

WIA/WIOA Local Workforce Investment Boards Side-by-Side - Detailed Analysis
July 2014

WIA	WIOA
<p>LWIB MEMBERSHIP (Sec. 117)</p> <ol style="list-style-type: none"> 1. The chief elected official in a local area is authorized to appoint the members of the local board based on the criteria below. 2. The members of the local board shall elect a chairperson from the business representatives. 3. Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities. 4. The members of the board shall represent diverse geographic areas within the local area. <p>Membership <u>must</u> include:</p> <ol style="list-style-type: none"> 1. A business majority who- <ol style="list-style-type: none"> a. are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority; b. (ii) represent businesses that provide employment opportunities in the local area; and c. (iii) are appointed from among individuals nominated by local business organizations and business trade associations. 2. Local educational entities 3. Labor organizations 4. Community-based organizations, including orgs. representing individuals with disabilities and veterans 5. Economic development agencies 	<p>LWIB MEMBERSHIP (Sec. 107)</p> <ol style="list-style-type: none"> 1. The chief elected official in a local area is authorized to appoint the members of the local board based on the criteria below. 2. The members of the local board shall elect a chairperson from the business representatives. 3. Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities. 4. The members of the board shall represent diverse geographic areas within the local area. <p>Membership <u>must</u> include:</p> <ol style="list-style-type: none"> 1. A business majority who- <ol style="list-style-type: none"> a. are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority; b. represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and c. are appointed from among individuals nominated by local business organizations and business trade associations. 2. At least 20% representatives of the workforce within the local area- <ol style="list-style-type: none"> a. <u>must</u> include one or more representatives of labor organizations; b. <u>must</u> include one representative from a joint labor-management apprenticeship program, or an apprenticeship program in the area (if it exists);

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<p>LWIB MEMBERSHIP (continued):</p> <ul style="list-style-type: none"> 6. One-stop partners 7. Local boards may include other individuals or representatives of entities that the chief elected official in the local area may determine to be appropriate. 	<p>LWIB MEMBERSHIP (continued):</p> <ul style="list-style-type: none"> c. <u>may</u> include representatives of community-based organizations with experience and addressing the employment needs of individuals barriers to employment; d. <u>may</u> include representatives of organizations with demonstrated experience addressing employment, training/education needs of eligible youth (including out-of-school youth); <ul style="list-style-type: none"> 3. Education and training providers – <ul style="list-style-type: none"> a. <u>must</u> include one representative administering adult education and literacy activities under title II; b. <u>must</u> include one representative of higher ed institutions (including community colleges); c. <u>may</u> include representatives of local educational agencies and community-based organizations with experience addressing education or training needs of individuals with barriers to employment; 4. Governmental and economic/ community development entities – <ul style="list-style-type: none"> a. <u>must</u> include one representative of economic and community development entities; b. <u>must</u> include one representative of Wagner-Peyser programs; c. <u>must</u> include one representative of Vocational Rehabilitation programs; d. <u>may</u> include representatives of agencies or entities administering transportation, housing, and public assistance programs; e. <u>may</u> include representatives of philanthropic organizations. 5. Local boards may include other individuals or representatives of entities that the chief elected official in the local area may determine to be appropriate. <p>SPECIAL RULE – the one representative of adult education and literacy activities and the one representative of higher education must be appointed from among individuals nominated by local education and training providers or institutions, if there are multiple eligible providers in the local area.</p>

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<p>LOCAL BOARD FUNCTIONS (Sec. 117, 121)</p> <ol style="list-style-type: none"> 1. <u>Local plan</u> – In partnership with the chief elected official for the local area involved, develop a comprehensive, 5-year local plan and submit to the State. 2. Assist the State in developing a <u>statewide employment statistics system</u> under the Wagner-Peyser Act . 3. <u>Connecting, brokering, coaching</u> – promote the participation of private sector employers in the statewide workforce investment system and ensure the effective provision of connecting, brokering, and coaching activities, through intermediaries and other organizations, to assist employers in meeting hiring needs. 4. <u>Employer linkages.</u> 5. <u>Program oversight</u> of one-stop delivery system, which includes developing MOUs with required one-stop partners. 6. <u>Negotiation of local performance measures.</u> 7. <u>Designation and/or certification of one-stop operators.</u> 8. <u>Identification of eligible training providers.</u> 9. <u>Conduct oversight of the youth program</u> - subject to the approval of the board, the youth council selects eligible providers of youth services, provides oversight of the youth program and coordinates youth activities in the region. 10. <u>Budget</u> - local board shall develop a budget (with the grant recipient) for the activities in the local area, consistent with the local plan and duties of the local board. 	<p>LOCAL BOARD FUNCTIONS (Sec. 107, 121)</p> <ol style="list-style-type: none"> 1. <u>Local plan</u> – In partnership with the chief elected official for the local area involved, develop a comprehensive 4-year local plan, or a regional plan if part of a planning region, to implement WIOA. 2. Conduct <u>workforce research and regional labor market analysis.</u> 3. <u>Convening, brokering, leveraging</u> with local workforce development system stakeholders to assist in development of local plan and in identifying non-Federal expertise and resources to leverage support for workforce development activities. 4. <u>Lead efforts to engage with a diverse range of employers and entities</u> in the region to promote business representation; to develop effective linkages with employers to support utilization of the workforce system; to ensure that workforce investment activities meet the needs of employers and support economic growth in the region; and to implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as establishment of industry/sector partnerships). 5. <u>Program oversight,</u> which includes developing MOUs with required one-stop partners. 6. <u>Negotiation of local performance accountability measures.</u> 7. <u>Designation and/or certification of one-stop operators.</u> 8. <u>Identification of eligible training providers.</u> 9. <u>Conduct oversight for local youth workforce investment activities,</u> including identifying eligible providers of youth program elements in the local area by awarding grants or contracts on a competitive basis. 10. <u>Budget</u> - local board shall develop a budget (with the grant recipient) for the activities in the local area, consistent with the local plan and duties of the local board. 11. <u>Career pathways development</u> – lead efforts, with representatives of secondary and postsecondary education programs, in the local area to develop and implement career pathways within the local area. 12. Lead efforts in local area to identify, promote, disseminate <u>proven and promising strategies and initiatives</u> to meet the needs of employers and workers with disabilities.

