

WIOA Fact Sheet: Workforce Development Areas



WIOA SEC. 106 WORKFORCE DEVELOPMENT AREAS.

(b) LOCAL AREAS.-

(1) IN GENERAL. –

(A) PROCESS. – ...The Governor of the State shall designate local workforce development areas within the State –

- (i) Through consultation with the State board; and
- (ii) After consultation with chief elected officials and local boards, and after consideration of comments received through the public comment process as described in section 102(b)(2)(E)(iii)(II) [*State Plan-Assurances*]

(B) CONSIDERATIONS. – The Governor shall designate local areas (except for those local areas described in paragraphs (2) and (3)) based on considerations consisting of the extent to which the areas –

- (i) Are consistent with labor market areas in the State;
- (ii) Are consistent with regional economic development areas in the State; and
- (iii) Have available the Federal and non-Federal resources necessary to effectively administer activities under subtitle B and other applicable provisions of this Act...

(2) INITIAL DESIGNATION. – During the first 2 full program years following the date of enactment of this Act, the Governor shall approve a request for initial designation as a local area from any area that was designated as a local area for purposes of the Workforce Investment Act of 1998 for the 2-year period preceding the date of enactment of this Act, performed successfully, and sustained fiscal integrity.

(3) SUBSEQUENT DESIGNATION. – After the period for which a local area is initially designated under paragraph (2), the Governor shall approve a request for subsequent designation as a local area from such local area, if such area –

- (A) performed successfully;
- (B) sustained fiscal integrity; and
- (C) in the case of a local area in a planning region, met the requirements described in subsection (c)(1).

(e) DEFINITIONS. – For purposes of this section:

(1) PERFORMED SUCCESSFULLY. – The term "performed successfully," used with respect to a local area, means the local area met or exceeded the adjusted levels of performance for primary indicators of performance described in section 116(b)(2)(A) (or, if applicable, 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 this Act) for each of the last 2 consecutive years for which data are available preceding the determination of performance under this paragraph.

(2) 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 either of the last 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 subtitle B (or, if applicable, title I of the Workforce Investment Act of 1998 as in effect prior to the effective date of such subtitle B) due to willful disregard of the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration.