

REGULATORY PLAN FOR 2009
CHAPTER 877 IAC

REGULATORY OBJECTIVES and PRIORITY – The objective of the state workforce development board and the division of workforce development center administration is to review the rules contained in chapter 877 of the Iowa Administrative Code to identify and eliminate outdated, redundant, overbroad, ineffective, unnecessary or otherwise undesirable rules pursuant to the mandate of Executive Order Number Nine, to clarify present rules and to adopt rules consistent with pending federal legislation modifying and reauthorizing the workforce investment act. The criteria for review continues to consist of need, clarity, statutory authority, cost and fairness, with an emphasis on cost-benefit analysis to ensure that existing rules do not burden lowans needlessly if more efficient options are available. The board and division strive to provide a user-friendly set of rules accessible to those without specialized training so that they may take full advantage of the programs administered herein.

REGULATORY ACTION – The federal Workforce Investment Act was originally scheduled for reauthorization in 2003, but numerous delays have occurred and a new law has not been finalized. As of late July 2008, Congress has just passed continuing resolutions to extend funding of the law. There still has been no Congressional action to reauthorize WIA. IWD does not anticipate further Congressional action until the new Congress convenes in early 2009. Initiating changes now based on speculation on the contents of possible federal legislation would be counterproductive. The agency will supplement its regulatory plan for 2009 if Congress completes work on WIA reauthorization.

Regardless of Congressional action, the agency proposes rescinding Chapter 4 (Coordinating Service Provider), Chapter 12 (Iowa Job Training Partnership Program), Chapter 14 (Iowa Welfare-to-Work Program), and Chapter 15 (Strategic Workforce Development Fund) of Chapter 877 IAC because the programs no longer exist. The agency proposes technical corrections to 877 IAC 1.5(84A) and 1.6(84A) concerning coordination with the Department of Corrections and a revision of 877 IAC Chapter 8 to more accurately describe current agency practice in the area of placement.

LEGAL BASIS – Submission of this Regulatory Plan is mandated by Executive Order Number Nine. Rulemaking authority is granted to the state workforce development board and the director of the department of workforce development by Iowa Code Chapter 17A and Iowa Code Section 84A.1B-9.

SCHEDULE – Amendments to Chapter 877 required by federal legislation will begin within 120 days after the effective date of the legislation.

Additional information about this contemplated rulemaking activity may be obtained by contacting Barbara Tapscott, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209, by calling (515) 281-5095 or by emailing Barbara Tapscott at Barbara.Tapscott@iwd.iowa.gov .