



**Department of Labor and Training**

Center General Complex  
1511 Pontiac Avenue  
Cranston, RI 02920-4407

Telephone: (401) 462-8000  
TDD: (401) 462-8006

Donald L. Carcieri  
Governor  
Sandra M. Powell  
Director

## **WORKFORCE INVESTMENT NOTICE: 08-07**

**TO:** WORKFORCE INVESTMENT AREAS

**FROM:** Donna Treglia, Acting Administrator-Workforce Investment Office

**SUBJECT:** Local Planning Guidance Year Five (Program Year 2009)

**DATE:** January 30, 2009

### **PURPOSE**

A state approved local plan is required in order for a Local Workforce Investment Area (LWIA) to receive formula allotments under the Workforce Investment Act.

The U.S. Department of Labor (USDOL) given the continued uncertainty of the reauthorization of the Workforce Investment Act (WIA) is requiring states and hence local workforce areas to submit a one-year plan for year five of the current five year planning cycle. The current Workforce Investment Plans and all approved waivers expire on June 30, 2009.

The purpose of this local planning guide is to provide a better understanding of the planning requirements under the Workforce Investment Act of 1998.

Due to the evolving nature of the WIA, it may be necessary to revise these Local Plans. It should be remembered that these Local Plans are considered "living documents" and may be modified at any time in conformity with State Workforce Investment Notice 01-05.

## **BACKGROUND**

The State Planning guidance issued by the Employment and Training Administration (ETA) of the United States Department of Labor on December 11, 2008 as TEGL 7-08, requires that the Governor's Workforce Board (GWB) submit the final year of the Strategic Five-Year State WIA Plan by April 15, 2009. Programs and activities are to be fully implemented on July 1, 2009.

This Local Planning Guidance, which includes a proposed timeline on page 5, is separated into two (2) sections that will provide you with helpful background information to assist you in the development of the One-Year Local WIA Plan.

The guide should be considered as an interim final, since there are additional components to the guide that have yet to be developed e.g., negotiated performance levels and funding information.

The State Workforce Investment Office (SWIO) will not finalize the State Plan prior to April 15, 2009. A copy of the draft State Plan will be provided to the Local Boards as soon as available. There will be opportunities for public comment to assure that the plan does, in fact, address the most critical needs of Rhode Island's job seekers and employers while working to build a premier workforce development system.

**INQUIRIES:** Questions concerning this Planning Guide may be directed to:

[Donna Treglia](#) (401) 462-8784  
[Mavis McGetrick](#) (401) 462-8791  
[Helder Videira](#) (401) 462-8785

## **SECTION 1 – GETTING STARTED**

- Update the One-Stop Memorandum of Understanding (MOU), if applicable, in conformity with WIA Regulations [Regs. 662.230, 662.300, 662.310] and State Workforce Investment Office Policy No. WIN 99-18.
- Update the Inter-municipal Agreement, if applicable, in conformity with State Policy No. WIN 99-09, Change No. 1.
- Re-certification of Local Workforce Investment Boards and Youth Councils in conformity WIA. Verify membership requirements under WIA and request re-certification of Local Boards and Youth Councils.

## **SECTION 2 – PLANNING FORMAT AND PROCEDURES**

### **1. Local Plan Submission**

Section 118 of the Workforce Investment Act (WIA) requires the Local Workforce Investment Board (LWIB) of each local Workforce Investment Area, in partnership with the chief elected official(s), to develop and submit a comprehensive local plan to the Governor in order to receive Title I WIA Funds. LWIB programs and activities are to be fully implemented on July 1, 2009. Please note the established timelines with regard to the local planning process.

Local areas are required to adhere to the following Local Plan format when submitting their local plans:

- All pages numbered, including attachments
- Cover sheet
- Approval and public comment process
- Executive Summary
- Attachments
- Single spaced, double sided, 12 point font on 8.5 X 11 white paper
- Set left hand margin at one inch to allow for hole punching
- Microsoft Word document
- A maximum of 50 pages, excluding attachments
- Three-holed punched, not bound
- Place in three ring notebooks.

