

WIOA Guidance Notice No. 9-16

TO: Workforce Development Boards

FROM: Angela Fry
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Workforce Programs

SUBJECT: 2016-2020 Requirements for Local Plans

EFFECTIVE DATE: October 1, 2016

I. REFERENCE(S):

Workforce Innovation and Opportunity Act (WIOA) Sections 106 and 108; 20 CFR § 679.500—679.580

II. PURPOSE:

To provide guidance to local Workforce Development Boards on requirements and submission of local plans.

III. BACKGROUND:

The Workforce Innovation and Opportunity Act (WIOA) Section 108 states that each local board shall develop and submit to the Governor a comprehensive 4-year local plan, in partnership with the chief elected official. The local plan shall support the strategy described in the State plan in accordance with section 102(b)(1)(E), and otherwise be consistent with the State plan. If the local area is part of a planning region, the local board shall comply with section 106(c) in the preparation and submission of a regional plan. At the end of the first 2-year period of the 4-year local plan, each local board shall review the local plan and the local board, in partnership with the chief elected official, shall prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

IV. ACTION:

All local Workforce Development Boards will utilize the attached *West Virginia Guidelines for Developing 2016-2020 WIOA Local Workforce Plans* in the development and submission of their local plan.

VI. INQUIRIES:

Please direct any questions regarding this Guidance Notice to WorkForce West Virginia/Workforce Programs Division.



West Virginia
Guidelines for Developing 2016-2020
Workforce Innovation and Opportunity Act
(WIOA)
Local Workforce Plans
October 1, 2016

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Background

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014 and became effective July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. WIOA is designed to help both job seekers and businesses. WIOA addresses the needs of job seekers through establishing a workforce system that helps them access employment, education, training and support services to succeed in the labor market. WIOA addresses employer needs by matching them to the skilled workers they need to compete in the global economy.

West Virginia is committed to ensuring WIOA is highly responsive to the needs of both businesses and jobseekers. The State's approach to the formulation of the State Unified Workforce Plan was one of collaboration and cooperation. As a unified workforce plan state, West Virginia included representatives from West Virginia Division of Rehabilitation Services, West Virginia Department of Education—Adult Education and Family Literacy Program, and WorkForce West Virginia in the preparation of the various drafts of the State Plan, the review of comments, and in discussions regarding the alignment of programs from these organizations. **Local Areas are required to continue that collaborative process in the formulation of the Local Plans.**

Local Plans, pursuant to WIOA, must align with the State's vision as set forth in the Unified State Plan.

The Local Plan must also address certain specific provisions as set forth in Section 108 of WIOA. The State provides this guidance to the Local Boards in the formulation of its Local Plans. At minimum, Local Plans must include the provisions in this guidance.

Section 108 of WIOA requires that each Local Board develop and submit to the Governor a comprehensive 4-year Local Plan. All Local Plans must be submitted to WorkForce West Virginia. Once reviewed, a recommendation will be made to the Governor regarding the approval of each Local Plan.

Timeframes

Important Dates regarding Local/Regional Planning

October 1, 2016	Receipt of Local Plan Guidelines
January 31, 2017	Plans due to WorkForce West Virginia for review
April 1, 2017	Plans returned to locals for possible changes/additions
May 1, 2017	Plans due to WorkForce West Virginia for final approval
June 30, 2017	Plans approved

Process for the Development and Submission of Local Plans

Prior to submission of its Local Plan, the Local Board, pursuant to **Section 108 of WIOA**, must:

- (1) Make available copies of a proposed Local Plan to the public through electronic and other means for a period that is no more than 30 days;
- (2) Allow members of the public (specifically representatives of business, labor organizations, and education) to submit comments on the proposed Local Plan by the end of the no more than 30-day comment period; and
- (3) Include with the Local Plan any comments that represent disagreement with the Local Plan.
- (4) All plans must include a Table of Contents and follow the guidance outline.

When submitting the Local Plan, please submit plans electronically **in both** Word (.doc) and Adobe (.pdf) format to Angela.M.Fry@wv.gov and Rachel.E.Bowman@wv.gov. The submission should include the name, title, e-mail address, mailing address, and phone number of the person we may contact with questions regarding the plan.

