

2024-2028 Local Plan Assurances

Check the following boxes to accept the assurances listed below.

		Assurance	References
x	1.	The Local Board has processes and timelines, consistent with WIOA Section 108(d), to obtain input into the development of the local plan and provide the opportunity for comment by representatives of business, labor organizations, education, other key stakeholders, and the general public for a period that is no more than 30 days. Pg 54 Section 9 (H)	WIOA Sections 108(d); 20 CFR 679.550(b)
x	2.	The final Local Plan is available and accessible to the general public. Pg 54 Section 9 (H)	20 CFR 679.550 (b)(5)
x	3.	The Local Board has established procedures to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as membership and minutes. Pg 54 Section 9(H)	WIOA Section 107(e); 20 CFR 679.390 and 679.550
x	4.	The Local Board makes publicly available any local requirements for the Local Area such as policies, including policies for the use of WIOA Title I funds. Pg 54 Section 9 (H)	20 CFR 679.390
x	5.	The Local Board has established a written policy or procedure that identifies circumstances that might present conflict of interest for any local workforce investment board or entity that they represent, and provides resolution of conflicts. Pg 81 Section 9 (S) and Attachments V and W	WIOA Section 107(h)
x	6.	The Local Board has copies of Memoranda of Understanding between the Local Board and each American Job Center partner concerning the operation of the American Job Center delivery system in the Local Area and has provided the State with the latest versions of its Memorandum of Understanding. Pg 13 – Section 2 (A) and Attachment A – Signed copies from all partners will be sent as an update on or after July 1, 2024.	WIOA Section 121(c); 20 CFR 678.500-510
x	7.	The Local Board has written policy or procedures that ensure the American Job Center operator agreements are reviewed and updated no less than once every three years. Attachment	WIOA Section 121(c)(v)

		AA R6 Guidance Ltr 25-16 One Stop Operator Agreement Review and Update Process	
x	8.	The Local Board has procurement policies and procedures for selection One-Stop Operators, awarding contracts under WIOA Title I adult and Dislocated Worker funding provisions, and awarding contracts for Youth service provisions under WIOA Title I in accordance with applicable state and local laws, rules and regulations, provided no conflict exists with WIOA. Attachment C R6 Guidance Ltr 23-16 One Stop Operator Procurement and Attachment K Procurement Methods	WIOA Sections 121(d) and 123; 20 CFR 678.600-615 and 681.400
x	9.	The Local Board has procedures for identifying and determining the eligibility of training providers and their programs to receive WIOA Title I Individual Training Accounts. Pgs 20-21, Section 3 (E) and Attachment D R6 Guidance Ltr 4-15 R-2 Eligibility Requirements for ETPL	WIOA Sections 107(d)(10), 122(b)(3), and 123; 20 CFR 679.370(l)-(m) and 680.410430
x	10.	The Local Board has written procedures for resolving grievances and complaints alleging violations of WIOA Title I regulations, grants, or other agreements under WIOA and written policies or procedures for assisting customers who express interest in filing complaints at any point of service, including, at a minimum, a requirement that all partners can identify appropriate staff contacts and refer customers to those contacts. Pgs 57-79 Section 9 (L) and Attachment O R6 Grievance and Complaint Procedures and Attachment P WIOA Section 188 Discrimination Complaint Procedures	WIOA Section 181(c); 20 CFR 683.600
x	11.	The Local Board has established at least one comprehensive, full-service American Job Center and has a written process for the local Chief Elected Official and Local Board to determine that the center conforms to the definition therein. Pg 18-19 Section 3 (A) and Attachment BB R6 Guidance Ltr 24-16 One-Stop Designation, Certification and Monitoring	WIOA Section 121(e)(2)(A); 20 CFR 678.305
x	12.	All partners in the local workforce and education system described in this plan ensure the physical, programmatic and communications accessibility of facilities, programs, services, technology and materials in the Local Areas American Job Centers for individuals with disabilities. Pg 20 Section 3 (C) and Attachment A Partner Mou and Attachments	WIOA Section 188; 29 CFR parts 37.7-37.9 20 CFR 652.8(j)

