

**TITLE 11      LABOR AND WORKERS' COMPENSATION**  
**CHAPTER 2    JOB TRAINING**  
**PART 4        WORKFORCE INVESTMENT ACT (WIA) RULE MAKING PROCEDURES**

**11.2.4.1        ISSUING AGENCY:** The New Mexico Office of Workforce Training and Development (OWTD).  
[11.2.4.1 NMAC - Rp, 11.2.4.1 NMAC, 12/31/05]

**11.2.4.2        SCOPE:** The Workforce Investment Act (WIA) state administrative entity (SAE), state workforce development board (SWDB), local workforce development boards (LWDBs), and all SAE WIA subrecipients.  
[11.2.4.2 NMAC - Rp, 11.2.4.2 NMAC, 12/31/05]

**11.2.4.3        STATUTORY AUTHORITY:** Workforce Development Act, Chapter 50, Article 14, NMSA 1978.  
[11.2.4.3 NMAC - Rp, 11.2.4.3 NMAC, 12/31/05]

**11.2.4.4        DURATION:** Permanent.  
[11.2.4.4 NMAC - Rp, 11.2.4.4 NMAC, 12/31/05]

**11.2.4.5        EFFECTIVE DATE:** December 31, 2005 unless a later date is cited at the end of a section.  
[11.2.4.5 NMAC - Rp, 11.2.4.5 NMAC, 12/31/05]

**11.2.4.6        OBJECTIVE:** To establish general provisions for rulemaking for administration of the Workforce Investment Act (WIA).  
[11.2.4.6 NMAC - Rp, 11.2.4.6 NMAC, 12/31/05]

**11.2.4.7        DEFINITIONS:** [RESERVED]

**11.2.4.8        ACTION:** References include the following: Public Law 105-220, Workforce Investment Act (WIA), NMSA 1978, Section 14-4-1 *et seq.*, and NMSA 1978, Section 50-14-1 *et seq.*

**A.** The state administrative entity (SAE) and the local workforce development boards (LWDBs) established pursuant to NMSA 1978, Section 50-14-5 are agencies subject to the provisions of the State Rules Act.

**B.** Under WIA, the governor acting through the SAE and the local workforce development boards establish policy for administration of the WIA programs. The policies established by the SAE and the LWDBs support, clarify and implement the WIA and they constitute rules as defined in the State Rules Act and 1.24.10.11 NMAC.

**C.** When adopting rules, the SAE and the LWDBs shall comply with the State Rules Act and regulations.

**D.** When publishing information and guidance that do not constitute rules, the SAE and LWDBs may issue program informational notices or technical assistance guides in any format suitable for the distribution of the non-rule information.

**E.** The SAE will provide timely technical assistance on proposed LWDB rules upon request from the LWDB.

**F.** The SAE and LWDBs will distribute summary lists of rules and information notices or technical assistance guides periodically.

[11.2.4.8 NMAC - Rp, 11.2.4.8 NMAC, 12/31/05]

**11.2.4.9        RESCISSIONS:** None.  
[11.2.4.9 NMAC - N, 12/31/05]

**11.2.4.10       CONTACT ENTITY:** Inquiries regarding this issuance should be directed to the state administrative entity (SAE) in Santa Fe (505) 827-6827.  
[11.2.4.10 NMAC - Rp, 11.2.4.9 NMAC, 12/31/05]

**11.2.4.11 DISTRIBUTION:** SWDB and LWDB chairpersons, LWDB administrative entities, all WIA SAE subrecipients, SAE legal counsel, SAE EEO officer, USDOL federal representative and New Mexico commission on public records.

[11.2.4.11 NMAC - Rp, 11.2.4.10 NMAC, 12/31/05]

**History of 11.2. 4 NMAC:**

**Pre-NMAC History:** [RESERVED]

**History of Repealed Material:**

11.2.4 NMAC, Workforce Investment Act (WIA) Policy/Program Issuance and State Information Notice (SIN) System, filed 6/16/00 - Repealed 7/01/03

11.2.4 NMAC, Workforce Investment Act (WIA) Program Policies and State Technical Assistance Guide [STAG] System, filed 6/13/03 - Repealed 12/31/05.