

EDUCATION AND WORKFORCE POLICY ADVISOR

DIVISION 20

Administration of Statewide and Local Workforce Investment Systems

Allocations To Subrecipients

151–020–0020 Definitions: As used in 151–020–0020 the following definitions apply: “Allocation” funds or costs that are assigned to an appropriate subrecipient or cost objective (e.g. grant, title, cost categories).

(1) Oregon Administrative Rule 151–010–0030, provides authority for the Department to receive and account for federal funds to operate the Workforce Investment Act Title IB. That subtitle of the Act will fund adult, youth, and dislocated workers programs and statewide activities.

(a) No more than 15% of the adult and youth funds will be reserved for statewide activities and the remainder will be allocated to local workforce area subrecipients.

(b) Of the funds available for dislocated workers programs, no less than 60 percent will be allocated to local workforce area subrecipients, no less than 15 percent will be reserved for statewide activities, and no more than 25 percent will be reserved for Statewide rapid response efforts as defined in subsection (7) of this rule.

(2) The State Board shall assist the Commissioner in the development of allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local area subrecipients as permitted under sections 128(b)(3)(B) and 133(b)(3)(B) of WIA. Consideration will be given the following factors in developing the allocation formula for adult employment and training activities and youth activities:

(a) 33 1/3 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each LWA, compared to the total number of unemployed individuals in areas of substantial unemployment in all LWAs;

(b) 33 1/3 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each LWA, compared to the total excess number of unemployed individuals in all LWAs; and

(c) 33 1/3 percent shall be allotted on the basis of the relative number of disadvantaged youth in each LWA, compared to the total number of disadvantaged youth in all LWAs.

(3) In allocating the funds to the LWA subrecipients for Dislocated Workers programs, the State Board shall assist the Commissioner in developing a formula. The Department must allocate the funds based a formula authorized by the Commissioner. The specific amount of funds to be allocated to the Statewide Rapid Response fund, and the Statewide activity fund, as well as the use of those funds shall be determined by the Commissioner. In developing the allocation formula, the Commissioner is subject to the following:

(a) The Commissioner may not amend the formula more than once for each program year.

(b) The formula will utilize the most appropriate information available to the Commissioner to distribute amounts to the subrecipient's to address worker readjustment assistance needs. Such information includes:

- (A) insured unemployment data,
- (B) unemployment concentrations,
- (C) plant closing and mass layoff data,
- (D) declining industries data,
- (E) farmer-rancher economic hardship data,
- (F) long-term unemployment data, and
- (G) any other factors deemed appropriate by the Commissioner.

(4) Statewide Rapid Response funds shall be distributed on a first come first serve basis until all funds are exhausted. LWA subrecipients must submit a formal request for funds to the Department in accordance the provisions of subsection (7) of this section.

(5) The Commissioner further prescribes equitable procedures for making funds available from the State and local areas in the event that a State is required to make funds available for reallocation.

(6) Pursuant to 20CFR 667.705, the political jurisdiction(s) of the chief elected official(s) in a local workforce investment area is liable for any misuse of the WIA grant funds allocated to the local area under WIA sections 128 and 133.

(7) The Department will administer the disbursement of federal funds received under the provisions of the WIA and will develop financial management guidelines for LWA subrecipients.

(8) Such guidance referenced in (7) and the associated forms must be adopted by the LWA subrecipients as the procedures to be used in administering these funds at the local level.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the department.]

Stat. Auth.: ORS 285A.455 and ORS 293.550 (2)

Stats. Implemented: ORS 285A.455

Hist.: New