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DEPARTMENT OF WORKFORCE SERVICES  
ISSUANCE PY 15-05

Daryl Bassett, Director

March 30, 2016

**TO:** Local Workforce Development Area Administrators and Service Providers

**SUBJECT:** Equal Opportunity Data Collected from Workforce Innovation and Opportunity Act (WIOA) Applicants

1. **Purpose:** To notify Local Workforce Development Boards of the requirement to collect Equal Opportunity data from WIOA applicants, and enter that data into Arkansas JobLink (AJL).
2. **General Information:** To ensure compliance with WIOA Nondiscrimination Guidelines [*WIOA Section 188 & 29 CFR Part 37*], “employment opportunity data must be collected on every individual who is interested in being considered for WIOA financially assisted aid, benefits, services or training by a recipient, and who has signified that interest by submitting personal information in response to a request from the WIOA grant recipient or designated service provider” [*proposed WIOA 20 CFR 680.110(c)*]. It is not anticipated that this requirement will change with the WIOA final rule due to the requirement being identical for the Workforce Investment Act [*WIA 20 CFR 663.105(c)*].

Employment opportunity information to be collected includes the following: age, gender, race, ethnicity and disability status. This information must be entered into AJL for all WIOA applicants who are determined eligible, enrolled and receive staff-assisted services, and for all WIOA applicants who are determined not eligible. While it is required that the data be requested from the individual, the person cannot be required to provide the information. Applicants entered in AJL will not be included in performance measures reported in the WIOA Quarterly or Annual Report if there are no staff-assisted services entered on the Service and Training Plan (those not eligible). Paper applications must be retained for five years from the date of application.

The requirement in this issuance will be reviewed during monitoring.

3. **Action Required:** Please use this information for staff training.
4. **Inquiries:** Contact the WIOA Technical Assistance Unit.
5. **Expiration Date:** Continuing