

WIOA Policy Letters

WIOAPL 16-05 (Re-designation of Local Workforce Development Areas)

Workforce Innovation and Opportunity Act Policy Letter No. 16-05

October 3, 2016

To: Chief Elected Officials, Local Workforce Development Board Chairperson, and Local Workforce Development Board Director

From: Cynthia C. Dungey, Director

Subject: Re-designation of Local Workforce Development Areas

I. Purpose

The purpose of this policy is to establish the requirements for re-designation when the chief elected official(s) requests a change to the current composition of a local workforce development area (local area).

II. Effective Date

Immediately

III. Background

The Workforce Innovation and Opportunity Act (WIOA) envisions a workforce development system that is customer-focused on both the job seeker and business, and is able to anticipate and respond to the needs of regional economies. Local areas are designated for the purpose of implementing WIOA, establishing the OhioMeansJobs service delivery system, and to serve as jurisdiction for administering workforce development programs. Local areas must be designated by the State as a prerequisite to receiving adult, dislocated worker, and youth funding under Title I, Subtitle B of WIOA.

Re-designation occurs at any time the local area wishes to change the composition of the local area. Per section 106 (b)(1)(B) of WIOA and 20 C.F.R. 679.240 (a), re-designation of local areas are based upon the following criteria:

1. Consistent with local labor market areas

This criterion includes an analysis of labor market data for the county and a comparison with surrounding counties and regions. Labor market area is an economically integrated geographic area within which individuals can reside and find employment within a reasonable distance or can readily change employment without changing their place of residence.

Information such as metropolitan statistical areas (MSA), combined statistical areas (CSA), and workforce commuting patterns provide a snapshot of the labor market. Counties that are within the same MSA and CSA or whose residents' commuting patterns are similar should be reviewed for possible inclusion as a local workforce development area.

Data to be used to assess the labor market can be found at the following websites:

- a. MSA – <http://ohiolmi.com> under "Maps"
- b. CSA – <http://development.ohio.gov/files/research/P3004.pdf> .
- c. Workforce Commuting Patterns –
<http://ohiolmi.com/census/commuting.htm>
- d, Census Information -
https://development.ohio.gov/reports/reports_am_com_survey.htm

2. A common economic development area

Various aspects of regional economic development areas are considered for this criterion. A review of the JobsOhio regions as well as the unemployment rate, the number of businesses, the types of businesses, and the number of job openings in the county and surrounding counties should be completed. Counties with similar economies and economic development should be considered for possible inclusion as a local workforce development area.

Data to be used to assess regional economic development can be found at the following websites:

- a. Unemployment Rate – <http://ohiolmi.com> under "Data"
- b. JobsOhio Region – <http://ohiolmi.com> under "Maps"
- c. Number and type of Businesses in the Area – <http://ohiolmi.com> under "Data" (see Employment and Wages tab)
- d. Number of Job Openings in the Area –
<http://jfs.ohio.gov/owd/omjresources/jobpostingstrends.stm>

3. Federal and non-Federal resources, including appropriate education and training institutions, to administer activities under WIOA, Subtitle B

This criterion not only includes available financial funding but also resources that will assist in the delivery of services. A review of this criterion should include where training providers, including 2-year and 4-year schools, Adult Basic and Literacy Education (ABLE) providers, and Ohio technical centers are located. A review of resources should also include how much WIOA funding is available currently and how this amount affects the delivery of services to adults, dislocated workers, and youth. The local area should have available services and funding to support the workforce development system and services.

Data to be used to assess resources can be found at the following websites:

- a. Historical and Current WIA/WIOA Funding in the Area –
<http://jfs.ohio.gov/owd/WIOA/implementation.stm>
- b. Higher Education Centers in the Area –
<https://www.ohiohighered.org/campuses>
- c. ABLE Providers in the Area –
<https://www.ohiohighered.org/able/locations>
- d. Ohio Vocational Technical Centers in the Area –

<https://www.ohiohighered.org/students/find-a-career/career-technical-professional-and-vocational-schools>

Other considerations to determine local area composition include (1) the existing partnerships, either between neighboring local areas or between counties belonging to separate areas, and whether or not these partnerships could prosper and become stronger by having the partners work together as a single area; (2) the effect that re-designation might have on a planning region; and, (3) whether re-designation would better integrate workforce and/or economic development systems to help connect workers with employers.