### ***Draft and Final Plan Submission***

Submit two originals (hard copies) and one copy by email of the **Draft Local Plan no later than 4:00 P.M. on April 1, 2009**. Submit two original (hard copies) and one copy by e-mail of the **Final Local Plan no later than 4:00 P.M. on May 22, 2009**.

Both Draft and Final plans should be clearly identified and submitted to the address listed below.

[Ms. Donna Treglia](#), Acting Administrator  
State Workforce Investment Office  
Rhode Island Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920

### **2. Public Comment and Review**

The WIA regulations at 20 CFR 661.345 require that the local plan must be available to the public, include an opportunity for comment from members of the public and provide at least a 30 day period for comment beginning on the date on which the proposed plan is made available, prior to its submission to the Governor.

The current local two-year plan (PY07 and PY08) is substantially in compliance with WIA Section 118; Regs 661.345; 661.350 and local planning guidance provided in Workforce Investment Notice #06-07.

Therefore to facilitate public review and comment, as well as State review, the submission should take the following format:

- A description of the board review and public comment process.
- An Executive Summary outlining any proposed changes to the existing 2-year plan. Please refer to page numbers in the existing plan and include changes that have been contained in previous modifications.
  
- Attachments:
  - Amended (through June 30, 2010) and signed One-Stop Memorandum of Understanding (form attached);
  - Updated Inter-municipal agreement, if applicable;
  - Any policies that have been adopted since July 1, 2007;
  - A complete updated LWIB membership list by required class;
  - A Board meeting schedule for PY09;
  - A diagram, description of roles and responsibilities and regular meeting schedule of the subcommittee structure;
  - A Youth Council membership chart, including names, titles and organizations they represent and a meeting schedule;
  - A request for recertification of the Board and Youth Council;
  - Assurances and Certifications (attached);
  - Signature Page (attached).

The current 2-year plan and all of the above listed documents should be available during the public comment period which should adhere to the procedures described in WIN 06-07.

### 3. Plan Approval Process

The State will begin reviewing draft plans upon receipt in an effort to assist those areas that may have any deficiencies in their local plans. Technical assistance will be provided to all areas upon request.

Final plans submitted to the State in accordance with these guidelines, that are (1) consistent with and meet all provisions of the WIA as appropriate; and (2) where no substantive issues have been identified by the State; and (3) that establish acceptable levels of performance, will be considered approved with written notification provided from the State.

The proposed timeline follows:

## PROPOSED PLANNING PROCESS TIMELINE WIA AND WAGNER PEYSER PLAN

December 11, 2008	TEGL 7-08 issued by USDOL – State Plan Guidance
January 15, 2009	P & E Approval to request one-year extension of current State Plan
January 22, 2009	GWB Approval to request one-year extension of current State Plan
January 30, 2009	WIN 08-08 issued by SWIO – Local Plan Guidance
February 4, 2009	Public Hearing Notice Placed in Journal and Posted to Websites
February 4, 2009	Draft State Plan Extension Available on Website
March 5, 2009	Public Hearing on Draft State Plan Extension
March 12, 2009	Draft State Plan Extension presented to GWB for approval
April 1, 2009	Local WIA Draft Plans due to SWIO
April 7, 2009	State WIA Liaison Approves State Plan Extension
April 8, 2009	State Plan Extension sent to Governor for Approval and Signature
April 15, 2009	Submit State Plan Extension to USDOL
May 5, 2009	Draft Local Plans presented to P & E for approval
May 22, 2009	Final Local Plans submitted to SWIO
June 2, 2009	Final Local Plans presented to P & E for approval
June 18, 2009	Final Local Plans presented to GWB for approval

