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TALENT INVESTMENT AGENCY
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OFFICIAL
Policy Issuance (PI) 16-02 Change 1

Date: April 4, 2018

To: Michigan Works! Agency (MWA) Directors

From: Stephanie Beckhorn, Director **SIGNED**
Workforce Development Agency

Subject: The Workforce Innovation and Opportunity Act (WIOA) Four-Year Regional and Local Plans for Program Years (PYs) 2016 through 2019

Programs Affected: Programs Mandated for Inclusion in the Michigan Works! System

Rescissions: PI 16-02

References: The WIOA of 2014, Public Law 113-128 (29 United States Code Section 3101, *et. seq.*)

The WIOA Final Regulations as Published in the Federal Register on August 19, 2016

The WIOA Manual, issued January 29, 2018

PI 15-11 Change 1, issued June 21, 2016

Background: The WIOA, which supersedes the Workforce Investment Act of 1998, presents an extraordinary opportunity to improve job and career options for our nation's workers and jobseekers through an integrated, job-driven public workforce system that links diverse talent to businesses. The WIOA supports the development of strong, vibrant regional economies where businesses thrive, and people want to live and work. This revitalized workforce system will be characterized by three critical hallmarks of excellence:

- (1) The needs of business and workers drive workforce solutions.
- (2) One-Stop Centers provide excellent customer service to workers, jobseekers, and employers, and focus on continuous improvement.

- (3) The workforce system supports strong regional economies and plays an active role in community, economic and workforce development.

Per the WIOA Section 106(a), states are required to identify planning regions in their state plans. Further, the WIOA Section 106(b) requires the Governor to designate local workforce development areas within the state for the purposes of the WIOA. The PI 15-11, Change 1, issued June 21, 2016, provided necessary guidance regarding the designation of local workforce development areas in Michigan. Per the WIOA Section 106(a)(2), a planning region may include one or more local areas. Planning regions provide an opportunity for local areas to collaborate more formally within the larger regional economy. Per the WIOA Final Regulations at Section 679.220, the purpose of identifying planning regions is to align workforce development activities and resources with larger regional economic development areas and available resources to provide coordinated and efficient services to both jobseekers and employers. Per the WIOA Section 106(c), local Workforce Development Boards (WDBs) and Chief Elected Officials (CEOs) are required to engage in a regional planning process that results in the development of a regional plan. Further, per the WIOA Section 108(a), each local WDB is also responsible for developing a local plan in partnership with the CEOs.

Per the WIOA Final Regulations at Sections 679.530 and 679.580, the WIOA regional and local plans, at a minimum, must be modified at the end of the first two-year period of the four-year plans. This is known as the mid-cycle modification.

Policy:

This policy change transmits important information regarding the submission of the required mid-cycle modifications for the regional and local plans covering PYs 2016 through 2019. Because **all local areas** are part of a planning region, all local areas **must submit** both a **regional and a local plan** modification in alignment with the requirements outlined in the WIOA Sections 106(c) and 108, and the WIOA Final Regulations. **Approval of the modified plans by both the CEOs and the local WDB(s), for all local areas within the planning region, must occur prior to submission of the regional plans to the Michigan Talent Investment Agency/ Workforce Development Agency (TIA/WDA) for approval.**

The CEO(s) and local WDB must also approve modified local plans before submission to the TIA/WDA for approval.

For planning regions encompassing multiple local areas, only one submission of the modified regional plan to the TIA/WDA for approval is necessary. Further, in cases where a planning region includes only one local area, a combined regional and local plan modification may be submitted to the TIA/WDA for approval in lieu of the submission of a separate regional and local plan modification **as long as the combined plan modification meets all regional and local planning requirements** specified in the WIOA, the WIOA Final Regulations, and this policy.

