
MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY
State Policy Number 23
Submission of Local Workforce Development Area Plans
Workforce Innovation and Opportunity Act (WIOA)

I. SCOPE AND PURPOSE

This policy sets forth guidance for the submission of Local Workforce Development Area (LWDA) Plans per WIOA Section 106 (c)(2) and Training and Employment Notice 21-16. In addition, Section 108 (a) of WIOA and regulations at 20 CFR 679.550 require Local Boards to submit a Local Plan to the State.

II. LOCAL WORKFORCE DEVELOPMENT AREA REQUIREMENTS

A. LWDA Plan Defined

The LWDA is required to develop a four-year strategic plan that will align and integrate service delivery strategies and resources among the six WIOA core programs and partners in its specific local area. The Local Plan should support the State's vision and goals as outlined in the Combined State Plan, per WIOA Section 108 (a). The contents of the Local Plan are described at WIOA Section 108 (b), 20 CFR 670.560, and *Guidelines for Mississippi Local Workforce Development Board Plans*.

B. LWDA Plan Development and Submission

The Local Board shall develop a Local Plan in partnership with the Chief Elected Officials (CEO) and submit the plan to the Governor for approval according to the requirements at 20 CFR 679.550-580 and WIOA Section 108.

WIOA Section 108 (a) requires that at the end of the first two years of the four-year plan, each local board shall review the local plan and shall submit modifications to the local plan to the State. In addition, *Guidelines for Mississippi Local Workforce Development Board Plans* recommends a review should be done annually. Modifications should be included at the two-year required review, or at the one-year recommended review if deemed necessary. All modifications should reflect changes in labor market and economic conditions or in other factors affecting the implementation of the Local Plan.

Local Boards must make the Local Plan available for a public comment period of no more than 30 days and the Local Board must submit any comments that express disagreement to the Governor along with the Local Plan.

The deadline for submitting the Local Plan to the Governor will be 90 days after the state receives notification of approval from the US Department of Labor for the Combined State Plan. A grace period of ten days will be given to account for any delayed action from the State level.

III. LWDA PLAN APPROVAL

Per TEN 21-16, the State has 90 days to approve or deny a Local Plan. If the Governor does not deny the plan within this window, the plan is considered approved.

IV. EFFECTIVE DATE

This policy shall be effective as of July 1, 2020.

Jacqueline A. Turner
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Deputy Executive Director, CFO

7-2-20
Date

Workforce Innovation and Opportunity Act

Guidelines for Mississippi Local Workforce Development Board Plans

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Introduction

Program Year 2015 marks the first year of the Workforce Innovation and Opportunity Act (WIOA). WIOA requires each workforce development board to develop a comprehensive four-year plan, in partnership with the local chief elected official, and submit to the state. The WIOA four-year plan will be effective July 1, 2016 - June 30, 2020. At the end of each year of the four-year local plan, each local board shall review the local plan and prepare and submit modifications to the local plan to the MDES Office of Grant Management. Modifications should reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

The Mississippi Department of Employment Security (MDES), as designated by the Office of the Governor, is issuing these instructions for local plans. The local plan shall support the alignment strategy described in the state plan in accordance with WIOA Section 102(b)(1)(E), and otherwise be consistent with the state plan. Local Workforce Development Boards may obtain a copy of the Mississippi WIOA Plan from MDES. Workforce Development Boards shall also comply with WIOA, Section 108 in the preparation and submission of the plan. Additional information about the WIOA, Public Law 113-128, enacted July 22, 2014, may be obtained from the U.S. Department of Labor Employment and Training Administration website: www.doleta.gov.

These guidelines have been written to assist the Local Workforce Development Areas (LWDAs) in structuring their workforce plan to meet to federal WIOA regulations and alignment with the overarching workforce goals of the state. Any future advisement will be provided by the Office of Grant Management (OGM) via WIOA communications.

Public Comment Requirements

In accordance with the Workforce Innovation and Opportunity Act, Section 108(d), the Workforce Development Board shall make copies of the proposed local plan available to the public through electronic and other means, such as public hearings and local news media; allow for public comment not later than the end of the 30 day period beginning on the date the proposed plan is made available; and, include with submission of the local plan any comments that represent disagreement with the plan.

Submission Requirements

Local plans must be submitted to the MDES Office of Grant Management no later than 5:00 PM CDT on May 31, 2016. Local plans should be submitted electronically in PDF format and uploaded via JSCAPE with an email notification to rdeyoung@mdes.ms.gov that the plan has been uploaded. The original plan and attachments should be retained by each local area.

Plan Outline

A. Local Workforce Development Area Overview

The purpose of this section is to provide an overview of the local area and identify the individuals and entities responsible for general operations within the local area.

