



JAN 08 2019

The Honorable Bruce Rauner
Governor of Illinois
Office of the Governor
207 State House
Springfield, Illinois 62706

Dear Governor Rauner:

Thank you for your waiver request received on October 15, 2018, regarding statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA) and the accompanying plan to improve the statewide workforce development system (copy enclosed). This letter provides the Employment and Training Administration's (ETA) official response to the State's request and memorializes that Illinois will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Illinois and ETA. This action is taken under the Secretary's authority to waive certain requirements of WIOA Title I, Subtitles A, B, and E, and Sections 8 – 10 of the Wagner-Peyser Act in WIOA Section 189(i).

Requested Waiver: The State is requesting a waiver of WIOA Section 106(a)(2) and 20 CFR 679.210 to allow the State to assign a single local workforce development area to multiple planning regions.

ETA Response: The State's request to waive the requirement that a planning region consist of one local workforce development area, two or more intrastate local areas, or two or more interstate local areas is approved through June 30, 2020. This waiver allows the State to assign a single local workforce development area to more than one planning region. In its WIOA State Plan and waiver request, Illinois identified regions in the State that correspond with its economy, the labor market, and other factors. However, the existing geography of designated local workforce development areas span multiple regions. The State and local workforce areas indicate local areas have experienced success in planning and delivering services in the context of the State's identified regions in their early efforts. ETA reviewed the State's waiver request and plan and determined that the requirements requested to be waived impede the ability of Illinois to implement its plan to improve the workforce development system. Therefore, ETA approves this waiver for Program Years 2018 and 2019 (July 1, 2018, through June 30, 2020) on the condition that the State provide information to ETA regarding how it will minimize the regional and local area planning burden on local areas that are assigned to more than one region.

ETA is available for further discussion and to provide technical assistance to the State to support achieving its goals. The Department of Labor proposed additional flexibility in its Fiscal Year 2018 and 2019 budgets to give governors more decision-making authority to meet the workforce needs of their states and will continue to propose these additional flexibilities in future fiscal years.

If you have questions or wish to explore additional flexibility, feel free to contact my office at (202) 693-2772.

Sincerely,



Molly E. Conway
Acting Assistant Secretary

Enclosure

cc:

Julio Rodriguez, Illinois Office of Employment and Training, Department of Commerce and Economic Opportunity

Christine Quinn, ETA Chicago Regional Administrator, Employment and Training Administration

Arlene Charbonneau, Federal Project Officer, Employment and Training Administration



Illinois
Department of Commerce
& Economic Opportunity

OFFICE OF EMPLOYMENT & TRAINING

Bruce Rauner, Governor

October 12, 2018

WIOA Waiver Coordinator
200 Constitution Ave, NW S-4203
Washington, DC 20001

ATTN: WIOA Waiver Coordinator

Illinois is requesting a waiver to allow Illinois' current from the following Section(s): WIOA Sec. 106(a)(2) and 20 CFR § 679.210 (including preamble below).

"In accordance with WIOA Section 106(a)(2), a single local area may not be split across two planning regions. Local areas must be contiguous to be a planning region and effect where it can be shown that greater positive benefits to the workers and communities can be achieved."

Since the passage of WIOA, Illinois has proactively coordinated regional planning in the implementation of the WIOA requirements. These efforts led to the state naming meaningful planning regions that resulted in the 10 Economic Development Regions (EDRs). To support this process, Illinois developed regional planning guidelines, coordinated regional and statewide planning events, and provided technical assistance resources as part of the establishment of the WIOA regional plans in 2016. With the release of the final WIOA rules, the state updated planning resources in 2017 and then again in early 2018 to garner consultation with local chief elected officials, local workforce board members and other interested stakeholders for the purposes of subsequent designation and alignment with planning regions.

Under WIOA Sec. 106(b)(2), 20 CFR § 679.250(a), and TEGL 27-14, the Governor must approve a request for initial local area designation from any area that was one under the Workforce Investment Act of 1998 (WIA) for the 2-year period preceding the date of enactment of WIOA; provided the local area had performed successfully and sustained fiscal integrity during that 2-year period. All twenty-two of Illinois' Local Workforce Innovation Areas (LWIA) met the requirements for initial designation based on analysis of fiscal integrity and WIOA performance. Illinois identified ten planning regions that meet the requirements of WIOA Sec. 106(a)(2) and 20 CFR § 679.210.

