



## GUIDANCE: Chief Elected Official Agreement Under WIOA

Updated: May 24, 2017

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### 1. Background.

- 1.1. Congress enacted the federal Workforce Innovation and Opportunity Act (WIOA) on July 22, 2014.
- 1.2. WIOA took full effect on July 1, 2016.
- 1.3. The U.S. Department of Labor (USDOL), U.S. Department of Education (USDOE), and Rehabilitation Services Administration (RSA) published in the Federal Register final implementing regulations (final rules) on August 19, 2016.
- 1.4. WIOA superseded the Workforce Investment Act of 1998 (WIA), which contained requirements for local workforce development system governance.
- 1.5. WIOA governs local workforce development system governance, including chief elected officials (CEOs) and the local workforce development board (local board).
- 1.6. This Guidance covers the requirements for Iowa's CEO Boards under WIOA and its final rules.

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### 2. What is a CEO?

WIOA defines a CEO to be the chief elected executive officer of a unit of general local government in a local area.

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### 3. Is a CEO agreement required?

No, WIOA does not require a CEO agreement. However, it is a best practice. WIOA authorizes the CEOs of a local area with more than one unit of general local government to enter into a CEO agreement.

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## 4. Why establish a CEO Board?

The CEO Board allows a formalized structure by which CEOs can convene and take action, as required under WIOA, the final rules, and Iowa law.

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## 5. What are the required contents of a CEO agreement?

The CEO agreement must specify the respective roles of the individual CEOs:

- 5.1. In the appointment of members to the local board in accordance with WIOA, the final rules, and Iowa law.
- 5.2. In carrying out any other responsibilities assigned to the CEOs in WIOA Title I.
- 5.3. The establishment of the CEO Board.
- 5.4. The procedure by which the CEO Board will designate a local grant subrecipient for grant funds or local fiscal agent.
- 5.5. The procedure by which the CEO Board will consider and approve the local board's budget.
- 5.6. The procedure by which the CEO Board will consider and approve the selection of a one-stop operator.
- 5.7. The procedure by which the CEO Board will develop and enter into a memorandum of understanding (MOU) to establish the local area's one-stop delivery system.
- 5.8. A description of how the CEO Board will work with the local board to negotiate local levels of performance.
- 5.9. A description of how the CEO Board will consult in the establishment of objective criteria and procedures for use in the continuous improvement of the one-stop delivery system in the local area.
- 5.10. A description of how the CEOs will distribute liability for any misuse of grant funds allocated to the local area under sections 128 and 133 of WIOA.

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## 6. What if the CEOs fail to form a CEO agreement?

If, after reasonable effort, the CEOs are unable to reach an agreement, the Governor may appoint the members of the local board from individuals so nominated or recommended.

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## 7. Must a CEO agreement comply with Iowa Code section 28E?

Yes, a CEO agreement must comply with Iowa Code section 28E.

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## 8. What must a CEO agreement contain under Iowa Code section 28E?

To comply with Iowa Code section 28E, a CEO agreement must contain the following:

- 8.1. The agreement's duration.
- 8.2. The precise organization, composition, and nature of any separate legal or administrative entity created thereby.
- 8.3. The powers delegated to any separate legal or administrative entity created thereby.
- 8.4. The agreement's purpose(s).
- 8.5. The manner of financing the joint or cooperative undertaking and of establishing and maintaining a budget therefor.
- 8.6. The permissible method(s) for partial or full termination of the agreement.

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## 9. Questions?

If you have any questions, please contact:

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