A.1. Provide the Local Area's official (legal) name established to administer the Workforce Innovation and Opportunity Act (WIOA). Name document: *"(insert local area name) Re-designation Approval Letter."*

A.2. Provide the name, title, organization name, address, telephone number and e-mail address of the Workforce Development Director.

A.3. Provide the name, elected title, local government affiliation, address, telephone number and e-mail address of the Local Area's Chief Elected Official.

A.4. Provide the name, title, business name, address, telephone number and e-mail address of the individual authorized to receive official mail for the Chief Elected Official, if different than A.3.

A.5. Provide the name, address, and telephone number of the Administrative/Fiscal Agent responsible for disbursing Local Area WIOA grant funds. This is the entity responsible for the disbursal of grant funds. [WIOA Sections 107(d)(12)(B)(i)(III) and 108(b)(15)].

A.6. Provide the name, title, organization name, address, telephone number and e-mail address of the Administrative/Fiscal Agent's signatory official.

A.7. Attach a copy of the Administrative Entity/Local Workforce Development Area/Fiscal Agent's organizational chart with an effective-as-of date. Include position titles of Local Area staff. Name document: *"(insert name of administrative entity name/local workforce development area/fiscal agent name) Organizational Chart."*

A.8. Provide the Administrative Entity's Data Universal Numbering System (DUNS) number and assurance that the 'System for Award Management' (SAM) status is current. Administrative Entities must register at least annually on the SAM website (<https://www.sam.gov/ccr/>) to receive federal funding [required by Federal Acquisition Regulation (FAR) Section 4.11 and Section 52.204-7].

A.9. Provide the Local Workforce Development Board (LWDB) Chairperson's name, business title, business name and address, telephone number and e-mail address.

A.10. Attach the LWDB's Membership List. The first block is reserved to identify the Board Chairperson. Indicate all required representation and indicate if vacant. [WIOA Section 107(b)(2)]. Name document: *"(insert local area name) Local Workforce Development Board Membership List."*

A.11. Attach the LWDB By-laws including date adopted/amended. Name document: *"(insert local area name) Local Workforce Development Board By-laws."*

A.12. Attach a copy of the signed 'Certification Regarding Debarment, Suspension, and other Responsibility Matters-Primary Covered Transactions.'¹ [Required by the Regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, participants' responsibilities.] Document must bear the original signature of the Administrative Entity signatory official. Name document: *"(insert local area name) Debarment Form."*

A.13. The local plan must include the LWDB and Chief Elected Official (CEO) Signatory Submission Page, bearing the original signatures of the Chief Elected Official(s) and the LWDB Chairman. Include a signed copy with the submission of the Local Plan. Name document: *"(insert local area name) Signatory Submission Page."*

B. Regional Strategic Planning

If the local area is part of a planning region that includes other local areas, the local boards and chief elected officials of the local areas represented shall collaborate to prepare and submit a regional plan as described in Section 106(c)(2).

As outlined in the State Plan, the State Board and the local boards will work together to define regions that occupy space in one or more workforce areas. These regions will be defined according to industry and sector needs and these regional concerns will be taken into account in training and other local administration of WIOA priorities.

For the purpose of this section, regions are currently identified as the Local Workforce Development Areas.

The purpose of this section is to identify businesses and industries that operate within major enterprises that might cross jurisdictional boundaries (e.g., county boundaries, state borders) and might involve multiple LWDAs. Through analysis of the regional needs and market trends, this section is designed to levy the strengths of the local areas in order to create strategies for meeting the needs of employers for in-demand industries across the region.

B.1. Include the following statement: For the purpose of this section, regions are currently identified as the Local Workforce Development Areas.

B.2. Describe how the regional vision aligns with the "Mississippi Works Smart Start Career Pathway Model" as outlined in the Mississippi WIOA Plan.

B.3. Provide an analysis of the regional economic conditions to include: a) existing and emerging in-demand industry sectors and occupations; and, b) knowledge and skills needed to meet the employment needs of employers in those industry sectors and occupations. Include sources used and business involvement in determining needs. [WIOA Section 108 (b)(1)(A)(i)(ii) and (B)].

B.4. Provide an analysis of the workforce in the region, including current labor force employment and unemployment data, and information on labor market trends, and the educational and skill

¹ https://www.sba.gov/sites/default/files/articles/SBA_Form_1623_Debarment_and_Suspension.pdf

levels of the workforce in the region, including individuals with barriers to employment. [WIOA Section 108 (b)(1)(C)].