Note Regarding Regional Planning

Section 106 of WIOA provides for the identification of Workforce Development Regions. Workforce regions are intended to provide an opportunity for local areas to collaborate more formally to serve regional economies where they exist. Workforce regions recognize that while there are strong and effective programs in workforce areas, industries recruit and people commute for work across local area boundaries. In some cases industry sectors or special initiatives can be more effectively served when several workforce areas leverage their strengths and coordinate appropriate services.

WIOA requires the state to identify workforce regions consisting of one or more local workforce areas. Local Workforce Development Boards (LWDBs) are required to develop plans that detail policies, procedures, and activities they will carry out to implement the law. As set forth in the State Plan, West Virginia has initially designated all seven (7) Local Areas as Regions in compliance with the federal Act.

Because all LWDBs are part of workforce regions, whether these are single local area or multi-area regions, all LWDBs must address both regional and local planning requirements described in the law. All plans must support the strategy described in the State Plan developed per WIOA Sections 102 and 103 and otherwise be consistent with the State Plan.

Local Plan Requirements

Section 1: Strategic Planning

This section should include a description of the strategic planning elements consisting of –

- (A) An analysis of the regional economic conditions including existing and emerging in-demand industry sectors and occupations; and the employment needs of businesses in those industry sectors and occupations. The analysis should identify local priority industries based on employer (and WIOA partner) input.

(B) An analysis of the knowledge and skills needed to meet the employment needs of the businesses in the Local Area, including employment needs in in-demand industry sectors and occupations

(C) An analysis of the workforce in the Local Area, including current labor force employment (and unemployment) data, and information on labor market trends, and the educational and skill levels of the workforce in the Local Area, including individuals with barriers to employment

(D) An analysis of the workforce development activities (including education and training) in the Local Area, including an analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the identified education and skill needs of the workforce and the employment needs of employers in the Local Area

(E) A description of the Local Board's strategic vision and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment), including goals relating to the performance accountability measures based on primary indicators of performance described in Section 116(b)(2)(A) of WIOA in order to support Local Area economic growth and economic self-sufficiency

(F) Taking into account analyses described in subparagraphs (A) through (D), a strategy to work with the entities that carry out the core programs to align resources available to the Local Area, to achieve the strategic vision and goals described in subparagraph (E)

Section 2: Alignment of the Local Workforce Development System

This section should include –

(A) A description of the workforce development system in the Local Area that identifies the programs that are included in that system and how the Local Board will work with the entities carrying out workforce development programs identified in the State Plan. The description should also include how the Local Board and the programs identified plan to align and integrate to provide services to customers. The description should also include programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(B) A description of how the Local Board, working with the entities identified in A, will expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the Local Board will facilitate the development of career pathways and co-enrollment, as appropriate, 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);

(C) A description of the steps taken by the Local Board to engage entities identified in A in the formulation of its Local Plan.

(D) A description of the strategies and services that will be used in the Local Area—

- To facilitate engagement of businesses, including small businesses and businesses in in-demand industry sectors and occupations, in workforce development programs
- To support a local workforce development system that meets the needs of businesses in the Local Area
- To better coordinate workforce development programs and economic development

- To strengthen linkages between the American Job Center delivery system and Unemployment Insurance programs;

(E) A description regarding the implementation of apprenticeship, incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, integrated education and training, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies, designed to meet the needs of businesses in support of the strategy described in Section 1.

(F) A description of how the Local Board will coordinate workforce development activities carried out in the Local Area with economic development activities carried out in the Local Area in which the Local Area (or planning region) is located, and promote entrepreneurial skills training and microenterprise services;

(G) A description of how the Local Board will leverage and coordinate supportive services in the delivery of workforce development activities carried out in the Local Area. Specifically, the Local Plan should address how the Local Board will work with Local Management Boards and other providers to deliver supportive services to jobseekers;

(H) A description of how the Local Board intend to provide a greater business voice in the delivery of workforce development activities carried out in the Local Area. The description should include how the Local Board will engage businesses on decisions regarding the type and content of training activities;

(I) A description of how the Local Board will promote and cultivate industry-led partnerships in the delivery of workforce training opportunities.

(J) A description of the role (if any) of local faith or community-based organizations in the local workforce development system.

