aids and services, where necessary, to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the public entity. This includes marketing materials.

Action: Are marketing materials available in alternative formats? YES NO

List which materials are available in alternative formats: [Click or tap here to enter text.](#)

Outreach to the disability community is critical in your marketing strategy. You shall review your marketing approach and products with people who have disabilities. A best practice includes testing products before going to market by engaging with local disability groups and individuals with disabilities.

Action: Does the marketing plan include outreach to the local disability community? YES NO

Your marketing strategy must include methods for distributing materials to diverse groups within your Local Workforce Area. This includes community agencies, local independent living centers, school districts, and others that work directly and indirectly with individuals with disabilities.

Action: Do marketing materials include the following:

An informational statement that services are available for individuals with disabilities?

YES NO

Language that encourages individuals with disabilities to apply for WIOA programs?

YES NO

Diverse and positive images of individuals with disabilities?

YES NO

Action: Are marketing materials distributed to a wide-variety of community groups that work with those with disabilities? YES NO

List areas where marketing materials are distributed: [Click or tap here to enter text.](#)

Outreach to Job-Seekers and Agencies

Your Workforce Center initiatives are required to include outreach to agencies within your Local Workforce Area that focus on individuals with disabilities, including veteran groups. As you engage with local disability organizations and business leadership networks, consider creating an employee advisory committee or employee resource group. Employee resource groups promote diversity and inclusion within the business community. Collaborating with community and advocacy agencies to identify individuals with disabilities will allow Workforce Center staff to address specific issues and concerns that people with disabilities may have about the employer community. In turn, WIOA business services staff can work with the business community to grow a more disability-friendly workplace environment.

Groups to consider

Organization Name	Website	Phone Number
Rocky Mountain ADA Center	https://www.rockymountainada.org/	1-800-949-4232
Colorado Cross-Disability Coalition	http://www.ccdconline.org/	303-839-1775
Colorado Developmental Disabilities Council	http://www.coddc.org/	303-866-9763
American Council for the Blind of Colorado	www.a3colorado.org	303-831-0117
Colorado Commission for the Deaf and Hard of Hearing	www.ccdhh.com	720-457-3679
Colorado Center for the Blind	https://cocenter.org/	303-778-1130
ILRU Centers for Independent Living	https://www.ilru.org/projects/cil-net/cil-center-and-association-directory-results/CO	Varies
Community Centered Board Agencies	https://www.colorado.gov/pacific/hcpf/community-centered-boards	Varies
The Arc of Colorado	https://thearcofco.org/	303-864-9334

These agencies, along with partners at the Department of Vocational Rehabilitation, are key connections within the disability community. Not only do representatives from these groups serve as a voice for the disability community, but they can connect individuals with disabilities to WIOA programs, services, and activities. You are encouraged to partner with these groups by conducting accessibility surveys and hosting focus groups to gain valuable information specific to your Local Workforce Area.

It is also suggested that each Local Workforce Area develop a disability community resource map to include these and other agencies to be included in outreach.

Action: Does the Workforce Center have a disability-focused employee advisory council or employee resource group (or something similar)? YES NO

Action: Are agencies that provide services to individuals with disabilities included in outreach efforts for WIOA program enrollment and business services? YES NO

If Yes, list the agencies: [Click or tap here to enter text.](#)

Action: Has your Local Workforce Area mapped resources and agencies that serve job seekers with disabilities? YES NO

Action: Is outreach to disability groups included in your Center's outreach activities? YES NO

Communications Access

WIOA programs and Workforce Centers are required to provide effective communication to individuals with disabilities. Information must be as clear, understandable, and equally effective to people with disabilities as it is for people who do not have disabilities.

There are many different communication situations in Workforce Centers and WIOA programs, and each situation will be unique. Disabilities and needs vary from one person to another. Therefore, there is no one-size fits all solution when it comes to communication. Many communication situations will require the use of an auxiliary aid or service. Primary consideration to communication preferences is given to the person with a disability. However, you must consider the nature, length, and complexity of the communication when choosing which auxiliary aid or service will be provided.

When requested, auxiliary aids and services must be provided promptly. The Local Workforce Area is required to pay for and provide services and auxiliary aids without a surcharge. The cost to provide auxiliary aids and services shall be built into the Local Workforce Area budget. While each Local Workforce Area may not have immediate access to each type of auxiliary aid and service, gaining access to these aids and services may be necessary as a reasonable modification to programs, services, and activities. It is suggested that Local Workforce Areas map the location of different auxiliary aids within the community and develop partnerships with other agencies, to provide these services when they are not available at the Center.

Action: Does the Workforce Center budget include auxiliary aids and services? YES NO

Action: Has the Workforce Area mapped the location of different types of auxiliary aids and services within the area? YES NO

[Department of Justice Effective Communication Guidance](#)

Companion access

A WIOA participant may request that a family member, friend, or associate be included in communication when appropriate. Situations may include attending a graduation ceremony, an orientation tour, accompanying a youth to a case management meeting, or attending a presentation. In these cases, the Workforce Center is required to provide effective communication to the family member, friend, or associate who is included.

Auxiliary Aids and Services

Auxiliary aids are services or devices that promote effective communication. The following is a non-exhaustive list that Workforce Center staff shall be familiar with. To identify which auxiliary aid or service you might use, consider the following: Identify the many communications situations at your Workforce Center and view the communication from different angles.

For example: When thinking about a meeting, identify:

- **What difficulties might a person who is blind have?**
- **What difficulties might a person with a speech disability have?**
- **What difficulties might a person with a cognitive disability have?**
- **What difficulties might a person who is deaf have?**

This practice should be repeated for all communication situations.

Your Workforce Center shall have list of all readily available (at your Center) auxiliary aids and services. This list shall be made public, with the understanding that other auxiliary aids and services will be made available upon request. Also, your Center shall keep a list of staff members who are trained on each aid or service, so they can assist customers and participants as needed. It is not enough to have one staff member who is trained, as situations may arise when they are not available.

Action: Does the Workforce Center have a list of all auxiliary aids and services, to include names of staff members trained to use and assist? YES NO

Qualified Sign Language Interpreter

A qualified sign language interpreter must be able to interpret effectively, impartially, receptively and expressively using all necessary specialized vocabulary. The interpreter must be able to maintain confidentiality. The State of Colorado requires additional authorization for qualified sign language interpreters. The law requires that those individuals who interpret for vocation or occupation, and who claim to be interpreters, must hold a current Colorado Registry for Interpreters for the Deaf (RID) certification. Title 6 of the Colorado Consumer Protection Act requires interpreters to be certified in Colorado. Access to this auxiliary aid, like all others, must be delivered promptly.

[Colorado Registry for Interpreters for the Deaf \(RID\)](#)

Action: Does Workforce Center staff know how to request a qualified sign language interpreter?

YES NO

Friends and family must not be used as interpreters, as they could have contrary interests, may not be impartial, may not keep information confidential, or may not have the specialized vocabulary needed for the conversation. However, exceptions can be made in emergencies involving imminent threat to the safety or welfare of an individual or the public when no interpreter is available or if the individual who is deaf requests that the accompanying adult interpret, the accompanying adult agrees to interpret, and the reliance on this individual is appropriate under the circumstances. WIOA statutes require that after initial contact (for example, registration in Connecting Colorado) with a person who needs a qualified sign language interpreter, the Workforce Center is obligated to provide one.

Listening Devices

Assistive listening devices (ALDs) help amplify the sounds a person may, especially where there is background noise. ALDs can be used with a hearing aid or cochlear implant to help a wearer hear certain sounds better. Listening devices might include: personal amplifiers, FM systems, or induction loop systems.

There are also Wi-Fi-based apps that can function on an individual's smartphone or a Workforce Center provided smartphone. Some of these applications can provide a variety of communication methods. For example, the same app can deliver speech-to-text or amplified speech.

[Assistive Devices for People with Hearing, Voice, Speech, or Language Disorders](#)

Action: Are ALDs available at your Workforce Center? YES NO

List types of ALDs available: Click or tap here to enter text.

Properly Formatted Electronic Documents

Properly formatted electronic documents, such as PDFs, allow individuals who use adaptive technology, such as a screen reader, to understand and navigate the content. Any file or form that is generated in PDF and emailed or uploaded to a website, must be properly formatted for accessibility. Any document that is scanned into a PDF is simply a picture of the document and cannot be read by a screen reader.

An accessible PDF has:

- searchable text
- interactive form fields
- navigational aids
- specified document language
- title
- document structure tags
- logical reading order
- alternative text (alt-text) for non-text elements
- appropriately formatted tables
- accessible contrast between text and backgrounds

Action: Has every electronic document developed or used by the Workforce Center been audited for accessibility? YES NO

Action: Has staff been trained on creating accessible documents? YES NO

A document outlining how to make accessible PDFs is included as [Attachment M](#).

Large Print Documents

Whenever information is provided to the public in written form, it must, when requested, be made available to individuals with vision disabilities in a form that is usable by them. For many with vision disabilities, enlarging the print is a sufficient form of accommodation. All printed materials that are distributed by the Workforce Center and WIOA program, regardless of the origin, must have the option for large print.

It is very important to understand the differences among people with vision disabilities. For individuals with low-vision the experience of vision varies significantly. For example, from an individual who has glaucoma to an individual who has macular degeneration. Field of vision, sensitivity to light, and the age at which someone has lost vision, as well as whether loss was sudden or gradual, are among factors that will determine how to present text documents to a person with low-vision.

Best practices for large print documents include:

- 18 points in size
- Avoid decorative fonts and italics
- Times New Roman or Arial font
- Use black print on off-white background
- Print should not be on a background with a design or graphic
- No glossy paper because it increases glare
- Spacing of 1.25 or 1.5 between lines
- Ask individuals what best accommodates them

[American Council of the Blind Large Print Guidelines](#)

[Microsoft Accessibility Website](#)

[Microsoft Word Accessibility](#)

Action: Are large print documents available? YES NO

List documents available in large print: [Click or tap here to enter text.](#)

CART Services

CART stands for Communication Access Realtime Translation or Realtime captioning. This is a professional service that can be delivered on location or remotely. It is the instant translation of the spoken word into English text using a stenotype machine, notebook computer and Realtime software. The text produced by the CART service can be displayed on an individual's computer monitor, projected onto a screen, combined with a video presentation to appear as captions, or otherwise made available using other transmission and display systems.

