



**WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
PROGRAM POLICY NOTICE NO. 14 Rev. 2**

EFFECTIVE DATE: March 31, 2026

SUBJECT: IN DEMAND OCCUPATIONS

I. PURPOSE

The purpose of this policy is to establish a clear, flexible, and compliant framework for identifying and applying in-demand occupations for workforce development activities within the Northern Area Workforce Development Area. This policy ensures alignment with Workforce Innovation and Opportunity Act (WIOA) requirements while allowing the Northern Area Local Workforce Development Board (NALWDB) to respond to evolving labor market conditions and participant needs.

II. AUTHORITY

This policy is issued pursuant to the following authorities:

- Workforce Innovation and Opportunity Act (WIOA), Pub. L. 113–128, §§ 3(23), 121, 134
- 20 CFR §§ 680.200–680.230 (Training services and linkage to in-demand occupations)
- 20 CFR Part 678 (One-Stop delivery system)
- 20 CFR § 683.230 (Nondiscrimination and equal opportunity provisions)
- New Mexico Administrative Code (NMAC) 11.2.8 (Job Training Programs)
- Training and Employment Guidance Letter (TEGL) No. 19-16
- New Mexico Department of Workforce Solutions (NMDWS) state administrative guidance supporting implementation

III. DEFINITIONS

In-Demand Industry Sector or Occupation: Has the meaning set forth in WIOA §3(23) and refers to an industry sector or occupation that has a substantial current or potential impact on the state, regional, or local economy and is reasonably expected to lead to employment opportunities that support economic self-sufficiency, wage progression, and career advancement.

An in-demand industry sector or occupation may be identified based on a combination of quantitative and qualitative labor market evidence, including employment projections, job openings, wage data, employer demand, or regional economic conditions. In-demand status is not limited to occupations with long-term historical growth and may include emerging occupations, specialized trades, or occupations experiencing localized or short-term demand, particularly in rural or frontier areas.



IV. POLICY STATEMENT

The Northern Area Local Workforce Development Board shall identify and maintain a list of in-demand occupations to guide training investments, Individual Training Account (ITA) approvals, and contract training decisions. Determinations of in-demand status must be based on a combination of quantitative labor market information and qualitative evidence and may not rely solely on fixed numeric thresholds.

V. LABOR MARKET EVIDENCE

In-demand occupation determinations may be supported by one or more of the following sources of labor market evidence, as appropriate:

- a) State, regional, or local labor market information, including employment projections, job openings, and wage data.
- b) Industry and occupational data published by NMDWS, the U.S. Bureau of Labor Statistics, or other credible sources.
- c) Employer input, including documented feedback, hiring trends, or industry partnerships.
- d) Regional economic development strategies or sector initiatives.
- e) Evidence of occupational shortages or emerging industries.

No single data source or numeric threshold is required to establish in-demand status.

VI. REVIEW AND APPROVAL OF IN-DEMAND OCCUPATIONS

Pursuant to WIOA §§ 107(d)(4)(A)(i) and 107(d)(5), which assign the Local Workforce Development Board responsibility for the development, oversight, and continuous improvement of workforce strategies, the Northern Area Local Workforce Development Board (NALWDB), or its designee, shall review the in-demand occupations list no less than annually and more frequently as labor market conditions, economic disruptions, or regional workforce needs warrant.

The review process shall be informed by current and relevant labor market information and workforce intelligence, including but not limited to:

- a) State, regional, and local labor market data and projections.
- b) Employer input and industry engagement activities.
- c) Economic development strategies and sector initiatives.
- d) Workforce system performance outcomes and participant employment trends.

Consistent with WIOA § 134(c)(3)(G) and 20 CFR §§ 680.200–680.230, the NALWDB is responsible for approving the in-demand occupations list and ensuring that the list supports training investments that are reasonably expected to lead to employment opportunities aligned with regional economic needs.



Upon approval, the NALWDB shall ensure that the in-demand occupations list is formally communicated to service providers, training partners, and relevant workforce system stakeholders and is applied consistently in training and funding decisions.

