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State Workforce Agencies and Workforce Boards

§ 690.93 Components determined by Governors

(b) (1) (i) The State's methodology to determine and to, **periodically every two years concurrent with mandated development and modification of the State Plan under the Workforce Innovation and Opportunity Act**, review which occupations and industry sectors are high-skill, high-wage (as identified by the State pursuant to section 122 of the Carl D. Perkins Career and Technical Education Act (20 U.S.C. 2342)), or in-demand, including the competencies needed in such industries and occupations, as identified by the State pursuant to section 102 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112), and where the list of such occupations and sectors will be made publicly available, **including within the State Plan**;

(b) (B) (3) The process and timeline for the Governor's consultation with the state board and a determination that an eligible workforce program meets the requirements in paragraph (a), **such that the consultation with the State board and the determination are both completed no later than six months following the submission of the State Plan or Plan modification to the Secretary of Labor**;

(b) (B) (4)

The process **and timeline** for an institution to appeal that determination, **not to exceed 120 days following the determination**;

Rationale: The following provides details pertaining to timelines laid out in components determined by Governors, such that states and institutions may have clarity around the minimum cadence of the State board's analysis of the State's high-wage, high-skill, or in-demand sectors and occupations; the cadence upon which the Governor is expected to make determinations that

eligible programs meet federal and State requirements; and the maximum timeline for an institution to appeal the Governor's determination. This recommendation clarifies the timeline of analyzing high-wage, high-skill, or in-demand occupations to fully align with existing required timelines upon which State boards must already review associated labor market data under the Workforce Innovation and Opportunity Act. This analysis is required every two years - during the development of each four-year State Plan and during the modification of each State Plan two years later.