[Visible Voices](#)

[Denver Office of Sign Language Services](#)

Action: Are staff aware of available CART services in the Local Workforce Area and how to request them? YES NO

List CART service vendors: [Click or tap here to enter text.](#)

Qualified note taker

A qualified note taker is able to interpret accurately, effectively, impartially, receptively and expressively using all necessary specialized vocabulary. They must also be able to maintain confidentiality. A qualified note taker could be a reasonable accommodation for a person enrolled in a classroom training who is unable to write or type.

Action: Can a qualified note taker be requested? YES NO

List qualified note taker services in Local Workforce Area: [Click or tap here to enter text.](#)

Oral interpreter

Oral interpreters use silent lip movements to repeat spoken words. This type of interpretation is effective for individuals who can rely on residual hearing yet benefit from speechreading to receive information. Oral interpreting is a beneficial support in a classroom where not every face is visible and close enough for speechreading and where the teacher is moving around while talking or facing in directions other than the deaf or hard of hearing student.

Action: Can an oral interpreter be requested? YES NO

List oral interpreter services in Local Workforce Region: [Click or tap here to enter text.](#)

Cued-speech interpreter

Cued Speech is a visual mode of communication in which mouth movements of speech combine with “cues” to make the sounds (phonemes) of traditional spoken languages look different from one another. A cued speech transliterator will use these “cues” with corresponding mouth movement to clarify spoken language. Individuals may or may not use the cues themselves when communicating. Transl iterators must possess a skill set that goes beyond the ability to cue fluently.

[National Cued Speech Association](#)

Action: Can a cued-speech interpreter be requested? YES NO

List cued-speech interpreter services in Local Workforce Area: [Click or tap here to enter text.](#)

Tactile interpreter

Tactile signing is a way that people who are deafblind communicate. This is accomplished by the person who is deafblind placing their hands on the hands of another person and feeling the sign language. During this type of encounter, the interpreter is not only responsible for communicating the conversation but also describing what they are seeing.

Action: Can a tactile interpreter be requested? YES NO

List tactile interpreter services in Local Workforce Area: [Click or tap here to enter text.](#)

Open captioning, Closed captioning

Captioning must be standard for all videos used or produced by the Workforce Center or for the WIOA program. Open captions are overlaid onto a video and cannot be turned on or off. Closed captions are included on a separate track from a video and can be turned on and off

Best practices for captioning include:

- Synchronize captioning with video
- Ensure 99% accuracy – many auto-captioning services cannot guarantee this level of accuracy
- Don't cover important visual content
- Capitalize and punctuate
- Don't change or correct what is being said
- Include unspoken information like: music, sound effects, and speaker identification

Action: Are all videos produced by the Workforce Center or used by WIOA programs available in open or closed captioning? YES NO

List all videos produced by the Workforce Center or used by WIOA programs: [Click or tap here to enter text.](#)

Closed captioning decoders

The Television Decoder Circuitry Act requires television receivers with picture screens 13 inches or larger to have built-in decoder circuitry designed to display closed captioned television transmissions. If you provide a television within your Workforce Center, it must be compliant with this Act.

[National Association for the Deaf; Closed Captioning Decoders](#)

Action: Do all televisions within the Workforce Center have a closed captioning decoder? YES NO

Telephone handset amplifiers

A telephone handset amplifier is a phone line unit which supplies a connection between a phone handset and its base to increase volume. There are two main types of amplifiers that may be useful to your WIOA participants or Workforce Center customers. Phones that are available for public use in public offices are not the only phones to be considered public phones; any phone within the Workforce Center must be considered. All public phones should have volume controls, which are equipped with a

receiver volume control that provides a volume gain adjustable up to 20dB minimum. For incremental volume control, there should be at least one intermediate step of 12dB. An automatic reset is required to be provided.

- Portable amplifier unit – Attaches to a headset without disconnecting and reconnecting lines.
- Dedicated amplifier telephone – Allows for an increase in volume by adjusting an amplification dial.

Action: Do all telephones used at the Workforce Center have a telephone handset amplifier?

YES NO

Video relay services (VRS)

Video relay services are publicly funded and do not require the hearing person to have any special equipment. It enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text.

Action: Are Workforce Center staff aware of how to use VRS? YES NO

Screen Readers

Screen readers are software programs that allow blind or visually impaired users to read the text that is displayed on the computer screen with a speech synthesizer or braille display. There are numerous options for screen reader software available. Considerations to make include:

- Is the screen reader compatible with your computer's operating system?
- Does it work with the applications and programs used in your WIOA and Workforce Center programs?
- What keystrokes or gestures are used for the program's basic and advanced functions? Are the keystrokes easy to remember? Is it possible to change the key combinations if they conflict with those used by application programs?

[American Foundation for the Blind; Screen Readers](#)

Action: Are screen readers available for Workforce Center and WIOA participants? YES NO

List software available: Click or tap here to enter text.

List staff trained on using screen reading software: Click or tap here to enter text.

Video remote interpreting (VRI)

Video remote interpreting is a service that uses a device, like a webcam, videophone, tablet or smartphone, to provide sign language services. The service uses a remote, off-site interpreter to facilitate communication between two or more individuals. Considerations to make when using VRI include:

- Proper bandwidth is required, as the images cannot lag, be choppy, blurry, or grainy
- Images must be sharply delineated and large enough to display the interpreter’s face, arms, hands, and fingers, and the participating individual’s face, arms, hands, and fingers, regardless of their body position
- There must be a clear and audible transmission of voices
- Users of the technology must have adequate training to quickly set up and operate the VRI

[Purple VRI Services](#)

[Sorenson VRI Services](#)

Action: Is VRI available at your Workforce Center? YES NO

Has bandwidth been tested for effective use of VRI? YES NO

List staff members trained to use and set-up VRI services: [Click or tap here to enter text.](#)

Qualified reader

This is a person who is able to read effectively, accurately, and impartially using any necessary specialized vocabulary.

Action: Does your Workforce Center have access to a qualified reader? YES NO

Braille

Braille is a system of raised dots that can be read with the fingers of people who are blind or have low vision. You are not required to keep every WIOA program or Workforce Center related document in braille, but you must provide this accommodation in a timely manner when requested. Ensure your [effective communication policy](#) clearly outlines the notification of the need for braille documents and a reasonable timeline for making documents available. It is standard practice to use Grade 2 braille.

In Colorado, documents can be printed in braille using the following resource:

Jim Olson
Braille Program Coordinator (CDOC)
Colorado Instructional Materials Center
1015 East High Street, Colorado Springs CO 80905
Phone: 719-578-2195
Email: jolson@cldb.org

[National Prison Braille Program Directory](#)

[Tennessee Council of the Blind](#)

Action: Do staff know how to request and order documents in braille? YES NO

List documents readily available in braille: [Click or tap here to enter text.](#)

Audio recording

An audio recording could be used for participants attending a workshop and who have difficulty listening to the training content and making notes. Text from different information sources may also be recorded on tapes, disks, CDs, etc. for those with visual impairments who cannot read large print or braille.

When an audio recording is used, the reader shall have a clear, crisp voice. The material shall be read at a moderate speed and there shall be no background noise.

Action: Are audio recordings available as requested? YES NO

Action: Are courses evaluated for accessible audio recordings during the procurement and purchasing process? YES NO

Magnification software

Magnification software allows the user to magnify the computer screen. Some screen magnifiers enlarge text, icons, and other graphics up to 20 times or more.

Some freeware options include:

- [DesktopZoom 3.5](#)
- [Dragnifier 2.5](#)
- [Lightning Express](#)
- [Lupa 0.99](#)

[American Foundation for the Blind; Screen Magnification](#)

Action: Does your Workforce Center have magnification software available? YES NO

If yes, list the software: Click or tap here to enter text.

List staff members trained to set up and use magnification software: Click or tap here to enter text.

Audio Description

A powerful aspect of videos is their wealth of nonverbal communication. Images can convey much, and minutes can pass without any words being spoken. Unfortunately, this excludes someone with a visual impairment from receiving information that is conveyed only visually. Video materials must also provide audio describing the action taking place on screen for the benefit of those who are blind or have low-vision. Audio description must be provided on live-streamed content as well as recorded video content.

[Colorado State University; Audio Description](#)

List videos available with audio description: Click or tap here to enter text.

Information Access

Workforce Center and WIOA program information is disseminated in many different ways. All information, across all channels, must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

Applications and Forms

Workforce Centers and WIOA programs must eliminate any eligibility criteria for participation in programs, activities, and services that screen out or tend to screen out persons with disabilities. Separate programs are permitted where necessary to ensure equal opportunity. A separate program must be appropriate to the individual. Individuals with disabilities cannot be excluded from your regular program or required to accept special services or benefits.

When supplying instructions for applications or other forms, use plain language and make sure communication is short, simple, and to the point. Instructions can be written in a conversational tone with familiar language. If possible, make your instructions actionable. Instructions shall include screenshots and alt-text when appropriate.

Refer to your non-discrimination and effective communication policies.

Action: Have applications and forms been audited for accessibility? YES NO

Action: Have staff been trained on creation of accessible applications and forms? YES NO

Flyers and Brochures

Flyers and informational materials must also be provided in ways that make them available to people who cannot read traditional print. The option to receive these materials in alternate formats must be clear.

Example language: We print materials in alternative media. You may request written material in braille, audio file, or large print.

Other design considerations include:

- Always use a contrast ratio of 4.5:1 for normal text and 3:1 for large text
- Avoid decorative fonts and serif fonts; consider using bold type
- Avoid all caps or italics
- Note accessibility available for each program, service, and activity, and integrate symbols
 - Examples: Wheelchair Accessible, Sign Language Interpreted, Assistive Listening Systems, etc.
 - [Use proper accessibility symbols](#)

[Microsoft Accessibility](#)

[Microsoft Word Accessibility](#)

[Google Drive Accessibility](#)

Action: Have flyers, brochures, and other documents been audited for accessibility? YES NO

Action: Have staff been trained on creation of accessible flyers, brochures, and other documents?

YES NO

Training Materials

When producing or purchasing training materials, carefully consider obstacles within the training course(s) for those with visual, auditory, cognitive, and motor disabilities. Allow advanced access to training materials and communicate that advanced access is an option.

Multiple training formats shall be offered for the same content. For example, training offered in a classroom format should also be offered as computer-based and distance-based learning.

All training materials must be available and, when requested, provided in alternative formats. For example, if use of a textbook is required for your WIOA program, it must be made available in audio format or another alternative format for those who are blind or visually impaired. If you require advanced registration, include an option for WIOA participants to request materials in an alternate format on the registration form for the training class.