Five of the 22 LWIAs (4/Ogle, 11/Livingston, 19/DeWitt, 21/Calhoun, Jersey and 23/Douglas) that meet the requirements for designation crossover between planning regions. Furthermore, WIOA Sec. 106(b)(2) and 20 CFR § 679.250(a), states the Governor may not reconfigure Illinois' initially-designated local areas for subsequent designation without consultation with local area chief elected officials, local workforce development boards, and other interested stakeholders. Given these LWIAs as designated

have sustained fiscal integrity and met performance, the Governor is unable to reconfigure these areas without consultation.

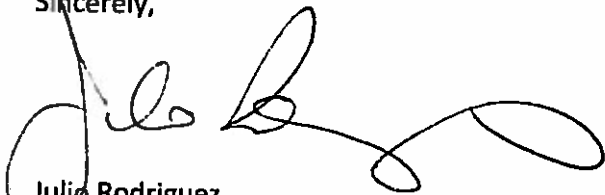
While these LWIAs meet the requirements within statute and regulation, the Governor did undertake an extensive process to consult with the local boards and elected officials, to identify a regional planning structure that would not result in any single local area split between two or more regions. This consultative process provided the opportunity for these stakeholders to voice their concerns over realignment and demonstrate why the configurations should remain.

The local feedback expressed concerns that focusing the realignment decision on labor market information is a "one-size fits all" approach that does not focus on the complete composition of the counties and communities. Additionally, the State received feedback about the administrative burden of realigning the counties and that this process would divert time and resources from serving job seekers, businesses the community.

Because of these concerns and as importantly, the impacted counties and local workforce areas have demonstrated that they have been successful in planning and delivering services in the context of the current regional and local workforce area boundaries. Illinois is pursuing this waiver. If granted this waiver will ensure the continuity of service in the impacted counties and removes a barrier that impedes the State's efforts to improve the workforce, education and economic development systems in Illinois.

We appreciate your consideration of this request and seek an expedited response so that we may be able to move forward in our efforts. Please contact me with any questions you have or if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julio Rodriguez', with a large, stylized flourish extending to the right.

Julio Rodriguez
Deputy Director, Office of Employment and Training

Cc: Christine Quinn, USDOL ETA Region V Administrator

LWIA Planning Region Alignment

Workforce Innovation and Opportunity Act Waiver Request Template

Under the Secretary of Labor's waiver authority outlined in Section 189(i)(3)(A) of the Workforce Innovation and Opportunity Act (WIOA) and 20 CFR and 679.600, the Secretary may waive certain provisions of WIOA Title I Subtitle A, B, and E and provisions found in Sections 8-10 of the Wagner-Peyser Act. WIOA Section 189(i)(3)(B) and 20 CFR 679.620 identify elements that must be included in a waiver request. A State may request a waiver in its overall Unified or Combined State Plan submission or modification. Or, if submitting separate from the State Plan submission, States may use this template to request a waiver. States may also request a waiver using their own format or form, if elements required by WIOA are addressed in the request. After reviewing a state's initial request, the Employment and Training Administration (ETA) may request additional information if necessary to complete its review.

To submit a waiver request, e-mail this completed form (or state-developed form) along with a cover letter to WIOA.Plan@dol.gov and the appropriate ETA regional office. ETA will also accept hard copy submissions.

Date: October 1, 2018

State: Illinois

Agency: Illinois Department of Commerce and Economic Opportunity

Provide narrative for the following elements:

Statutory and/or regulatory requirements to be waived

Indicate which part of the WIOA or the regulations the state would like to waive.

The State of Illinois is seeking a waiver from the following Section(s):

WIOA Sec. 106(a)(2) and 20 CFR § 679.210 (including preamble)

“In accordance with WIOA Section 106(a)(2), a single local area may not be split across two planning regions. Local areas must be contiguous to be a planning region and effectively align economic and workforce development activities and resources.”

