



**MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT
DIVISION OF WORKFORCE DEVELOPMENT**

**EQUAL OPPORTUNITY COMPLIANCE REVIEW REPORT
(2013)**



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OVERVIEW

This statewide compliance review report is being conducted pursuant to 29 CFR Part 37 and Federal Regulatory Requirement MOA Element #7 entitled "Monitor Recipients for Compliance". This is clearly stipulated in the United States Department of Labor in Section 188 of the Workforce Investment Act (WIA). The review period of this report runs through the program year of July 1, 2013 to June 30, 2014.

In reference to the above brief information, this compliance review report will cover the entire fourteen (14) workforce regions (Workforce Investment Boards) as it has been categorized in the state of Missouri Division of Workforce Development, (DWD). The primary source of data for monitoring of equal opportunity compliance will be based on the various review reports sent to the Central Office by the Local Equal Opportunity Officers in the State's Local Workforce Investment Boards (LWIBs).

This review aims at monitoring the performance and the evaluation of Missouri DWD programs and activities to detect areas of potential discrimination, to identify any difference in treatment accorded applicants, whether intentional or unintentional, and make recommendations for corrective actions. In accordance of this, Division of Workforce and Development is currently working together with the Department of Labor, Civil Right Center, to ensure the Missouri State and the Local Investment Boards (LWIBs) are in compliance with the nondiscrimination and equal opportunity regulations requirements in 29 CFR Part 37.

METHODOLOGY

This area of the compliance review report covers the following; population, the outline of required Missouri State DWD programs and other activities, Adverse Impact Analysis Steps, Analyzing Statistical Test Evidence of Adverse Impact, Review Data Report Analysis by Workforce Regions, Summary/Recommendations and Conclusion.

POPULATION

For the purposes of this report, the population under consideration will be all the Missouri State fourteen (14) workforce regions with their Full - Service One-Stop Career Centers as shown in the table 1:

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Table 1:

MISSOURI WORKFORCE REGIONS	CAREER CENTERS
Central Region	Jefferson city, Columbia city, Rolla, Linn Creek, Lebanon
East Jackson County Region	Independence City
Jefferson/Franklin Region	Arnold, Washington City
Kansas City and Vicinity Region	Kansa City North(Northland Human Resources Center), Kansa City(Full Employment Council)
Northeast Region	Kirksville, Hannibal
Northwest Region	St. Joseph, Chillicothe
Ozark Region	Springfield, Branson
St. Charles Region	St. Charles
St. Louis City Region	St. Louis (SLATE)
St. Louis County Region	St. Louis County Florissant, St. Louis County North Oaks
Southeast Region	Kennett, Sikeston, Cape Girardeau, Park Hills
Southwest Region	Joplin
South Central	West Plains, Popular Bluff
West Central Region	Nevada, Clinton, Sedalia

Source: <http://jobs.mo.gov/jobseeker/equal-opportunity/local-region-and-statewide-eo-contacts>

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MISSOURI STATE DWD PROGRAMS AND OTHER ACTIVITIES

All the workforce regions are engaged in recommended Missouri Division of Workforce Development (DWD) primary programs, and aside these there are other special programs run by some regions. Here we are referring to state programs for which a Governor has oversight responsibility and programs that fall under the definition from the WIA nondiscrimination regulations. It is worth noting that all these States programs and activities under consideration are being financially assisted in whole or in part under Title I of the Workforce Investment act as defined in 29 CFR 37.4. So upon these programs and activities, monitoring is conducted to determine compliance with equal opportunity and nondiscrimination requirements. The concept here is that, in the process of successfully completing this action, all the Local Equal Opportunity Officers mandated to provide as detailed as possible a compliance review report on these required programs, services and other special activities conducted in their regions. Refer to [attachment A](#) for the outline of the state of Missouri, Division of Workforce Development required programs, services and other special activities.