Regional plans must be consistent with the requirements outlined in Section I of Attachment C to this policy while local plans must be consistent with the requirements outlined in Section II. Consistent with Section 107(e) of the WIOA, the local board must make information about regional and local plans available to the public on a regular basis through electronic means and open meetings.

WIOA Planning Regions

Per Michigan's WIOA Unified State Plan, the state's WIOA Planning Regions are defined as follows:

Region 1	UPWARD Talent Council
Region 2	Networks Northwest
Region 3	Northeast Consortium, Region 7B Consortium
Region 4	West Central, West Michigan Works
Region 5	Great Lakes Bay
Region 6	GST Michigan Works
Region 7	Capital Area Michigan Works
Region 8	Berrien/Cass/Van Buren, Michigan Works! Southwest
Region 9	Michigan Works! Southeast
Region 10	DESC, Macomb/St. Clair, Oakland, SEMCA

Plan Modifications

During the four-year lifecycle of the regional and local plans, local areas **may be required to submit annual modifications** to the plans as changes in regional and local conditions necessitate, and as the TIA/WDA determines necessary. **At a minimum, modifications for both regional and local plans will be required at the end of the first two-year period of the plans** (i.e., June 30, 2018).

Conditions which require a modification to the **regional plan** include:
1) Changes in regional labor market and economic conditions; and
2) Other factors affecting the implementation of the plan, including but not limited to, changes in the financing available regionally to support the WIOA Title I and partner-provided WIOA services.

Conditions which require a modification to the **local plan** include:
1) Changes in labor market and economic conditions; and 2) Other factors affecting the implementation of the plan, including but not limited to, significant changes in local economic conditions, the financing available to support the WIOA Title I and partner-provided WIOA services, and local WDB structure, and/or the need to revise strategies to meet local performance goals.

Public Comment

All regional and local plans, and any modifications to such plans, are subject to a 30-day public review and comment period as described in the WIOA and the WIOA Final Regulations, and in Section III of the attachment to this policy.

NOTE: A preliminary copy of the regional and local plan modification(s) incorporating the requirements of this policy may be forwarded to the TIA/WDA for informational purposes prior to the end of the mandatory 30-day public review and comment period.

Action:

All mid-cycle regional and local plan modifications must be submitted electronically to the TIA/WDA no later than June 30, 2018. Plans should be submitted to Ms. Pam Vance at VanceP1@michigan.gov. Please copy your assigned WIOA state coordinators on your email submission. In addition, one signed copy of each of the attached Approval Request forms, with original signatures, should be mailed to:

The Michigan Talent Investment Agency
Targeted Services Division
Attn: Ms. Pam Vance
Victor Office Center
201 N. Washington Square, 5th Floor
Lansing, MI 48913

Further, any comments received during the public review and comment period that represent disagreement with the regional and/or local plan modification should also be submitted to the TIA/WDA electronically to Ms. Pam Vance with your plan submission.

The aforementioned process should be followed for any future regional and/or local plan modification submissions as well.

Inquiries:

Questions regarding this policy should be directed to one of your assigned WIOA state coordinators.

This policy is available on the [TIA/WDA's website](#). Please contact Ms. Vance at 517-335-5858 or via email if you require assistance.

The information contained in this policy will be made available in alternative format (large type, audio tape, etc.) upon special request to this office. Please contact Ms. Vance for details.

Expiration

Date: June 30, 2020

SB:KJ:pv
Attachments

Approval Request Form Instructions
Workforce Innovation and Opportunity Act (WIOA) Regional Plans

1. Region Number: Enter the number assigned to the WIOA Planning Region submitting the plan.
2. Plan Title(s): Enter the appropriate title(s) for the plan being submitted.
3. Policy Issuance Number: Enter the Policy Issuance number that the Approval Request form pertains to.
4. Plan Period: Identify the program period(s) covered by the plan.

Note: Additional signatory lines may be added as necessary to meet the region's needs.

Approval Request Form

1. Region Number:

2. Plan Title(s): WIOA Regional Plan for Program Years 2016 thru 2019

3. Policy Issuance Number: 16-02 Change 1

4. Plan Period: 7/1/16-6/30/20

The Chief Elected Official(s) and Workforce Development Board hereby request approval of this document. Please insert the printed name for each signature provided below.

Signature of Authorized Chief Elected Official	Date:
Printed Name:	

Signature of Authorized Chief Elected Official	Date:
Printed Name:	

Signature of Authorized Chief Elected Official	Date:
Printed Name:	

Signature of Workforce Development Board Chairperson	Date:
Printed Name:	

The Michigan Talent Investment Agency/Workforce Development Agency, in compliance with applicable federal and state laws, does not discriminate in employment or in the provision of services based on race, color, religion, sex, national origin, age, disability, height, weight, genetic information, marital status, arrest without conviction, political affiliation or belief, and for beneficiaries only, citizenship or participation in any federally assisted program or activity.

Approval Request Form Instructions
Workforce Innovation and Opportunity Act (WIOA) Local Plans

1. Michigan Works! Agency (MWA) Name and Number: Enter the name and number of the MWA submitting the plan.
2. Plan Title(s): Enter the appropriate title(s) for the plan being submitted.
3. Policy Issuance Number: Enter the Policy Issuance number that the Approval Request form pertains to.
4. Plan Period: Identify the program period(s) covered by the plan.

Approval Request Form

1. MWA Name and Number:

2. Plan Title(s): WIOA Local Plan for Program Years 2016 thru 2019

3. Policy Issuance Number: 16-02 Change 1

4. Plan Period: 7/1/16-6/30/20

The Chief Elected Official(s) and Workforce Development Board hereby request approval of this document. Please insert the printed name for each signature provided below.

Signature of Authorized Chief Elected Official

Date:

Printed Name:

Signature of Authorized Chief Elected Official

Date:

Printed Name:

Signature of Authorized Chief Elected Official

Date:

Printed Name:

Signature of Workforce Development Board Chairperson

Date:

Printed Name:

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SECTION I

REGIONAL PLAN REQUIREMENTS

Section 106(c)(1) (a) through (h) of the Workforce Innovation and Opportunity Act (WIOA) requires local boards and chief elected officials (CEOs) in each planning region to engage in a regional planning process that results in the preparation and submission of a single regional plan. Regional plans must incorporate the local plans for each of the local areas within the planning region consistent with the requirements of the WIOA Final Regulations at Section 679.540(a). In addition, the regional plan must include:

1. A description of the planning process undertaken to produce the regional plan, including a description of how all local areas were afforded the opportunity to participate in the regional planning process.
2. An updated and thorough analysis of regional labor market data and economic conditions *for the WIOA Planning Region*. (Note: information and analysis provided by the Department of Technology, Management & Budget/Labor Market Information and Strategic Initiatives for the Prosperity Region may need to be augmented with other sources of data in cases where it does not align with the WIOA Planning Region.) This shall include an analysis of existing and emerging in-demand industry sectors and occupations, and the employment needs of employers in those existing and emerging in-demand industry sectors and occupations. All core partners (WIOA Titles I-IV) should be involved in both providing and analyzing the data. The analysis shall include:
 - The knowledge and skills necessary to meet the employment needs of the employers in the region, including employment needs of in-demand industry sectors and occupations.
 - An analysis of the current workforce in the region, including employment and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment.
 - An analysis of workforce development activities in the region, including available education and training opportunities. This analysis must include the strengths and weaknesses of workforce development activities in the region and the region's capacity to provide the workforce development activities necessary to address the education and skill needs of the workforce, including individuals with barriers to employment, and the employment needs of employers in the region.

The analysis may include:

- An assessment of what sectors/industries are considered mature but still important to the regional economy, current and in-demand, and which are considered emerging in the regional economy.
- A discussion of geographic factors (inherent geographic advantages or disadvantages) that may impact the regional economy and the distribution of employers, population, and service providers within the region.
- Information regarding the employment needs of employers, including how education and training align with targeted industries and occupations.

