



## **Workforce System Directive**

### **Establishment of OESC as Administrator of the**

### **Workforce Innovation and Opportunity Act 2014**

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**Effective Date of Policy: 1/19/24**

**Policy Number: WSD #01-2024**

**Rescissions: n/a**

**Approved By: Trae Rahill, Chief Executive Officer**

#### **Stakeholders:**

- Chief Local Elected Officials
- Workforce Development Board Chairs
- Workforce Development Board Staff
- Designated Fiscal Agent Staff

#### **References:**

- The Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128);
- 20 CFR Part 680;
- Executive Order 2023-21

**Purpose:** This policy is to inform all stakeholders that the Oklahoma Employment Security Commission (OESC) has been designated by the Governor as the administrative entity for the Workforce Innovation and Opportunity Act (WIOA).

**Background:** On 10 August 2023, the Governor of the State of Oklahoma, pursuant to the power and authority vested in him by Sections 1 and 2 of Article VI of the Oklahoma Constitution, and to the fullest extent permitted under Oklahoma and federal law, ordered that the OESC be designated as the single point of funding and accountability for WIOA programming in Oklahoma, and that all State agencies, employees, boards, departments, councils, and any other State entity or actor involved in WIOA funding or programming take whatever administrative action necessary to ensure that all federal WIOA funding received from the federal government be received and administered by OESC.

It was further ordered that OESC coordinate the administration of all WIOA funding and programming with the Oklahoma Workforce Commission to maximize the efficiency and effectiveness of the State's workforce development efforts.

U. S. Department of Labor (USDOL) and the Workforce Innovation and Opportunity Act provide that the Governor of the state, as the grant recipient, designate an official administrative entity for the purpose of developing and issuing policy. It is the practice of USDOL not to dictate this process and that states issue policy under this authority. Roles and responsibilities for WIOA State and Local Governance:

- a) Local areas should establish policies, interpretations, guidelines, and definitions to implement provisions of Title I of WIOA to the extent that such policies, interpretations, guidelines and definitions are not inconsistent with the Act and the regulations issued under the Act, Federal statutes and regulations governing One-Stop partner programs, and with State policies.
- b) States should establish policies, interpretations, guidelines and definitions to implement provisions of Title I of WIOA to the extent that such policies, interpretations, guidelines and definitions are not inconsistent with the Act and the regulations issued under the Act, as well as Federal statutes and regulations governing One-Stop partner programs.

**Oklahoma's Policy Issuance Process:** All policies issued by the OESC (herein referred to as Oklahoma Workforce System Directive or WSD) to local Workforce Development Boards will use the following process:

- **Category 1 Policies** include mandatory issuances from USDOL, Opinions from the Oklahoma Attorney General, mandates from the Governor's Office, or new and/or amended Oklahoma Statutes. These policies do not allow for state or local interpretation and are to be released immediately.
- **Category 2 Policies** include those policies that are subject to state development and interpretation. Category 2 policies will be developed and issued by the OESC using the following guidelines:
  - Policies will be developed by the OESC in consultation with subject matter expert workgroups through the Governor's Council for Workforce and Economic Development (GCWED) System Oversight Subcommittee (SOS) as determined necessary. Subject matter experts may be drawn from local workforce development boards, service providers, program experts, workforce development partners and other stakeholders as appropriate.
  - The OESC will send all Category 2 policies to the Workforce System Oversight Committee (WSOC) of the GCWED for review and comment prior to general release. The WSOC shall have three business days to submit comments to the OESC.

- After comments from the WSOC have been resolved or three business days have passed with no comments, the WSD shall be issued to the local Workforce Development Boards.

The OESC will re-release currently active policies previously referred to as Oklahoma Workforce Development Issuances (OWDI) for the purpose of reissuing under the OESC policy naming convention and branding, and as reference to the rescission and update of said policies if applicable.

**Equal Opportunity and Non-Discrimination Statement:** All Recipients, and Sub-recipients/Sub-grantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in a WIOA Title-I financially assisted program or activity.

**Instructions:** This Oklahoma Workforce System Directive (OWSD) is to become a part of your permanent records and made available to appropriate staff and sub-recipients.

All inquiries regarding the process involved in this policy should be directed to Kim Braddy, Director of Training & Targeted Populations, via email: [Kim.Braddy@oesc.ok.gov](mailto:Kim.Braddy@oesc.ok.gov).