



Illinois
Department of Commerce
 & Economic Opportunity

Bruce Rauner, Governor

April 23, 2015

WIOA TRANSITION POLICY #1
INITIAL DESIGNATION OF LOCAL AREAS

This is the first in a series of transition policies DCEO plans to issue to provide initial local guidance regarding implementation of the Workforce Innovation and Opportunity Act (WIOA). It is our intent to establish a new, streamlined and comprehensive framework for policy issuances on or before July 1, 2015.

I. POLICY

A. The Governor shall approve a request for initial designation as a local workforce development area under WIOA from any area that was designated as a local area under the Workforce Investment Act (WIA) of 1998 under the following conditions:

1. The local area was designated under WIA as of July 22, 2012 or before;
2. The local area has performed successfully for both WIA Program Years 2012 and 2013.

The term “performed successfully” used with respect to a local area, means the local area met or exceeded the adjusted levels of performance for core indicators of performance described in Section 136(b)(2)(A) of the Workforce Investment Act of 1998, as in effect the day before the date of enactment of WIOA for each of the last two (2) consecutive years for which data are available preceding the determination of performance under this paragraph;

3. The Secretary of Labor has not made a formal determination during either of the last two program years that either the grant recipient or the administrative entity in the area has not sustained fiscal integrity;

The term “sustained fiscal integrity”, used with respect to a local area, means that the Secretary has not made a formal determination, during within of the last two (2) consecutive years preceding the determination regarding such integrity, that either the grant recipient or the administrative entity of the area misexpended funds provided under title I of the Workforce Investment Act of 1998 (as in effect prior to the effective date of WIOA subtitle B) due to willful disregard of the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration; and

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4. All county CEOs within a current local workforce area, following a review of all current operations of the local area and by signature on the request, agree to all matters with regard to the request for designation by the State of the current local area.
- B. Under the following conditions, the Governor may approve a request for initial designation as a local workforce development area under WIOA from any area that was designated as a local area under the Workforce Investment Act (WIA) of 1998, but failed to meet all requirements of Section 1.A. above. Any local area requesting designation under this section must provide the following with their request:
1. Documentation outlining the steps taken over the past two years to address failure to meet at least 80 percent of any local WIA performance measure for either WIA Program Years 2012 and 2013; and
 2. Documentation outlining the steps the local area has taken to address and correct a formal determination during either of the last two program years, by USDOL, Office of Employment and Training (OET), or a local government agency, that either the grant recipient or the administrative entity in the area misexpended WIA funds due to willful disregard or failure to comply with any WIA requirements, gross negligence or failure to comply with accepted standards of administration; and
 3. Documentation that demonstrates that the local area has the capacity and resources necessary to effectively administer workforce programs, including available education and training providers in the local area.
- C. The Governor may also designate a local workforce development area upon the request of the State Workforce Development Board if the Board's request is:
1. Consistent with state labor markets;
 2. Consistent with regional economic development areas; and
 3. Demonstrates that the local area has the capacity and resources necessary to effectively administer workforce programs, including available education and training providers in the local area.

All local workforce development areas the Governor designates pursuant to this policy shall be effective from July 1, 2015 through June 30, 2017.

- D. The Governor's decision regarding local area requests for initial designation may be appealed in accordance with sections 679.290 of the Notice of Proposed Rulemaking.
1. Appeals should be made to the State Board.

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2. If a decision on the appeal is not made within 60 days or if the appeal to the State Board does not result in designation of the local area, the entity may request a review by the Secretary of Labor in accordance with Section 683.640 of the NPRM.

Language regarding subsequent regional designation of local areas will be provided in a future policy issuance.

II. PROCEDURES

- A. The chief elected official(s) (CEO) and local board chair of any existing local workforce investment areas under WIA must request to be designated as a local workforce development area under WIOA.
- B. This request must be made on the Request for Local Workforce Development Area Initial Designation Under the Workforce Innovation and Opportunity Act (WIOA TRANSITION POLICY #1 ATTACHMENT A).
- C. A completed and signed request must be submitted by 5:00 p.m. May 15, 2015 as follows:

Attention: Request for Local Workforce Development Area Designation
Illinois Department of Commerce and Economic Opportunity
Office of Employment and Training
500 East Monroe Street, 9th Floor
Springfield, IL 62701

- D. The determination by the Governor regarding the local area's request for initial designation will be made and communicated to the CEO(s) by May 30, 2015.
- E. Any local area wishing to appeal the decision by the Governor must be made in accordance with the appeal procedures described in Section I.D. above.
- F. Incomplete or unsigned requests will be returned and initial designation will be delayed.

III. INQUIRIES

Inquiries related to the requirements of this policy may be directed to:

Lisa Jones
Illinois Department of Commerce and Economic Opportunity
Office of Employment and Training
(217) 558-2443
lisa.d.jones@illinois.gov

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IV. ATTACHMENT

A. Request for Local Workforce Development Area Initial Designation Under the Workforce Innovation and Opportunity Act

Sincerely,

A handwritten signature in black ink, appearing to read "Julio Rodriguez", with a stylized flourish at the end.

Julio Rodriguez, Acting Deputy Director
Office of Employment and Training

JR:mb

**REQUEST FOR LOCAL WORKFORCE DEVELOPMENT AREA INITIAL DESIGNATION UNDER THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

LOCAL AREA NUMBER UNDER THE WORKFORCE INVESTMENT ACT: _____

NAME OF LOCAL AREA GRANT RECIPIENT: _____

Check only one of the following:

- The local area requests initial designation by the Governor as a local workforce development area under the Workforce Innovation and Opportunity Act and is in compliance with all provision of Section I.A. of WIOA Transition Policy Letter #1.
- The local area requests initial designation by the Governor as a local workforce development area under the Workforce Innovation and Opportunity Act, but has failed one or more criteria of Section I.A. of WIOA Transition Policy Letter #1. However, this request is consistent with Section I.B. of the policy letter with supporting documentation attached.
- The State Workforce Development Board (SWDB) has recommended the local area to receive consideration for designation as a local workforce development area under WIOA and has provided documentation such as a letter of recommendation signed by the SWDB Chairperson.

CHIEF ELECTED OFFICIAL(S) AUTHORIZATION (ADD ADDITIONAL CEOs AS REQUIRED)

1	_____	_____
	Printed Name	Title
2	_____	_____
	Signature	Date
3	_____	_____
	Printed Name	Title
4	_____	_____
	Signature	Date
5	_____	_____
	Printed Name	Title
	_____	_____
	Signature	Date

6	Printed Name	Title
	Signature	Date
7	Printed Name	Title
	Signature	Date
8	Printed Name	Title
	Signature	Date
9	Printed Name	Title
	Signature	Date
10	Printed Name	Title
	Signature	Date
11	Printed Name	Title
	Signature	Date
12	Printed Name	Title
	Signature	Date
13	Printed Name	Title
	Signature	Date
14	Printed Name	Title
	Signature	Date

LOCAL WORKFORCE DEVELOPMENT BOARD CHAIR AUTHORIZATION

	Printed Name	Title
	Signature	Date