[Accessible Training Checklist](#)

All audio-visual presentations must be reviewed and audited for accessibility. This includes all video and embedded material.

Action: Have all training materials been audited for accessibility (presentations, videos, handouts, etc.)? YES NO

List all training and audit date: [Click or tap here to enter text.](#)

Action: Have appropriate staff been trained on creation of accessible training materials? YES NO

An accessible presentation guide is included as [Attachment N](#).

Meetings and Events

When planning and scheduling meetings, consider the location where the meeting is to be held. This includes any meetings that are held at a location away from the Workforce Center. Even when the Workforce Center hosts a meeting off-site, it is still a program, activity, or service of the Workforce Center. An example is planning for and implementing a job fair.

[Accessible Meetings, Events, and Conferences Guidebook](#)

[Department of Justice Accessible Meeting Guidance](#)

[CDC Making Meetings Accessible Document](#)

The following checklist can be used to ensure meetings are accessible and is also included as [Attachment O](#):

[Accessible Meeting Checklist](#)

Action: Is there a process for ensuring all meetings and events are accessible? YES NO

If yes, list the process: [Click or tap here to enter text.](#)

Signs

All signs must be mounted between 48 inches from the baseline of the lowest tactile character to 60 inches from the baseline of the highest tactile character. Signs must be installed on the wall adjacent to the latch side of the door and must be mounted so that a person may approach within 3 inches of the sign without encountering a protruding object or standing within the swing of the door.

Braille shall be positioned below the corresponding text. If text is multi-lined, braille shall be placed below the entire text. Braille shall be separated by 3/8 inch minimum from any other tactile characters and 3/8 inch minimum from raised borders and decorative elements.

Signs with tactile characters can also be placed on the push-side of a door if the door has a closer and doesn't have a hold-open device.

Action: Have all signs within the Workforce Center been audited for accessibility? YES NO

List location of signs: [Click or tap here to enter text.](#)

[American Council for the Blind - Signs](#)

Phone Calls

The Federal Communications Commission announced in 2017 that TTYs will be replaced by RTT (Real Time Text) and other agencies are expected to follow. Any public phones at the Workforce Center must include TTY or RTT for public use. You may also choose to provide access to [Video Relay Services](#), noting that the use of a videophone would be considered a reasonable accommodation.

Some individuals with disabilities may prefer to communicate via text using a smartphone. For guidelines and best practices on texting, please see the [Text Section](#) of this toolkit.

If you're using a telephone system that involves voicemail and messaging or an interactive voice response system for receiving and directing incoming telephone calls, that system must provide effective real-time communication with individuals using TTY's and relay services. WIOA programs must respond to a relay call in the same manner it responds to other calls.

Action: Are public phones at the Workforce Center in compliance with RTT and TTY regulations?

YES NO

[About TTY](#)

Text Messages

If communicating with a WIOA participant or Workforce Center customer via text message, the following considerations shall be made:

- Avoid abbreviations, acronyms, and hashtags
- Use normal punctuation
- Avoid conveying critical information using emoji
- Shorten weblinks, as the entire weblink will be read and can be quite lengthy
- Short messages are best, as some carriers divide messages into several parts making it longer and more difficult to read.

Action: Have staff been briefed on accessible text messaging? YES NO

Emails

Many communications between Workforce Center and WIOA program staff and participants, as well as businesses, and community groups will involve email. Emails should also be structured to remove barriers for participants with disabilities.

For emails sent in-mass or through an email blast, use the following guidelines:

- Use larger font size, 14 point is recommended
- Avoid decorative fonts and serif fonts; consider using bold type
- Use unique links that are descriptive and can be understood on their own; shorten weblinks
- Use tables for data only, not for layout
- Contrast Ratio of 4.5:1 for normal text and 3:1 for large text
- Use alt-text for any images, including signature lines
- Label all attachments, links, and buttons

For all email communications, use the following guidelines:

- When able, use plain language that is:
 - Short, simple, and to the point
 - Conversational
 - Familiar language
 - Actionable
- Use alt-text for any images, including signature lines
- Label all attachments, links, and buttons

[Microsoft Office Accessible Email Guidance](#)

[Gmail Accessible Email Guidance](#)

Action: Have staff been briefed on accessible emails, to include accessible signature lines? YES NO

Websites

Websites must be assessed during your Workforce Center Self-Evaluation for adherence to the WCAG (Web Content Accessibility Guidelines) digital accessibility guidelines. Not only must technical issues be identified and remedied, but it is important to evaluate the navigability, accessibility, and ease of use of

the content on your website. A review of your website shall be technical and based on usability. It is recommended to engage users with different types of disabilities to fully assess your site.

Access to information on websites is necessary to fulfill the basic ADA requirements to ensure WIOA and Workforce Center programs, services, and activities are accessible to individuals with disabilities.

WCAG

Your website developer/designer should be familiar with the Web Content Accessibility Guidelines. The most recent version of the WCAG guidelines was published on June 5th, 2018 and are referred to as WCAG 2.1. All the requirements from the 2.0 version are included in 2.1. WCAG 2.0 and WCAG 2.1 are both existing standards. WCAG 2.1 does not supersede WCAG 2.0. The World Wide Web Consortium (W3C) encourages use of the most recent version of WCAG when developing or updating content or accessibility policies. Your site shall include helpful illustrations, properly organized content, and a clear navigation structure.

The 17 success criteria added in WCAG 2.1 significantly enhance website access from mobile devices. WCAG guidelines use the following acronym: POUR. Meaning that your website content must be **P**erceivable, **O**perable, **U**nderstandable, and **R**obust.

[W3C Website](#)

[WebAIM Website](#)

[RMADAC WCAG Online Training](#)

Forms

Many websites and web applications include online forms. When developing web forms be sure they are clear, intuitive, and organized in a logical manner. Forms must be a properly labeled/editable, HTML form that can be submitted online. It is also a best practice to remove time limits when users are completing a form to allow them to complete the form at their own pace.

[WebAIM Forms Tutorial](#)

[W3C Forms Tutorial](#)

CAPTCHA Verification

Some forms ask for verification that the user is human and not a robot. Many developers use CAPTCHA as a solution to make this distinction. Unfortunately, the interactivity of this method is inaccessible to many people with disabilities. If used, CAPTCHA must include a usable alternative. For example, add an audio option to a photo CAPTCHA or ensure alt-text is available.

Blogs

If your WIOA program produced blog content to share information, education, and knowledge, consider the following to ensure accessibility:

- Use page headings to clearly define content outline
- Text must be able to be enlarged
- Avoid decorative fonts and serif fonts; consider using bold type
- Use unique links that descriptive and can be understood on their own
- Use tables for data only, not for layout
- Contrast ratio of 4.5:1 for normal text and 3:1 for large text
- Use alt-text
- Label all links and buttons
- Shorten weblinks

Action: Has your Workforce Center website been audited for WCAG accessibility by a qualified and knowledgeable technical expert? YES NO

Images

Alternative Text (Alt-Text)

An alt-text is a description of an image that is shown or read to people who cannot see the image. Alt-text helps people with little or no vision, as well as people who have turned off images to save data. The alt-text must be concise and meaningful. It shall communicate what is important in the picture but does not need to be overly specific.

Action: Do all images on your website have appropriate alt-text? YES NO

Pictures of Text

If using a picture of text, such as a scanned PDF, you must either communicate what the text says in the main text content or add alt-text. A screen reader can't read text in a picture. The auto generated text will only say "Picture may contain text."

Action: Have all scanned PDFs been updated to include alt-text? YES NO

Computer Generated Alt-text

Although machine-learning and artificial intelligence is improving quickly and can be used to describe some images quite accurately, they are not good enough at understanding the relevant context. Machines also cannot decide what is "concise" and will often describe too much or too little of the image.

Multimedia - Video and Audio

Many websites use video and audio to convey information and communicate with their users. The use of multimedia on Workforce Center websites must be accessible to everyone, including those with disabilities who cannot see or hear. Both video and audio shall not start automatically, as that may interfere with screen reading software. In addition, a text transcript for all video and audio shall be available. As with captioning, transcripts shall be checked for accuracy.

Videos

All videos used in Workforce Center and WIOA programs, whether located on the website or as part of training and education shall be captioned. Open captions are overlaid on the video itself and cannot be turned on or off. Closed captions are on a separate track from the video and can be turned on and off.

Best practices for captioning include:

- Synchronize captioning with video
- Ensure 99% accuracy
- Don't cover important visual content
- Capitalize and punctuate
- Don't change or correct what is being said

- Include unspoken information like: music, sound effects, and speaker identification

Action: Are all videos produced by the Workforce Center or used by WIOA programs available in open or closed captioning? YES NO

List all videos produced by the Workforce Center or used by WIOA programs: [Click or tap here](#) to enter text.

Audio Description

Videos may also be audio described for added accessibility. This means that a separate voice from those speaking explains what is happening on the screen, in a narrator style. Audio description can be turned on or off, much like closed captioning. The file is similar to a caption .srt file and requires a compatible video player. Audio description is not supported by any social media platforms at this time.

Resources

- [CADET: Caption and Description Editing Tool](#)
- [MacCaption & CaptionMaker](#)
- [3playmedia.com](#)
- [Automaticsync.com](#)
- [Movie Captioner](#)

Social Media

If your Workforce Center uses social media, content must be made accessible. This includes platforms like Facebook, Twitter, Instagram, LinkedIn, and YouTube. When using social media, always use plain language in your content. Keep posts short, simple, and to the point. Language shall be familiar and written in a conversational-style. The structure of social media posts shall include the main message content first, then hashtags and mentions, followed by links.

Hashtags

The purpose of hashtags is for categorization and discovery. Long, one-of-a-kind hashtags are ineffective. Hashtags shall be written in Camel Case, using an initial capital letter for the first letter of each word. Example: #ColoradoWorkforceDevelopment

- Facebook & Twitter – 2 hashtags maximum
- Instagram – 10 hashtags maximum

Links and Hypertext

When adding links, consider using a link shortener, or embedding the link as a hypertext link. Your links will be read aloud through a screen reader and can cause your site and social media content to become burdensome for users. You shall also ensure that the pages to which you link to are also accessible.

[Bit.ly](#)

Shorthand and Emoji

Never use emojis in place of a word. In many cases there is bad screen reader compatibility. For example, some screen readers will describe the emoji, while others read emojis as numbers. If you must use an emoji, insert it at the end of the main content.

