

This Act, referred to in subsecs. (c)(1)(C), (d)(3)(B)(i)(III), (iii), (f)(3), and (i)(2), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, known as the Workforce Investment Act of 1998. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of Title 20, Education, and Tables.

Section 1512 of this title, referred to in subsec. (i)(1)(C)(i), was repealed by Pub. L. 105-220, title I, § 199(b)(2), Aug. 7, 1998, 112 Stat. 1059, effective July 1, 2000.

#### AMENDMENTS

1998—Subsec. (f)(1)(D). Pub. L. 105-277, § 101(f) [title VIII, § 401(4)(A)], substituted “if the Governor” for “if the State”.

Subsec. (i)(1)(D)(ii)(II). Pub. L. 105-277, § 101(f) [title VIII, § 401(4)(B)], added subcl. (II) and struck out former subcl. (II) which read as follows: “(for a local area in which no employees are represented by such organizations), other representatives of employees in the local area.”

### § 2833. Local plan

#### (a) In general

Each local board shall develop and submit to the Governor a comprehensive 5-year local plan (referred to in this chapter as the “local plan”), in partnership with the appropriate chief elected official. The plan shall be consistent with the State plan.

#### (b) Contents

The local plan shall include—

- (1) an identification of—
  - (A) the workforce investment needs of businesses, jobseekers, and workers in the local area;
  - (B) the current and projected employment opportunities in the local area; and
  - (C) the job skills necessary to obtain such employment opportunities;
- (2) a description of the one-stop delivery system to be established or designated in the local area, including—
  - (A) a description of how the local board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local employers and participants; and
  - (B) a copy of each memorandum of understanding described in section 2841(c) of this title (between the local board and each of the one-stop partners) concerning the operation of the one-stop delivery system in the local area;
- (3) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 2871(c) of this title, to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent (where appropriate), eligible providers, and the one-stop delivery system, in the local area;
- (4) a description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area;
- (5) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities, as appropriate;

(6) a description and assessment of the type and availability of youth activities in the local area, including an identification of successful providers of such activities;

(7) a description of the process used by the local board, consistent with subsection (c) of this section, to provide an opportunity for public comment, including comment by representatives of businesses and comment by representatives of labor organizations, and input into the development of the local plan, prior to submission of the plan;

(8) an identification of the entity responsible for the disbursement of grant funds described in section 2832(d)(3)(B)(i)(III) of this title, as determined by the chief elected official or the Governor under section 2832(d)(3)(B)(i) of this title;

(9) a description of the competitive process to be used to award the grants and contracts in the local area for activities carried out under this subchapter; and

(10) such other information as the Governor may require.

#### (c) Process

Prior to the date on which the local board submits a local plan under this section, the local board shall—

- (1) make available copies of a proposed local plan to the public through such means as public hearings and local news media;
- (2) allow members of the local board and members of the public, including representatives of business and representatives of labor organizations, to submit comments on the proposed local plan to the local board, not later than the end of the 30-day period beginning on the date on which the proposed local plan is made available; and
- (3) include with the local plan submitted to the Governor under this section any such comments that represent disagreement with the plan.

#### (d) Plan submission and approval

A local plan submitted to the Governor under this section shall be considered to be approved by the Governor at the end of the 90-day period beginning on the day the Governor receives the plan, unless the Governor makes a written determination during the 90-day period that—

- (1) deficiencies in activities carried out under this subchapter have been identified, through audits conducted under section 2934 of this title or otherwise, and the local area has not made acceptable progress in implementing corrective measures to address the deficiencies; or
- (2) the plan does not comply with this chapter.

(Pub. L. 105-220, title I, § 118, Aug. 7, 1998, 112 Stat. 961.)

#### REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (d)(2), was in the original “this title” meaning title I of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 939, which enacted this chapter, repealed sections 1501 to 1505, 1511 to 1583, 1592 to 1735, 1737 to 1791h, 1792 to 1792b, 2301 to 2314 of this title, section 211 of former Title 40, Appendix, Public Buildings, Property, and Works, sections 11421, 11441 to

11447, 11449, 11450, 11461 to 11466, 11471, and 11472 of Title 42, The Public Health and Welfare, and sections 42101 to 42106 of Title 49, Transportation, enacted provisions set out as notes under sections 1501, 2301, and 2940 of this title and section 11421 of Title 42, and repealed provisions set out as notes under sections 801 and 2301 of this title and section 1255a of Title 8, Aliens and Nationality. For complete classification of title I to the Code, see Tables.

PART C—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS

**§ 2841. Establishment of one-stop delivery systems**

**(a) In general**

Consistent with the State plan, the local board for a local area, with the agreement of the chief elected official for the local area, shall—

- (1) develop and enter into the memorandum of understanding described in subsection (c) of this section with one-stop partners;
- (2) designate or certify one-stop operators under subsection (d) of this section; and
- (3) conduct oversight with respect to the one-stop delivery system in the local area.

**(b) One-stop partners**

**(1) Required partners**

**(A) In general**

Each entity that carries out a program or activities described in subparagraph (B) shall—

- (i) make available to participants, through a one-stop delivery system, the services described in section 2864(d)(2) of this title that are applicable to such program or activities; and
- (ii) participate in the operation of such system consistent with the terms of the memorandum described in subsection (c) of this section, and with the requirements of the Federal law in which the program or activities are authorized.

**(B) Programs and activities**

The programs and activities referred to in subparagraph (A) consist of—

- (i) programs authorized under this chapter;
- (ii) programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);
- (iii) adult education and literacy activities authorized under title II [20 U.S.C. 9201 et seq.];
- (iv) programs authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) (other than part C of title I of such Act [29 U.S.C. 741] and subject to subsection (f) of this section);
- (v) programs authorized under section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)) (as added by section 5001 of the Balanced Budget Act of 1997);
- (vi) activities authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.);
- (vii) career and technical education activities at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(viii) activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);

(ix) activities authorized under chapter 41 of title 38;

(x) employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

(xi) employment and training activities carried out by the Department of Housing and Urban Development; and

(xii) programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

**(2) Additional partners**

**(A) In general**

In addition to the entities described in paragraph (1), other entities that carry out a human resource program described in subparagraph (B) may—

- (i) make available to participants, through the one-stop delivery system, the services described in section 2864(d)(2) of this title that are applicable to such program; and
- (ii) participate in the operation of such system consistent with the terms of the memorandum described in subsection (c) of this section, and with the requirements of the Federal law in which the program is authorized;

if the local board and chief elected official involved approve such participation.

**(B) Programs**

The programs referred to in subparagraph (A) may include—

- (i) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);
- (ii) programs authorized under section 2015(d)(4) of title 7;
- (iii) work programs authorized under section 2015(o) of title 7;
- (iv) programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.); and
- (v) other appropriate Federal, State, or local programs, including programs in the private sector.

**(c) Memorandum of understanding**

**(1) Development**

The local board, with the agreement of the chief elected official, shall develop and enter into a memorandum of understanding (between the local board and the one-stop partners), consistent with paragraph (2), concerning the operation of the one-stop delivery system in the local area.

**(2) Contents**

Each memorandum of understanding shall contain—

- (A) provisions describing—
  - (i) the services to be provided through the one-stop delivery system;
  - (ii) how the costs of such services and the operating costs of the system will be funded;