LWIA Planning Region Alignment

Background

Illinois has been proactive in coordinating regional planning with the implementation of the WIOA requirements. These efforts led to the state identifying meaningful planning regions that resulted in the 10 Economic Development Regions (EDRs). To support this process, Illinois developed regional planning guidelines, coordinated regional and statewide planning events, and provided technical assistance resources as part of the establishment of the WIOA regional plans in 2016. With the release of the final WIOA rules, the state updated planning resources in 2017 and then again in early 2018 to garner consultation with local chief elected officials, local workforce board members and other interested stakeholders for the purposes of subsequent designation and alignment with planning regions.

Under WIOA Sec. 106(b)(2), 20 CFR § 679.250(a), and TEGL 27-14, the Governor must approve a request for initial local area designation from any area that was one under the Workforce Investment Act of 1998 (WIA) for the 2-year period preceding the date of enactment of WIOA; provided the local area had performed successfully and sustained fiscal integrity during that 2-year period. All twenty-two of Illinois' Local Workforce Innovation Areas (LWIA) met the requirements for initial designation based on analysis of fiscal integrity and WIOA performance. Illinois identified ten planning regions that meet the requirements of WIOA Sec. 106(a)(2) and 20 CFR § 679.210.

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While these LWIAs meet the requirements within statute and regulation, the Governor did undertake an extensive process to consult with the local boards and elected officials, to identify a regional planning structure that would not result in any single local area split between two or more regions. This consultative process provided the opportunity for these stakeholders to voice their concerns over realignment and demonstrate why the configurations should remain.

The local feedback expressed concerns that *focusing the realignment decision on labor market information is a "one-size fits all" approach that does not focus on the complete composition of the counties and communities.* The State also received feedback

LWIA Planning Region Alignment

expressing concern about the *administrative burden of realigning the counties and that this process would divert time and resources from serving job seekers, businesses the community.*

The impacted counties and local workforce areas have demonstrated that they have been successful in planning and delivering services in the context of the current regional and local workforce area boundaries. Based on this fact and in response to feedback obtained from the consultation process, Illinois is pursuing this waiver to ensure the continuity of service in the impacted counties. This waiver removes a barrier that impedes the State's efforts to improve the workforce, education and economic development systems in Illinois.

Actions undertaken to remove state or local barriers

Describe the actions undertaken to remove state or local barriers.

The Illinois Workforce Board and WIOA Core partners established a working group to develop a plan of action to address this issue. The working group meet in the summer of 2017 to review the regional planning data, identify a compliant regional planning structure, and develop a local consultation process with the Governor's Office, WIOA state agencies, state board, state legislature, chief elected officials, local board members, and other interested stakeholders.

Illinois' regional data has been updated and based on regional economic and labor market data that includes

- commuting patterns;
- numbers of employers and jobs supported regionally;
- projections of regional job growth; and
- targeted industry growth patterns.

In spring of 2018, a state level team on behalf of the Governor convened workshops in the impacted counties. Over 90 employers, elected officials, workforce development board members, community college representatives, one-stop partners, representatives of economic development entities and others attended these public meetings. Each session provided local chief elected officials and other interested parties with the labor market data, that demonstrated the alignment of the county with the appropriate regional planning area. In addition, the sessions outlined steps and technical assistance available to support the realignment.

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The State of Illinois documented the feedback from the consultation workshops. In addition, the State has received and reviewed additional written comments expressing questions, concerns and objections to the realignment process. As of August 15, 2018, two of the impacted counties have expressly objected to the realignment requirement.

This waiver will provide Illinois with the flexibility to remove a regulatory barrier for counties that have demonstrated the ability to plan and deliver services in the context of the current local workforce area and regional planning area boundaries.

Goals and expected programmatic outcomes of waiver

Describe and specify how the waiver will help the state achieve an identified strategic goal or set of goals that it has outlined in its State Plan. If possible and appropriate the type of waiver requested, provide quantifiable projections for programmatic outcomes that will result from the waiver.

The strategies and activities listed below are part of six policy priorities within the Illinois WIOA Unified Plan and speak specifically to regional alignment as identified in this waiver request and provide the support for planning and sector partnerships.

Strategy 1: Coordinate Demand-Driven Strategic Planning at the State and Regional Levels.