Shorthand, such as ICYMI, IMO, SMH, plz, grl, dept, etc., shall be avoided. This is not plain language and may not be familiar to all. Shorthand may mean different things to different people.

Action: Have appropriate staff members been trained on how to create accessible social media content? YES NO

Technology Access

Technology is a critical component of the Colorado Workforce System. Many applications for training and development, career planning, and access are necessary for achieving outcomes. Section 188 of WIOA expressly states that auxiliary aids and services include accessible electronic and information technology. Accessible technology shall be considered in all phases of developing, procuring, maintaining and using electronic and information technologies.

When considering technology access for auxiliary aids and services, primary considerations must be given to the communication preferences of the Workforce Center customer or WIOA participant. You must also consider the nature, length, complexity, number of people involved, and if it is an emergency.

When developing, procuring, maintaining and using auxiliary aids and services that use electronic and information technologies, they must be provided in a timely manner and without surcharge.

Technologies used must also be compatible with local area bandwidth, as aids like [VRI and VRS](#) cannot lag, be choppy, blurry, or grainy. Staff members who set-up and use the technology must have adequate training to quickly set up and operate the VRI.

Staff Training/Professional Development

The ODEP-published document, [Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide](#), encourages regular and ongoing training for Workforce Center staff. Evaluating and then implementing [accessible policies](#) and procedures is only one piece of the Self-Evaluation and Transition Plan requirement for title II entities. However, it must be a priority for all staff members to understand how these policies and procedures must be carried out. Not only will training increase awareness of disability inclusion, but it may lead to increased outcomes within WIOA programs.

Just as each Workforce Center is aware of multiple learning styles of participants, the same consideration shall be made for Workforce Center staff members. Recommended training is listed below. However, each Center must identify the training method that works best for staff and fits budgetary requirements.

In 2019, an online training course on WIOA Programmatic Accessibility was created in partnership with the Colorado Department of Labor and Employment, the Disability Employment Initiative grant, the Adult Education Initiatives, and the Division of Vocational Rehabilitation. All Workforce Center staff members are encouraged to complete this four-chapter online course to become familiar with the ADA and how Section 188 of WIOA must be implemented within your Local Workforce Area.

Workforce partners in Colorado can access the course by visiting:

<https://wioa-colorado.expertlearning.net/> and click on the Programmatic Accessibility for Colorado WIOA Partners link.

Interested parties outside of Colorado can access the course by visiting:

<https://rockymountainada.talentlms.com/>

At a minimum, Workforce Center staff shall receive the following training. Please note some suggested training courses are free, while others are offered for a fee. This is a non-exhaustive list.

Disability Etiquette

Front-line staff and those who work with individuals with disabilities shall be trained in disability etiquette. Training shall focus on disability awareness and etiquette and be designed to help staff understand the magnitude of the disability community, provide a better understanding of proper language to use when addressing people with disabilities, highlight obvious vs. non-obvious disabilities, and address etiquette considerations.

[RMADAC Disability Etiquette Online Training](#)

[NWADAC Disability Etiquette Training](#)

[National Organization on Disability Etiquette and Awareness Training](#)

Title I for Employers

It is important for all Workforce Center staff who work directly with participants to have a basic knowledge of the rights and responsibilities for employers under the ADA. From case managers, who assist in career planning to business development staff, who liaise directly with the business community, title I ADA training provides guidance for reasonable accommodation, effective communication, essential job functions, and service animals. In addition, staff shall be versed in the documentation of disability, safety concerns, and non-discriminatory hiring practices.

[RMADAC Title I Online Training](#)

[NEADAC Title I Training](#)

Service Animals

Workforce Center staff shall be trained on how to identify and interact with a service animal and handler. Courses shall cover the definition of a service animal and the rights and responsibilities of service animal handlers under the ADA, as well as the differences between service animals, emotional support animals, and therapy animals.

[RMADAC Service Animal Online Training](#)

[ADA National Network Service Animal Guide](#)

Effective Communication

The ADA requires that WIOA programs and Workforce Center communicate effectively with people who have communication disabilities. Front-line staff and others who work directly with the public shall have sufficient training on available auxiliary aids and services provided by the Workforce Center. Staff shall also be versed in how to recognize and accept a request for program modification, as it relates to communication. Specific training will vary depending on the type of auxiliary aids available at your Workforce Center.

[RMADAC Effective Communication Training](#)

Facility Accessibility

Appropriate staff members, as well as facility managers, shall have a basic understanding of the ADA 2010 Standards for Accessible Design. However, full and comprehensive understanding of regulations, effective dates and provisions for new construction and alterations to existing facilities, and scoping of technical provisions is needed to implement your Self-Evaluation and Transition Plan. A full and comprehensive physical accessibility audit is recommended.

[RMADAC Facility Accessibility Online Training](#)

[US Access Board Online Training](#)

Temporary Events

Staff members who plan and execute temporary events, such as job fairs, community resources fairs, and others, need to fully understand the requirements for accessibility. The ADA applies to the planning stages, to include arrival and entrance, amenities, and atmosphere of the event. Training shall cover the removal of architectural barriers, reasonable modifications, and effective communication.

[ADA National Network Guide to Temporary Events](#)

[RMADAC Temporary Event Training](#)

Minimizing Implicit Bias

Often discrimination happens in organizations, and specifically in hiring practices, because of ingrained stereotypical thoughts and ideas people have been taught to believe as true. These ideas are so embedded in our brains we actually believe they are "natural" or the "norm." Workforce Center staff working with individuals with disabilities, as well as staff that work directly with businesses will benefit from Implicit Bias Training. Training shall include strategies for ameliorating personal biases, and those that are unintentionally situated in the policies and practices of the organization.

[RMADAC Implicit Bias Training](#)

[Kirwan Institute Implicit Bias Training](#)

Emergency Preparedness

Any Workforce Center staff member who may be involved in preparing for, responding to, and recovering from emergencies and disasters, shall understand compliance requirements of title II of the ADA in the emergency- and disaster-related programs, services, and activities they provide. Training shall include how to plan for emergency preparedness by including people with disabilities, along with information on sheltering, special needs, and communication.

[RMADAC Emergency Preparedness Online Training](#)

[ADA Pacific Emergency Preparedness Webinars](#)

[SEADAC Emergency Preparedness Resources Guide](#)

Motivational Interviewing

It is recommended that case managers for WIOA participants shall be trained in motivational interviewing. Motivational interviewing can be used as a tool with participants with disabilities. For some participants preparing for a job interview or placement in the workforce may cause anxiety and stress. Many people with disabilities fear implicit bias could hinder their ability to gain and maintain employment, resulting in loss of confidence and self-doubt. Motivational interview training shall address diversity in participants, effective communication, and disability etiquette.

[Workforce GPS](#)

Mental Health First Aid

While identifying needs and accommodations for individuals with obvious disabilities may be a more common practice, working with participants with non-obvious disabilities could be more of a challenge for case management staff. Mental Health First Aid training allows WIOA staff to better understand risk factors and warning signs for mental health problems.

[SAMHSA Mental Health First Aid Training](#)

[Mental Health First Aid Colorado](#)

List disability-related training that has been provided to Workforce Center staff and dates of completion: Click or tap here to enter text.

Intake, Registration, and Program Orientation

Intake and registration of WIOA participants must be designed with accessibility in mind. Intake procedures must include clear and concise avenues for individuals with disabilities to request and receive reasonable modifications to standard procedures. Workforce Center staff must note that disclosure of a disability by a participant is voluntary and any information about an individual's disability must remain confidential and in a separate file.

The following shall be considered when reviewing intake, registration, and program orientation:

- Physical location of the meeting
- Effective communication between Workforce Center staff and participants
- [Accessible forms and documents](#)
- [Accessibility of auxiliary aids and services](#)
- Disability disclosure procedures

Best practices for orientation include:

- [Accessible presentations and handouts](#)
- Review of participants' right to [equal opportunity](#) and [grievance procedures](#)
- Resources for people with disabilities

Action: Has the intake, registration, and orientation process been audited for accessibility?

YES NO

Self-Disclosure of Disability

The ODEP-published document, [Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide](#), suggests WIOA programs adopt a written policy for staff regarding the legal requirements related to discussion and disclosure of a participant's disability and provide training to staff regarding the applicability of these requirements and policies.

[Job Accommodation Network; Disability Disclosure](#)

In the case of Integrated Resource Teams (IRTs), case managers must obtain permission from the participant before disclosing information to another agency.

When marketing programs, information about disability-related programming and auxiliary aids and services shall be available so that a participant does not have to disclose their disability to learn about the program or service.

Action: Have Workforce Center staff been trained on disability disclosure? <input type="checkbox"/> YES <input type="checkbox"/> NO
--

WIOA Program Enrollment

The WIOA program participant population shall be representative of those living within the Local Workforce Area. You are encouraged to meet or exceed the percentage of individuals with disabilities in your WIOA program as there are within your area. To better understand the barriers individuals with disabilities in your area face, it is critical to engage with and recruit from agencies within your Local Workforce Area that focus on individuals with disabilities.

Best practices for ensuring a representative population is enrolled in your WIOA programs will also include enrollment barrier removal. Seek community participation data to accurately understand the demographics within your area.

[ADA PARC Resources](#)

Action: Has the WIOA participant population been reviewed for representation of the disability community? <input type="checkbox"/> YES <input type="checkbox"/> NO

Assessments and Screenings

If your WIOA program uses assessment or screening tools for participants, these tools must be accessible. Examinations that lead to licensing or certification must measure the individual's aptitude and ability about the factor(s) the test is intended to measure, and not their disability. Before procurement and purchase of assessment tools, accessibility must be considered. Accessibility features shall be fully vetted. After the purchase of assessment tools, staff shall be properly trained on all accessibility features. Any assessment that is provided for educational, career, or training purposes must be accessible, and reasonable accommodations must be provided if requested by an individual with disability.

Covered Exams

- HSE and GED
- HS Entrance exams
- College entrance exams
- Exams for admission to professional and graduate schools
- Licensing exams

Accommodations

- Braille or large-print exam booklets
- Screen reading technology
- Scribes to transfer answers to Scantron bubble sheets or record dictated notes and essays
- Extended time
- Wheelchair-accessible testing stations
- Distraction-free rooms
- Physical prompts (such as for individuals with hearing impairments)
- Permission to bring and take medications during the exam (for example, for individuals with diabetes who must monitor their blood sugar and administer insulin).

