

P.O. Box 995
1550 Gadsden Street
Columbia, SC 29202
dew.sc.gov



Henry McMaster
Governor

William H. Floyd, III
Executive Director

STATE INSTRUCTION NUMBER 16-10, Change 1

To: Local Workforce Area Signatory Officials
Local Workforce Area Board Chairs
Local Workforce Area Administrators
DEW Area Directors
DEW Regional Managers

Subject: “Equal Opportunity Is the Law” Notice

Issuance Date: April 25, 2025

Effective Date: April 25, 2025

Purpose: To provide guidance regarding the federally required “Equal Opportunity Is the Law” notice.

Change 1 Revision: This revision clarifies the requirements for posting this equal opportunity (EO) notice. This EO notice, including translated copies and audio files of the notice, is available at <https://scworks.org/about-us/legal> for LWDAs to access, link, and/or print as needed. No substantive changes were made to this policy.

References:

- Workforce Innovation and Opportunity Act, Public Law 113-128, § 188
- 29 CFR §§ 38.34–38.36

Background: WIOA § 188 prohibits discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, or (against any beneficiary, applicant, or participant) on the basis of citizenship status. 29 CFR Part 38 implements the nondiscrimination and EO requirements under WIOA and prescribes key responsibilities of WIOA-funded staff and the Local Workforce Development Areas (LWDAs).

Policy: A recipient must provide initial and continuing notice, as defined in 29 CFR § 38.36, that it does not discriminate on any prohibited basis. This notice must be provided to the following:

- Registrants, applicants, and eligible applicants/registrants
- Participants
- Applicants for employment and employees

- Unions or professional organizations that hold collective bargaining or professional agreements with the recipient
- Subrecipients that receive WIOA Title I financial assistance from the recipient
- Members of the public, including those with impaired vision or hearing and those with limited English proficiency (LEP)

Recipients must publish the language of this notice exactly as prescribed by DOL in [29 CFR § 38.35](#). This EO notice, including print copies and audio files in English and other languages, is available at <https://scworks.org/about-us/legal> for LWDA's to access, link, and/or print as needed.

Recipients must ensure the “Equal Opportunity Is the Law” notice is published in the following ways:

- Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the LWDA's website
- Disseminated in internal memoranda and other written or electronic communications with staff
- Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available
- Provided to each participant and employee as part of employee's or participant's file, in both paper and electronic files, if both are maintained

The LWDA must take appropriate steps to ensure that this EO notice is communicated as effectively to individuals with disabilities as it is to others, and that this notice is provided in appropriate languages to ensure meaningful access to LEP individuals.

NOTE: Staff must case note when an alternate format is used to provide this EO notice to a customer.

Action: Please ensure that all appropriate staff receive and understand this policy.

Inquiries: Questions may be directed to WorkforcePolicy@dew.sc.gov.


Nina Staggars, Assistant Executive Director
Workforce Development Division