ADVERSE IMPACT ANALYSIS STEPS

This session of the compliance review report outline processes involve the conduct of monitoring for equal opportunity and nondiscrimination in DWD programs. In simple terms, applying these steps is in the way of identifying individuals or groups who may have been discriminated against. In view of that all the fourteen (14) workforce regions will be subjected to the required steps in conducting adverse impact analysis.

In order to provide effective equal opportunity compliance review report from the various regions data analysis, the approved seven main steps were used as guiding principles. The ideology here is that, all the regions are expected to put into consideration these steps when reporting on their regional programs and activities.

Step One: Map service delivery process and obtain program data

Step Two: Obtain civilian labor force or population data for your service area

Step Three: Review any anecdotal evidence you received during the period

Step Four: Analyze the data using the 80% Rule or the Two Standard Deviation Test

Step Five: Investigate significant differences.

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Step Six: Justify or take mitigating actions.

Step Seven: Follow - Up

ANALYZING STATISTICAL TEST EVIDENCE OF ADVERSE IMPACT

Under this session, [two quantifiable methods](#) are applied to practically and statistically analyze evidence of adverse impact; 80% Rule (four-fifths) and the Two Standard Deviation Analysis Test. Using 80% Rule (four-fifths) or “rule of thumb” is one of the typical ways of conducting impact ratio analysis. Its application suggest the fact that “a selection rate for any race, sex, or ethnic group which is less than four-fifths (or 80%) of the rate for the group with the highest rate will generally be regarded by the Federal enforcement agencies as evidence of adverse impact and possible discrimination, while a greater than four-fifths rate will generally not be regarded by Federal enforcement agencies as evidence of adverse impact.” Since the 80% test does not involve probability distributions to determine whether the disparity is a “beyond chance” occurrence, it is usually not regarded as a definitive test for adverse impact. Instead, other statistically significance tests, such as the standard deviation analysis, may be used for this purpose.

Applying Statistical significance (2.0 standard deviations test) is in a way of using statistic to measure dispersion in a distribution; a measure of the typical distance between the average (mean) and any given value. It measures the "width" of the distribution of values. The standard deviation also looks at the possibility that difference in rate could be due to chance and this represent less than 0.05. So when the differences are greater than 2.0 standard deviations then, that suggests adverse impact and possible discrimination. With reference to the above analyses definitions, we say that it is an issue to be addressed when a demographic group is found to be both less than 80% rule mark and greater than 2.0 standard deviations on the statistical analysis. Mathematically, this case can simply be presented as follows:

$$2.0 \text{ Standard Deviation} < X < 80\%$$

It reads as “X” **greater than** 2.0 standard deviations and **less than** 80%. All that you need to do to measure or evaluate the performance of Division of Workforce program

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to ascertain equal opportunity requirements, is to substitute the rate difference in place of "X". If your value satisfies the mathematical expression above then there is an issue, which shows adverse impact and possible discrimination. When the analysis discloses that differences have practical or statistical significance, a follow-up investigation need to be conducted to determine whether the differences are due to intentional discriminatory conduct, conduct that has a disparate impact on a protected group, or some other factors. Refer to [attachment B](#) for sample calculations on the 2.0 standard deviation and the 80% Rule.

Below 80% = Significant difference

**Differences greater than 2.0 =
Significant difference**

REVIEW DATA REPORT ANALYSIS BY WORKFORCE REGIONS

This session of the statewide compliance review report will be the review data analysis of the fourteen workforce regions focusing on the program year 2013 reports presented to the central office. Embarking on this process is a way of monitoring our regions equal opportunity requirements performance against their approved programs and activities as addressed in the various report provided by each workforce Investment Boards, (WIB).