[Department of Justice Testing Accommodation Guidance](#)

Action: Are Workforce Center staff members aware of accessibility of and accommodations for assessments and screenings? YES NO

Career Planning

Case managers involved with career planning for individuals with disabilities shall receive management oversight and supervision to ensure accessibility and reasonable accommodations are met.

Management oversight allows for discussion of the development of solutions or accommodations needed by individual participants. Staff shall be well-versed on accessible career pathways, different training and program requirements, and resources within the Local Workforce Area.

The following is a non-exhaustive list of considerations:

Implied eligibility or criteria

Following the Workforce Center [nondiscrimination policy](#), WIOA programs must eliminate any eligibility criteria for participation in programs, activities, and services that screen out or tend to screen out persons with disabilities. This might include implied criteria such as the ability to read, see, use a computer, understand verbal commands, etc.

For example, requiring that a participant make contact with their case manager only via email may screen out a person with a cognitive disability who cannot use the computer.

Announcement of Program

Under the Workforce Center's [effective communication policy](#), information must be as clear and understandable to people with disabilities as it is for people who do not have disabilities. The goal is to ensure that communication with people with disabilities is equally effective as communication with people without disabilities.

For example, promotion of a program solely on the radio may screen out those who are deaf and hard of hearing.

Reservations

Some WIOA programs, services, and activities will require pre-registration or reservations. The process to make reservations must avoid discrimination and shall include multiple methods for obtaining or confirming a reservation.

For example, requiring reservations for an appointment during a specific time-window may screen out those with disabilities who are dependent on public transportation.

Applications

If your WIOA program requires participants to complete and return forms or applications, whether online or a paper copy, they must be [formatted for accessibility](#). Applications and forms shall be available in a variety of accessible formats.

For example, requiring an online form that is not compatible with a screen reader may screen out a person who is blind or has low vision.

During the program

Throughout the enrollment period for WIOA participants, case managers must consider all aspects of their communication to ensure accessibility. Case managers must understand and be trained on how to make reasonable modifications to practices and procedures in order to accommodate participants. If an accommodation has been made for a participant, case managers shall engage in an interactive process to ensure accommodations fully meet the needs of the program participant. Accommodation needs may change over time and must be adjusted when that is the case.

For example, a case manager shall modify their practice of requiring participants to leave a voicemail, rather than an email, to allow for a person who is deaf to communicate via email.

Another example is to periodically check with a participant who has received information in an alternative format to confirm that the method of communication continues to be appropriate.

Follow-up period

Once a participant exits the WIOA program, follow-up services are continued and must also be accessible. During this period case managers must continue to provide effective communication. It is reasonable to make sure participants understand how and when to disclose a disability in the workplace and request accommodations.

Action: Has the case management process for your WIOA program been audited for accessibility through the WIOA program and follow up period? YES NO

Action: Have all case managers received specialized training on the ADA and working with individuals with disabilities? YES NO

List trainings completed: [Click or tap here to enter text.](#)

Interview Preparation

When working with WIOA participants who have a disability to prepare for an interview, special consideration must be made to the essential functions of the job. The essential functions of the job shall be reviewed with the participant as part of interview preparation.

- **Does the individual meet the necessary prerequisites or essential functions? (Education, work experience, training, skills, licenses, certificates, etc.)**
- **Can the individual perform the essential job functions with or without reasonable accommodations?**
 - **If accommodations are needed, can the individual articulate their request?**
 - **Have accommodation needs been researched?**
- **Is the individual prepared to ask for accommodations for an interview, if needed?**

Best practices include providing training courses on interviewing and providing mock-interview training for the participant. These services help to prepare them for the interview. If the WIOA program has assisted in obtaining an interview for the participant for work-based learning or other career planning, Workforce Center staff shall ensure the business is aware of their responsibilities and rights under the ADA.

If the participant chooses not to disclose a disability, case managers must keep information about their disability confidential from the potential employer.

Action: Have all case managers received training on title I of the ADA and interview preparation for individuals with disabilities? YES NO

List trainings completed: [Click or tap here to enter text.](#)

Work-Based Learning

Work-based learning opportunities for WIOA participants must be inclusive of individuals with disabilities. When exploring and developing opportunities for WIOA participants, potential work site locations shall be evaluated for accessibility and employers shall be informed about their rights and responsibilities under the ADA.

If a work-based learning opportunity culminates in a license or certificate, such as a registered apprenticeship program, the program must offer reasonable accommodations and auxiliary aids and services. In addition, all certification exams must be accessible as outlined in the [Assessment and Screening section](#) of this toolkit.

As business services staff work directly with local businesses, they shall be equipped with information about various tax credits available to encourage companies to comply with the ADA.

[ADA National Network Tax Incentives Quick Tips](#)

Resources for work-based learning

[Colorado Succeeds](#)

[TalentFound](#)

[CDLE Career Pathways](#)

[CDLE Work-based Learning](#)

[CDLE Apprenticeships](#)

Action: Is there a process for evaluation of work-based learning sites for employment and WIOA program accessibility? YES NO

If yes, list the process: Click or tap here to enter text.

Action: Are business services staff aware of tax credits for employers who hire individuals with disabilities? YES NO

Education and Training

WIOA Case managers shall be familiar with the most appropriate eligible training provider(s) to provide quality and accessible training and education opportunities for WIOA participants. Consistent audit and review of the [Eligible Training Provider List](#) (ETPL) for the Local Workforce Area is essential in confirming that all new schools and programs meet ADA Guidelines. If a provider receives state or local funding, the provider is responsible for meeting ADA Compliance as outlined in title II of the ADA. If the provider receives federal funds, they are required to be compliant with Section 504 of the Rehabilitation Act.

Case managers and Workforce Center staff are encouraged to maintain communication with the ADA Coordinators for all providers on their ETPL. In addition, there shall be communication with the campus Disability Office, when appropriate.

WIOA participants shall be counseled in requesting accommodations through their training provider, so that accessible training, course materials, and assessments are provided.

Action: Have all providers on your ETPL been audited and reviewed for compliance with ADA Guidelines? YES NO

If yes, list providers and date of review: [Click or tap here to enter text.](#)

Action: Does the Workforce Center maintain a list of ADA Coordinators and Disability Offices for all providers on the ETPL? YES NO

Financial Literacy for job-seekers with disabilities

Financial literacy is an important concept in career planning. Even before WIOA participants are employed and receive a paycheck, Workforce Center staff may offer financial literacy resources. Ticket-to-Work participants may have specific questions about maintaining and keeping cash benefits while enrolled in the program. All course materials must meet accessibility requirements. This includes budget worksheets, course materials, and software.

[LEAD Center Financial Literacy Education](#)

Action: Have financial literacy programs been evaluated for accessibility? YES NO

Cross Agency Referrals & Integrated Resource Teams

To reduce barriers for WIOA participants with disabilities, co-location of WIOA partners such as Division of Vocational Rehabilitation and Adult Education partners, is recommended. Co-location is a customer-driven approach to providing WIOA and wrap-around services. When co-location is not available, coordination between agencies to bring partners to one location for meetings, orientation, and other activities is a best practice.

As some participants will be eligible for enrollment within multiple systems, organizing and engaging with an Integrated Resource Team (IRT), allows for co-enrollment of participants, coordination of efforts, braided funding, and better outcomes. In these cases, WIOA programs and partners must adopt a release of information, so all partners may communicate.

For guidance on how to structure an IRT, visit the following resource:

[Workforce GPS: Integrated Resource Team Information](#)

Action: Does the Workforce Center have a process for eliminating barriers for coordination with other agencies? YES NO

If yes, list the process: Click or tap here to enter text.

Action: Are other agencies co-located within the Workforce Center? YES NO

If yes, list agencies: Click or tap here to enter text.

Benefits Planning – Social Security and Ticket-to-Work

If a WIOA participant (aged 18-64) has a disability and is receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits, they are eligible for Social Security's Ticket-to-Work Program. It is a voluntary program. It is important to note that the definition of disability is different under the ADA and the Social Security Administration.

For your WIOA program to work with the Ticket-to-Work program, you must first become an Employment Network (EN). In Colorado, the Division of Vocational Rehabilitation is the only state-run vocational rehabilitation program and is one of several Employment Networks.

For more information becoming an Employment Network, visit:

[SSA: Ticket-to-Work](#)

[Workforce GPS: Ticket-to-Work-Program](#)

Action: Is your Workforce Center an Employment Network? YES NO

If no, do appropriate staff know how to engage with Ticket-to-Work programs? YES NO

Attachment A

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (§35.106)

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), [WORKFORCE CENTER] of [State] will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: [WORKFORCE CENTER] does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: [WORKFORCE CENTER] will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in [WORKFORCE CENTER] programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: [WORKFORCE CENTER] will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all [WORKFORCE CENTER] programs, services, and activities. For example, individuals with service animals are welcomed in [WORKFORCE CENTER] offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a [WORKFORCE CENTER] program, service, or activity, should contact the office of [name and contact info for ADA Coordinator] as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the [WORKFORCE CENTER] to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a [WORKFORCE CENTER] program, service, or activity is not accessible to persons with disabilities should be directed to [name and contact information of ADA Coordinator].

[WORKFORCE CENTER] will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Attachment B

THE AMERICANS WITH DISABILITIES ACT (ADA) NONDISCRIMINATORY ELIGIBILITY CRITERIA POLICY (§35.130(b)(8))

[WORKFORCE CENTER] of **[State]** will not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, unless such criteria can be shown to be necessary for the provision of the service, program, or activity being offered.

[WORKFORCE CENTER] may impose or apply eligibility criteria that screen out or might screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, when such eligibility criteria are in place to avoid a fundamental alteration in the nature of a program or because of a legitimate safety requirement. **[WORKFORCE CENTER]** will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities.

In those circumstances where personnel of **[WORKFORCE CENTER]** believe that waiving eligibility criteria would fundamentally alter a service, program, or activity, **[WORKFORCE CENTER]** must prove that waiving eligibility criteria would result in such alteration. The decision that waiving eligibility criteria would result in such alteration must be made by the **[WORKFORCE CENTER]** manager or his or her designee after considering all reasonable methods or means of providing access to the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration **[WORKFORCE CENTER]** must take any other action that would not result in such an alteration but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by **[WORKFORCE CENTER]**.

