

MassWorkforce Issuance

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☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: May 20, 2015

Subject: **Initial Designation of Local Workforce Development Areas**

Purpose:

To inform the Chief Elected Officials (CEOs) and Local Workforce Investment Boards (LWIBs) designated as local areas under the Workforce Investment Act (WIA) of 1998 of the requirements for initial designation of Local Workforce Development Areas (LWDAs) in compliance with the Workforce Innovation and Opportunity Act (WIOA).

Background:

WIOA sets provisions that the Governor shall designate LWDAs within the State. In addition WIOA requires that the Governor shall consider for approval a request for initial designation as a local area from any area that was designated as a local area for purposes of WIA. The Massachusetts Workforce Investment System currently comprises sixteen Workforce Investment Areas (LWIAs) that are eligible to request consideration for designation.

Local Workforce Development Areas serve as a jurisdiction for the administration of workforce development activities and execution of adult, dislocated worker, and youth funds allocated by the State. Each LWDA has its own CEO appointed Local Workforce Development Board which, in conjunction with the CEO, oversees the local area functions, including strategic planning, operational alignment and service delivery design.

Section 106 (b)(2) of WIOA describes the process for initial designation of local workforce development areas. If the CEO and Local Boards submit a request for initial designation, the Governor shall approve the request if, for the 2 program years preceding the enactment of WIOA (July 1, 2012 – June 30, 2014), the following criteria are met:

- (1) The local area was designated as a local area for purposes of WIA;
- (2) The local area performed successfully (the local area met or exceeded negotiated performance measures); and
- (3) The local area sustained fiscal integrity (the Secretary of USDOL has not made a formal determination that either the grant recipient (CEO) or the administrative entity of the area “fiscal agent” misexpended funds due to willful disregard of the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration).

Additionally, for current Workforce Investment Areas with more than one unit of local government, local agreement should be reached that specifies respective roles of individual Chief Elected Officials around such issues as leadership and representation for the workforce development area, appointment of the members to the local board, and administrative and fiscal responsibility and liability for grant funding. Local agreements should be developed and made available upon request

Action Required:

The current CEO must formally request (by completing and submitting Attachment A) that the current Workforce Investment Area be designated as a Local Workforce Development Area under WIOA. **Please submit this request by June 12, 2015.** Should there be any local impediment to meeting this date, please contact Diane Hurley at DCS: Dhurley@detma.org.

Appeals: A CEO and Local Board which has requested and been denied its request for initial designation may appeal the decision in accordance with appeal procedures established in the Unified Complaint and Appeals Policy #03-101.

Effective: Immediately

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

Reference: (Public Law 113-128) Workforce Innovation and Opportunity Act (WIOA)
Section 106 (b)(2) and Section 106(e)(1)(2)
20 CFR Parts 679.220; 679.230, 699.250 and 679.260

Attachments:

- A: Form Requesting Designation as a Local Workforce Development Area
- B: List of Cities and Towns in Workforce Areas