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	<p>LOCAL BOARD FUNCTIONS (continued):</p> <p>13. Develop strategies for using <u>technology</u> to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and jobseekers.</p> <p>14. <u>Coordination with education providers</u> - The local board shall coordinate activities with education and training providers in the local area, including workforce, adult education and literacy, career and technical education, and Vocational Rehabilitation activities. Specifically this includes reviewing applications to provide adult and literacy activities under title II for the local area to determine whether applications are consistent with the local plan, and implementing cooperative agreements with Vocational Rehabilitation agencies to enhance provision of services to individuals with disabilities.</p> <p>15. <u>Assessment of one-stop accessibility</u> for individuals with disabilities.</p>
<p>ONE-STOP SYSTEM AND INFRASTRUCTURE FUNDING (Sec. 121)</p> <ol style="list-style-type: none"> 1. Local board is authorized to designate or certify one-stop operators. 2. Local one-stop systems existing prior to WIA could be grandfathered. 3. Local board shall enter into memorandums of understanding (MOU) with one-stop partners. 4. One-stop partners shall participate in the operation of such system consistent with the terms of the MOU. 	<p>ONE-STOP SYSTEM AND INFRASTRUCTURE FUNDING (Sec. 121)</p> <ol style="list-style-type: none"> 1. Local board is authorized to designate or certify one-stop operators. 2. No grandfathering clause for existing one-stop operators 3. Local boards will be consulted on the creation of a national “common identifier” for the one-stop delivery system – logo, phrase, etc. Additional identifiers may be used locally. 4. Local board shall enter into memorandums of understanding (MOUs) with one-stop partners. 5. Local board, chief elected officials, and one-stop partners must come to agreement on methods to fund infrastructure costs. If the local partners fail to reach agreement, the State will determine partner programs' contributions to a one-stop delivery system, based on the programs' proportionate use of the system, and the funds will be pooled in a state infrastructure fund. 6. Certified one-stop centers shall be eligible to receive infrastructure funding, based on criteria developed by the State Council. Local boards may develop additional criteria if desired.

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<p>BUDGET AND ADMINISTRATION (Sec. 117)</p> <ol style="list-style-type: none"> Local board may accept grants and donations from sources other than Federal funds made available under this Act. The local board may employ staff (if they are the grant recipient or incorporated as a 501(c)3). 	<p>BUDGET AND ADMINISTRATION (Sec. 107)</p> <ol style="list-style-type: none"> Local board may accept grants and donations from sources other than Federal funds made available under this Act. Local board may incorporate as a 501(c)3. The local board may hire a director and other staff to assist in carrying out the board functions (if they are the grant recipient or incorporated as a 501(c)3).
<p>YOUTH COUNCIL (Sec. 117)</p> <p>The local board shall appoint a youth council to include members of the board, representatives of youth service agencies, public housing authorities, parents of eligible youth, former youth participants, representatives of Job Corps and other youth services agencies, and others, as appropriate.</p>	<p>STANDING COMMITTEES (Sec. 107)</p> <ol style="list-style-type: none"> Local youth councils are not required. The local board <u>may</u> designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities under this section. Standing committees <u>shall</u> be chaired by a member of the local board, may include other members of the local board, and <u>shall</u> include other individuals appointed by local board who the local board determines have appropriate experience and expertise. <p>Designated standing committees <u>may</u> include, at a minimum:</p> <ol style="list-style-type: none"> A committee to assist with operational and other issues related to the one-stop delivery system, which <u>may</u> include representatives of the one-stop partners as members. A committee to assist with planning, operational, and other issues related to provision of youth services, which <u>shall</u> include community-based organizations with demonstrated record of success in serving eligible youth. A committee to assist with operational and other issues for provision of services to individuals with disabilities, including programmatic and physical access to services, programs, and activities of one-stop delivery system, appropriate training for staff on providing supports or accommodations, and finding employment opportunities for individuals with disabilities. The local board <u>may</u> designate additional standing committees. <p>NOTE – The existing youth council <u>may</u> be designated as the standing youth committee.</p>