B.5. Describe strategies to facilitate engagement of businesses and other employers, including small employers and in-demand industry sector occupations. Describe methods and services to support the workforce system in meeting employer needs. [WIOA Section 108 (b)(4)(A)(i)(ii)].

B.6. Describe strategies and services used to coordinate workforce development programs and economic development. [WIOA Section 108 (b)(4)(A)(iii)].

B.7. Outline regional transportation issues related to workforce development and ways the region is/will address needs identified. Include a description and/or map of the regional commuting patterns. [WIOA Section 108(b)(11)].

B.8. Describe how the region coordinates with area secondary education, community colleges and universities to align strategies, enhance services and avoid duplication of services. [WIOA Section 108(b)(10)].

B.9. Provide details on how the region addresses workforce issues specifically related to its: a) cities and/or towns; b) suburban areas; and, c) rural areas.

B.10. Provide details on how the region connects military skills to occupational demands to serve military veterans and families.

C. Local Area Planning

Mississippi's State Plan includes the Combined Plan Programs and Strategic Programs. The purpose of this section is to explain how the LWDA will prepare and support an educated and skilled workforce for all eligible job seekers. This section includes descriptions of the local workforce development system and the role the local board plays in coordinating with workforce development partners and stakeholders.

C.1. Provide a description of the LWDB's strategic vision and goals for preparing an educated and skilled workforce including youth and individuals with barriers to employment. Include goals relating to the performance accountability measures based on primary indicators of performance in order to support regional economic growth and economic self-sufficiency. [WIOA Section 108 (b)(1)(E)].

C.2. Taking into account the analyses described in the Regional Strategic Planning section, describe strategies to work with the entities that carry out the core programs that align resources available to the local area to achieve the strategic vision and goals described in C.1. [WIOA Section 108 (b)(1)(F)].

C.3. Describe local area's workforce development system, including identifying the programs included in the system, and how the local board will work with the entities administering core programs and other workforce development programs to support alignment and provision of

services, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.). [WIOA Section 108 (b)(2)].

C.4. Provide a description of how the LWDB, working with the entities carrying out core programs, will expand access to employment, training, education and supportive services for eligible individuals, particularly eligible individuals with barriers to employment. Include how the LWDB will facilitate the development of career pathways and co-enrollment, as appropriate, in core programs, and improve access to activities leading to a recognized postsecondary credential including a credential that is an industry-recognized certificate or certification, portable, and stackable. [WIOA Section 108 (b)(3)].

C.5. Describe the LWDB's use of initiatives such as incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies, designed to meet the needs of employers in the corresponding region in support of the regional strategy to meet the needs of businesses. [WIOA Section 108 (b)(4)(B)].

C.6. Describe how the LWDB coordinates and promotes entrepreneurial skills training and microenterprise services. [WIOA Section 108(b)(5)].

C.7. Describe how the local board enhances the use of apprenticeships to support the regional economy and individuals' career advancement.

C.8. Provide a description of how the LWDB coordinates workforce investment activities carried out in the local area with statewide rapid response activities as described in WIOA Section 134(a)(2)(A). [WIOA Section 108 (b)(8)].

C.9. Provide a description of plans, strategies and assurances concerning maximizing coordination of services provided under the Wagner-Peyser Act and services provided in the local area through the WIN Job Center system. Include how improved service delivery and avoidance of duplication of services will be achieved. [WIOA Section 108 (b)(12)].

C.10. Provide a description of how the LWDB coordinates workforce investment activities carried out in the local area with the provision of Adult Education and Literacy activities. [WIOA Section 108 (b)(13)].

C.11 Provide a description of cooperative agreements, as defined in WIOA Section 107(d)(11), between the LWDB or other local entities described in Section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination. [WIOA Section 108 (b)(14)].

C.12. Provide a description of the competitive process used to award sub-grants and contracts in the local area for activities carried out under WIOA Title I. [WIOA Section 108 (b)(16)].

- C.13.** Describe methods used to track Adult, Dislocated Worker and Youth performance measures throughout Program Year 2015 and plans for continuous improvement of performance.
- C.14.** Provide a brief description of the actions the LWDB will take toward becoming or remaining a high-performing board, consistent with the factors developed by the State Board. [WIOA Section 108 (b)(18)].
- C.15.** Describe the role of the local board in coordinating with local economic developers to attract target industries as defined by the Mississippi Development Authority.
- C. 16.** Describe the process for preparing and submitting modifications of the plan that reflect changes in local and/or state priorities or target industries on an annual basis.

D. WIN Job Centers (One-Stop Delivery System) and Programs

Note: Section 121 of the Workforce Innovation and Opportunity Act focuses on the establishment of one-stop centers.

The purpose of this section is to describe how the job centers in the LWDA will operate and deliver program services.