- The demographic characteristics of the current workforce and how the region's demographics are changing in terms of population, labor supply, and occupational demand.

Note: All requirements denoted as “shall include” are also required as part of the local plan.

3. A description of regional service strategies that have been or will be established as a result of coordinated regional analysis and delivery of services, including the use of cooperative service delivery agreements, when appropriate. Regions may consider:
 - Existing service delivery strategies that will be expanded, streamlined, or eliminated.
 - New service strategies necessary to address regional education and training needs.
 - Strategies to address geographic advantages.
 - Approaches to improve services to individuals with disabilities, veterans, youth, or other hard-to-serve populations.
 - Strategies to connect the unemployed with work-based learning opportunities.
 - Strategies to integrate existing regional planning efforts among core partners.
4. A description of plans for the development and implementation of, or the expansion of, sector initiatives for in-demand industry sectors or occupations for the region. Regions should consider:
 - Current in-demand industry sectors and occupations within the region.
 - The status of regional collaboration in support of the sector initiatives.
 - Current sector based partnerships within the region.
 - Which sectors are regional priorities, based upon data-driven analysis.
 - The extent of business involvement in current initiatives.
 - Other public-private partnerships in the region that could support sector strategies.
5. A description of any administrative cost arrangements that currently exist or that will be established within the region, including the pooling of funds for administrative costs, as appropriate. Regions may consider:
 - Current or proposed resource leveraging agreements.
 - Establishing a process to evaluate cost sharing arrangements.
6. A description of how transportation and other supportive services, as appropriate, currently are coordinated or will be coordinated within the region. Regions may consider:
 - Whether the provision of transportation or other supportive services could be enhanced, and if so, how.
 - What organizations currently provide or could provide supportive services.
 - Establishing a process to promote coordination of supportive services delivery.

7. A description of how workforce development services currently are, or could be, coordinated with economic development services and providers within the region, and a description of the strategies that have been or will be established to enhance service delivery as a result of the coordinated regional analysis of such services. Regions may consider:
 - Current economic development organizations engaged in regional planning.
 - Education and training providers involved with economic development.
 - Current businesses involved with economic development organizations.
 - Targeted businesses from emerging sectors/industries.

8. A description of how the region will collectively negotiate and reach agreement with the Governor on local levels of performance for, and report on, the performance accountability measures described in the WIOA Section 116(c), for the local areas or the planning region. Regions may consider:
 - The process to be used for determining regional performance goals.

SECTION II

LOCAL PLAN REQUIREMENTS

Local plans serve as four-year action plans to develop, align, and integrate service delivery strategies and to support the state's vision and strategic and operational goals. The local plan sets forth the strategy to:

- Direct investments in economic, education, and workforce training programs to focus on providing relevant education and training to ensure that individuals, including youth and individuals with barriers to employment, have the skills to compete in the job market and that employers have a ready supply of skilled workers.
- Apply job-driven strategies in the One-Stop system.
- Enable economic, education, and workforce partners to build a skilled workforce through innovation in, and alignment of, employment, training, and education programs.
- Incorporate the local plan in to the regional plan per 20 Code of Federal Regulations (CFR) 679.540.

Section 108(b) (1) through (22) of the WIOA requires local boards and CEOs to develop and submit a comprehensive four-year local plan that is consistent with the State Plan and based on an analysis of regional labor market data. The local plan shall include:

1. An analysis of regional labor market data and economic conditions including:
 - The regional analysis prepared as part of the regional plan. (*See Section I, #2*)

- A description of the local board’s strategic vision and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment).
- Expected levels of performance for Adult, Dislocated Worker, Youth, Adult Education and Literacy, and Wagner-Peyser, as described in the WIOA Section 116(b)(2)(A). Expected performance levels may be used to evaluate outcomes until such time as formal performance goals are established. Local boards are not required to provide expected levels of performance for Program Year (PY) 2016 and PY 2017 for those performance measures designated by the U.S. Department of Labor (USDOL) as “baseline” indicators. Performance measures are designated as baseline where it is unlikely that adequate data exists to make a reasonable determination of an expected level of performance. Such designations vary across the core programs.