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<p>AUTHORITY FOR LOCAL ACTIVITIES (Sec. 133) Grant recipient/one-stop operator, in consultation with the local board, <u>may</u>:</p> <ol style="list-style-type: none"> 1. <u>T</u>ransfer, if such a transfer is approved by the State, not more than 20% of the funds allocated to the local area between the adult and dislocated worker programs. 2. Allow 50% on-the-job training wage reimbursement or up to 90% on-the-job training wage reimbursement under Colorado’s waiver 	<p>AUTHORITY FOR LOCAL ACTIVITIES (Sec. 129, 133, 134) Grant recipient/one-stop operator, in consultation with the local board, <u>may</u>:</p> <ol style="list-style-type: none"> 1. Transfer, if such a transfer is approved by the State, up to 100% of the funds allocated to the local area between the adult and dislocated worker programs. 2. Increase on-the-job training wage reimbursement up to 75%. 3. Reserve and use not more than 20% of funds for incumbent worker training activities. Training activities shall be carried out by the grant recipient/one-stop operator, with participating employers and the local board. 4. Reserve and use not more than 10% of adult/dislocated worker funds for transitional jobs. 5. Implement a pay-for-performance contract strategy for training service providers, for which they may reserve and use up to 10% of the total funds allocated.
<p>STATE COUNCIL FUNCTIONS RELATED TO LWIBS (Sec. 117) LOCAL BOARD CERTIFICATION -</p> <ol style="list-style-type: none"> 1. The State shall certify one local board for each local area in the State, once every 2 years, based on the board composition criteria. 2. For a subsequent certification, the State shall consider the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures. <p>LOCAL AREA DESIGNATION -</p> <ol style="list-style-type: none"> 1. Requires the State to identify local areas in consultation with local boards and local chief elected officials. 2. Considerations – <ol style="list-style-type: none"> a. consistency with labor market areas b. resources of local area to administer employment and training activities 	<p>STATE COUNCIL FUNCTIONS RELATED TO LWIBS (Sec. 106, 107) LOCAL BOARD CERTIFICATION -</p> <ol style="list-style-type: none"> 1. The State shall certify one local board for each local area in the State, once every 2 years, based on the board composition criteria. 2. For a subsequent certification, the State shall consider whether the local board has ensured that local workforce investment activities have enabled the local area to meet performance accountability measures, to achieve sustained fiscal integrity, and to meet regional plan requirements for local areas in a planning region. <p>LOCAL AREA DESIGNATION -</p> <ol style="list-style-type: none"> 1. Requires the State to identify local areas in consultation with local boards and chief elected officials. 2. Considerations – <ol style="list-style-type: none"> a. consistency with labor market areas b. resources (Federal and non-Federal) of local area to administer employment and training activities

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<p>STATE COUNCIL FUNCTIONS RELATED TO LWIBS (continued):</p> <ul style="list-style-type: none"> c. geographic areas served by educational agencies d. geographic areas served by postsecondary and vocational schools e. distance individuals will need to travel to receive services <ul style="list-style-type: none"> 3. Permits automatic designation of existing local areas. 4. Permits State to approve request of any unit of local government (or combination of units) for designation if the state board recommends designation. <p>REGIONAL IDENTIFICATION AND PLANNING - State <u>may</u> require regional planning by local boards, to include performance measures, information sharing, and coordination of services.</p>	<p>STATE COUNCIL FUNCTIONS RELATED TO LWIBS (continued):</p> <ul style="list-style-type: none"> c. whether the areas have the appropriate higher education and area career and technical education schools. d. consistency with regional economic development areas <ul style="list-style-type: none"> 3. Permits automatic designation of existing local areas. 4. Permits State to approve request of any unit of local government (or combination of units) for designation if the state board recommends designation. 5. Requires state board to provide assistance, if all the local areas in a planning region request it, to facilitate redesignation of the local areas to a single local area. <p>REGIONAL IDENTIFICATION AND PLANNING -</p> <ul style="list-style-type: none"> 1. Requires the State to identify regions, in consultation with local boards and local chief elected officials. 2. <u>Three</u> types of regions – <ul style="list-style-type: none"> a. Region comprised of one local area; b. Region comprised of 2 or more local areas that are aligned with the region (“planning region”); c. Interstate areas contained within 2 or more states. 3. <u>Requires</u> local boards and chief elected officials to engage in a regional planning process resulting in – <ul style="list-style-type: none"> a. single regional plan (incorporates local plans) b. establishment of regional service strategies, including cooperative service delivery agreements c. development and implementation of sector initiatives d. regional labor market data analysis (with the state) e. establishment of coordinated administrative cost arrangements f. coordination of supportive services g. coordination of services with economic development h. regional performance measures negotiation and reporting