Attachment C

THE AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE PROCEDURE (§35.107(b))

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by **[WORKFORCE CENTER]** of **[State name]**. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than **60** calendar days after the alleged violation to:

[Name and address of ADA Coordinator]

Within 15 calendar days after receipt of the complaint, **[name of ADA Coordinator]** or **[his/her designee]** will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **[name of ADA Coordinator]** or **[his/her designee]** will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of **[WORKFORCE CENTER]** and offer options for substantive resolution of the complaint.

If the response by **[name of ADA Coordinator]** or **[his/her designee]** does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within **[XX]** calendar days after receipt of the response to **[Center Manager]** or **[his/her designee]**.

Within **[XX]** calendar days after receipt of the appeal, **[Center Manager]** or **[his/her designee]** will meet with the complainant to discuss the complaint and possible resolutions. Within **[XX]** calendar days after the meeting, **[Center Manager]** or **[his/her designee]** will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **[name of ADA Coordinator]** or **[his/her designee]**, appeals to **[Center Manager]** or **[his/her designee]**, and responses from these two offices will be retained by **[WORKFORCE CENTER]** County for at least three years.

Attachment D

THE AMERICANS WITH DISABILITIES ACT (ADA) CONTRACTORS, LICENSING, and CERTIFICATION POLICY (§35.130(b))

[WORKFORCE CENTER] of **[State]** will not directly or through contractual or other arrangements, utilize criteria or methods of administration:

- i. That have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability;
- ii. That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of **[WORKFORCE CENTER]** program with respect to individuals with disabilities; or
- iii. That perpetuate the discrimination of another public entity if both **[WORKFORCE CENTER]** and the other entity are subject to common administrative control or both are agents of the State of Colorado.

[WORKFORCE CENTER], in the selection of procurement contractors, may not use criteria that subject qualified individuals with disabilities to discrimination on the basis of disability.

[WORKFORCE CENTER] will not administer a licensing or certification program in a manner that subjects qualified individuals with disabilities to discrimination on the basis of disability, nor will **[WORKFORCE CENTER]** establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with disabilities to discrimination on the basis of disability. The programs or activities of entities that are licensed or certified by **[WORKFORCE CENTER]** are not, themselves, covered by this part.

Attachment E

THE AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE MODIFICATION POLICY (§35.130(b)(7))

It is the policy of **[WORKFORCE CENTER]** of **[State]** to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability.

Requests for modifications in policies, practices, or procedures will be granted unless **[WORKFORCE CENTER]** can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

[WORKFORCE CENTER] is not required to provide a reasonable modification to an individual who meets the definition of “disability” solely under the “regarded as” prong of the definition of disability. Nothing in the Americans with Disabilities Act Part 35 regulations provides the basis for a claim that an individual without a disability was subject to discrimination because of a lack of disability, including a claim that an individual with a disability was granted a reasonable modification that was denied to an individual without a disability.

[WORKFORCE CENTER] may impose legitimate safety requirements necessary for the safe operation of its services, programs, or activities. However, **[WORKFORCE CENTER]** will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities.

ADA Part 35 regulations do not require **[WORKFORCE CENTER]** to provide to individuals with disabilities personal devices, such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting, or dressing.

Attachment F

THE AMERICANS WITH DISABILITIES ACT (ADA) SERVICE ANIMAL POLICY (§35.136)

It is the policy of [WORKFORCE CENTER] County of [State] to ensure that individuals with disabilities may be accompanied by their service animals wherever members of the public may go.

The U.S. Department of Justice enforces title II of the ADA and the associated regulations and standards that apply to state and local governments. Under the ADA, service animals are dogs that are individually trained to do work or perform tasks for people with disabilities. [WORKFORCE CENTER] welcomes persons with disabilities who are accompanied by service animals in all of our buildings, programs and activities. No identification or special tags are required. Service animals must be harnessed or leashed unless those devices would interfere with the work the service animal performs. In cases where the service animal is not leashed or harnessed, the handler must have the service animal under voice or signal control. If a service animal becomes disruptive, a County staff person may ask that the service animal be removed. [WORKFORCE CENTER] will consider making a reasonable modification to this policy to permit the use of miniature horses, as a service animal, on a case-by-case basis. The County's ADA coordinator should be contacted to discuss this.

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. *Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.* Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

Where Service Animals Are Allowed

Under the ADA, [WORKFORCE CENTER] generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. *For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.*

Service Animals Must Be Under Control

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. *When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.*
- A person with a disability cannot be asked to remove her service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a program or agency requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a program or agency normally charges patrons for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.
- Staff are not required to provide care or food for a service animal.

Attachment G

THE AMERICANS WITH DISABILITIES ACT (ADA) MOBILITY DEVICE POLICY (§35.137)

It is the policy of [WORKFORCE CENTER] of [State] to permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

[WORKFORCE CENTER] will make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless [WORKFORCE CENTER] can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements adopted by [WORKFORCE CENTER]. [WORKFORCE CENTER] will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities. The operation of other power-driven mobility devices in a manner or in a facility where such operation violates [WORKFORCE CENTER] legitimate safety requirements would fundamentally alter the nature of the program.

In determining whether a particular other power-driven mobility device can be allowed in a specific facility, as a reasonable modification, [WORKFORCE CENTER] will apply the following assessment factors:

- i. The type, size, weight, dimensions, and speed of the device;
- ii. The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- iii. The facility's design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user);
- iv. Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility; and
- v. Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

[WORKFORCE CENTER] employees will not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual's disability.

However, [WORKFORCE CENTER] employees may make inquiries into use of other power-driven mobility devices. [WORKFORCE CENTER] employees may ask a person using an other power-driven mobility device to provide a credible assurance that the mobility device is required because of the person's disability. [WORKFORCE CENTER], when permitting the use of an other power-driven mobility device by an individual with a mobility disability, will accept the presentation of a valid, State-issued,

disability parking placard or card, or other State-issued proof of disability as a credible assurance that the use of the other power-driven mobility device is for the individual's mobility disability. In lieu of a valid, State-issued disability parking placard or card, or State-issued proof of disability, **[WORKFORCE CENTER]** will accept as a credible assurance a verbal representation, not contradicted by observable fact, that the other power-driven mobility device is being used for a mobility disability. A “valid” disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the State of issuance’s requirements for disability placards or cards.

Attachment H

THE AMERICANS WITH DISABILITIES ACT (ADA) EQUAL EMPLOYMENT POLICY (§35.140)

[**WORKFORCE CENTER**] of [State] will provide equal employment opportunities for individuals with disabilities.

[**WORKFORCE CENTER**] will not discriminate on the basis of disability against a qualified individual in regard to:

- (i) Recruitment, advertising, and job application procedures;
- (ii) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
- (iii) Rates of pay or any other form of compensation and changes in compensation;
- (iv) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
- (v) Leaves of absence, sick leave, or any other leave;
- (vi) Fringe benefits available by virtue of employment, whether or not administered by [**WORKFORCE CENTER**];
- (vii) Selection and financial support for training, including: apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training;
- (viii) Activities sponsored by [**WORKFORCE CENTER**], including social and recreational programs; and
- (ix) Any other term, condition, or privilege of employment.

Prohibited Discrimination

For purposes of this policy, the term discrimination includes, but is not limited to, the following actions:

- i. Segregation, or classification of a job applicant or employee in a way that adversely affects his or her employment opportunities or status on the basis of disability.
- ii. Participation in a contractual or other arrangement or relationship that has the effect of subjecting [**WORKFORCE CENTER**] own qualified applicant or employee with a disability to the discrimination prohibited by this Americans with Disabilities title I regulations. The phrase contractual or other arrangement or relationship includes, but is not limited to, a relationship with an employment or referral agency; labor union, including collective bargaining agreements; an organization providing fringe benefits to an employee of [**WORKFORCE CENTER**]; or an organization providing training and apprenticeship programs. This section applies to [**WORKFORCE CENTER**], with respect to its own applicants or employees, whether the County offered the contract or initiated the relationship, or whether the County accepted the contract or acceded to the relationship. [**WORKFORCE CENTER**] is not liable for the actions of the other party or parties to the contract which only affect that other party's employees or applicants.

- iii. **[WORKFORCE CENTER]** will not use standards, criteria, or methods of administration, which are not job-related and consistent with business necessity, and:
 - (a) That have the effect of discriminating on the basis of disability; or
 - (b) That perpetuate the discrimination of others who are subject to common administrative control.
- iv. **[WORKFORCE CENTER]** will not exclude or deny equal jobs or benefits to, or otherwise discriminate against, a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a family, business, social or other relationship or association.
- v. **[WORKFORCE CENTER]** will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, consistent with the **[WORKFORCE CENTER] ADA Reasonable Accommodation Policy**.
- vi. **[WORKFORCE CENTER]** will not use qualification standards, employment tests or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test, or other selection criteria, as used by **[WORKFORCE CENTER]** is shown to be job related for the position in question and is consistent with business necessity.
- vii. **[WORKFORCE CENTER]** will not use qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision, unless the standard, test, or other selection criterion, as used by **[WORKFORCE CENTER]**, is shown to be job related for the position in question and is consistent with business necessity. An individual challenging **[WORKFORCE CENTER]**'s application of a qualification standard, test, or other criterion based on uncorrected vision need not be a person with a disability, but must be adversely affected by the application of the standard, test, or other criterion.
- viii. **[WORKFORCE CENTER]** will select and administer tests concerning employment in the most effective manner to ensure that, when a test is administered to a job applicant or employee who has a disability that impairs sensory, manual or speaking skills, the test results accurately reflect the skills, aptitude, or whatever other factor of the applicant or employee that the test purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of such employee or applicant (except where such skills are the factors that the test purports to measure).
- ix. **[WORKFORCE CENTER]** will not discriminate against any individual because that individual has opposed any act or practice made unlawful by the Americans with Disabilities Act title I regulations or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing to enforce any provision contained in the Americans with Disabilities Act title I regulations.
- x. **[WORKFORCE CENTER]** will not coerce, intimidate, threaten, harass or interfere with any individual in the exercise or enjoyment of, or because that individual aided or encouraged any

other individual in the exercise of, any right granted or protected by the Americans with Disabilities Act title I regulations.

- xi. **[WORKFORCE CENTER]** will not allow its employees to coerce, intimidate, threaten, or harass any employee or applicant with a disability.
- xii. **[WORKFORCE CENTER]** will not, except as permitted by EEOC regulation [§1630.14](#), conduct a medical examination of an applicant or make inquiries as to whether an applicant is an individual with a disability or as to the nature or severity of such disability.
- xiii. **[WORKFORCE CENTER]** will not, except as permitted by EEOC regulation [§1630.14](#), require a medical examination of an employee or make inquiries as to whether an employee is an individual with a disability or as to the nature or severity of such disability.