- D.1.** Provide a brief description of the WIN Job Center system in the local area. [WIOA Section 108 (b)(6)].
- D. 2.** Attach the Memorandum of Understanding (MOU) among the local LWDB and partners concerning operation of the WIN Job Center system. [WIOA Section 121(b)(A (iii))]. Name document: *"(insert local area name) WIN Job Center MOU."*
- D. 3.** Describe how WIN Job Centers will use the Mississippi Works integrated, technology-enabled intake and case management information system for programs carried out under WIOA and programs carried out by WIN Job Center partners. [WIOA Section 108 (b)(21)].
- D. 4.** Describe how WIN Job Center staff will be trained in integrated services delivery and have appropriate access to Mississippi Works (wings.mdes.ms.gov) technology. Include methods and timeline for accomplishing training for both.
- D. 5.** Describe the LWDB's method for planning oversight of the WIN Job Center system in the local area, including processes for ensuring quality customer service. Include the review/oversight process and frequency of review. [WIOA Section 121(a)(3)].
- D. 6.** Identify WIN Job Center location(s) including Sector Training Plus Comprehensive, Comprehensive, Affiliate, and Virtual-Access sites; program services offered in each; how WIN Job Center operator(s) are designated; provider(s) of WIOA career services and youth services and method of selection. [WIOA Section 121 (b)(1)(A) and (b)(1)(B)]. Name document: *"(insert local area name) WIN Job Centers."*

D.7. Describe the steps that will be taken to prepare for the development and eventual creation of a Sector Training Plus Comprehensive One-Stop Center. [MS WIOA Plan]

D. 8. Describe how career services are provided through the WIN Job Centers. [WIOA Section 134(c)(2)].

D.9. Describe the integrated customer service process for participants. Attach a flow chart for services to include initial one-on-one interviews with customers, including Mississippi Works registration, skills assessments, and determination of further services. Name document: *"(insert local area name) Service Flow Chart 2015."*

D. 10. Describe how the LWDB facilitates access to services provided through the WIN Job Center delivery system, including remote areas, through the use of technology and through other means. [WIOA Section 108 (b)(6)(B)].

D. 11. Describe how the LWDB uses a portion of funds available to the local area to maintain the WIN Job Center system, including payment of the infrastructure costs of job centers. [WIOA Section 121 (b)(1)(A)(ii) and (h)].

D. 12. Describe the roles and resource contributions of the WIN Job Center partners. [WIOA Section 108 (b)(6)(D)].

D.13. Provide a description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area. [WIOA Section 108 (b)(7)].

Youth Services

D.14. Will the LWDB have a standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth? [WIOA Section 107(b)(4)(A)(ii)].

If yes, please provide the committee's purpose/vision, planning meeting schedule, and list of members to include members' agency/organization, one of which must be a community based organization with a demonstrated record of success in serving eligible youth. [WIOA Section 107(b)(4)(A)(ii)].

If no, will the LWDB have a formal Youth Council or Youth Advisory group?

Provide a description and assessment of the type and availability of youth workforce activities in the local area, including activities for youth who are individuals with disabilities. Include identification of successful models of such youth workforce investment activities being used and/or planned. [WIOA Section 108 (b)(9)].

Provide the LWDB's approach to meeting the required: a) 75% minimum youth expenditures on out of school youth and include planned program design; and b) required 20% minimum for work experience. [WIOA Section 129 (a)(4)(A) and (c)(4)].

D.15. Describe local area strategies and services that will be used to strengthen linkages between the WIN Job Center system and unemployment insurance programs. [WIOA Section 108 (b)(4)(A)(iv)].

D.16. Provide a description of how the LWDB coordinates workforce investment activities carried out in the Local Area with the provision of TANF activities.

D.17. Describe strategies and services to strengthen K-12 career pathways and expand high school programs to reflect the employment needs of the local area and how these strategies and services will address the findings from the analysis that is required for each local board referenced in Section 108(b)(1)(A-D). Describe how these services and strategies align and support the core strategies of the Mississippi WIOA plan.

D.18. Describe how the local area will integrate services for:

- a) persons with disabilities;
- b) veterans;
- c) Temporary Assistance to Needy Families (TANF) recipients
- d) Senior Community Service Employment Program (SCSEP) participants;
- e) individuals with other barriers to employment; and
- f) additional specific populations, if applicable

D.19. Describe how entities within the WIN Job Center system, including center operators and partners, will comply with Section 188, if applicable, and provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities. [WIOA Section 108 (b)(6)(C)].