Baseline Measures:

- WIOA Title I – Adult, Dislocated Worker, and Youth
 - Measurable Skills Gain
 - Effectiveness in Serving Employers
 - WIOA Title II – Adult Education and Literacy
 - Employment Second Quarter After Exit
 - Employment Fourth Quarter After Exit
 - Median Earnings
 - Credential Attainment Rate
 - Effectiveness in Serving Employers
 - WIOA Title III – Wagner-Peyser
 - Effectiveness in Serving Employers

(Note – Credential Attainment Rate and Measurable Skills Gain do not apply to Wagner-Peyser.)
 - WIOA Title IV – Vocational Rehabilitation
 - All measures are designated as baseline
 - A description of the local board’s strategy to align local resources, required partners, and entities that carry out core programs to achieve the strategic vision and goals.
2. A description of the workforce development system in the local area including:
- The programs that are included in that system.
 - A description of the local board’s strategy to work with entities carrying out core programs and other workforce development programs to provide service alignment (including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006).
3. A description of how the local board, working with the entities carrying out core programs will:

- Expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment.
- Facilitate the development of career pathways and co-enrollment, as appropriate, in core programs.
- Improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable).

4. A description of the strategies and services that will be used in the local area to:

- Facilitate engagement of employers, including small employers and employers in in-demand industry sectors and occupations, in workforce development programs.
- Support a local workforce development system that meets the needs of businesses in the local area.
- Improve coordination between workforce development programs and economic development.
- Strengthen linkages between the One-Stop delivery system and Unemployment Insurance programs.

Note: Strategies and services may include the implementation of initiatives such as incumbent worker training (IWT) programs, on-the-job training programs, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies designed to meet the needs of employers - supporting the local board's overall strategy to align local resources, required partners, and entities that carry out core programs.

5. A description of how the local board will coordinate local workforce investment activities with regional economic development activities that are carried out in the local area and how the local board will promote entrepreneurial skills training and microenterprise services.

6. A description of the One-Stop delivery system in the local area, including:

- How the local board will ensure the continuous improvement of eligible providers of services through the system and that such providers will meet the employment needs of local employers, workers, and jobseekers.
- How the local board will facilitate access to services provided through the One-Stop delivery system, including in remote areas, through the use of technology and other means.
- How entities within the One-Stop delivery system, including One-Stop operators and the One-Stop partners, will comply with the nondiscrimination provisions of the WIOA (Section 188), if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 United States Code [U.S.C.] 12101, *et seq.*) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities.
- A description of the roles and resource contributions of the One-Stop partners.

