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**\*DIVISION OF WORKFORCE SERVICES  
ISSUANCE NUMBER PY 22-09**

January 31, 2023

**FROM:** Charisse Childers, Ph.D., Director

**TO:** Local Workforce Development Board Chairs  
Local Workforce Development Board Directors  
Local Chief Elected Officials

**SUBJECT:** Modification requirements for Workforce Innovation and Opportunity Act (WIOA) Regional and Local Plans - Program Years PY 22-23

- I. **Purpose:** The purpose of this workforce system guidance is to provide modification requirements, submission process, and deadline for the required modifications of the WIOA Regional and Local Plans for (PYs) 2022-2023. Local workforce development boards are expected to share this guidance with their respective board chairs and chief elected officials (CEOs).
- II. **References:**
  - a. WIOA §§106(a)(c),102,108
  - b. 20 CFR 679
  - c. 29 CFR part 38.
  - d. TEN 21-16
  - e. TEGL 4-21
- III. **Background:** The Workforce Innovation and Opportunity Act requires each local workforce development board to submit a four-year plan to the Governor's administrative entity. Each plan must be modified at the end of the first two years to reflect changes in labor market and economic conditions or other factors affecting the implementation of the local plan.
- IV. **Content:** For the purpose of developing and submitting Regional and Local Plan modifications for PYs 22-23, it is critical that local boards reevaluate economic and labor market information (LMI) and adjust strategies for what may currently be a different set of growing and declining industries, occupations, and skills, thereby ensuring Regional and Local Plan modifications reflect changes in the labor market and economic conditions and other factors affecting the implementation of Local Plans as required by **[WIOA §102(c)(3)(A)]**.
- V. **Action Required:** Local board members and chief elected officials must review and modify their plans **[WIOA § 108 (a)]**. Modifications to the plan must be highlighted within the plan so they are easily recognizable. Plans must be submitted to the Arkansas Division of Workforce Services (ADWS) by **April 15, 2023**.

**A. Regional Plan Modification Requirement [20 CFR§ 679.530]:**

At the end of the first 2-year period of the 4-year local plan, the local workforce development boards within a planning region, in partnership with the appropriate chief elected officials, must review the regional plan, and prepare and submit modifications to reflect changes in:

- regional labor market and economic conditions; and
- other factors affecting the implementation of the local plan, including but not limited to changes in financing available to support WIOA title I and partner provided WIOA services.

**B. Local Plan Modification Requirement [20 CFR§ 679.580]:** At the end of the first 2-year period of the 4-year local plan, each local workforce development board, in partnership with the appropriate chief elected official, must review the local plan, and prepare and submit modifications to the local plan to reflect changes in:

- Labor market and economic conditions; and
- other factors affecting the implementation of the local plan, including but not limited to:
  - significant changes in local economic conditions,
  - changes in the financing available to support WIOA title I and partner-provided services,
  - changes to the Local WDB structure, and
  - the need to revise strategies to meet local area performance goals.

**Note: Only regions specified by the State as described in WIOA §106(a) must submit regional plans.**

**C. Public Comment Period.** Plan modifications must be posted for a 30-day period of public comment as described in WIOA §106(d). Notification of the posting of the regional/local plan(s) must be made simultaneously to all relevant regional/local stakeholders, as well as to the ADWS. The 30-day comment period must begin and be completed in time to meet the April 15, 2023, submission date.

Any comments received concerning the contents of the regional or local plan modifications must be addressed within that plan prior to the submission of the plan to the Arkansas Division of Workforce Services. [20 CFR §679.510(b); §679.550(b)]

**D. Modified Plan Submission and Approval.**

A. **Submission.** All modified regional/local plan packages must be submitted electronically to the following email address by close of business on April 15, 2023. Please submit electronically to: [wioa@arkansas.gov](mailto:wioa@arkansas.gov) .

B. **Approval.** Modifications to regional/local plan submitted to the ADWS are considered approved if the ADWS provides the point of contact with notification of approval; or at least 90 days has passed since the receipt of the modified plan by ADWS and the plan point of contact has not received communication from ADWS, whichever comes first [WIOA § 108(e)].

C. **Non-Approval.** A regional or local Plan submitted to the ADWS will not be approved for any of the following reasons [20 CFR 679.520; 679.570]:

- 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 deficiencies; or

- The plan does not comply with applicable provisions of WIOA and the WIOA regulations, including the required consultations and public comment provisions, and the nondiscrimination requirements of 29 CFR part 38.
- 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 WIOA sec. 102(b)(1)(E) and § 676.105.

E. **Inquiries.** All questions or concerns may be submitted to Eddie Thomas, ADWS EA Assistant Director at [Eddie.Thomas@arkansas.gov](mailto:Eddie.Thomas@arkansas.gov).

F. **Attachments:**

**Policy 4.7- Regional and Local Plan Guidance Policy & Procedures:**

**Appendix A.** PY2020 - PY2023 Regional Plan Template

**Appendix B.** PY2020 - PY2023 Local Plan Template

**Appendix C.** Local Area WIOA Negotiated Performance Goals

**Appendix D.** PY2022 - PY2023 Planning References and Resources

G. **Expiration Date:** June 30, 2024