IV. Definitions

Chief elected official(s) : per section 3(9) of WIOA, the chief elected executive officer (s) of a unit of general local government in a local area and, in the case of a local area that includes more than one unit of general local government, the individual(s) designated under an inter-governmental agreement.

Consultation : a robust conversation in which all parties are given the opportunity to share their thoughts and opinions.

V. Local Workforce Development Area Requirements

If the local area and the chief elected official(s) wish to change the composition of the local area, then a request for re-designation must be submitted by the chief elected officials and the local workforce development boards (WDB) of all local areas affected by the change. These requests must be submitted within the same general time frame of one another.

To make a request for re-designation, chief elected official(s) must complete and submit the JFS 00512, Workforce Development Area Designation Application , and include all of the following information:

1. The counties that will form the proposed local area;
2. Evidence supporting how the local area meets designation criteria as outlined in Section III of this policy;
3. Signatures of representatives from each county in the proposed local area; and
4. Board or council resolution approving the proposed local area.

An application must be submitted individually by each of the affected local areas.

Re-designation applications and supporting documents shall be submitted to the Office of Workforce Development: OWDPOLICY@jfs.ohio.gov. The subject of the email should read, "WDA Re-Designation."

VI. State Requirements

A. Consultation and Comment

When making the decision to re-designate local areas, the State must consult and consider comments received through a public comment process which included the following stakeholders:

1. Local WDBs;
2. Local elected officials;

3. Businesses;
4. Institutions of higher education;
5. Labor organizations;
6. Other primary stakeholders; and
7. The general public.

In Ohio, consultation will entail one or more of the following activities:

1. E-mail notification of requested local area re-designation to the CEOs and local WDB directors with the opportunity to provide comment;
2. Dialogue with one or more of the following associations which provide support and guidance to the CEOs and local WDBs:
 - a. County Commissioner Association of Ohio; and
 - b. Ohio Workforce Association;
3. In-person meetings and/or teleconferences with individual CEOs and local WDB directors;
4. Collaboration with the Governor's Executive Workforce Board and the Office of Workforce Transformation;
5. Presentations at training events and/or at local WDB meetings; and
6. The Ohio Department of Job and Family Services (ODJFS) legal public comment process for workforce policies.

B. Review and Approval of Re-Designation Packets

The State will review the re-designation packets from each affected local workforce development area, and the State will submit all requests to the Governor's Executive Workforce Board (GEWB) per section 106 (b)(4) of WIOA and 20 CFR 679.240 (b). The GEWB will review the local workforce development areas' requests based upon the criteria outlined in Section III of this policy and will make recommendations to the Governor or his/her designee whether or not the local areas will be re-designated.

The Governor or his/her designee will make the designation decision. The State will notify the chief elected official of the re-designation or the denial of proposed local areas.

Approved re-designations of local areas will become effective on July 1 of the following program year unless circumstances do not allow a transition period.

VII. Resources to Local Workforce Development Areas within a Planning Region that wish to Re-designate into a Single Local Area

If the chief elected officials and the local WDBs of each local area within a planning region as identified in Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 16-03, Regional and Local Planning , make a request to the State to re-designate into a single local area, the State may provide funds, to the extent statewide funds are available, to facilitate such re-designation as outlined in 20 C.F.R. 679.280. Re-designation activities that may be carried out by the local areas include:

1. Convening sessions and conferences;
2. Re-negotiation of contracts and agreements; and
3. Other activities directly associated with the re-designation as deemed appropriate by the State.

VIII. Technical Assistance

Ongoing support, guidance, training and technical assistance on workforce development area designation requirements, including stakeholder consultation, are available to all local areas.

Requests for technical assistance may be sent to ODJFS, Office of Workforce Development: WIOAQNA@jfs.ohio.gov.

IX. References

Workforce Innovation and Opportunity Act, §106, Public Law 113-128.

20 C.F.R. §§ 679.220, 679.230, 679.240, and 679.280.

USDOL, Training and Employment Guidance Letter No. 27-14, WIOA Operating Guidance, Workforce Innovation and Opportunity Act Transition Authority for Immediate Implementation of Governance Provisions, (April 15, 2015).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 16-03, Regional and Local Planning , (October 21, 2016).