7. A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area.
8. A description and assessment of the type and availability of youth workforce investment activities in the local area, including activities for youth who are individuals with disabilities, which shall include an identification of successful models of such activities. Further, local areas are to define “requires additional assistance” for In-School and Out-of-School Youth eligibility criterion in their local plan.
9. Information regarding any waivers being utilized by the local area, in accordance with any Michigan Talent Investment Agency/ Workforce Development Agency (TIA/WDA) communicated guidelines or requirements regarding the use of the waiver(s).
10. A description of how the local board will coordinate relevant secondary and postsecondary education programs and activities with education and workforce investment activities to coordinate strategies, enhance services, and avoid duplication of services.
11. A determination of whether the Michigan Works! Agency (MWA) has elected to provide supportive services and needs related payments. The MWAs that elect to provide supportive services to participants during program enrollment must describe the procedure to provide supportive services. The procedure will include the conditions, amounts, duration, and documentation requirements for the provision of supportive services.
12. A description of how the local board will coordinate the WIOA Title I workforce investment activities with the provision of transportation and other appropriate supportive services in the local area.
13. A description of the local per participant funding cap, if applicable.
14. A description of plans, assurances, and strategies for maximizing coordination, improving service delivery, and avoiding duplication of Wagner-Peyser Act services and other services provided through the One-Stop delivery system.
15. A description of how the local area is planning to deliver employment services in accordance with the Wagner-Peyser Act of 1933, as amended by Title III of the WIOA. This description shall include:
 - The identification of a point of contact (name, address, phone number, email).
 - Information regarding whether the MWA is providing employment services directly in the local area or if service providers are being used. If service providers are being used, please include the name of the provider, the type of entity, and whether or not the provider is a merit-based organization. For type of entity, please choose from the following: state governmental agency, local unit of government, special purpose unit of government, school district, intermediate school district, public community college, public university, or other.
 - A description of how Wagner-Peyser funded services will be provided at no cost to employers and jobseekers.
 - An explanation of how labor exchange services will be provided using the three tiers of services: self-services, facilitated services, and staff-assisted services.

- A description of the manner in which career services are being delivered.
 - A listing of how many staff at each site will be available to provide services.
 - A description of how the Unemployment Insurance (UI) Work Test will be administered. This description must include an explanation of how the registration of UI claimants will be conducted and how reporting claimant non-compliance with the “able, available, and seeking work” requirements will be managed.
 - A description of how the Reemployment Service Eligibility Assessment requirements will be administered.
 - An explanation of how the MWA will participate in a system for clearing labor between the states by accepting and processing interstate and intrastate job orders as a component of the National Labor Exchange System.
 - An explanation of how the MWA will ensure veterans will be provided access to the same employment services received by the general population. This explanation must include a description of the screening process the MWA uses to refer eligible veterans to Veteran Career Advisors for case management services and how priority of service for veterans and eligible spouses will be applied in the delivery of Wagner-Peyser funded services.
 - An assurance that Migrant and Seasonal Workers (MSWs) will have equitable access to and receive the full range of employment services that are provided to non-MSW customers.
 - An explanation of the services and staffing the MWA will use to ensure that MSWs will be provided access to the same employment services, benefits, protections, counseling, testing, and job and training referral services received by the general population. This explanation shall include a description of the referral process to MSWs or other appropriate MWA staff.
 - A description of any other planned services or activities for which Wagner-Peyser funds will be utilized.
16. A description of how the local board will coordinate the WIOA Title I workforce investment activities with adult education and literacy activities under the WIOA Title II. This description shall include how the local board will carry out the review of local applications submitted under Title II consistent with the WIOA Sections 107(d)(11)(A) and (B)(i) and the WIOA Section 232.
17. Copies of executed cooperative agreements which define how all local service providers, including additional providers, will carry out the requirements for integration of and access to the entire set of services available in the local One-Stop delivery system. This includes cooperative agreements (as defined in WIOA Section 107(d)(11)) between the local Workforce Development Board (WDB) or other local entities described in WIOA Section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) and the local office of a designated State agency or designated State unit administering programs carried out under Title I of the Rehabilitation Act (29 U.S.C. 720 *et seq.*) (other than Section 112 or Part C of that Title (29 U.S.C. 732, 741) and subject to Section 121(f) in accordance with Section 101(a)(11) of the Rehabilitation Act (29 U.S.C. 721(a)(11)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff,

technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.