E. Sector Strategy Plan

Sector strategies are regional, industry-focused approaches to building skilled workforces that result in job opportunities for all workers across a range of industries. The purpose of this section is to describe the processes that the LWDA will follow to create a local sector strategy(s) plan that will help existing business and industry prosper and aid in the recruitment of new businesses to the state. This section should include how the local area plans to: 1) engage new and emerging industries along with those already established in the area; and 2) promote the programs and services that better meet the demand of the workforce needs of the industries in the area.

E.1. Identify the sectors and their respective supporting industries that best define the current and future economic identity of the local workforce area. Describe how the identified sectors make up the economic identity of the area, why they are relevant for the growth of the area and the region, and how they support the implementation of statewide strategies and support the core strategies State Plan. Clearly identify sectors that are of particular importance to the region versus those that have a more statewide relevance. In this regard, describe how the target industries defined by the Mississippi Development Authority fit within the economic identity of the local area.

E. 2. Describe the local area plan for engaging local businesses reflective of the main sector(s) along with those supporting the main sector(s) to identify priorities for workforce development. Also include the role state and local economic developers will play in establishing sustainable partnerships with local businesses.

E.3. Describe how the local area plans to map local assets including identify critical stakeholders and the roles they will play in the realization of workforce strategies in support of the local economic identity. Stakeholders should include entities and organizations such as the Mississippi Development Authority, local economic developers, foundations, local school districts, community colleges, and community based organizations.

E.4. Taking into account the strategies to work with the entities that carry out the core programs, describe the steps the local area will take to increase the awareness of services offered at the WIN Job Center and increase the utilization of the WIN Job Center by the target-industries.

E.5. Describe how the local area will meet the training and employment needs of businesses within the target-industries, especially those not currently offered through the WIN Job Center, that emphasizes industry-focused short-term, credential based training programs and two-year degree programs that provide a qualified and quantifiable labor pool.

E.6. Describe the steps the local area will take to align basic education credentials with the skills necessary to meet the middle-skill needs of employers in the target-industries. Explain the steps the Local Area will take to objectively assess training and ensure that the skills and credentials earned through training are both portable and stackable.

F. Business Plan

The purpose of this section is to describe how the LWDA will align resources to accomplish the strategies and goals outlined in the overall plan as well as define a timeline for the completion of each component below. The information reported in the business plan will be used as part of each LWDA's annual plan review.

F.1. List the workforce goals and intended outcomes for the Local Area, and how they contribute to the primary goals of the State Plan.

F.2. Describe how the goals and intended outcomes will be achieved and the proposed activities support the core strategies of the State Plan.

F.3. Identify the procedures the local area will take to achieve activities listed in G.2, including specific steps and achievements for planning, implementation, and evaluation.

F.4. Provide a timetable of milestones for the duration of the plan that the local area will maintain to ensure timely achievement of the workforce goals and outcomes.

F.5. Describe the procedures for reporting progress and performance on reaching the goals and achievements set by the local area including steps to be taken for lack of progress and underperformance in relation to achieving milestones.

F.6. Gauge the LWDA capacity to meet the workforce needs of the area and the region. This should take into consideration everything the local area plans to do to support a workforce necessary to maintain and grow economic opportunities in the area. This should include an estimate of the magnitude of the need and the size of the target population to be served. Also describe how the LWDA will achieve the necessary capacity to fully meet local needs.

F.7. Map out and provide a matrix of the resources of each stakeholder and describe how these resources can be aligned to achieve the main goals of the local and state WIOA plans.

G. Policies

Oversight and Monitoring

G.1. Provide a description of the local area's oversight and monitoring procedures including processes for program and fiscal monitoring. [WIOA Section 107(d)(8)]. Attach a copy of monitoring document(s). Name document: *"(insert local area name) LWDB Oversight and Monitoring PY 2015."*

G.2. Provide a brief description of how the local area will ensure the continuous improvement of eligible providers of services and ensure that such providers meet the employment needs of local employers, workers and jobseekers. [WIOA Section 108 (b)(6)(A)].

Equal Opportunity

G.3. Describe processes to ensure individuals are not discriminated against on the basis of age, disability, sex, race, color or national origin. [WIOA Section 188].

G.4. Attach the local area's current Equal Opportunity (EO) Complaint Grievance Procedure to address EO requirements [29CFR Part 37.71]. Name document: *"(insert local area name) EO Complaint Grievance Procedure 2015."*

G.5. Describe methods to ensure local Equal Opportunity procedures are updated.

