

Designation of Workforce Investment Areas (Designation/Redesignation)

151-010-0040 (1) A chief elected official of a unit of local government, or chief elected officials from a combination of such units, may request designation as a local workforce area by filing a designation request with the Education and Workforce Policy Advisor in the Governor's Office of Education and Workforce Policy. The Advisor shall develop a designation request form and make it available to any chief elected official.

(2) The Governor may approve a designation request submitted pursuant to this section if the state board determines, taking into consideration the criteria in subsection (3)(a), that such local workforce area should be so designated.

(3) There are two sets of criteria to be reviewed prior to a designation.

(a) The criteria to be reviewed by the state board are:

(A) Geographic areas served by local education agencies and intermediate educational agencies.

(B) Geographic areas served by post-secondary educational institutions and area vocational education schools.

(C) The extent to which local areas are consistent with labor market areas.

(D) The distance that individuals will need to travel to receive services provided in such local areas.

(E) The resources of such local areas that are available to effectively administer the activities carried out under subtitle IB of the Act.

(b) The Governor shall, before forwarding a designation request to the state board for consideration, evaluate the request to assure that it meets the following criteria:

(A) Includes a combination of one or more Oregon Workforce Regions;

(B) Is consistent with local labor markets and the service areas of local educational and other workforce partners; and

(C) Reflects regional and labor market economies of scale.

(4) In implementing the Act, the Governor designated local workforce areas as transitional local areas from July 1, 1999 through June 30, 2000 as follows:

(a) City of Portland, Multnomah, Washington and Tillamook Counties;

(b) Marion, Polk and Yamhill Counties;

(c) Linn, Benton and Lincoln Counties;

(d) Lane County;

(e) Jackson and Josephine Counties;

(f) Clackamas County; and

(g) Columbia, Clatsop, Douglas, Coos, Curry, Hood River, Gilham, Wasco, Wheeler, Sherman, Deschutes, Crook, Jefferson, Klamath, Lake, Morrow, Umatilla, Union, Wallowa, Baker, Grant, Harney and Malheur Counties.

(5) The Governor designates the local areas listed in subsection (4) for five years beginning July 1, 2000 unless the Governor receives and approves a redesignation request pursuant to this section.

(6) A chief elected official of a unit of local government, or chief elected officials from a combination of such units, may request redesignation for the local area for the Program Year beginning July 1, 2001 by filing a redesignation request with the Advisor on an approved form. The Advisor must receive the redesignation request form no later than October 1, 2000 to be considered for the Program Year beginning July 1, 2001. Thereafter, a redesignation request may only be made every two years and shall be filed with the Advisor no later than October 1 of the preceding year.

(7) A redesignation request will be reviewed by the Governor to determine if it meets the criteria in subsection (3)(b). If the request meets the subsection (3)(b) criteria, it shall be forwarded to the state board to determine if the request meets the criteria in subsection (3)(a) and subsection (8).

(8) The state board shall determine whether there is compelling evidence that a redesignation would:

(a) better meet the criteria established by the state board;

(b) be more effective or efficient; and

(c) produce better performance results for customers.

(9) If the state board determines the request meets the applicable criteria and there is compelling evidence that a local area(s) should be redesignated, the Governor may approve the redesignation request and recognize the resulting new configuration of local area(s).

(10) If the Act is re-authorized by Congress, an area designated by the Governor will remain a designated area for a five-year period beginning on July 1, 2005 unless a redesignation request is received and approved according to subsection (7) through (9).

(11) Any unit of local government, or combination of such units, whose request for redesignation was denied may appeal the decision to the state board by filing an appeal in writing with the Advisor within 30 days of the denial which states the basis for the appeal.

(12) The state board will have 90 days to act on the appeal filed pursuant to subsection (11).

(13) If a decision on the appeal is not rendered in a timely manner or if the appeal does not result in redesignation, the entity may request review by the Secretary of Labor, under the procedures set forth in the Act and applicable federal regulations.

Stat. Auth.: ORS 285A.455

Stats. Implemented: ORS 285A.455, Workforce Investment Act, PL 105-220

Hist.: New