



Montana Department of LABOR & INDUSTRY

Division: Workforce Services Division
Category: WIOA
Effective Date: 5/3/2016
Last Revised: 10/01/2024
Policy No.: 01-16

WIOA Local Workforce Area Designation Policy

Background:

The Workforce Innovation and Opportunity Act (WIOA), signed into law on July 22, 2014, formally overhauled and reauthorized the expired Workforce Investment Act (WIA) of 1998. Under WIOA, Montana had two designated workforce investment areas—the ten-county Concentrated Employment Program (CEP) and the forty-six-county Balance of State (BOS).

Under WIOA, the CEP no longer exists. States that previously had a CEP are recognized as having more than one local workforce investment area and cannot be considered a single-area state. Therefore, Montana must function with the two designated local areas, the CEP and the BOS. In 2018, Montana applied for a USDOL waiver, allowing the State Workforce Innovation Board (SWIB) to carry out the roles and responsibilities of the local boards and the state to act as a single-area planning state, with funding allocated as required by federal law and regulation, to the two local areas. This waiver was granted in November 2018 and renewed in June 2024.

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

Scope:

This policy applies to the SWIB, and any area or entity designated as or seeking to be designated as a local workforce development area.

Policy:

- The chief local elected official and local board from any unit of general local government or combination of local entities may submit a request for designation as a local workforce development area.
- The Governor will consider requests for general designation as a new local workforce development area if the proposed area demonstrates the following:
 - Consistency with local labor market areas;

- A common economic development area; and
 - Federal and non-federal resources, including appropriate education and training institutions, to administer activities under WIOA.
- Areas or entities requesting consideration for either initial or general designation as a local workforce area must submit the form in Attachment 1 of this policy to Montana's State Workforce Innovation Board (SWIB). Inquiries regarding this policy should be directed to [the SWIB](#).

Appeal Process

- An area, board, or entity seeking designation as a local workforce development area may choose to appeal a denial. An appeal must be submitted in writing either by mail or email to the following address(es) within 14 days after receiving the denial decision.

Montana State Workforce Innovation Board

PO Box 1728

Helena, MT 59624-1728

Or

swib.mt.gov

- The request for appeal must include the justification for the appeal. The area, board, or entity may also request a hearing.
- The appeal process allows for a review before the SWIB Executive Committee if requested.
- A decision will be made within 60 days and will be final. The area, board, or entity will be unable to apply for one year from that date.

References:

- WIOA Title I of 2014, Section 106 [WIOA Act](#)
- [TEGL 27-14, change 1](#)

Attachment:

Attachment 1 – WIOA Local Workforce Area Designation Request Form

Attachment 1: WIOA Local Workforce Area Designation Request Form

- An area, board, or entity seeking designation as a local workforce area must submit the following form by email or mail to the Montana Department of Labor & Industry.

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, entity, or board'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*](#)