Section 3: American Job Center Delivery System

This Section should include a description of the American Job Center delivery system in the Local Area, including—

(A) List the American Job Centers in your Local Area, including address and phone numbers. Indicate the One-Stop Operator for each site and whether it is a comprehensive or satellite center.

(B) Customer Flow System - Describe the customer flow process used in the Local Area. This description should include eligibility assessment, individualized training plans and case management.

(C) Describe how the Local Board will ensure meaningful access to all customers.

(D) A description on the process the Local Board intends to provide for the solicitation and selection of a One-Stop Operator as identified in Section 107 of WIOA.

(E) A description of how the Local Board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local businesses, and workers and jobseekers;

(F) A description of how the Local Board will facilitate access to services provided through the American Job Center delivery system, including in remote areas, through the use of technology and through other means;

(G) A description of how entities within the American Job Center delivery system, including American Job Center operators and the American Job Center partners, will comply with Section 188 of WIOA, if applicable, and applicable 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, including providing staff training and support for addressing the needs of individuals with disabilities;

(H) An acknowledgment that the Local Board understands that, while Section 188 of WIOA ensure equal opportunity for individuals with disabilities, sub-recipients may also be subject to the requirements of:

- Section 504 of the Rehabilitation Act, which prohibits discrimination against individuals with disabilities by recipients of Federal financial assistance;
- Title I of the ADA, which prohibits discrimination in employment based on disability;
- Title II of the ADA, which prohibits State and local governments from discriminating on the basis of disability;
- Section 427 of the General Education Provisions Act; and
- West Virginia Anti-Discrimination laws;

(I) A description of the roles and resource contributions of the American Job Center partners;

(J) A description of how the Local Board will use Individualized Training Accounts based on high-demand, difficult to fill positions identified within local priority industries identified in Section 1(A); and,

(K) A description of how the Local Board will provide priority of service that conforms with the State Plan. This should include a description of additional local requirements or discretionary priorities including data to support the need and how the local requirement and/or priority will be documented and implemented for the Adult program.

(L) A description of how the Local Board will utilize funding to create incumbent worker training opportunities.

(M) A description of how the Local Board will train and equip staff to provide excellent, WIOA-compliant customer service.

Section 4: Title I – Adult, Youth and Dislocated Worker Functions

This Section should include –

(A) A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the Local Area;

(B) A description of how the Local Board will coordinate workforce development activities carried out in the Local Area with statewide rapid response activities, as described in Section 134(a)(2)(A).

(C) A description and assessment of the type and availability of youth workforce development activities in the Local Area, including activities for youth who are individuals with disabilities, which description and assessment shall include an identification of successful models of such youth workforce investment activities;

(D) A description of how the Local Board will coordinate education and workforce development activities carried out in the Local Area with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services;

(E) A description of how the Local Board will coordinate workforce development activities carried out under this title in the Local Area with the provision of transportation, including public transportation, and other appropriate supportive services in the Local Area;

(F) A description of how the Local Board will utilize Local Adult Funding, based on adult priority groups as specified in the State Plan.

(G) A description of how the Local Board will utilize Local Dislocated Worker Funding;

(H) A description of how the Local Board will define “self-sufficiency” for employed Adult and employed Dislocated Worker participants.

(I) A description of the Local Board’s definition of “unlikely to return to previous industry or occupation” when required for eligibility for Dislocated Worker services.

(J) A description of how the Local Board will interpret and document eligibility criteria for “requires additional assistance to complete an educational program or to secure or hold employment” as set forth in the State’s Guidance and WIOA Sections 129(a)(1)(B)(iii)(VII) and (a)(1)(C)(iv)(VII);

(K) A description of the documentation required to demonstrate a “need for training.”

(L) A description of how the Local Board will provide the fourteen required program elements for the WIOA Youth program design.

(M) A description of the steps the Local Board will take to ensure at least 20% of Youth Funds are used for work-based training activities;

(N) A description of the Local Board’s plan to serve 75%+ out of school youth and identify specific steps that have been taken to meet this new goal; and

(O) If the Local Area has contracted with youth service providers, provide a list and description of services.

(P) A description of how the Local Board will provide basic and individualized career services to customers. The description should explain how individualized career services will be coordinated across program/partners in the American Job Centers, including Vocational Rehabilitation, TANF, and Adult Education and Literacy activities. This description should specify how the Local Area will coordinate with these programs to prevent duplication and improve services to customers.