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CENTRAL REGION

Step 1:

Area of Compliance:

The region mapped out service delivery process and obtained program data from their various Full-Service One-Stop Career Centers and followed the required data reporting format;

❖ Gender

- Male
- Female

❖ Race

- American Indian
- Asian
- Black
- Pacific Islander
- White

❖ Ethnicity

- Hispanic
- Not Hispanic

❖ Age

- 14 - 21
- 22 - 29
- 30 - 54
- 55+

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❖ Disability

- Yes
- No

Step 2:

Area of Compliance:

The region determined the method used in obtaining population or civilian labor force data by comparing eligible population in their service area to their applicants. American Fact Finder can easily provide information about population for specific geographical location you want to access.

(Refer: <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>)

Step 3:

Areas of Compliance:

The region provided steps in reviewing any anecdotal evidence they received during the period under consideration. Here considerations are given to all allegations that may occur through direct conversations, rumor or word-of-mouth, blogs, news articles, internet postings, or tweets.

Step 4:

Area of Compliance:

The region analyzed their data using the two quantifiable methods (80% rule and 2.0 Standard deviation test). This was done with the overall participation rates, determined if significant differences (adverse impact) existed in a particular demographic.

Step 5:

Areas of Compliance:

The region provided steps to investigate possible reasons for any significant differences.

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Step 6:

Area of Compliance:

The region clearly outlined their strategies which served as their mitigation action framework. They mentioned in their report of promoting more short training programs in a way of reaching out to the group they experience much adverse impact.

Step 7:

Area of Compliance:

As a way of Follow up plans, the region in their report suggested a time frame (six months) to conduct equal opportunity data analysis to monitor whether or not mitigation actions made any difference.

AREAS SHOWING ADVERSE IMPACTS

WIA ADULT PROGRAM

Applying the 80% rule and the 2.0 Standard deviation clearly showed that under the WIA Adult program there is an adverse impact against the age group 55+ and the Disabled. From analysis, participatory rate of the age group 55+ was 60% which is less than four-fifths (80%) and the number value for the standard deviation, 8.49 also fall in the range of possible discrimination. People with disabilities also had 63% and 4.40 respectively for the 80% rule and the 2.0 standard deviation, which both values do not meet the 80% rule and the 2.0 standard deviation. Refer to the table below:

WIA ADULT			
Demographic Group		80% Rule	2 Standard Deviation
Age	55+	60%	8.49
Disability	Disabled	63%	4.40

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DISLOCATED WORKER PROGRAM

Applying the 80% rule and the 2.0 Standard deviation showed that under the Dislocated Worker program there is an adverse impact against the age group 55+ and the Disabled.

The analysis showed that participatory rate of the age group 55+ was 49.08% which is less than four-fifths (80%) and the number value for the standard deviation, 11.30 also fall in the range of possible discrimination. People with disabilities also had 65.09% and 2.67 respectively for the 80% rule and the 2.0 standard deviation, which both values do not meet the 80% rule and the 2.0 standard deviation. Refer to the table below:

DISLOCATED WORKER			
Demographic Group		80% Rule	2.0 Standard Deviation
All Age	55+	49.08%	11.30
All Disability	Disabled	65.09%	2.67

WIA - SERVICE LEVELS

Applying the two quantifiable methods (80% rule and 2.0 standard deviation test) in the data analysis, the following areas showed adverse impact in the WIA - Service Levels.

STAFF ASSISTED			
Demographic Group		80% Rule	2.0 Standard Deviation
All Age	22 - 29	69.37%	31.50
INTENSIVE			

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All Age	22 - 29	25.38%	37.03
	30 - 54	31.78%	48.22
	55+	15.27%	30.29
TRAINING			
All Age	22 - 29	32.23%	19.59
	30 - 54	30.34%	26.13
	55+	12.08%	20.31

WAGNER PEYSER PROGRAM

Applying the 80% rule and the 2.0 Standard deviation clearly showed that under the Wagner Peyzer program there is an adverse impact against the age group 55+ and the Disabled. From analysis, participatory rate of the age group 55+ was 62.98% which is less than four-fifths (80%) and the number value for the standard deviation, 25.86 also fall in the range of possible discrimination. People with disabilities also had 62.15% and 17.19 respectively for the 80% rule and the 2.0 standard deviation, which both values do not meet the 80% rule and the 2.0 standard deviation. Refer to the table below:

WAGNER PEYSER			
Demographic Group		80% Rule	2.0 Standard Deviation
All Age	55+	62.98%	25.86
All Disability	Disabled	62.15%	17.19

UEMPLOYMENT INSURANCE WORKER PROFILING (UI PROFILING)

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Applying the 80% rule and the 2.0 Standard deviation clearly showed that under the UI Profiling program there is an adverse impact against the age group 55+. From analysis, participatory rate of the age group 55+ was 62.98% which is less than four-fifths (80%) and the number value for the standard deviation, 11.46 also fall in the range of possible discrimination.

UNEMPLOYMENT INSURANCE WORKER PROFILING			
Demographic Group		80% Rule	2.0 Standard Deviation
All Age	55+	62.98%	11.46

SUPPORTIVE YOUTH SERVICES

Applying the 80% rule and the 2.0 Standard deviation clearly showed that under the UI Profiling program there is an adverse impact against the Whites race. From analysis, participatory rate of the Whites race was 74.36% which is less than four-fifths (80%) and the number value for the standard deviation, 4.37 also fall in the range of possible discrimination

SUPPORTIVE YOUTH SERVICES			
Demographic Group		80% Rule	2.0 Standard Deviation
All Race	White	74.36%	4.37

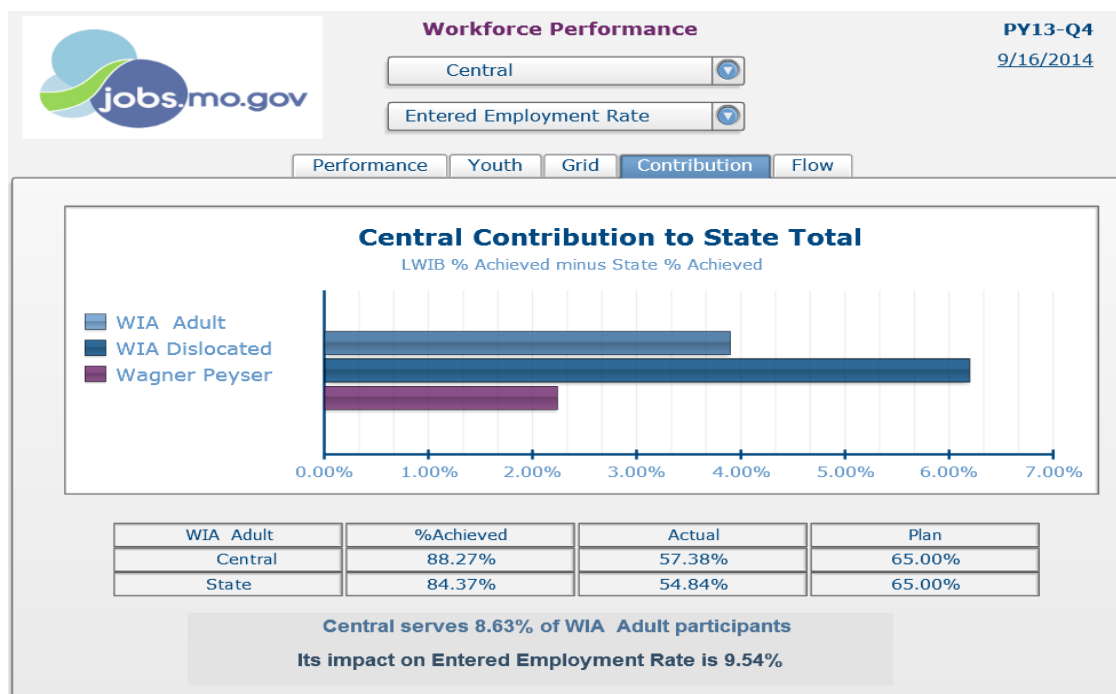
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Non – Compliance in Program Reporting

