



North Central Texas Council of Governments

April 4, 2023

Ms. Juanita Budd
Project Director
Equus Workforce Services
624 Six Flags Drive, Suite 245
Arlington, TX 76011

Dear Ms. Budd:

NCTCOG completed the Equal Opportunity Accessibility and Personally Identifiable Information review for FY2023 related to the Contract # FY23-TWC-02, between Equus Workforce Solutions and NCTCOG, for the provision of Workforce Services for Workforce Solutions for North Central Texas.

The attached report details the scope of the monitoring and notes the information already provided from Equus concerning the required corrective actions. No additional Management response is needed.

My staff are available to answer questions about this report and to provide technical assistance as needed.

Sincerely,

Phedra Redifer
Executive Director of Workforce Development

Cc: Moneisa Downs
Lisa Boyd
Mark Douglass
Carlton Tidwell

SharePoint URL: <https://nctcog.sharepoint.com/sites/Extranet-WD-ResCare>



***FY2023 NCTCOG WORKFORCE Equal Opportunity
Accessibility and Personally Identifiable
Information Report***

For

Equus Workforce Services
Contract FY23-TWC-02

April 4, 2023

Prepared by

Workforce Development Compliance and Continuous Improvement

**North Central Texas Council of Governments
Workforce Solutions for North Central Texas**

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Glossary of Acronyms and Definitions

| | |
|--------|---|
| ADA | Americans with Disabilities Act |
| CCI | Compliance and Continuous Improvement |
| EO | Equal Opportunity |
| HIPAA | Health Insurance Portability and Accountability Act |
| LEP | Limited English Proficiency |
| NCTCOG | North Central Texas Council of Governments |
| NCTWDB | North Central Texas Workforce Development Board |
| OTDC | Orientation to Discrimination Complaint |
| PHI | Protected Health Information |
| PII | Personally Identifiable Information |
| SOP | Standard Operating Procedure |
| TAS | Texas Accessibility Standards |
| TDS | Talent Development Specialist |
| TTY | Text Telephone |
| TWC | Texas Workforce Commission |
| WD | Workforce Development |

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Equus Workforce Services

North Central Texas Workforce Services Contract FY23-TWC-02

BACKGROUND

Section 188 of the Workforce Innovation and Opportunity Act (WIOA) and related Federal regulations require both programmatic and physical access at all American Job Center partner locations. Required evaluations of accessibility must include how well Workforce Center partners ensure equal opportunity for individuals with disabilities to participate in provided services. In 2020 North Central Texas Council of Governments (NCTCOG) began using Registered Accessibility Specialists (RAS) to conduct accessibility reviews of the Workforce Centers as new office spaces were acquired or remodeled to accommodate Vocational Rehabilitation (VR) staff. The integration of VR staff was completed in August of 2022 with the Cleburne Center remodel. The NCTCOG Compliance and Continuous Improvement (CCI) team began to formally monitor subrecipient activities related to the Affirmative Outreach Plan (AOP) in 2021 and continues to do so in FY2023. The results of AOP monitoring are documented in the quarterly Workforce Development reports.

RISK

Accessibility to services by those with disabilities or Limited English proficiency (LEP) is vital to fully acceptable customer service. The fiscal year 2023 risk assessment of Workforce Programs specifically considered the following:

- High rates of turn-over in Equus staff, impacting service to all customers.
- Availability and maintenance of adaptive equipment.
- The amount of staff training on the adaptive equipment.

OBJECTIVE

North Central Texas Council of Governments (NCTCOG) conducts program monitoring as required by TWC to provide:

- Assurance to TWC that workforce services programs are accessible to customers with disabilities and LEP.
- Assurance to TWC that Workforce Centers are operated in accordance with Section 188 of WIOA, Section 504 of the Rehabilitation Act of 1973, as amended, and 29 CFR 38.
- Feedback to Subrecipient management on gaps found in knowledge or practices related to Equal Opportunity (EO), and LEP.

SCOPE

This review focused on EO compliance and customer service through review of:

- Confirmation that all required posters are present in the centers.
- Physical checks of all adaptive equipment.
- Testing of staff knowledge related to adaptive equipment and other resources.
- Testing of staff knowledge related to Personally Identifiable Information (PII) and Protected Health Information (PHI) regulations.

METHODOLOGY

A desk review of Orientation to Discrimination Complaints (OTDC) and PII was conducted. On-site reviews were conducted at all Centers and the Mobile Unit on the adaptive equipment and PII. The Summary of Results, Conclusion\Gap Analysis, and Corrective Action sections focus on the Subrecipients responsibilities. The correction (or coordination of corrections with property owners) is managed by NCTCOG facilities staff. Building corrections are tracked and maintained in the NCTCOG facilities maintenance tracking system and the Center Deficiency Log is updated accordingly as needed.

SUMMARY OF RESULTS

WIOA PII and Orientation to Discrimination Complaint - Desk Review

Thirteen cases were reviewed for requirements on OTDC forms and PII elements. Two PII errors were found in customer Laserfiche files. All case files contained an *Orientation to Discrimination Complaint* form. The accuracy rate for WIOA Adult and Dislocated Worker files is **92.31%**. Ten WIOA Youth files were reviewed and found to be **100%** compliant.

Adaptive Equipment Review

Minor gaps were found in the maintenance of adaptive equipment. One center did not have a working Text Telephone (TTY) phone or Chatter Vox on the day of the monitoring visit. An inoperable *UbiDuo* was found at a second center. Staff who were asked questions related to training on the adaptive equipment typically reported that training is provided when a new hire begins work and quarterly for existing staff. Staff were able demonstrate how to use the equipment correctly.

Required Posters Review

All Centers and the Mobile Unit were found to be compliant with the poster requirements related to EO and complaint process notices. NCTCOG required it's subrecipient Equus Workforce Services to confirm that the additional posters required by the *2022 Fraud Deterrence and Compliance Monitoring (FDCM) Letter 05-2022* were present in each center.

PII and PHI Testing

No PII or PHI was heard being discussed on the phone or with customers while the monitors were in the Centers. Staff were observed taking appropriate precautions such as locking desk drawers or work- stations when appropriate. Staff were able to correctly answer multiple questions and demonstrate proficiency of actions related to PII policy and practices to safeguard sensitive information.

CONCLUSION-GAP ANALYSIS

The two centers with inoperable adaptive equipment would benefit from confirming the customer readiness of all devices more frequently.

Required Corrective Action

As of the writing of this report Equus has provided confirmation that suitable corrections for the inoperable adaptive equipment are in place. The PII errors found in the OTDC forms review will be addressed in the response to the draft report for the FY2023 quarter two monitoring of Workforce programs. No additional response to this report is required.