(Q) Describe the Local Board’s follow-up services policy. This should include follow-up requirements, frequency of contact, and required documentation.

Section 5: Wagner-Peyser Functions

This Section should include --

(A) A description of plans and strategies for, and assurances concerning, maximizing coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and services provided in the Local Area through the American Job Center delivery system, to improve service delivery and avoid duplication of services.

(B) A description of how the Local Board will utilize the Wagner-Peyser program to provide access to local workforce development services for Unemployment Insurance claimants.

(C) If applicable, a description of how the Local Board will ensure that migrant and seasonal farm workers in its Local Area will be provided employment services.

Section 6: Title II – Adult Education and Family Literacy Functions

This Section should include --

(A) A description of how the Local Board will coordinate workforce development activities in the Local Area integrating the provision of adult education and literacy activities under Title II of WIOA, including, but not limited to, the implementation of the career pathways model.

(B) A description of how the Local Board will coordinate efforts with Title II providers to align basic skills and English language assessments. The description should include:

- An outline of the agreed upon steps that will be taken to align basic education skills and English language assessments within the local area, including, but not limited to, any Memoranda of Understanding entered into by the workforce development and adult learning partners;
- An identification of how assessment scores will be shared among WIOA Title I areas and Title II providers (Consideration must be given to the Federal Education Rights and Privacy Act (FERPA));
- An identification of who will conduct which of the approved assessments (including for Trade Participants) and when such assessments will be conducted, consistent with this policy;
- An outline of how the local area will coordinate testing between workforce development and adult education providers; and,
- An outline of how the local area will ensure that test administrators are to be trained in accordance with this policy and applicable testing guidelines as set forth by the applicable test publisher.

(C) A description of how the Local Board will ensure that the individual appointed to represent Title II services on the Board will coordinate with all Title II Grant Administrators in the Local Area in a uniform, regular and consistent manner.

(D) A description of how adult education services will be provided in the American Job Center system within the Local Area.

Section 7: Vocational Rehabilitation Functions

This Section should include --

(A) A description of the cooperative agreements (as defined in section 107(d)(11)) between the Local Board 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)) and the local office of a designated State agency or designated State unit administering programs carried out under title I of such Act (29 U.S.C. 720 et seq.) (**West Virginia Division of Rehabilitation Services**) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)) in accordance with section 101(a)(11) of such Act (29 U.S.C. 721(a)(11)) 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.

(B) A description of how individuals with disabilities will be served through the American Job Center system in the Local Area.

Section 8: Jobs for Veterans State Grants Functions

This Section should include --

(A) A description of how the Local Board will provide priority of service to veterans and their eligible spouses.

(B) A description of how the Local Board will engage Local Veterans Employment Representatives in engaging and providing services to local businesses.

Section 9: Fiscal, Performance and Other Functions

This Section should include --

(A) An identification of the entity responsible for the disbursement of grant funds described in section 107(d)(12)(B)(i)(III), as determined by the chief elected official or the Governor under section 107(d)(12)(B)(i)

(B) A description of financial sustainability of the American Job Center services with current funding levels, and a description of the ability to make adjustments should funding levels change.

(C) A description of the competitive process to be used to award the subgrants and contracts in the Local Area for activities carried out under this title, including risk assessment of potential subgrantees and contractors;

(D) A description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 116(c), to be used to measure the performance of the Local Area and to be used by the Local Board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under subtitle B, and the American Job Center delivery system, in the Local Area;

(E) A description of the actions the Local Board will take toward becoming or remaining a high-performing board; This should include a description of the process used by the Local Board to review and evaluate performance of the local American Job Center(s) and the One-Stop Operator.

(F) A description, including a copy of, of the Local Area's Individual Training Account policy. The description should include information such as selection process, dollar limits, duration, etc.