Effective Communication

[WORKFORCE CENTER] will ensure that communication with applicants and employees who are deaf, hard of hearing, blind, low-vision, or have impaired speaking skills is as effective as communication with other applicants and employees. To achieve effective communication, **[WORKFORCE CENTER]** will provide auxiliary aids and services consistent with the **[WORKFORCE CENTER] ADA Effective Communication Policy**.

Applicants

[WORKFORCE CENTER] may make pre-employment inquiries into the ability of an applicant to perform job-related functions, and/or may ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions.

[WORKFORCE CENTER] may require a medical examination (and/or inquiry) after making an offer of employment to a job applicant and before the applicant begins his or her employment duties, and may condition an offer of employment on the results of such examination (and/or inquiry), if all entering employees in the same job category are subjected to such an examination (and/or inquiry) regardless of disability. **[WORKFORCE CENTER]** will collect and maintain on separate forms and in separate medical files and treat as a confidential medical record any information obtained resulting from such medical examination (and/or inquiry), regarding the medical condition or history of the applicant, except that:

- (i) Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
- (ii) First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
- (iii) Government officials investigating compliance with this part will be provided relevant information on request.

[WORKFORCE CENTER] will not use the results of such examination for any purpose inconsistent with the Americans with Disabilities Act title I regulations.

Employees

[WORKFORCE CENTER] may conduct medical examinations in accordance with the above section (*Prohibited Discrimination, xiii.*) that are not job-related and consistent with business necessity. However, if **[WORKFORCE CENTER]** uses certain criteria to screen out an employee or employees with disabilities as a result of such an examination or inquiry, the exclusionary criteria must be job-related and consistent with business necessity, and performance of the essential job functions cannot be accomplished with reasonable accommodation as required by the Americans with Disabilities Act title I regulations.

[WORKFORCE CENTER] may require a medical examination (and/or inquiry) of an employee that is job-related and consistent with business necessity. **[WORKFORCE CENTER]** may make inquiries into the ability of an employee to perform job-related functions.

[WORKFORCE CENTER] will collect and maintain on separate forms and in separate medical files and treat as a confidential medical record any information obtained under the previous sections, regarding the medical condition or history of any employee, except that:

- (i) Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
- (ii) First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
- (iii) Government officials investigating compliance with this part shall be provided relevant information on request.

[WORKFORCE CENTER] will not use information regarding the medical condition or history of any employee for any purpose inconsistent with the Americans with Disabilities Act title I regulations.

[WORKFORCE CENTER] may conduct voluntary medical examinations and activities, including voluntary medical histories, which are part of an employee health program available to employees at the work site.

Attachment I

THE AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATION POLICY (§1630.9)

[WORKFORCE CENTER] of **[State]** will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, unless **[WORKFORCE CENTER]** can demonstrate that the accommodation would impose an undue hardship on the operation of **[WORKFORCE CENTER]**'s business

[WORKFORCE CENTER] will not deny employment opportunities to an otherwise qualified job applicant or employee with a disability based on the need of the County to make reasonable accommodation to such individual's physical or mental impairments.

Americans with Disabilities Act title I regulations do not require an individual with a disability to accept an accommodation, aid, service, opportunity or benefit which such qualified individual chooses not to accept. However, Americans with Disabilities Act title I regulations do not require **[WORKFORCE CENTER]** to consider to be qualified, an individual who rejects a reasonable accommodation, aid, service, opportunity or benefit that is necessary to enable the individual to perform the essential functions of the position held or desired, and who cannot, as a result of that rejection, perform the essential functions of the position.

[WORKFORCE CENTER], absent undue hardship, will provide a reasonable accommodation to an otherwise qualified individual who meets the definition of disability under the Americans with Disabilities Act title I regulations' "actual disability" prong, or "record of" prong. **[WORKFORCE CENTER]** will not provide a reasonable accommodation to an individual who meets the definition of disability solely under the Americans with Disabilities Act title I regulations' "regarded as" prong.

[WORKFORCE CENTER] will, upon the request of a qualified individual who is known to have, or who discloses, a disability (as defined by the Americans with Disabilities Act title I regulations, [§1630.2 Definitions](#)), enter into an interactive process to identify an appropriate reasonable accommodation for that individual. An appropriate reasonable accommodation will overcome a qualified individual's limitations, making it possible for the individual to perform the essential job functions of their position. An appropriate reasonable accommodation will not impose an undue hardship on the operation of **[WORKFORCE CENTER]**'s business, cause a direct threat to members of the public or other **[WORKFORCE CENTER]** employees, or violate legitimate safety requirements.

Attachment J

THE AMERICANS WITH DISABILITIES ACT (ADA) EFFECTIVE COMMUNICATION POLICY (§35.160)

It is the policy of **[WORKFORCE CENTER]** of **[State name]** to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications are with others.

[WORKFORCE CENTER], through its agencies, will furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, members of the public, and companions an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the County.

The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication involved; and the context in which the communication is taking place. In order to be effective, auxiliary aids and services will be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Auxiliary aids and services include:

- (1) qualified interpreters on-site or through video remote interpreting (VRI) services, notetakers, real-time computer-aided transcription services, written materials, exchanges of written notes, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, including real-time captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTY's), video telephones, and captioned telephones, or equally effective telecommunications devices, videotext displays, accessible electronic and information technology, or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing; and
- (2) qualified readers; taped texts; audio recordings, Braille materials and displays, screen reader software, magnification software, optical readers, second auditory programs (SAP), large print materials, electronic and information technology, or other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

When an auxiliary aid or service is requested, **[WORKFORCE CENTER]** will give primary consideration to the choice expressed by the individual with disabilities. The County will honor the choice unless:

- (1) it can show that another effective means of communication is available;
- (2) it can show that the use of the means chosen would result in a fundamental alteration in the service, program, or activity; or
- (3) it can show that the use of the means chosen would result in undue financial burden to the County

A **[WORKFORCE CENTER]** agency will consult with the individual with a disability to identify an effective manner of communication that can be achieved with the individual in the context of the agency's program, service or activity. The County will not require an individual with a disability to bring another individual to interpret for him or her.

[WORKFORCE CENTER] will not require an adult accompanying an individual with a disability to interpret or facilitate communication except -

- (1) In an emergency involving imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or
- (2) Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on the adult for assistance is appropriate under the circumstances

[WORKFORCE CENTER] will not rely on a minor child to interpret or facilitate communications, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

When **[WORKFORCE CENTER]** uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with individuals using auxiliary aids and services, including TTY's and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.

[WORKFORCE CENTER] will respond to telephone calls from a telecommunications relay service established under title IV of the ADA in the same manner that it responds to other telephone calls.

Attachment K

THE AMERICANS WITH DISABILITIES ACT (ADA) TRANSPORTATION ACCESS POLICY (§37.5)

[WORKFORCE CENTER] of **[State]** will not discriminate against an individual with a disability in connection with the provision of transportation service.

Notwithstanding the provision of any special transportation service to individuals with disabilities, **[WORKFORCE CENTER]** will not, on the basis of disability, deny to any individual with a disability the opportunity to use **[WORKFORCE CENTER]** transportation service for the general public, if the individual is capable of using that service. This applies to transportation that is provided as a benefit or condition of participation in any service, program, or activity of **[WORKFORCE CENTER]**.

[WORKFORCE CENTER] will not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.

[WORKFORCE CENTER] will not impose special charges on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this U.S. Department of Transportation title II, Subpart B regulations or otherwise necessary to accommodate them.

[WORKFORCE CENTER] will not require that an individual with disabilities be accompanied by an attendant.

[WORKFORCE CENTER] will not refuse to serve an individual with a disability or require anything contrary to this U.S. Department of Transportation title II, Subpart B regulations because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to U.S. Department of Transportation title II, Subpart B regulations.

It is not discrimination under U.S. Department of Transportation title II, Subpart B regulations for **[WORKFORCE CENTER]** to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, **[WORKFORCE CENTER]** will not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of **[WORKFORCE CENTER]** or other persons.

[WORKFORCE CENTER], in the event that it provides any designated public transportation will make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services, subject to the limitations of U.S. Department of Transportation title II, Subpart B regulations [§37.169(c)(1)-(3)].

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated transportation services, **[WORKFORCE**

CENTER] will give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

Attachment L

THE AMERICANS WITH DISABILITIES ACT (ADA) EMERGENCY MANAGEMENT PLAN DEVELOPMENT POLICY

[**WORKFORCE CENTER**] of [State] will not discriminate against an individual with a disability in connection with participation in services and activities provided in the development, implementation, and execution of the [**WORKFORCE CENTER**] emergency management plan. [**WORKFORCE CENTER**] will ensure that in every aspect, facet, and feature its emergency management plan will give consideration to any potential barriers that might exclude or limit the opportunity for people with disabilities to participate in and benefit from the [**WORKFORCE CENTER**] emergency management plan. This policy extends to any and all public or private entities and organizations in conjunction with the [**WORKFORCE CENTER**] managed response to emergent situations.

[**WORKFORCE CENTER**] recognizes that emergency management is wide-ranging. It includes all programs, services, and activities related to emergencies and disasters, including, but not limited to the following:

- Preparation – advance planning for emergencies and disasters;
- Testing of Preparedness – staging emergency simulations and other approaches to testing the effectiveness of emergency preparedness;
- Notification – alerting the public to emergencies and disasters and to available programs, services, and activities;
- Ensuring the functional operation of reverse 9-1-1, including texting capacity, and captioned warning announcements on television and websites;
- Provision for auxiliary aids and services necessary for effective communication at all planned emergency shelters;
- Community Evacuation and Transportation;
- Emergency Shelter Programs;
- Temporary Lodging and Housing;
- Social Services and Emergency- and Disaster-Related Benefit Programs;
- Emergency Medical Care and Services;
- Emergency food, water, and medical supplies;
- Relocation Programs, Activities, and Services;
- Transition and Transportation Back to the Community Following an Emergency or Disaster;
- Emergency and Disaster Recovery Programs, Services, and Activities; and
- Remediation of Damage Caused by Emergencies and Disasters– repairing and rebuilding damaged facilities, removing debris, and relocation and re-introduction of state and local government programs, services, and activities following an emergency or disaster.