Activity 1.1: Develop Strategic Indicators, Benchmarks and Related Planning Data Resources

Activity 1.2: Establish Regional Planning Areas

Activity 1.3: Conduct Integrated Regional Planning

Strategy 2: Support Employer-Driven Regional Sector Initiatives

Activity 2.1: Promote Employer-Driven Regional Sector Partnerships

Activity 2.2: Promote Sector-Based Business Services and Employer Initiatives

A waiver from realigning the LWIAs with regional planning areas, allows Illinois to comply with WIOA statute and regulations for complying with the Governor's need to allow LWIA's that maintain fiscal sustainability and performance accountability to stay intact.

Department of Labor's policy priorities

Describe how the waiver will align with the Department's policy priorities, such as:

- *Supporting employer engagement;*
- *Connecting education and training strategies;*

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- *Supporting work-based learning;*
- *Improving job and career results; and*
- *Other priorities as articulated in guidance.*

Illinois' current regional and local structure align with the four identified purposes of Title I of WIOA priorities involving activities at the regional level which include:

- enhancing the strategic role for states and elected officials, and Local Workforce Innovation Boards in the public workforce system by increasing flexibility to tailor services to meet employer and worker needs at State, regional, and local levels;
- supporting the alignment of the workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system at the Federal, state, and local and regional levels;
- improving the quality and labor market relevance of workforce investment, education, and economic development efforts by promoting the use of industry and sector partnerships, career pathways, and regional service delivery strategies
- increasing the prosperity and economic growth of workers, employers, communities, regions, and States.

Individuals impacted by the waiver

Describe which populations the waiver will benefit, including how the waiver will impact services for disadvantaged populations or individuals with multiple barriers to employment.

This waiver benefits the entire state workforce system, reduces unnecessary administrative expenses caused by realignment, and keeps consistent with current Local Workforce Innovation Area structures. Those specifically impacted include:

1. Employers;
2. Job seekers, including WIOA priority population groups;
3. Local area one-stop partners and delivery systems;
4. Local Workforce Development Boards;
5. Economic development entities; and
6. The Illinois Workforce Innovation Board.
7. WIOA state agency staff including: planning, performance, policy, reporting, and fiscal

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Process for monitoring progress in implementation

Describes the processes used to monitor the progress in implementing the waiver.

The State will use the following approach for monitoring progress in implementation:

1. State staff involved with the administration governance provisions will provide ongoing technical assistance and oversight as it relates to the appropriateness and the effectiveness of this waiver. This information will be submitted regularly to the IWIB Evaluation and Accountability Committee.
2. Annual WIOA on-site programmatic reviews will include evaluation review of the impact the waivers have on programmatic goals and outcomes.
3. Additionally, the IWIB Evaluation and Accountability Committee will have the responsibility of ensuring the specific goals and outcomes achieved by the waiver are realized. Furthermore, the information gathered from the waiver will inform new or changes to policy as well as provide best practices to assist in preparing for the Program Year 2020 planning process.

This strategy ensures that the goals described above, as well as those outlined in the State's Unified Plan and the IWIB Strategic Plan, are consistent with established objectives of the WIOA and federal and state regulations.

Notice to affected local boards

Address how local boards affected by the waiver were notified of the request.

Local Boards via Board members and/or Board staff as well as WIOA partners and other interested stakeholders participate in policy development. Additionally, LWIBs receive the opportunity to participate in public comment period that includes webinars.

Public Comment

Provide a description of the proactive solicitation of public comments. At a minimum, post the proposed waiver request to the state's official website for comment. Ideally, develop a targeted outreach strategy to collect input and comment from all affected stakeholders. Submit any comments or concerns collected in this manner and the outcome of the state's review of the public comments received.

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Illinois's waiver request posted on our website for comment and review by required parties and the public. USDOL will receive any comments provided.

Waiver Impact

Collect and report information about waiver outcomes in the State's WIOA Annual Report. The Secretary may require that States provide the most recent data available about the outcomes of the existing waiver in cases where the State seeks renewal of a previously approved waiver.

The IWIB Evaluation and Accountability Committee will have the responsibility of ensuring the specific goals and outcomes achieved by the waiver are realized. Furthermore, the information gathered from the waiver will inform new or changes to policy as well as provide best practices. Outcomes of the waiver will be reported in the WIOA Annual Report.