(G) A description of how training services under chapter 3 of subtitle B will be provided in accordance with Section 134(c)(3)(G), including, if contracts for the training services will be used, how the use of such contracts will be coordinated with the use of individual training accounts under that chapter and how the Local Board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided;

(H) A description of the process used by the Local Board, consistent with subsection (d), to provide an opportunity for public comment, including comment by representatives of businesses and comment by representatives of labor organizations, and input into the development of the Local Plan, prior to submission of the plan;

(I) A description of how the American Job Centers are utilizing the MACC as the integrated, technology-enabled intake and case management information system for programs carried out under WIOA and programs carried out by American Job Center partners;

(J) A description of the Local Board's procedures for conducting oversight and monitoring of its WIOA activities and those of its subgrantee and contractors. The monitoring plan shall address the monitoring scope and frequency and shall include the following:

- The roles and responsibility of staff in facilitating this procedure;
- A requirement that all subgrantee agreements and contracts be monitored at least annually;
- Procedures for determining that expenditures have been made against the cost categories and within the cost limitations specified in the Act and WIOA regulations;
- Procedures for determining compliance with other provisions of the Act and regulations and other applicable laws and regulations, including the method of monitoring to be used for subgrantees and contractors;
- Provisions for the recording of findings made by the recipients' monitor(s), the forwarding of such findings to the subgrantee or contractor for response and the recording of all corrective actions;
- Provisions of technical assistance as necessary and appropriate; and
- Specific local policies developed by the Local Board for oversight of the American Job Center system, youth activities and employment and training activities under Title I of WIOA.

(K) A description of the Local Board's policy and procedures regarding the handling of personally identifiable and confidential information.

(L) A description of the Local Board's procedures for handling grievances and complaints from participants and other interested parties affected by the local American Job Center system, including partners and service providers. Provide a separate description for the:

- Complaints alleging discrimination on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIOA Title I – financially assisted program or activity;
- Complaints and grievances not alleging illegal forms of discrimination. This includes grievances from individuals alleging labor standards violations.

- Remedies that may be imposed for a violation of any requirement under WIOA Title I, limited to, suspension or termination of payments under the title; prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I; reinstatement of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment (where applicable); and other equitable relief as appropriate.

(M) A description of the Local Board's policy and procedures with regard to aid, benefits, services, training, and employment, include a statement of assurance that you will provide reasonable accommodation to qualified individuals with disabilities unless providing the accommodation would cause undue hardship.

(N) A description of how the Local Board will ensure compliance with the Americans with Disabilities Act. The description should include how the Local Board will provide reasonable accommodations regarding materials, technology, and physical and programmatic accessibility of facilities. The description should also include how the Local Board will provide staff training and support for addressing the needs of individuals with disabilities.

(O) A description of the Local Board's policy and procedures in place to ensure that communications with individuals with disabilities, including individuals with visual or hearing impairments, are as effective as communications with others.

(P) A description of the steps the Local Board will take to meet the language needs of limited English speaking individuals who seek services or information. The description should include how the Local Board proposes that information will be disseminated to limited-English speaking individuals.

(Q) A description of the Local Board's procurement system, including a statement of assurance that the procedures conform to the standards in DOL regulations set forth in 29 CFR Part 95, Part 97 and 2 CFR 200.

(R) A description of any documentation to demonstrate that the acquisition, management, and disposition of property adhere to the Property Management Procedures taken from DOL regulations 29 CFR Part 97 and 29 CFR Part 95.

(S) A description of any policies or procedures the Local Board adopted to avoid conflicts of interest or the appearance of such conflicts in the exercise of their responsibilities, particularly those related to the awarding of contracts.

(T) A description of the Local Board or fiscal agent's accounting procedures, including the procedures used in preparing reports to the State. In addition to the requirement that all financial transactions be conducted in compliance with Generally Accepted Accounting Principles (GAAP), the fiscal management system must include the following in the accounting procedures. This description must address how the fiscal system:

- tracks funding types, funding amounts, obligations, expenditures and assets.
- permits the tracking of program income, stand-in costs, and leveraged funds.
- is adequate to prepare financial reports required by the State.

(U) An identification of key staff who will be working with WIOA funds.

(V) A description of how the Local Board's (or fiscal agent's) financial system will permit tracing of funds to a level adequate to establish that funds have not been used in violation of WIOA standards or DOL regulations.

