

# **Iowa WIOA State Plan Modification**

## **PROGRAM-SPECIFIC REQUIREMENTS FOR ADULT, DISLOCATED WORKER, AND YOUTH ACTIVITIES UNDER TITLE I-B**

### **Regions and Local Workforce Development Areas**

On February 18, 2019, the State Workforce Development Board (WDB) voted to reduce the number of Local Workforce Development Areas (WDA) in Iowa from 15 to 6. That realignment decision was affirmed by the State WDB on May 30, 2019, and a final review by the U.S. Department of Labor (USDOL) is currently pending. In the interim, on April 4, 2019, USDOL, Region 5, notified Iowa Workforce Development of the requirement to modify its WIOA Unified State Plan (USP) to describe the local areas designated in the state, the local area designation process, and the appeals process relating to local area designation. The attached USP modification complies with USDOL direction and reflects the newly designated Local WDAs. In the event USDOL overturns the State WDB's realignment decision, this section of the USP will be modified to reflect USDOL's action.

## **PROGRAM-SPECIFIC REQUIREMENTS FOR CORE PROGRAMS**

**The State must address all program-specific requirements in this section for the WIOA core programs regardless of whether the State submits either a Unified or Combined State Plan.**

## **PROGRAM-SPECIFIC REQUIREMENTS FOR ADULT, DISLOCATED WORKER, AND YOUTH ACTIVITIES UNDER TITLE I-B**

**The Unified or Combined State Plan must include the following with respect to activities carried out under subtitle B—**

### **A. ADULT, DISLOCATED WORKER, AND YOUTH ACTIVITIES GENERAL REQUIREMENTS**

#### ***1. Regions and Local Workforce Development Areas.***

##### ***A. Identify the regions and the local workforce development areas designated in the State.***

Historically, Iowa has had 15 LWDAs designated pursuant to Iowa Code Section 84B.3, in accordance with the “Special Rule Regarding Designated Areas” at WIOA Section 189(i)(1) (Exhibit 1). The 15 LWDAs date back to the Job Training Partnership Act under which States established “Service Delivery Areas” or SDAs. These SDAs were formed to align with service delivery in the State and, in Iowa, this resulted in areas that aligned exactly with community college areas throughout the State. Subsequent workforce development legislation, first the Workforce Investment Act of 1998 and, most recently, WIOA, allowed for existing service areas to continue to serve as LWDAs, with only minimal qualifying criteria. The U.S. Department of Labor/Employment and Training Administration (USDOL/ETA) Region 5 has affirmed as recently as April 4, 2019 that Iowa qualifies for the exception provided by the “Special Rule Regarding Designated Areas” at WIOA Section 189(i)(1). As described below, the State has been working since November 2017 to realign its LWDAs to be WIOA compliant by taking into consideration the factors described at WIOA Section 106(b)(1)(B), resulting in the newly designated LWDAs described below. Each of Iowa’s six (6) newly designated LWDAs is aligned with a region; thus, under WIOA Section 106(a)(2)(A), each of Iowa’s six (6) LWDAs also constitutes a workforce development region.

Iowa’s six (6) LWDAs and Boards are as follows.

#### Local Area/Region 1

Carroll, Boone, Story, Dallas, Polk, Audubon, Guthrie, Jasper, Madison, Marion, and Warren counties

#### Local Area/Region 2

Hardin, Marshall, Tama, Benton, Linn, Jones, Poweshiek, Iowa, Johnson, Cedar, and Washington counties

Local Area/Region 3

Jackson, Clinton, Scott, Muscatine, Louisa, Henry, Des Moines, and Lee counties

Local Area/Region 4

Winnebago, Worth, Mitchell, Howard, Winneshiek, Allamakee, Hancock, Cerro Gordo, Floyd, Chickasaw, Franklin, Butler, Bremer, Fayette, Clayton, Grundy, Black Hawk, Buchanan, Delaware, and Dubuque counties

Local Area/Region 5

Lyon, Osceola, Dickinson, Emmet, Kossuth, Sioux, O'Brien, Clay, Palo Alto, Plymouth, Cherokee, Buena Vista, Pocahontas, Humboldt, Wright, Woodbury, Ida, Sac, Calhoun, Webster, Hamilton, Monona, Crawford, and Greene counties

Local Area/Region 6

Harrison, Shelby, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Clarke, Fremont, Page, Taylor, Ringgold, Decatur, Mahaska, Keokuk, Lucas, Monroe, Wapello, Jefferson, Wayne, Appanoose, Davis and Van Buren counties

- B. Describe the process used for designating local areas, including procedures for determining whether the local area met the criteria for “performed successfully” and “sustained fiscal integrity” in accordance with 106(b)(2) and (3) of WIOA. Describe the process used for identifying regions and planning regions under section 106(a) of WIOA. This must include a description of how the State consulted with the local boards and chief elected officials in identifying the regions.***