## **ASSURANCES**

- 1) The Local Workforce Investment Board, including the chief elected official of the area, and providers receiving funds under Title I of the WIA, will all maintain fiscal controls and fund accounting procedures to ensure the proper disbursement of, and accounting for all funds received through the Workforce Investment Act.
- 2) Local Workforce Investment Board will assure that it shall keep records that are sufficient to permit the preparation of reports required by the Act and shall maintain such records, including standardized records for all individual participants, and submit such reports as the State may require.
- 3) Local Workforce Investment Board assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of the Act. The Board assures compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.
- 4) Local Workforce Investment Board assures that funds will be spent in accordance with the Workforce Investment Act, regulations, written Department of Labor guidance, State guidance, and all other applicable Federal and State laws.
- 5) Local Workforce Investment Board assures that veterans will be afforded employment and training activities authorized in the Workforce Investment Act in compliance with the Jobs for Veterans Act.
- 6) The Local Workforce Investment Board assures that no funds received under WIA will be used to assist, promote, or deter union organizing.
- 7) The Local Workforce Investment Board assures that it developed this plan in consultation with the business community, labor organizations, and required partners.
- 8) Local Workforce Investment Board will assure it will comply with any grant procedures prescribed by the Secretary which are necessary to enter into contracts for the use of funds under WIA; including, but not limited to the following:

### **General Administrative Requirements**

29 CFR part 97(OMB Circular A-102) --Uniform Administrative Requirements for State and Local Governments (as amended by the Act)

29 CFR part 95 (OMB Circular A-110) as applicable -- Uniform Administrative Requirements for Institutions of Higher Education

### **Audit Regulations and Requirements**

29 CFR part 96 (as amended by OMB Circular A-133) -Single Audit Act;

29 CFR part 99 (OMB Circular A-133) Audit Requirements for recipients of Federal Financial Assistance

**Cost Principles**

OMB Circular A-87 -- (as amended by the Act), Cost Principles for State, Local, and Indian Tribal Governments

OMB Circular A-122 and A-22 Cost Principles for Non-Profit Organizations as applicable.

**Assurances and Certifications**

SF 424 B – Assurances for Nonconstruction Programs;

29 CFR part 31, 32 – Nondiscrimination and Equal Opportunity Assurance (and Regulation);

**Miscellaneous Provisions**

CFR part 93 – Certification Regarding Lobbying (and Regulation);

29-CFR part 98 –Drug Free Workplace and Debarment and suspension;  
Certifications (and regulation)

**SIGNATURE PAGE**

In its capacity as the locally designated Workforce Investment Board, this plan represents the (insert name of workforce area)'s efforts to maximize resources available under Title I of the Workforce Investment Act (WIA) of 1998 and to coordinate these resources with other State and Local programs in the (insert name of workforce area) Workforce Investment Area, which includes (insert names of cities and towns).

This comprehensive plan is submitted for the period of July 1, 2009 through June 30, 2010 in accordance with the provisions of the Workforce Investment Act. We further certify that we will operate the Workforce Investment Act Program in accordance with this plan and applicable federal and state laws and regulations.

Local Board Chair:

_____	_____	_____
Original Signature	Name (printed or typed)	Date

Chief Elected Official:

_____	_____	_____
Original Signature	Name (printed or typed)	Date

# MEMORANDUM OF UNDERSTANDING MODIFICATION

<b>Date Mod Prepared:</b>	<b>Modification #1</b>
<b>Effective Dates</b>	<b>7/1/09 – 6/30/10</b>

### MOU between:

Partner name	Name of Workforce Investment Area
Partner address	Address

All terms and conditions of the MOU remain the same except for the following:

- X     The period of performance is extended through June 30, 2010

<b>Signatory</b>	<b>Signature / Date</b>
Partner Agency Name	
Name and title of person to sign	

<b>Signatory</b>	<b>Signature / Date</b>
Workforce Investment Area Name	
Name of Chair Chair	