(W). Provide a brief description of the following:

- Fiscal reporting system
- Obligation control system
- ITA payment system
- Chart of account system
- Accounts payable system
- Staff payroll system
- Participant payroll system
- Participant stipend payment system

(X) A description of the Local Board's (or fiscal agent's) cash management system, providing assurance that no excess cash will be kept on hand, and that procedures are in place to monitor cash.

(Y) A description of the Local Board's cost allocation procedures including:

- Identification of different cost pools
- Procedures for distribution of staff costs between cost categories (Administrative cost, program cost and indirect cost).
- Procedures used for distribution of funds from each cost pool.
- Description of funds included in each cost pool.
- Description of cost allocation plans for American Job Centers.

(Z) A description of the Local Board's (or fiscal agent's) procedure for collecting debts involving WIOA funds

Regional Plan Guidance

Section 1: Regional Analysis

This Section should provide an analysis of regional economic conditions that includes –

(A) Existing and emerging in-demand industry sectors and occupations , and their employment needs;

(B) Demographic characteristics of the current workforce, including the educational and literacy levels, with emphasis on youth, adults in transition, and individuals with disabilities. Describe how the local area's demographics are changing and the planning implications for the anticipated workforce of the future;

(C) Knowledge and skills needed to meet the employment needs of the employers in the region, including employment needs in in-demand industry sectors and occupations;

(D) Analysis of the workforce in the region, including current labor force employment/ unemployment data, labor market trends, and the educational and skill levels of the workforce in the region, including individuals with barriers to employment;

(E) Analysis of the workforce development activities (including education and training) in the region, including an analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the identified education and skill needs of the workforce and the employment needs of employers in the region;

Section 2: Regional Sector Strategies

This Section should –

(A) Identify which in-demand industry sector(s) or occupation(s) the Local Boards in the region is/are serving and why.

(B) Describe the current status of regional collaboration in support of the sector/occupation, and identify anticipated next steps and timelines for at least the first two years of plan implementation.

Section 3: Regional Service Strategies

This Section should --

(A) Identify and describe which populations and/or service strategies and/or services will be developed on a regional basis.

Section 4: Coordination with Regional Economic Development Organizations

This Section should --

(A) Identify regional economic development services and providers in the region and describe how the Local Board(s) will coordinate services with these services and providers.

Section 5: Coordination of Transportation and/or Other Support Services, *as Appropriate*

This Section should, as part of the regional service delivery strategy –

(A) Describe whether transportation or other support services need to be coordinated across the region based on the regional analysis, and if so which services and how.

Section 6: Regional Cost Arrangements, *as Appropriate*

This Section should, as part of the regional service delivery strategy –

(A) Describe cost arrangements in the region for costs associated with items 1 through 5 above, which may include the pooling of administrative costs.

Section 7: Regional performance negotiation

This Section should, as part of the regional service delivery strategy –

(A) Single area regions may describe the process used to negotiate performance. Describe how a region consisting of multiple workforce areas will collaboratively negotiate and reach agreement with the Governor on local levels of performance and report on performance accountability measures.

NOTE: There is no requirement that a region negotiate a single level of performance on any measures. The requirement is that the region agrees on how it will manage the negotiation with the Governor, which can include each Local Board negotiating separately.

2016-2020 Local Plan Assurances

Check the following boxes to accept the assurances listed below.

		Assurance	References
<input type="checkbox"/>	1.	The Local Board has processes and timelines, consistent with WIOA Section 108(d), to obtain input into the development of the local plan and provide the opportunity for comment by representatives of business, labor organizations, education, other key stakeholders, and the general public for a period that is no less than 30 days.	WIOA Sections 108(d); 20 CFR 679.550(b)
<input type="checkbox"/>	2.	The final Local Plan is available and accessible to the general public.	20 CFR 679.550(b)(5)
<input type="checkbox"/>	3.	The Local Board has established procedures to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes.	WIOA Section 107(e); 20 CFR 679.390 and 679.550
<input type="checkbox"/>	4.	The Local Board makes publicly-available any local requirements for the Local Area, such as policies, including policies for the use of WIOA Title I funds.	20 CFR 679.390
<input type="checkbox"/>	5.	The Local Board has established a written policy or procedure that identifies circumstances that might present conflict of interest for any local workforce investment board or entity that they represent, and provides for the resolution of conflicts.	WIOA Section 107(h)
<input type="checkbox"/>	6.	The Local Board has copies of memoranda of understanding between the Local Board and each American Job Center partner concerning the operation of the American Job Center delivery system in the Local Area, and has provided the State with the latest versions of its memoranda of understanding.	WIOA Section 121(c); 20 CFR 678.500-510
<input type="checkbox"/>	7.	The Local Board has written policy or procedures that ensure American Job Center operator agreements are reviewed and updated no less than once every three years.	WIOA Section 121(c)(v)
<input type="checkbox"/>	8.	The Local Board has procurement policies and procedures for selecting One-Stop operators, awarding contracts under WIOA Title I Adult and Dislocated Worker funding provisions, and awarding contracts for Youth service provision under WIOA Title I in accordance with applicable state and local laws, rules, and regulations, provided no conflict exists with WIOA.	WIOA Sections 121(d) and 123; 20 CFR 678.600-615 and 681.400