Other Policies

G.6. Provide the local area policy(ies) on supportive services for Adults, Dislocated Workers and Youth (i.e., amount, duration, qualifying criteria). [WIOA Section 134(d)(2)]. Name document: *"(insert local area name) Supportive Services Policy."*

G.7. Provide the local area policy(ies) on Needs-Related Payments for Adults, Dislocated Workers and Youth. (i.e., amount, duration, qualifying criteria). [WIOA Section 134(d)(3)]. Name document: *"(insert local area name) Needs-Related Payments Policy."*

G.8. Provide the local area policy for local Incumbent Worker Training.

The policy should include eligibility and the non-Federal share for employers. The local area may use not more than 20 percent of WIOA Adult and Dislocated Worker funds to pay for the federal share of the cost of training through a training program for incumbent workers. [WIOA Section 134(d)(4)]. Name document: *"(insert local area name) Incumbent Worker Training Policy."*

G.9. Provide the local area policy for local Transitional Jobs. The local area may use not more than 10 percent of Adult and Dislocated Worker funds to provide transitional jobs. [WIOA Section 134(d)(5)]. Name document: *"(insert local area name) Transitional Jobs Plan."*

G.10. Describe the local area's planned use of On-the-Job Training (OJT). Provide the local area's On-the-Job Training policy(ies). [WIOA Section 134 (c)(3)(H)]. Name document: *"(insert local area name) OJT Policy."*

G.11. Provide the local area's process to meet priority of service requirements and include policy. Name document: *"(insert local area name) Priority of Service Policy."*

G.12. Provide the local area's Individual Training Account (ITA) Policy and include the following elements in summary. [WIOA Section 108(b)(19)]. Name document: *"(insert local area name) ITA Policy."*

G.13. Provide the local area's process to avoid conflict of interest. Name document: *"(insert local area name) Conflict of Interest Policy."*

G.14. Provide the local area's Sunshine Provision Policy. Name document: *"(insert local area name) Sunshine Provision Policy."*

G.15. Specify if the Local Area plans to offer incentives for youth. If yes, attach the Youth Incentive Policy to include: a) criteria to be used to award incentives; b) type(s) of incentive awards to be made available; c) whether WIOA funds will be used and d) the Local Area has internal controls to safeguard cash/gift cards. Name document: *"(insert local area name) Youth Incentive Policy."*

Local Area Plan Attachment Checklist

1. Local Area Re-designation Approval Letter
2. Administrative Entity/Local Workforce Development Area/Fiscal Agent Organizational Chart
3. Local Workforce Development Board Membership List
4. Local Workforce Development Board By-laws
5. Local Area Certification Regarding Debarment
6. Local Area Signatory Submission Page
7. Local Area WIN Job Center Memorandum of Understanding
8. Local Area WIN Job Centers
9. Local Area Services Flow Chart
10. Local Area Oversight Monitoring Policies and Tools
11. Local Area Equal Opportunity Procedures
12. Local Area Supportive Services Policy
13. Local Area Needs-Related Payments Policy
14. Local Area Incumbent Worker Training Policy
15. Local Area Transitional Jobs Policy (optional)
16. Local Area OJT Policy
17. Local Area Priority of Service Policy
18. Local Area ITA Policy
19. Local Area Conflict of Interest Policy
20. Local Area Sunshine Provision Policy
21. Local Area Youth Incentive Policy (optional)

TRAINING AND EMPLOYMENT NOTICE	NO. 21-16
	DATE December 5, 2016

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE LIAISONS
AFFILIATE AMERICAN JOB CENTER MANAGERS
COMPREHENSIVE AMERICAN JOB CENTER MANAGERS
DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING
ADMINISTRATION REGIONAL ADMINISTRATORS
WORKFORCE INVESTMENT BOARD LOCAL CHAIRS
WORKFORCE INVESTMENT BOARD STATE CHAIRS
WORKFORCE INVESTMENT BOARD STATE EXECUTIVE DIRECTORS
WORKFORCE INVESTMENT BOARD LOCAL EXECUTIVE DIRECTORS

FROM: PORTIA WU 
Assistant Secretary

SUBJECT: Workforce Innovation and Opportunity Act (WIOA) Regional and Local Planning and Local Board Responsibilities Questions and Answers (Q&A)

1. Purpose. The purpose of this Training and Employment Notice (TEN) is to provide State and Local workforce system leaders and other stakeholders an informational Q&A on the requirements for regional and local planning under WIOA. The Q&A also addresses the role of Local Workforce Development Boards (Local Boards) in reviewing provider applications for the local competition under the Adult Education and Family Literacy Act (AEFLA), which are required under WIOA to align with Local Plans.

