



DEPARTMENT OF
CAREER SERVICES

Workforce Issuance

100 DCS 10.100.4

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
MassHire Career Center Directors
MassHire Fiscal Officers
MDCS Operations Managers

cc: WIOA State Partners

From: Diane Hurley, Acting Director
MassHire Department of Career Services

Date: November 8, 2022

Subject: **Required Posters for Display in MassHire Career Centers and Sub-Recipient Offices**

Purpose: To notify MassHire Workforce Boards, MassHire Career Center Operators and other workforce investment partners of posters required to be displayed at each comprehensive, affiliate American Job Center (AJC)/One-Stop Career Center (MassHire Career Centers) and sub-recipient offices.

This policy replaces 100 DCS 10.100.3 and Attachment A Issued: 01/11/2022.

Updates to Attachment A: Employment Law Posters for Employees & Customers

- A2/2a - Know your Rights (English and Spanish)
- A12/12a - Equal Opportunity is the Law (English and Spanish)
- Title VI of the Civil Rights Act of 1964 (as amended).
- Section 504 of the Rehabilitation Act of 1973 (as amended).
- The Age Discrimination Act of 1975 (as amended).

- The Age Discrimination Act of 1975 (as amended).
- Title IX of the Education Amendments of 1972(as amended).
- Workforce Innovation and Opportunity Act (WIOA), Sec. 188 and implementing regulations at Title 29, Part 38, Subtitle B, Sections 29 CFR 38.34, 35 and 36.
- The Wagner-Peyser (W-P) regulations at Title 20 - Chapter V, Part 658, Subpart E section 658.410(d).

With respect to WIOA non-discrimination (Sec. 188) requirements, the "EO is the Law" notice and the new "Know your rights" (which replaces the "EEO it's the Law") poster summarize non-discrimination laws and explains how an employee or applicant can file a complaint. The Notice and poster that are available in multiple languages, must be placed prominently, at a reasonable number of physical locations within the office and on the recipient's website.

Background: Federal and State statutes and regulations governing services under the Workforce Innovation and Opportunity Act (WIOA) and employment related law require that certain posters or notices informing the public and employees about their employment rights be displayed at MassHire Career Centers (MCC), affiliates, and sub-recipient offices.

Policy: The following regulations/laws require a prominent display of an ETA approved complaint system poster and certain employment related law posters at each MassHire Career Center location.

Poster Groups

MassHire Career Centers (MCCs) must allocate sufficient space in a designated area at the Career Center, affiliate, or sub-recipient bulletin boards to provide accommodation for all required posters and guaranteed access by all customers.

Group 1 - Employment Law Posters for Customers - The appropriate WIOA or employment related law posters listed under this category are to be prominently displayed in all MassHire Career Centers (MCCs), affiliate and/or subrecipients' offices where it may be read by customers. Please note that MCCs and/or subrecipient administering WIOA programs are required to display the appropriate posters in their facilities where they can be viewed by customers and that posters must be displayed in their specific size.

Group 2 – MassHire Department of Career Services (MDCS) Required Posters - includes MDCS customer information posters about specific programs or activities.

Group 3 - Special interest labor law posters - includes Federal and State posters and notices on several employment related laws.

Group 4 - Required MCC staff posters - Required MCC staff posters. MCCs must display these posters/notices in a clearly visible place where employees can regularly see them. MCCs with more than one work location are required to display these posters at all worksites.

Online Postings

MCCs may post required employment related Law notices or posters online, however in most cases electronic postings supplement physical postings but an electronic poster does not by itself fulfill the obligation of physically displaying the required information at all locations. Furthermore, certain federal workplace posters must be displayed or posted in prominent places where they are easily visible to all customers or employees - the intended audience.

Posting in an obscure website location has the same effect as hiding the poster or notice, similar to posting a hard-copy poster or notice in an office basement. Likewise, if the customers or staff members cannot easily determine which electronic posting is applicable to them, the posting is inadequate.

Teleworking/Online Services

As MassHire Career Centers (MCCs) allow telework and offer remote services, they must modify their practices to support these arrangements. This includes the appropriate posting of Federal and State employment related law posters or notices for those employees who work off-site and customers that access online services.

ADA Compliance

The Americans with Disabilities Act (ADA) requires that notices of Federal laws prohibiting job discrimination must be made available in a location that is accessible to applicants and employees with disabilities that limit mobility.

Printed notices must be made available in an accessible format, as needed, to visually impaired persons. Notices can be recorded on an audio file, provided in an electronic format that can be utilized by screen-reading technology or can be read to applicants or employees that are visually impaired.

Obtaining Current Posters

Posters can be obtained from the AJC Posters page. This page brings most posters addressed in this policy together in an easy and convenient place but may not be comprehensive as some must be obtained from MDCS. Posters must

be replaced with new ones if they are revised and/or have become worn, tattered, or soiled. In addition, posting requirements may change from time to time, therefore, MCCs must have a standard procedure to review regularly for any updates.

To request copies of the Veterans roll-up poster, contact the MDCS State Complaint Officer.

The Trade Programs poster can be ordered by contacting Chris Quan at christopher.quan@detma.org.

Action

Required: MassHire Career Center (MCC) Directors and Operations Managers must verify that all required posters are appropriately displayed at each location under their jurisdiction. Labor law posters must be "conspicuously" displayed in area(s) that are frequented by all customers and employees on a regular basis.

Effective: Immediately.

Inquiries: Please direct all inquiries to PolicyQA@detma.org. Also, indicate Issuance number and description.

Attachments: Required Poster List