18. A description of the entity responsible for the disbursement of grant funds (Grant Recipient).
19. A description of the competitive process that will be used to award the sub-grants and contracts for the WIOA Title I activities.
20. If available, the local levels of performance negotiated with the Governor and CEO(s) to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under the WIOA Title I Subtitle B, and the One-Stop delivery system in the local area. Local boards are not required to provide or negotiate performance levels for those measures designated by USDOL as baseline measures as described in Section II.
21. A description of the actions the local board will take toward becoming or remaining a high-performing board, consistent with the factors developed by the State Board. For this section local boards shall include:
 - Effectiveness and continuous improvement criteria the local board will implement to assess their One-Stop centers.
 - A description of how the local board will allocate One-Stop center infrastructure funds.
 - A description of the roles and contributions of One-Stop partners, including cost allocation.
22. A description of how training services outlined in the WIOA Section 134 (Adult and Dislocated Worker) will be provided through the use of individual training accounts, including:
 - If contracts for training services will be used.
 - Coordination between training service contracts and individual training accounts.
 - How the local board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided.
23. A description of the process used by the local board, consistent with Section III, to provide a 30-day public comment period prior to submission of the plan, including an opportunity to have input into development of the local plan, particularly for representatives of businesses, labor organizations, and education.
24. A description of how One-Stop centers are implementing and transitioning to an integrated, technology-enabled intake and case management information system for programs carried out under the WIOA and by One-Stop partners.
25. A description of the local priority of service requirements.
26. A description of how the local board will coordinate workforce investment activities carried out in the local area with statewide Rapid Response (RR) activities.

27. A description of RR activities.

The RR activities encompass activities necessary to plan and deliver services to dislocated workers to facilitate a relatively quick and unencumbered transition to employment or training, following either a permanent closure or mass layoff or a natural (or other) disaster resulting in a mass job dislocation. The state is responsible for providing RR activities.

The state staff is assigned a geographic territory with the responsibility for the coordination of RR activities between the state and the local area. A Worker Adjustment Retraining Notification (WARN) Act notice typically activates the RR intervention in plant closings and mass layoffs. The WARN Act requires employers with more than 100 employees to provide at least 60 days advance notice of a covered plant closing or mass layoff at a site where the plant closing/mass layoff will affect at least one-third of the workforce and a minimum of 50 employees.

The state monitors media reports and uses a network of local contacts, such as the MWAs, state and local economic development officials, the Michigan Economic Development Corporation, union officials, United Way, and other partners to identify plant closings or layoffs.

- Services included as part of the RR process include:
 - a. Initial RR meeting with the company and union officers (if applicable).
 - b. Worker orientation meetings for employees. These meetings include presentations by MWA service providers and provide information on employment services; WIOA-funded career services (basic and individualized) and training services; Trade Adjustment Assistance, if applicable; special population services (Michigan Rehabilitation Services, Veterans' services), and local/community services (United Way, local community colleges, credit union counseling, etc.). Collaboration with other state agencies (e.g., Office of Retirement Services, Friend of the Court) are planned as needed. Michigan Unemployment Insurance Agency representatives may also participate in worker orientation meetings and provide information on how to file/claim unemployment insurance benefits. Establishment and organization of a Joint Adjustment Committee (JAC). A JAC is an ad hoc group of workers and managers who organize to provide adjustment services on behalf of the employees who are about to lose their jobs due to a plant closure or a mass layoff. The purpose of a JAC is to help displaced workers make a successful transition to a satisfactory job or training in the shortest possible time (reference PI 06-12, "Establishment of Labor Management Committees, also known as JACs at Sites of Facility Closures and Mass Layoffs," issued September 26, 2006).
 - c. Layoff Aversion IWT, which includes an assessment of the potential for averting layoffs in consultation with the state or local economic development agencies, including private sector economic development entities and other key partners, up to a year in advance of an actual or potential dislocation event. Special attention and reference should be given to the timeframes and activities charted in the USDOL Training Employment Notice (TEN) 9-12. An IWT is the actual employment and

training instrument to upgrade and alter skills to maintain employment or transition to similar employment, a preventative measure, to save jobs, increase economic productivity, and decrease the negative impacts of unemployment. Reference the USDOL Training and Employment Guidance Letter (TEGL) 30-09, the USDOL TEN 9-12, and the PI 12-02.

