



Montana Department of LABOR & INDUSTRY

1 Division: Workforce Services Division
2 Category: WIOA
3 Effective Date: 5/3/2016
4 Last Revised: 08/20/2020
5 Policy No.: 01-16

6 WIOA Local Workforce Area Designation Policy

7 **Background:** The Workforce Innovation and Opportunity Act (WIOA), signed into law on July 22, 2014,
8 formally overhauled and reauthorized the expired Workforce Investment Act (WIA) of 1998. Under WIA, Montana
9 had two designated local workforce investment areas, the 10 county Concentrated Employment Program (CEP)
10 local area and the 46 county Balance of State (BOS) local area.

11 Under WIOA, there is no longer a CEP, however states that had one previously are recognized as having had
12 local areas and therefore not eligible to be considered a single-area state. Therefore, Montana must remain
13 with the prior designated 10 county area and 46 county area as local workforce areas. In 2018, Montana
14 applied for a waiver from USDOL for the Montana State Workforce Innovation Board (SWIB) to carry out the
15 roles and responsibilities of the local boards, allowing Montana to act as a single-area planning state, with
16 funding allocated as required under federal law and regulations to the two local areas. This waiver was initially
17 granted November 14, 2018 by USDOL and renewed in August 2020.

18 WIOA Section 106(b) requires the Governor, in consultation with the SWIB, to designate local workforce areas
19 and ensure an appeals process is in place.

20 Training and Employment Guidance Letter (TEGL) No. 27-14 indicates the purpose of a local area is to serve as
21 a jurisdiction for the administration of workforce development activities using Adult, Dislocated Worker, and
22 Youth funds allocated by the State and to coordinate efforts related to the other core programs at a local
23 community level.

24 **Scope:** This policy applies to the SWIB and any area or entity seeking to be designated or designated as a
25 local workforce area.

26 Policy:

- 27 • At any time, the Chief Local Elected Official and Local Board from any unit of general local government
28 or combination of units may submit a request for designation as a new local workforce development
29 area.
- 30 • The Governor will consider requests for general designation as a new local workforce area if the
31 proposed area:
 - 32 ○ is consistent with local labor market areas;
 - 33 ○ has a common economic development area; and
 - 34 ○ has the federal and nonfederal resources, including appropriate education and training
35 institutions, to administer activities under WIOA.
- 36 • Areas or entities requesting consideration for either initial or general designation as a local workforce
37 area must submit the form in Attachment 1 of this policy to MTDLI.
- 38 • Inquiries regarding this policy should be directed to SWIB@mt.gov.

39 **Appeal Process:**

- 40 • An area, board, or entity seeking designation as a local workforce development area can choose to
41 appeal a denial. An appeal must be submitted in writing either by mail or email to the following
42 address(s) within 14 days after the written notification of the decision.

43 Montana State Workforce Innovation Board
44 PO Box 1728
45 Helena, MT 59624-1728

46 Or

47 swib@mt.gov

48 The appeal must include the justification for the appeal in the request. The area, board, or entity also
49 has the right to request a hearing.

- 50 • The appeals procedure will allow for a review before the SWIB Executive committee if requested and a
51 decision will be made within 60 days of appeal. This will be a final decision and the area, board, or
52 entity will be unable to reapply for one year from the date of final notification by the state.

53 **References:**

- 54 • WIOA Title I of 2014, Section 106 [WIOA Act](#)
55 • [TEGL 27-14](#)
56 • [TEGL 27-14, Change 1](#)

57 **Attachment:**

- 58 • Attachment 1 – WIOA Local Workforce Area Designation Request form

59

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Workforce Services Policy 16-01 Attachment 1

WIOA Local Workforce Area Designation Request Form

Areas or entities seeking to be designated a local workforce area must submit the following request form by email or by mail to the Montana Department of Labor & Industry to be considered.

Mail to:

Montana Department of Labor & Industry
Attn: State Workforce Innovation Board
PO Box 1728
Helena, Montana 59624-1728

Email to:

SWIB@mt.gov

Enter local workforce area name here is requesting designation as a Local Workforce Area under the Workforce Innovation and Opportunity Act (WIOA).

Contact Name: *[enter contact name here](#)*

Contact Title: *[enter contact title here](#)*

Contact Address: *[enter contact mailing address here](#)*

Contact Email: *[enter contact email address here](#)*

Date of Designation Request: *[click here to enter a date](#)*

Please explain how this designation is consistent with the local labor market and supports a common economic development area currently being served by WIOA.

Please provide information on this area's access to federal and non-federal resources, including appropriate education and training institutions, to administer WIOA programs.

Name: *[type or print name here](#)*

Signature: *[enter e-signature here or sign here](#)*

Date: *[click here to enter a date](#)*