<input type="checkbox"/>	9.	The Local Board has procedures for identifying and determining the eligibility of training providers and their programs to receive WIOA Title I individual training accounts.	WIOA Sections 107(d)(10), 122(b)(3), and 123; 20 CFR 679.370(l)-(m) and 680.410-430
<input type="checkbox"/>	10.	The Local Board has written procedures for resolving grievances and complaints alleging violations of WIOA Title I regulations, grants, or other agreements under WIOA and written policies or procedures for assisting customers who express interest in filing complaints at any point of service, including, at a minimum, a requirement that all partners can identify appropriate staff contacts and refer customers to those contacts.	WIOA Section 181(c); 20 CFR 683.600
<input type="checkbox"/>	11.	The Local Board has established at least one comprehensive, full-service American Job Center and has a written process for the local Chief Elected Official and Local Board to determine that the center conforms to the definition therein.	WIOA Section 121(e)(2)(A); 20 CFR 678.305
<input type="checkbox"/>	12.	All partners in the local workforce and education system described in this plan ensure the physical, programmatic and communications accessibility of facilities, programs, services, technology and materials in the Local Area's American Job Centers for individuals with disabilities.	WIOA Section 188; 29 CFR parts 37.7-37.9; 20 CFR 652.8(j)
<input type="checkbox"/>	13.	The Local Board ensures that outreach is provided to populations and sub-populations who can benefit from American Job Center services.	WIOA Section 188; 29 CFR 37.42
<input type="checkbox"/>	14.	The Local Board implements universal access to programs and activities to individuals through reasonable recruitment targeting, outreach efforts, assessments, service delivery, partner development, and numeric goals.	WIOA Section 188; 29 CFR 37.42
<input type="checkbox"/>	15.	The Local Board complies with the nondiscrimination provisions of Section 188, and assures that Methods of Administration were developed and implemented.	WIOA Section 188; 29 CFR 37.54(a)(1)
<input type="checkbox"/>	16.	The Local Board collects and maintains data necessary to show compliance with nondiscrimination provisions of Section 188 of WIOA.	WIOA Section 185; 29 CFR 37.37
<input type="checkbox"/>	17.	The Local Board complies with restrictions governing the use of federal funds for political activities, the use of the American Job Center environment for political activities, and the Local Board complies with the applicable certification and disclosure requirements	CFR Part 230 Appendix B; 48 CFR 31.205-22; RCW 42.52.180; TEGL 2-12; 29 CFR Part 93.100
<input type="checkbox"/>	18.	The Local Board ensures that American Job Center staff, along with the Migrant and Seasonal Farmworker program partner agency, will continue to provide services to agricultural employers and MSFWs that are demand-driven and consistent with ESD's mission.	WIOA Section 167

