

Washington State Wagner-Peyser Employment Service Policy

Policy Number: 4040, Revision 1

Policy Title: Disability Services

Effective Date: July 21, 2017

1. **Purpose:**

To provide guidance to the Washington public workforce system regarding the provision of services to individuals with disabilities through the one-stop system.

2. **Background:**

The Workforce Innovation and Opportunity Act (WIOA) stresses increased physical and programmatic accessibility, including accessible technologies, to support individuals with disabilities' access to workforce services.

The Wagner-Peyser Act Employment Service Program, as amended by WIOA Title III, is a core program in the one-stop delivery system and is subject, under Section 188 of WIOA, to the requirement to ensure the creation and maintenance of an American Job Center (AJC) system that enhances the range and quality of workforce development services that are accessible to individuals seeking assistance, and fair and equitable access to all services, programs and facilities for members of both sexes, various racial and ethnic groups, individuals in differing age groups, and individuals with disabilities.

This policy is directed toward ensuring that the Wagner-Peyser programs, services and facilities of each AJC delivery system are accessible to all, including individuals with disabilities.

3. **Policy:**

No individual is to be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any program or activity, funded in whole or in part under WIOA, because of race, color, religion, sex (except as otherwise permitted under Title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

In accordance with section 8(b) in the Wagner-Peyser Act, it is suggested that comprehensive centers and affiliates have trained Disability Representatives which enhance employment and training access for individuals with disabilities.

Physical and Program Accessibility

Physical accessibility

No qualified individual with a disability may be excluded from participation in, or be denied the benefits of a recipient's service, program, or activity or be subjected to discrimination by any recipient because a recipient's facilities are inaccessible or unusable by individuals with disabilities. In addition, recipients that receive federal financial assistance must meet their accessibility obligations under Section 504 of the Rehabilitation Act and 29 CFR part 32.

Programmatic accessibility

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

4. Definitions:

Disability - The Americans with Disabilities Act of 1990 (ADA) defines a "disability" with respect to an individual to mean a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment.

5. References:

- 29 CFR part 32
- 29 CFR 38.12
- 29 CFR 38.13
- WIOA Section 188(a)(2)
- TEGL 19-16 page 22

6. Supersedes:

Policy and Procedures #4040 dated January 13, 2011 (Revised).

7. Website:

[Workforce Professionals Center](#)

8. Action:

Local Workforce Development Boards and their contractors, as well as Employment Security Regional Directors, must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. Attachments:

None

Direct Inquiries To:

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