2. References.

- WIOA Secs. 106-108, 182 and 231-232
- 20 CFR part 679
- 34 CFR part 463
- Program Memorandum OCTAE 15-6, *Competition and Award of Adult Education and Family Literacy Act Funds under the Workforce Innovation and Opportunity Act – Frequently Asked Questions*
- Program Memorandum OCTAE 17-1, *Clarifications Regarding Competition and Award of Adult Education and Family Literacy Act Funds to Eligible Providers under the Workforce Innovation and Opportunity Act*
- Training and Employment Guidance Letter No. 14-15, *Workforce Innovation and Opportunity Act (WIOA) Requirements for Unified and Combined State Plans*

**EMPLOYMENT AND TRAINING ADMINISTRATION
U.S. DEPARTMENT OF LABOR
WASHINGTON, D.C. 20210**

3. **Background.** Section 108(a) of WIOA and regulations at 20 CFR 679.550 require Local Boards to submit a Local Plan to the State. In addition, WIOA Section 107(d)(1)(B) requires Local Boards to review applications for WIOA title II funds and make recommendation the State eligible agency to promote alignment with the Local Plan.
4. **Questions and Answers:** The Q&A announced by this TEN describes the content, timing and development of Regional and Local Plans as provided in the statute and regulations, as well as provides information pertinent to expectations for Local Boards and the title II funds competition.
5. **Action Requested.** States and Local Boards should review the attached Q&A.
6. **Inquiries.** Questions should be directed to your Regional Office.
7. **Attachment(s).**
 - a. WIOA Regional and Local Planning Q&A.

Questions and Answers
Workforce Innovation and Opportunity Act
Regional and Local Planning and Local Board Responsibilities

1. Q. *What is a Regional Plan?*

A. A Regional Plan is a four-year action plan to develop, align and integrate service delivery strategies and resources among the multiple local workforce development areas in a given region. Regions are identified by the State, according to the requirements of WIOA Section 106(a) and 20 CFR 679.510, in order to align workforce development activities and resources with larger regional economic development areas and available resources. The Regional Plan must be consistent with the vision and goals of the State Plan. The substance of the Regional Plan is described at WIOA Section 106(c)(2) and 20 CFR 679.510.

2. Q. *How is a Regional Plan developed?*

A. A Regional Plan is developed collaboratively by two or more Local Boards and chief elected officials (CEOs) within a region, as identified by the State.

3. Q. *When is a Regional Plan required?*

A. A Regional Plan is required if the State assigns two or more local areas to a region. (For more on how regional planning areas are identified by the State, see WIOA Section 106(a) and 20 CFR 679.200 and 679.210). Local planning requirements described at Section 108 still apply, but each Local Plan in that region must be incorporated into the Regional Plan. The State may issue guidance that allows the Local Boards and CEO(s) in a planning region to address any Local Plan requirements through the Regional Plan where there is a shared regional responsibility, as described in 20 CFR 679.540.

4. Q. *When is a Regional Plan not required?*

A. If a region, as designated by the State, includes only one local area, then a Regional Plan is not required. In this case, the Local Board must submit only a Local Plan to the Governor for approval.

5. Q. *What is a Local Plan?*

A. A Local Plan is a four-year action plan to develop, align and integrate service delivery strategies and resources among the six WIOA core programs and partners in a specific local area. The Local Plan should support achievement of the State's vision and goals, as outlined in the State Plan. This is described at WIOA Section 108(a), and the contents of the Local Plan are described at WIOA Section 108(b) and 20 CFR 670.560.

6. Q. *How is a Local Plan developed and submitted?*

A. The Local Board develops a Local Plan in partnership with CEO(s) and submits the plan to the Governor for approval according to requirements at 20 CFR 679.550-580 and WIOA Section 108.

7. Q. *How frequently is a Local Plan required?*

A. A Local Plan is required every four years (with special instructions for single area states,

see below). At the end of the first two years of the four-year period, the Local Board, in partnership with the chief elected official(s), must review the plan and submit any modifications as needed in accordance with 20 CFR 679.580.

8. Q. ***How frequently is a Regional Plan required?***

A. The Regional Plan is a four-year plan, but, at the end of the first two years of the four-year period, the Local Boards within the region must review the plan and submit any modifications as needed as prescribed in 20 CFR 679.530.

9. Q. ***How does a Local Plan fit within a Regional Plan?***

A. The Regional Plan represents the big picture of a region's economy and workforce environment with a focus on collaborative strategies to be implemented across multiple local areas to attain regional goals and objectives. The Local Plans within a region support and align with the Regional Plan, and Local Plans must be incorporated as a part of the Regional Plan. WIOA requires that both local and regional plans align with the State Plan.