<input type="checkbox"/>	19.	The Local Board follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIOA, and applicable Departmental regulations.	WIOA Sections 116(i)(3) and 185(a)(4); 20 USC 1232g; 20 CFR 677.175 and 20 CFR part 603
<input type="checkbox"/>	20.	The Local Board has a written policy and procedures to competitively award grants and contracts for WIOA Title I activities (or applicable federal waiver), including a process to be used to procure training services made as exceptions to the Individual Training Account process.	WIOA Section 108(b)(16); 20 CFR 679.560(a)(15); WIOA Title I Policy 5601; WIOA Section 134(c)(3)(G); 20 CFR 680.300-310
<input type="checkbox"/>	21.	The Local Board has accounting systems that follow current Generally Accepted Accounting Principles (GAAP) and written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to insure proper disbursement and accounting of WIOA adult, dislocated worker, and youth program and the Wagner-Peyser Act funds.	WIOA Section 108(b)(15), WIOA Title I Policy 5230; WIOA Title I Policy 5250
<input type="checkbox"/>	22.	The Local Board ensures compliance with the uniform administrative requirements under WIOA through annual, on-site monitoring of each local sub-recipient.	WIOA Section 184(a)(3); 20 CFR 683.200, 683.300, and 683.400-410
<input type="checkbox"/>	23.	The Local Board has a written debt collection policy and procedures that conforms with state and federal requirements and a process for maintaining a permanent record of all debt collection cases that supports the decisions made and documents the actions taken with respect to debt collection, restoration, or other debt resolution activities.	WIOA Section 184(c); 20 CFR Part 652; 20 CFR 683.410(a), 683.420(a), 683.750
<input type="checkbox"/>	24.	The Local Board has a written policy and procedures for ensuring management and inventory of all properties obtained using WIOA funds, including property purchased with JTPA or WIA funds and transferred to WIOA, and that comply with WIOA, and, in the cases of local government, Local Government Property Acquisition policies.	WIOA Section 184(a)(2)(A); 20 CFR 683.200 and 683.220; OMB Uniform Administrative Guidance; Generally Accepted Accounting Procedures (GAAP)
<input type="checkbox"/>	25.	The Local Board will not use funds received under WIOA to assist, promote, or deter union organizing.	WIOA Section 181(b)(7); 20 CFR 680.850
<input type="checkbox"/>	26.	The Local Board has a written policy and procedures that ensure adequate and correct determinations of eligibility for WIOA-funded basic career services and qualifications for enrollment of adults, dislocated workers, and youth in WIOA-funded individualized career services and training services, consistent with state policy on eligibility and priority of service.	20 CFR Part 680 Subparts A and B; 20 CFR Part 681 Subpart A

<input type="checkbox"/>	27.	The Local Board has a written policy and procedures for awarding ITAs to eligible adults, dislocated workers, and youth receiving WIOA Title I training services, including dollar and/or duration limit(s), limits on the number of times an individual may modify an ITA, and how ITAs will be obligated and authorized.	WIOA Section 134(c)(3)(G); 20 CFR 680.300-320
<input type="checkbox"/>	28.	The Local Board has a written policy and procedures that establish internal controls, documentation requirements, and leveraging and coordination of other community resources when providing supportive services and, as applicable, needs-related payments to eligible adult, dislocated workers, and youth enrolled in WIOA Title I programs.	WIOA Sections 129(c)(2)(G) and 134(d)(2); 20 CFR 680.900-970; 20 CFR 681.570
<input type="checkbox"/>	29.	The Local Board has a written policy for priority of service at its American Job Centers and, as applicable, affiliate sites and for local workforce providers that ensures veterans and eligible spouses are identified at the point of entry, made aware of their entitlement to priority of service, and provided information on the array of employment, training and placement services and eligibility requirements for those programs or services.	Jobs for Veterans Act; Veterans' Benefits, Health Care, and Information Technology Act; 20 CFR 1010; TEGL 10-09; Veterans Program Letter 07-09
<input type="checkbox"/>	30.	The Local Board has developed plans and strategies for maximizing coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and services provided in the Local Area through the American Job Center delivery system, to improve service delivery and avoid duplication of services.	
<input type="checkbox"/>	31.	The Local Board will provide reasonable accommodation to qualified individuals with disabilities unless providing the accommodation would cause undue hardship.	

The Local Workforce Development Board for _____, certifies, that it complies with all required components and assurances of the Workforce Innovation and Opportunity Act plan development guidelines issued by the State of West Virginia. The Local Board also assures that funds will be spent in accordance with the Workforce Innovation and Opportunity Act, Wagner-Peyser Act, and their regulations, written U.S. Department of Labor guidance implementing these laws, Office of Management and Budget circulars, and all other applicable federal and state laws, regulations, and policies.

Local Chief Elected Official(s)

Date

Local Workforce Development Board Chair

Date