

Workforce Investment Act (WIA) Waiver Summary Report Program Year 2009 (July 1, 2009-June 30, 2010)

Last Updated May 7, 2010

This report summarizes currently active WIA waivers and work-flex activity. At present, 49 states and Guam, the Commonwealth of Northern Marianas Islands, the Virgin Islands, Puerto Rico, and the District of Columbia have submitted and been approved for waiver requests.

FUNDS FLEXIBILITY

- Waiver of the funds transfer limit between Adult and Dislocated Worker Programs, to allow local areas to respond to the particular needs of their customers and labor markets (40 States): *Alabama, Alaska, Arizona, Arkansas, California, CNMI, Colorado, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virgin Islands, Virginia, West Virginia, Wisconsin, and Wyoming*
- Waiver of the requirement for a 50 percent employer contribution for customized training, to permit a sliding scale contribution for small- and medium-sized businesses (25 states): *Alaska, Arizona, California, Colorado, Connecticut, Florida, Guam, Hawaii, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, Ohio, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Texas, Virgin Islands, West Virginia, and Wisconsin*
- Waiver to increase the employer reimbursement for on-the-job training for small- and medium-sized businesses (20 states): *Alaska, Colorado, Connecticut, Florida, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, Nevada, New Jersey, Oklahoma, Pennsylvania, Puerto Rico, South Carolina, Virgin Islands, West Virginia, and Wisconsin*
- Waiver to permit the use of a portion of local area formula allocation funds to provide incumbent worker training (28 states): *Alabama, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Tennessee, Texas, Virginia, and Wisconsin*
- Waiver to permit the State to use a portion of rapid response funds to conduct incumbent worker training (23 states): *Alabama, Arizona, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Tennessee, Texas, Virgin Islands, and Virginia*
- Waiver to allow local areas to contract for training outside the ITA process (1 state): *Illinois*
**Note that this flexibility is available to all states with ARRA funds under the American Recovery and Reinvestment Act of 2009, and with FY 2010 funds, under the FY 10 DOL Appropriations Act.*

YOUTH

- Waiver of the prohibition on use of Individual Training Accounts for youth to allow flexibility in provision of training services to youth (37 states): *Alaska, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virgin Islands, Virginia, Washington, and West Virginia*
- Waiver of the requirement for competitive procurement of service providers for ten youth elements to ensure continuity of youth services (1 state): *Guam*
- Waiver of the requirement for competitive procurement of service providers for three youth elements (work experience, support services, and follow-up services) to ensure continuity of

youth services (18 states): *Arizona, Colorado, Connecticut, Hawaii, Idaho, Illinois, Kansas, Louisiana, Massachusetts, New York, Ohio, Puerto Rico, Rhode Island, Tennessee, Vermont, Washington, and Wisconsin*

- Waiver to allow states to use the work readiness indicator as the only indicator of performance for youth co-enrolled in PY 2010 summer employment programs under TANF and WIA participating in work experience only (1 state): *Oklahoma*
- Waiver to provide and objective assessment and the requirement to develop an individual service strategy (ISS) for youth co-enrolled in TANF and WIA PY 2010 summer employment programs to allow local areas to provide an assessment or ISS as deemed appropriate for such youth participants. (1 state): *Oklahoma*

PERFORMANCE

- Waiver to permit implementation of (and reporting only) common measures in place of current measures (38 states): *Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Carolina, Tennessee, Texas, Utah, Virgin Islands, Virginia Washington, West Virginia, Wisconsin, and Wyoming*
- Waiver to permit a state to discontinue the collection of seven of the data elements in Section 1 of the WIASRD for incumbent workers trained with local area WIA formula funds. Under the waiver, the State will not need to collect from these participants the following WIASRD data elements: single parent (117), unemployment compensation eligible status at participation (118), low income (119), TANF (120), other public assistance (121), homeless individual and/or runaway (125), and offender (126) (8 states): *Florida, Kansas, Kentucky, Louisiana, Michigan, Ohio, Rhode Island, Virgin Islands*
- Waiver of the requirement that States provide incentive grants to local areas for exemplary performance (2 states): *Hawaii and Montana*
- Waiver to exempt state from reporting credential attainment for participants enrolled in OJT (1 state): *New Jersey*
- Waiver to account for seasonal employment in performance measures (1 state): *Alaska*
- Waiver to allow the state to negotiate alternative measures in contracts and performance negotiations with local boards (1 state): *Texas*
- Two waivers to allow a uniform set of performance measures to be used and collective sanctioning for several local workforce investment areas operating as a consortium for the purpose of providing dislocated worker activities (1 state): *Arizona*

GOVERNANCE

- Waiver to support streamlining of governance structure; This waiver permits the governor to designate the State Board to carry out the roles and responsibilities of the local board (5 states): *Alaska, Idaho, Indiana, Iowa, and Montana*
- Waiver of certain State WIB membership requirements, to support efforts to streamline board and increase their effectiveness (1 state): *Rhode Island*

ELIGIBLE TRAINING PROVIDERS / OTHER

- Waiver of the time limit on the period of initial eligibility for training providers, to address data collection barriers (25 states): *Alaska, Delaware, District of Columbia, Indiana, Iowa, Idaho, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, New Jersey, North*

Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Utah, Vermont, Virginia, West Virginia, and Wisconsin

- Waiver to permit One-Stop Career Center staff to perform intake and eligibility determination for additional programs (1 state): *Florida*

WORK-FLEX DESIGNATION

- (3 Work-flex approvals): Michigan, Mississippi, and Oklahoma

WAIVERS FOR RECOVERY ACT YOUTH FUNDS

In order to facilitate the implementation of youth activities under the American Recovery and Reinvestment Act of 2009, ETA offered states the opportunity to apply for three time-limited waivers:

- Waiver of the requirement for competitive selection of youth service providers to provide flexibility in selecting providers for summer youth employment opportunities (34 states): *Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Florida, Georgia, Hawaii, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia*
 - Waiver of performance measures for older, out-of-school youth who participate in work experience only to allow the use of the work readiness indicator as the only indicator of performance for such youth (44 states): *Alabama, Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Virgin Islands, Washington, West Virginia, Wisconsin, and Wyoming*
 - Waiver of required youth program elements for older, out-of-school youth who participate in work experience only to allow local areas flexibility to provide follow-up services and the type of assessment deemed appropriate for such youth (31 states): *Arizona, Arkansas, California, Colorado, District of Columbia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Virgin Islands, West Virginia, and Wyoming*
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