10. Q. ***When are Regional and/or Local Plans due?***

A. The statute does not establish a due date for Regional/Local Plans, but rather requires that Governors issue a policy, per WIOA Section 106(c)(2), to Local Boards and CEOs within a planning region for submission of the Regional and Local Plans. The policy must include a deadline for submission of the plan(s). Importantly, the Local Board must make the Local Plan available for a public comment period of no more than 30 days and the Local Board must submit any comments that express disagreement to the Governor along with the Local Plan.

11. Q. ***What is the State review timeline for Regional and/or Local Plan approval?***

A. The State has 90 days to approve or deny a regional or Local Plan. If the Governor does not deny the plan within this window, the plan is considered approved.

12. Q. ***For a multi-local-area region, are performance goals negotiated by individual local areas/chief local elected official or collectively as a region?***

A. Local Boards and CEOs within a region must establish an agreement for how they will negotiate performance accountability measures with the State. The agreement may require performance negotiation and reporting for each local area within the region or it may require negotiation of measures and reporting for the region as a whole.

13. Q. ***What regional and local planning is required of single area States?***

A. Requirements for single area States to put in place Regional, if appropriate, and Local Plans differ from States that have two or more local areas. For single area States, including States with an approved waiver to allow the State Board to carry out functions of the Local Board, the material that would normally be included in a regional and Local Plan and reviewed and approved by the State must instead be included in the State's State Plan. As discussed in Training and Employment Guidance Letter No. 14-15, DOL exercised its transition authority provided at WIOA Section 503 to delay local planning requirements for single area states until DOL issues further guidance.

Local Plans and Local Adult Education and Family Literacy (AEFLA) Competitions

WIOA Section 231 includes new requirements for the eligible agency under AEFLA to consider the extent to which the eligible provider demonstrates alignment between the proposed activities and services and the strategies and goals of the Local Plan under Section 108. These requirements are further described below.

Q. *How do Local Plans impact the Adult Education and Family Literacy Act (AEFLA) local competition?*

A. WIOA Section 231 requires the State or, more specifically, the eligible agency in the State which awards multi-year grants and contracts on a competitive basis under AEFLA, to consider the extent to which the eligible provider demonstrates alignment between the proposed activities and services and the strategies and goals of the Local Plan under Section 108. Therefore, State-approved Local Plans, which may include plans approved with conditions, must be in place in local workforce development areas *prior* to competing and awarding AEFLA grants or contracts to eligible providers under WIOA.

Q. *How does the State eligible agency for AEFLA funds use the Local Board review of the AEFLA applications?*

A. The State eligible agency must consider the results of the review by the Local Workforce Development Board in determining the extent to which the application addresses alignment with Local Plans, as described in 34 CFR 463.20 (34 CFR 463.21(c)). The review of AEFLA applications is considered by the eligible agency in the scoring of the application. An eligible agency must consider the 13 elements under Section 231(e) in making awards, including the extent to which the eligible agency demonstrates alignment between the proposed activities and services and the strategies and goals of the Local Plans under Section 108.

Q. *What is the role of the Local Workforce Development Board in conducting this review of AEFLA applications?*

A. Local Boards must review local AEFLA applications that are submitted to the State eligible agency by eligible providers under AEFLA (Section 232 of WIOA) to determine whether the applications are consistent with the Local Plan. The Local Board must make recommendations to the State eligible agency, in accordance with the agency's procedure, to promote alignment with the Local Plan. This is further described WIOA Section 107(d)(11) and in 20 CFR 679.370(n).

Q. *What happens if timelines for approval of Local Plans are not conducive to the established deadline of July 1, 2017 for AEFLA awards?*

A. Some local areas may not have approved Local Plans in place to comply with the Local Board review of the AEFLA application. If the State eligible agency determines that it cannot issue AEFLA awards to eligible providers by July 1, 2017 because approved Local Plans will not be available, the eligible agency should contact Karla.VerBryckBlock@ed.gov to discuss and request an extension to conduct its required local AEFLA competition.

Q. ***What about single area States? How do these requirements apply to them?***

A. In single area States, the State Plan should serve the same purpose as the Local Plan in regard to its role in the AEFLA competitions. In addition, the State Board in single area States must carry out the functions of the Local Board (WIOA Section 107(c)(4)(A)) to review AEFLA applications and make recommendations to the State eligible agency awarding those funds.

Q. ***Where can I find more information about AEFLA competitions and Local Plans and Local Board role?***

A. The Department of Education has communicated the process for requesting an extension to the State eligible agencies. See Program Memorandum/OCTAE 15-6, <https://www2.ed.gov/about/offices/list/ovae/program-memo-15-6-state-competitions.pdf>, published on December 8, 2015, and Program Memorandum/OCTAE 17-1, <http://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-17-1.pdf>, published on October 18, 2016, which further explain the competition requirements.