[WORKFORCE CENTER] will create a voluntary registry for citizens requiring special assistance because of age or disability, during an emergency. **[WORKFORCE CENTER]** will include in its plans to provide the necessary capacity to transport, shelter, and provide any other necessary services for this population.

Attachment M

Accessible Document Reference Guide

Attachment N

Accessible Presentation Reference Guide

Attachment O

Accessible Meeting Checklist

Programmatic Accessibility Self-Evaluation Toolkit: Checklist

Local Area Strategic Plan

Is the public comment process described in the local board's four-year regional plan? YES NO

Is there a mechanism in place for the local board to accept public comments? YES NO

Did the local board consult with disability organizations in development of the Self-Evaluation?

YES NO

Can you identify the title II ADA Coordinator? YES NO

LIST: Click or tap here to enter text.

Is the name, office address, and telephone number of the ADA Coordinator readily available:

Online? YES NO

Posted in the Workforce Center? YES NO

Posted in Satellite locations? YES NO

Posted in WIOA Partner locations? YES NO

Available in Writing? YES NO

Available in Alternate Formats? YES NO

Does the WIOA program have a designated Equal Opportunity (EO) Officer? YES NO

LIST: Click or tap here to enter text.

Has the Workforce Center EO Officer completed comprehensive ADA Training? YES NO

List training completed: Click or tap here to enter text.

Does the WIOA program, or overarching title II entity, have an ADA Public Notice? YES NO

List locations where it can be found: Click or tap here to enter text.

Has each Workforce Center location been audited for compliance with the 2010 ADA Standards for Accessible Design? YES NO

If yes, has a transition plan been developed and updated? YES NO

If no, an accessibility audit should be scheduled and conducted. Date Scheduled: Click or tap here to enter text.

Required Policies

Review all internal policies, practices and procedures to ensure clear identification of who can approve modifications and where documentation is located. YES NO

Does the WIOA program have a nondiscrimination eligibility policy? YES NO

Does the WIOA program have a grievance procedure? YES NO

Does the WIOA program have a contracting, licensing, and certification policy? YES NO

Does the WIOA program have a reasonable modification policy? YES NO

Does the WIOA program have a service animal policy? YES NO

Does the WIOA program have a powered mobility device policy? YES NO

Does the WIOA program have an equal employment policy? YES NO

Does the WIOA program have a reasonable accommodation policy? YES NO

Does the WIOA program have an effective communication policy? YES NO

Does the WIOA provide transportation for any program participants? YES NO

IF YES: Does the WIOA program have a transportation access policy? YES NO

Does the WIOA program have an emergency management plan? YES NO

Has the WIOA program reviewed all program access policies for alignment with the ADA? YES NO

List policies that have been reviewed: [Click or tap here to enter text.](#)

Marketing Plan and Materials

Do marketing materials comply with your WIOA program effective communication policy?

YES NO

List marketing materials and date of audit for effective communication policy: [Click or tap here to enter text.](#)

Are marketing materials available in alternative formats? YES NO

List which materials are available in alternative formats: [Click or tap here to enter text.](#)

Does the marketing plan include outreach to the local disability community? YES NO

Do marketing materials include the following:

An informational statement that services are available for individuals with disabilities?

YES NO

Language that encourages individuals with disabilities to apply for WIOA programs?

YES NO

Diverse and positive images of individuals with disabilities? YES NO

Are marketing materials distributed to a wide-variety of community groups that work with those with disabilities? YES NO

List areas where marketing materials are distributed: [Click or tap here to enter text.](#)

Outreach to Job-Seekers and Agencies

Does the Workforce Center have a disability-focused employee advisory council or employee resource group (or something similar)? YES NO

Are agencies that provide services to individuals with disabilities included in outreach efforts for WIOA program enrollment and business services? YES NO

If Yes, list the agencies: [Click or tap here to enter text.](#)

Has your Local Workforce Area mapped resources and agencies that serve job seekers with disabilities? YES NO

Is outreach to disability groups included in your Center's outreach activities? YES NO

Communications Access

Does the Workforce Center budget include auxiliary aids and services? YES NO

Has the Workforce Area mapped the location of different types of auxiliary aids and services within the area? YES NO

Does the Workforce Center have a list of all auxiliary aids and services available, to include names of staff members trained to use and assist? YES NO

Does Workforce Center staff know how to request a qualified sign language interpreter? YES NO

Are ALDs available at your Workforce Center? YES NO

List types of ALDs available: Click or tap here to enter text.

Has every electronic document developed or used by the Workforce Center been audited for accessibility? YES NO

Has staff been trained on creating accessible documents? YES NO

Are large print documents available? YES NO

List documents available in large print: Click or tap here to enter text.

Are staff aware of available CART services in the Local Workforce Area and how to request them?

YES NO

List CART service vendors: Click or tap here to enter text.

Can a qualified note taker be requested? YES NO

List qualified note taker services in Local Workforce Area: Click or tap here to enter text.

Can an oral interpreter be requested? YES NO

List oral interpreter services in Local Workforce Area: Click or tap here to enter text.

Can a cued-speech interpreter be requested? YES NO

List cued-speech interpreter services in Local Workforce Area: Click or tap here to enter text.

Can a tactile interpreter be requested? YES NO

List tactile interpreter services in Local Workforce Area: Click or tap here to enter text.

Are all videos produced by the Workforce Center or used by WIOA programs available in open or closed captioning? YES NO

List all videos produced by the Workforce Center or used by WIOA programs: Click or tap here to enter text.

Do all televisions within the Workforce Center have a closed captioning decoder? YES NO

Do all telephones used at the Workforce Center have a telephone handset amplifier? YES NO

Are Workforce Center staff aware of how to use VRS? YES NO

Are screen readers available for Workforce Center and WIOA participants? YES NO

List software available: Click or tap here to enter text.

List staff trained on using screen reading software: Click or tap here to enter text.

Is VRI available at your Workforce Center? YES NO

Has bandwidth been tested for effective use of VRI? YES NO

List staff members trained to use and set-up VRI services: [Click or tap here to enter text.](#)

Does your Workforce Center have access to a qualified reader? YES NO

Do staff know how to request and order documents in braille? YES NO

List documents readily available in braille: [Click or tap here to enter text.](#)

Are audio recordings available as requested? YES NO

Are courses evaluated for accessible audio recordings during the procurement and purchasing process? YES NO

Does your Workforce Center have magnification software available? YES NO

If yes, list the software: [Click or tap here to enter text.](#)

List staff members trained to set up and use magnification software: [Click or tap here to enter text.](#)

Information Access

Have applications and forms been audited for accessibility? YES NO

Have staff been trained on creation of accessible applications and forms? YES NO

List videos available with audio description: [Click or tap here to enter text.](#)

Have flyers, brochures, and other documents been audited for accessibility? YES NO

Have staff been trained on creation of accessible flyers, brochures, and other documents?

YES NO

Training Materials

Have all training materials been audited for accessibility (presentations, videos, handouts, etc.)?

YES NO

List all training and audit date: [Click or tap here to enter text.](#)

Have appropriate staff been trained on creation of accessible training materials? YES NO

Is there a process for ensuring all meetings and events are accessible? YES NO

If yes, list the process: [Click or tap here to enter text.](#)

Have all signs within the Workforce Center been audited for accessibility? YES NO

List location of signs: [Click or tap here to enter text.](#)

Are public phones at the Workforce Center in compliance with RTT and TTY regulations? YES NO

Have staff been briefed on accessible text messaging? YES NO

Action: Have staff been briefed on accessible emails, to include accessible signature lines?

YES NO

Has your Workforce Center website been audited for WCAG accessibility by a qualified and knowledgeable technical expert? YES NO

Do all images on your website have appropriate alt-text? YES NO

Have all scanned PDFs been updated to include alt-text? YES NO

Are all videos produced by the Workforce Center or used by WIOA programs available in open or closed captioning? YES NO

List all videos produced by the Workforce Center or used by WIOA programs: [Click or tap here](#) to enter text.

Have appropriate staff members been trained on how to create accessible social media content? YES NO

Staff Training/Professional Development

List disability-related training that has been provided to Workforce Center staff and dates of completion: [Click or tap here](#) to enter text.

Intake, Registration, and Program Orientation

Has the intake, registration, and orientation process been audited for accessibility? YES NO

Self-Disclosure of Disability

Have Workforce Center staff been trained on disability disclosure? YES NO

WIOA Program Enrollment

Has the WIOA participant population been reviewed for representation of the disability community? YES NO

Assessments and Screenings

Are Workforce Center staff members aware of accessibility of and accommodations for assessments and screenings? YES NO

Has the case management process for your WIOA program been audited for accessibility through the WIOA program and follow up period? YES NO

Have all case managers received specialized training on the ADA and working with individuals with disabilities? YES NO

List trainings completed: [Click or tap here to enter text.](#)

Interview Preparation

Have all case managers received training on title I of the ADA and interview preparation for individuals with disabilities? YES NO

List trainings completed: [Click or tap here to enter text.](#)

Work-Based Learning

Is there a process for evaluation of work-based learning sites for employment and WIOA program accessibility? YES NO

If yes, list the process: [Click or tap here to enter text.](#)

Are business services staff aware of tax credits for employers who hire individuals with disabilities? YES NO

Education and Training

Have all providers on your ETPL been audited and reviewed for compliance with ADA Guidelines?

YES NO

If yes, list providers and date of review: [Click or tap here to enter text.](#)

Does the Workforce Center maintain a list of ADA Coordinators and Disability Offices for all providers on the ETPL? YES NO

Financial Literacy for job-seekers with disabilities

Have financial literacy programs been evaluated for accessibility? YES NO

Cross Agency Referrals & Integrated Resource Teams

Does the Workforce Center have a process for eliminating barriers for coordination with other agencies? YES NO

If yes, list the process: [Click or tap here to enter text.](#)

Are other agencies co-located within the Workforce Center? YES NO

If yes, list agencies: [Click or tap here to enter text.](#)

Benefits Planning – Social Security and Ticket-to-Work

Is your Workforce Center an Employment Network? YES NO

If no, do appropriate staff know how to engage with Ticket-to-Work programs? YES NO

This toolkit was developed in partnership with following organizations:



This toolkit was created by:



Disclaimer

The information contained in this toolkit does not, and is not intended to, constitute legal advice. All information, content, and materials are for general informational and guidance purposes only. You should seek appropriate council for your individual situation.

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