x	13.	The Local Board ensures that outreach is provided to populations and subpopulations who can benefit from American Job Center services. Pg 21 Section 3 (F)	WIOA Section 188 29 CFR 37.42
x	14.	The Local Board implements universal access to programs and activities to individuals through reasonable recruitment targeting, outreach efforts, assessments, service delivery, partner development, and numeric goals. Attachment A Partner MOU and Attachments	WIOA Section 188 29 CFR 37.42
x	15.	The Local Board complies with the nondiscrimination provisions of Section 188 and assures that Methods of Administration were developed and implemented. Pgs 21-24 Section 3 (G) and Attachment Partner MOU and Attachments	WIOA Section 188 29 CFR 37.54(a)(1)
x	16.	The Local Board collects and maintains data necessary to show compliance with nondiscrimination provisions of Section 188 of WIOA. Pg 24 Section 3 (G)	WIOA Section 185 29 CFR 37.37
x	17.	The Local Board complies with restrictions governing the use of Federal funds for political activities, the use of the American Job Center environment for political activities, and the Local Board complies with the applicable certification and disclosure requirements. Attachment CC Administrative Assurance Certification Regarding Lobbying	CFR Part 230 Appendix B; 48 CFR 31.205-22; RCW 42.52.180; TEGL 2-12; 29 CFR Part 93.100
x	18.	The Local Board ensures the American Job Center staff, along with the Migrant and Seasonal Farmworker program partner agency, will continue to provide services to agricultural employers and MSFWs that are demand-driven and consistent with ESD's mission. Pgs 39-40 Section 5 (C)	WIOA Section 167
x	19.	The Local Board follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIOA, and applicable Departmental regulations. Pgs 56-57 Section 9 (K)	WIOA Sections 116(i)(3) and 185(a)(4); 20 U.S.C. 1232g; 20 CFR 677.175; 20 CFR Part 603
	20.	The Local Board has a written policy and procedures to competitively award grants and contracts for WIOA Title I activities (or applicable Federal waiver) including a process to be used to procure training services made as exceptions to the Individual Training Account process. Pgs 53-54 Section 9 (G) and Attachment L R6 Guidance	WIOA Section 108(b)(16); 20 CFR 679.560(a)(15); WIOA Title I Policy 5601; WIOA Section 134(c)(3)(G); 20 CFR 680.300-310

		Ltr 3-15 R-10 / Attachment M R6 Guidance Ltr 13-16 R-7 Transitional Training / Attachment K Procurement Methods	
x	21.	The Local Board has accounting systems that follow current Generally Accepted Accounting Principles (GAAP) and written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to insure proper disbursement and accounting of WIOA Adult, Dislocated Worker, and Youth programs and the Wagner-Peyser Act funds. Pg 81 Section 9 (T) Attachment X Accounting Policies and Procedures	WIOA Section 108(b)(15); WIOA Title I Policy 5230; WIOA Title I Policy 5250
x	22.	The Local Board ensures compliance with the uniform administrative requirements under WIOA through annual, on-site monitoring of each local sub-recipient. Pgs 55-56 Section 9 (J) and Attachment N R6 Guidance Ltr 8-15 Monitoring	WIOA Sec 184 (a)(3) 20 CFR 683.200, 683.300, and 683.400-410
x	23.	The Local Board has a written debt collection policy and procedures that conforms with State and Federal requirements and a process for maintaining a permanent record of all debt collection cases that supports the decisions made documents the actions taken with respect to debt collection, restoration, or other debt resolution activities. Pgs 82-83 Section 9 (Z) and Attachment X Accounting Policies and Procedures	WIPA Section 184(c); 20 CFR Part 652; 20 CFR 683.410(a), 683.420(a), 683.750
x	24.	The Local Board has a written policy and procedures for ensuring management and inventory of all properties obtained using WIOA funds, including property purchased with JTPA or WIA funds and transferred to WIOA, and that comply with WIOA, and, in the cases of local government, Local Government Acquisition policies. Pg 81 Section 9 (R) and Attachment U Capitalization Policy and Attachment DD Equipment Management Policy	WIOA Section 184(a)(2)(AQ); 20 CFR 683.200 and 683.220; OMB Uniform Administrative Guidance; Generally Accepted Accounting Procedures (GAAP)
x	25.	The Local Board will not use funds received under WIOA to assist, promote, or deter union organizing. Pg 80-81 Section 9 (Q)	WIOA Section 181(b)(7); 20 CFR 680.850