- d. State Adjustment Grants (SAGs) are additional increments to a local area's Dislocated Worker formula funding award to meet documented funding deficits. The MWAs may request additional funding for a single or multiple dislocation event(s) via a SAG, following the application process outlined in the SAG PI 12-32. The process includes review of the application and supporting documents and negotiation with the MWA to finalize the award. The TIA/WDA reserves the right to award SAGs with specific terms and conditions, including demonstration that the SAG aligns with the Michigan Industry Cluster Approach, an obligation to spend all or part of the SAG by the end of the PY in which it was granted, or other time period as determined by the TIA/WDA.
- e. National Dislocated Worker Grants (NDWGs) are another form of assistance provided to dislocated workers. The NDWGs are discretionary grants awarded by the Secretary of Labor to provide employment-related services for dislocated workers in specific circumstances. The TIA/WDA and local MWAs work together to develop the application and project design for an NDWG, in response to a specific dislocation event.
- f. The MWAs shall develop a policy describing how the local WDB will coordinate workforce investment activities carried out in the local area with the aforementioned statewide RR activities provided by the TIA/WDA to address actual or potential dislocation events, in accordance with the WIOA, Section 134(2)(A) and 20 CFR 682.300 to 682.330. In addition to the general RR elements listed under the subsections above, the policy must include, but is not limited to the following actions:
 - i. A listing of the name of the person, title, mailing address, email address, and telephone number primarily responsible for (1) JACs, (2) SAGs, and (3) NDWGs.
 - ii. The steps taken to include layoff aversion as a component of RR, whether realized as a policy or a set of procedures in conformity with the USDOL TEGL 30-09, the USDOL TEN 9-12, and the PI 12-02.
 - iii. A description of the coordination of layoff aversion with IWT.
 - iv. A description of the MWA's role in the function of JACs.
 - v. A description of the local circumstances which would activate a request for a SAG (for example, specific level or percent of local dislocated worker formula funding expended, obligated and/or unobligated; specific level or percent of local and/or regional unemployment; the size of an actual or potential dislocation event; the time period between local dislocation events, etc.).

SECTION III

PUBLIC REVIEW AND COMMENT PROCESS

Prior to the date on which the local board submits a local plan and prior to the date each planning region submits a regional plan to the Governor for approval, each local board must:

- Make available copies of the proposed local and/or regional plan to the public through electronic and other means, such as public hearings and local news media.
- Allow members of the public, including representatives of business, labor organizations, and education, to submit to the local board for consideration comments on the proposed local and/or regional plan. Local boards shall provide no more than a 30-day period for comment on the plan before its submission to the Governor for approval, beginning on the date on which the proposed plan is made available.
- Submit any comments that express disagreement with the plan to the Governor along with the plan.

NOTE: A preliminary copy of the regional and local plan incorporating the requirements of this policy may be forwarded to the TIA/WDA for informational purposes prior to the mandatory 30-day public review and comment period.

PLAN APPROVAL REQUIREMENTS

A regional and/or local plan submitted to the TIA/WDA including a modification to such plan, shall be considered to be approved upon written notice by the TIA/WDA or at the end of the 90-day period beginning on the day the TIA/WDA receives the plan, or modification, unless the TIA/WDA makes a written determination during the 90-day period that:

- There are deficiencies in workforce investment activities that have been identified through audits, and the local area has not made acceptable progress in implementing plans to address the deficiencies; or
- The plan does not comply with applicable provisions of the WIOA and the WIOA Final Regulations, including the required consultations and public comment provisions, and the nondiscrimination requirements of 29 CFR Part 37; or
- The plan does not align with the State Plan, including with regard to the alignment of the core programs to support the strategy identified in the State Plan in accordance with the WIOA Section 102(b)(1)(E) and 20 CFR 676.105.