As it required by law to report on all Federal funding programs, the region failed to report on the following special programs and activities:

- ❖ Show Me Heroes
- ❖ State Parks Youth Corps

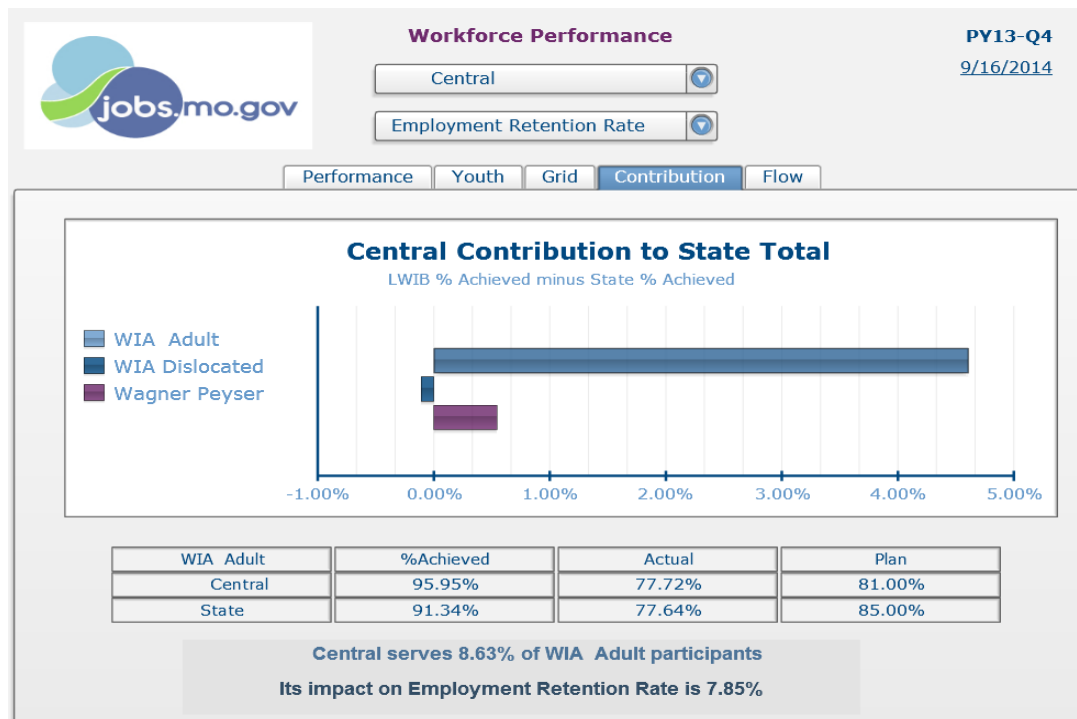
Snapshot showing Central Region Workforce Performance to State Total in Entered Employment Rate:



Source : MO Performs

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Snapshot showing Central Region Workforce Performance to State Total in Employment Retention Rate:



Source : MO Performs

The above snapshots show the region's contributions to the state total in both entered employment rate and the employment retention rate. The region's impact on Entered Employment rate is 9.54% and that of the Employment Retention rate is 7.85%.

ANALYSIS SUMMARY

The equal opportunity data analyses depicted that the above demographic categories showed the most adverse impact. Data numbers were pulled from the region's report program data in MoPerforms database system. It must be made known that there were still areas that showed statistical disparity in the participatory rate in both employment and retention rates levels. However, it was realized not to be substantial or significant disparity based on our required methods of Equal Opportunity Data Analysis.

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RECOMMENDATIONS/CORRECTIVE ACTION

Following the guidelines or the steps applied in the process of providing effective equal opportunity compliance review report; it is highly recommended to the region to embark on all the necessary strategies that can be employed as mitigation actions to address areas showing adverse impact. In addition, the region must consider to report on all other programs they were non – compliance in reporting.