On November 8, 2017, the USDOL/ETA Region 5 issued a WIOA Implementation Compliance monitoring report which, among other things, specifically addressed the number of LWDA's in Iowa. Finding 1 of the monitoring report stated “the division of limited WIOA funds among 15 service areas, particularly in a State that has large rural areas, is stretching the available dollars so thin that the local areas are unable to fund core WIOA functions, such as staff support for the required [local area boards].” As a result, USDOL/ETA Region 5 directed the State to establish WIOA-compliant LWDA's that are able to fulfill all of the required roles and functions of a LWDA. In response to USDOL/ETA Region 5's direction, the State Workforce Development Board (SWDB) convened on November 20, 2017 and created a standing Realignment Committee to make a recommendation with respect to LWDA realignment to ensure WIOA compliance. The Realignment Committee was comprised of representatives from all of the WIOA core partners, which include the Department of Education, Department of the Blind, Iowa Vocational Rehabilitation and Iowa Workforce Development (IWD), SWDB members,

legislators from both parties, community college representatives, and local workforce board members.

Between December 2017 and February 2018, the State of Iowa engaged in extensive consultation with CLEOs, community colleges, Title I providers, WIOA core partners, legislators, local and SWDB members, and IWD staff. A total of 22 public meetings were held to discuss realignment (3 at SWDB, 6 Realignment Committee meetings, and 13 local board meetings where IWD attended). The Labor Market Information (LMI) and Financial Management Divisions of IWD gathered and presented data on economic development areas, commuting patterns, and labor markets; this information was used to create configurations of new LWDA's ranging from two (2) local areas to eight (8) local areas. Additionally, the public meetings resulted in significant input to the Realignment Committee, including several recommendations regarding different LWDA configurations and numbers that were also considered. In February 2018, the Realignment Committee arrived at its recommendation to reduce and realign Iowa's LWDA's from 15 to 6. The Realignment Committee created two (2) different configurations consisting of six (6) LWDA's, and presented these configurations to the SWDB on February 18, 2019. At this meeting, the SWDB adopted the recommendation of the Realignment Committee to reduce the number of LWDA's from 15 to 6, and the SWDB selected one of the recommended configurations. The local boards were informed of this decision on February 22, 2019.

Following the SWDB realignment vote, eight (8) of the existing local boards appealed the decision. On March 21, 2019, and again on May 10, 2019, IWD notified all CLEOs and local board members that the SWDB would consider these appeals, including any public comments, at its next scheduled meeting on May 30, 2019. On this date, the SWDB convened to consider the appeals and vote on whether any changes would be made to its February 18, 2019 realignment decision. After reviewing all materials and listening to public comments, the SWDB had a full and open discussion and voted to affirm its realignment decision of February 18, 2019. A request for review has been forwarded to the U.S. Secretary of Labor, and the State is currently awaiting a decision.

***C. Provide the appeals process referred to in section 106(b)(5) of WIOA relating to designation of local areas.***

A Local Workforce Development Board (LWDB) Chair or CLEO may appeal a designation decision to the SWDB within 30 calendar days of the date such designation is approved by the SWDB.

Appeals must include the following information:

- Intent or notice to appeal.
- Name and contact information of the LWDB Chair or CLEO filing the appeal.
- Provide justification for the appeal, including the reason for disagreement with the decision and a proposed alternative WIOA-compliant designation.
- Signature and date of the LWDB Chair or CLEO.

The appeal must be submitted electronically to the SWDB at:  
[WIOAgovernance@iwd.iowa.gov](mailto:WIOAgovernance@iwd.iowa.gov).

The SWDB will review the appeal, provide the appellant with the opportunity to be heard at the next regularly scheduled SWDB meeting, and make a ruling on the appeal within 30 calendar days of that meeting. The SWDB shall notify the appellant in writing of its decision.

In accordance with the WIOA regulations, in the event the SWDB denies the appeal or fails to issue a decision within 30 calendar days following the SWDB meeting that considered the appeal, the LWDB Chair or CLEO may request review of the SWDB's decision, or lack thereof, by the Secretary of the United States Department of Labor (USDOL). The request for review by the USDOL must be filed within 30 calendar days from the receipt of the written notification of the SWDB's denial or failure to issue a decision.

The appellant must establish in its request for review by the USDOL that the appellant was not afforded procedural rights under the appeal process set forth in this plan, or that the area meets the requirements for local designation as specified in WIOA Section 106(b)(2) or (3).

The request for review must be submitted by certified mail, with return receipt requested, to: Secretary, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DS 20210, Attention: ASET.

A copy of the request for review must be submitted to the SWDB at:  
[WIOAgovernance@iwd.iowa.gov](mailto:WIOAgovernance@iwd.iowa.gov) at the same time the appellant sends the request for review to the USDOL.

The appeals process described in this plan can also be found in Iowa's WIOA Administration and Governance Policy.