VII. USE OF IN-DEMAND OCCUPATIONS FOR TRAINING DECISIONS

Pursuant to WIOA §134(c)(3)(G) and 20 CFR §§ 680.200–680.230, training services funded under WIOA, including Individual Training Accounts (ITAs) and contract training, must be aligned with occupations identified as *in-demand industry sectors or occupations* in the local or planning region.

The Northern Area Local Workforce Development Board (NALWDB) shall ensure that training investments are directed toward occupations that are reasonably expected to lead to employment opportunities that support economic self-sufficiency and career advancement, consistent with the definition of in-demand occupations under WIOA §3(23).

When appropriate, training services may be approved for occupations not currently identified on the in-demand occupations list if sufficient justification is documented demonstrating that the training is expected to lead to employment opportunities with strong labor market potential. Such circumstances may include, but are not limited to:

- a) Individual participant relocation to an area where the occupation is in demand, consistent with WIOA §134(c)(3)(G)(iii).
- b) Evidence of emerging or specialized occupations not yet reflected in standard labor market data.
- c) Employer-specific hiring needs supported by credible documentation.
- d) Occupations with demonstrated potential for sustained demand or growth within the local or regional economy.

All approvals for training outside the current in-demand occupations list must be fully documented in NM Jobs, including the rationale for approval and the supporting labor market or employer evidence, and maintained in accordance with the NALWDB Electronic File Policy.

Use of such exceptions shall be limited, applied consistently, and subject to review through routine monitoring to ensure compliance with WIOA requirements and prudent stewardship of training funds.

VIII. EXCEPTIONS

Pursuant to WIOA §134(c)(3)(G) and 20 CFR §§ 680.200–680.230, exceptions to the approved in-demand occupations list may be authorized on a case-by-case basis when training is demonstrated to be reasonably expected to lead to employment opportunities that support economic self-sufficiency, career advancement, or sustained employment.



Such exceptions recognize that labor market conditions may vary across communities and that individual participant circumstances, including relocation, emerging industries, or employer-specific hiring needs, may justify training outside the current in-demand occupations list, consistent with WIOA §3(23).

All exceptions must be supported by verifiable justification, which shall be documented in NM Jobs and maintained in accordance with the NALWDB Electronic File Policy. Documentation must clearly articulate the rationale for approval and the labor market or employer evidence supporting the exception.

The use of exceptions shall be limited, applied consistently, and subject to review through routine program monitoring conducted by the NALWDB and NMDWS to ensure compliance with WIOA requirements, prudent stewardship of training funds, and avoidance of systemic or inappropriate use of exceptions.

IX. DOCUMENTATION AND SYSTEM REQUIREMENTS

All determinations related to in-demand occupations, including exceptions, must be documented in the state-approved case management system (NM Jobs). Documentation must be sufficient to demonstrate alignment with labor market evidence and policy requirements.

X. EQUAL OPPORTUNITY AND ACCESSIBILITY

The identification and application of in-demand occupations must be implemented in a nondiscriminatory manner consistent with WIOA Section 188. Participants must not be excluded from consideration for training services based on protected characteristics. Reasonable accommodation, auxiliary aids, language assistance, and meaningful access must be provided as required.

XI. MONITORING AND OVERSIGHT

Compliance with this policy shall be reviewed through routine program monitoring conducted by the NALWDB and NMDWS. Monitoring shall include review of in-demand occupation determinations, documentation of exceptions, and adherence to equal opportunity requirements. Monitoring will occur at least annually and may result in technical assistance or corrective action, as appropriate.

Exceptions to Labor Market Information (LMI) requirements may be considered on a case-by-case basis when justified by documented participant need, employer commitment to hire, or other compelling circumstances that support successful employment outcomes. Any exception must be supported by written justification in the participant file and approved in advance by the Executive Director or designee. Documentation must clearly demonstrate that the training opportunity remains aligned with employment outcomes and program objectives, even when it falls outside identified in-demand occupations.

XII. EFFECTIVE DATE AND REVIEW

This policy becomes effective upon approval and will be reviewed periodically to ensure continued compliance with federal and state requirements and responsiveness to labor market conditions.



This policy rescinds any previous NALWDB policy regarding subject.
INQUIRIES; Contact WIOA Program Manager at (505) 986-0363.

NALWDB CHAIR

A handwritten signature in black ink, consisting of several overlapping, stylized strokes.

DATE

3-31-26