x	26.	<p>The Local Board has a written policy and procedures that ensure adequate and correct determinations of eligibility for WIOA-funded basic career services and qualifications for enrollment of Adults, Dislocated Workers, and Youth in WIOA-funded individualized career services and training services, consistent with State policy on eligibility and priority of service. Pg 30-31 Section 4 (F) Pg 79 Section 9 (M) and Attachments: E-Guidance Ltr 1-15-R-5 Priority of Service L-Guidance Ltr 3-15 R-10 On-the-Job Training B-Guidance Ltr 7-15 R-5 Supportive Services M-Guidance Ltr 13-16 R-7 Transitional Jobs EE-Guidance Ltr 14-16 R-4 Eligibility F-Guidance Ltr 17-16 R-3 Self Sufficiency</p>	<p>20 CFR Part 680 Subparts A and B; 20 CFR Part 681 Subpart A</p>
x	27.	<p>The Local Board has a written policy and procedures for awarding ITAs to eligible Adults, Dislocated Workers, and Youth receiving WIOA Title I training services, including dollar and/or duration limit(s), limits on the number of times an individual may modify an ITA, and how ITAs will be obligated and authorized. Pgs 48-53 Section 9 (F)</p>	<p>WIOA Section 134(c)(3)(G); 20 CFR 680.300-320</p>
x	28.	<p>The Local Board has a written policy and procedures that establish internal controls, documentation requirements, and leveraging and coordination of other community resources when providing supportive services and, as applicable, needs-related payments to eligible Adult, Dislocated Worker, and Youth enrolled in WIOA Title I programs. Pg 16 Section 2 (G) / Pg 79 Section 9 (M) and Attachment B R6 Guidance Ltr 7-15 R-5 Supportive Services</p>	<p>WIOA Sections 129(c)(2)(G) and 134(d)(2); 20 CFR 680.900-970; 20 CFR 681.570</p>
x	29.	<p>The Local Board has a written policy for priority of service at its American Job Centers and, as applicable, affiliate sites for local workforce providers that ensures veterans and eligible spouses are identified at the point of entry, made aware of their entitlement to priority of service, and provided information on the array of employment, training, and placement services and eligibility requirements for those programs or services. Pgs 25-26 Section 3 (K) / Pg 44 Section 8 (A) and Attachment E R6 Guidance Ltr 1-15 R-5 Priority of Service</p>	<p>Jobs For Veterans Act; Veterans' Benefits, Health Care, and Information Technology Act; 20 CFR 1010; TEGL 10-09; Veterans' Program Letter 07-09</p>

x	30.	The Local Board has developed plans and strategies for maximizing coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and services provided in the Local Area through the American Job Center delivery system, to improve service delivery and avoid duplication of services. Pgs 38-39 Section 5 (A) and Attachment A Partner MOU and Attachments	
x	31.	The Local Board will provide reasonable accommodation to qualified individuals with disabilities unless providing the accommodation would cause undue hardship. Pg 79 Section 9 (M)	

The Local Workforce Development Board for _____, certifies, that it complies with all required components and assurances of the WIOA plan development guidelines issued by the State of West Virginia. The Local Board also assures that funds will be spent in accordance with WIOA, Wagner-Peyser Act, and their regulations, written U.S. Department of Labor guidance implementing these laws, Office of Management and Budget circulars, and all other applicable federal and state laws, regulations, and policies.

Local Chief Elected Official(s)

Date

Local Workforce Development Board Chair

Date

****These assurances will be signed off by the LEO and WDB chairs after final approval of the plan at their June meetings and submitted after those meetings to the state.**