

Washington State WorkSource System Policy

Policy Number: 1035

Policy Title: State Policy Structure and Process

Effective Date: August 8, 2024

1. **Purpose:**

To establish and clarify the roles and responsibilities of parties involved in the state policy development process for Washington's one-stop system and affiliated programs and, by extension, promote a transparent process that balances input and collaboration with State authority as it relates to state-level policy.

2. **Background:**

A transparent and standardized structure and process for developing state policies stands to better serve all parties involved in the effort to create a strong, compliant, and nimble workforce system that meets the dynamic needs of jobseekers and businesses.

3. **Policy:**

a. Policy Work Group

The Policy Work Group is a non-binding consultative body convened and staffed by the Employment Security Department (ESD) as the administrative entity delegated by the Governor for state policy development in service to the Workforce Training and Education Coordinating Board (WTECB) in the latter's capacity as the state workforce development board under the Workforce Innovation and Opportunity Act (WIOA). The Policy Work Group is facilitated by the ESD Workforce Policy Manager in collaboration with WTECB's Workforce Service Integration Manager.

The Policy Work Group is comprised of the ESD Workforce Policy Manager and workforce-assigned policy analysts in the Employment System Administration and Policy (ESAP) Unit, WTECB Workforce Service Integration Manager and WTECB Policy Associate, ESD Employment Connections Division Deputy Director, and Executive Director and appointed LWDB representatives of the Washington Workforce Association. Optional attendees are the ESD Employment System Policy and Integrity Division Director, ESD Workforce Monitoring Director, and WTECB Research and Performance Manager. Other guests are welcome to attend Policy Work Group meetings with advanced notice to ESD's Workforce Policy Manager.

The Policy Work Group convenes in the second week of every odd calendar month. ESD will conduct a poll to identify the best date/time for each meeting and send an

Outlook calendar invite to members. Meetings will be conducted using remote/virtual platforms (e.g., Microsoft Teams, Zoom). Members will receive the meeting agenda and relevant accompanying documents/materials at least seven calendar days before the meeting. Amongst the accompanying materials will be the latest version of the ESAP workforce policy tracker, which offers another means of tracking the status of policies that have been issued, are under development, and are slated for development.

Standing agenda items for Policy Work Group meetings include a recap of state policies and information notices issued since the prior meeting, presentation and discussion of policies and information notices actively under development or on hold, presentation and discussion of policies and information notices that are under consideration for development, exploration of policies or policy topics that might warrant consideration, and recap of action items and next steps. Ad hoc agenda items will be added to agendas at the discretion of the State or in response to policies or policy topics identified by the Policy Work Group at prior meetings.

b. Categorization

Topics that include State directives will be categorized as state policies. Topics that are information-only will be categorized as WorkSource Information Notices (WINs).

Proposed new policies will be presented to the Policy Work Group for categorization as either one-stop system (WorkSource System) or program (e.g., WIOA Title I-B, State Program) affiliated. The State will also confer with Policy Work Group members to seek concurrence on items to designate as WINs.

During the state policy modernization project, WINs identified as including state directive and, therefore, slated for transition into state policies will be accompanied by a GovDelivery listserv announcement that cites the WIN that was canceled and the state policy that succeeded it as well as the effective date.

c. Prioritization

Proposed new policies and policy revisions will be presented to the ESD-WWA-WTECB Policy Work Group for discussion of priority. The State will consult partners regarding prioritization, but retains the right to prioritize policies per state prerogatives, in particular, of the WTECB in its capacity as the state workforce development board tasked with overseeing the state's one-stop system and developing state policies.

d. Policy Development and Input

After proposing new policy and policy revisions to the ESD-WWA-WTECB Policy Work Group, the State will consult local workforce development board partners (WorkSource System, Title I-B, State Programs) and/or Employment Connections Division partners (Wagner-Peyser, TAA, RESEA, JVSG, State Programs) through the formation of state-local work teams, where appropriate, led by leads designated by the State.

Depending on the policy topic and at its discretion, WTECB may choose to lead policy development efforts on WorkSource System policies, which will still involve state-local work teams, but subject those policies to votes at regular or special WTECB meetings.

Due to the need for expediency with respect to state policies that communicate guidance on federal and state discretionary grants/contracts, the ESD Grants Management Office may assume the primary role in developing such guidance in collaboration with LWDB representatives. Public comment may be set aside, but the draft policy will be shared with Policy Work Group members either at a scheduled meeting if timely or by email if the meeting date is not timely.

In either situation, state-local work teams are consultative and the State retains final authority on state policies.

Policy Work Group and state-local work team members are encouraged to provide input in writing to ensure it is captured by the State, though verbal input is also welcomed.

e. Policy Clarifications

When the State seeks supplemental guidance/direction from the U.S. Department of Labor (DOL) on WIOA one-stop system and Title I-B policy matters, the State (ESD and WTECB) will confer with local workforce development board representatives on the framing of inquiries and share written DOL responses received in response to those inquiries.

The State reserves the right to develop inquiries of and consult with DOL for federal guidance on policy matters that local workforce development boards may not similarly seek.

f. Public Comment

The default public comment period for new and revised policies is 30 calendar days, though the State will propose to and seek consensus from the Policy Work Group for abbreviated comment periods (e.g., 20, 15, 10, 5 days).

The State will address all public comments received, in writing, through the WashingtonESD GovDelivery email announcing all final policy issuances. The announcements will cite comments that resulted in changes to policies and why and those that did not and why they did not. The State will reach out to individual commenters to ask clarifying questions when necessary.

The State will determine whether or not it is able to respond in writing to each specific commenter on a discretionary basis depending on the number of comments and staff capacity.

g. Issuance

WashingtonESD@public.govdelivery.com (GovDelivery listserv) will be used to issue state policies for public comment as well as final form. Users can subscribe to the [listserv](#) on ESD.WA.GOV by checking the “Workforce Policy and Guidance” box on the “Rulemaking and Policy” expanded menu under “Subscription Topics.”

Policies issued for public comment and in final form will be posted the same day to the Policy page/tab on the Workforce Professionals Center website (wpc.wa.gov/policy), which is maintained by ESD’s ESAP Unit.

h. State Workforce Development Board Endorsement

Executive Director reports for regular meetings of the Workforce Training and Education Coordinating Board (WTECB) in its capacity as the State Workforce Development Board under WIOA will include a table citing state WorkSource System and WIOA Title I-B policies issued since the prior meeting of the Board, the dates they were issued, and brief descriptions of the policies and/or policy revisions. WTECB will vote on the reports as part of the consent agenda, consistent with WIOA Section 101(d)(6) and 20 CFR 679.130(b) on state board functions related to policy development. WTECB and ESD policy staff will be available at meetings to answer questions from the Board about any of the policies being approved.

4. **Definitions:**

None.

5. **References:**

None.

6. **Supersedes:**

None.

7. **Website:**

[Workforce Professionals Center](#)

8. **Action:**

Local Workforce Development Boards and their contractors must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. **Attachments:**

None

Direct Inquiries To:

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