Approved WIOA Waivers by Waiver Type

Updated January 13, 2020

Waiver of the obligation of eligible training providers to collect performance data on all students in a training program.

Key WIOA and Regulatory Citations: WIOA Sections 116(d)(4)(A) and 122, and 20 CR 677.230(a)(4) and (5), and 20 CFR 680.

Approved for: Arizona, California, Connecticut, Delaware, Georgia, Hawaii, Idaho, Illinois, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virgin Islands, Virginia, West Virginia, Wisconsin (partial approval) and Wyoming

Waiver of the requirement that states and local areas expend 75 percent of all Governor's reserve and local formula youth funds on out-of-school youth.

Key WIOA and Regulatory Citations: WIOA Section 129(a)(4)(A) and 20 CFR 681.410

Approved for: Delaware, Georgia, Illinois, Indiana, Kansas, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New York, Northern Mariana Islands, Ohio (WIOA and TANF), Puerto Rico, South Dakota, Tennessee, Texas, Virginia and Wyoming

Waiver of the requirement to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth

Key WIOA and Regulatory Citations: WIOA Sections 134(a)(2)(B)(vi) and 129(b)(1)(A), 116(e), 169(a)

Approved for: Idaho, Puerto Rico and Virgin Islands

Waiver to allow the State Board to act as the Local Board

Key WIOA and Regulatory Citations: WIOA Section 107(b)

Approved for: Alaska, Idaho and Montana, Rhode Island

Waiver to allow the state to assign a single local workforce development area to multiple planning regions

Key WIOA and Regulatory Citations: WIOA 106(a)(2) and 20 CFR 679.210

Approved for: Illinois and Nebraska

Waiver to substitute the WIOA state Board membership requirements

Key WIOA and Regulatory Citations: WIOA 101(b)(1) and (c) and 20 CFR 679.110(b)-(c)
Approved for: Indiana

**Waiver of the requirement that the one-stop operator be “located in the local area”**

Key WIOA and Regulatory Citations: WIOA 121(d)(2)(B)

Approved for: Iowa

**Waiver to increase on-the-job training employer reimbursement up to 90 percent for business with 50 or fewer employees**

Key WIOA and Regulatory Citations: WIOA 134(c)(3)(H)(i) and 20 CFR 680.720(b)

Approved for: Massachusetts, Puerto Rico and Virgin Islands

**Waiver to allow local areas to provide in-school youth with Individual Training Accounts (ITAs)**

Key WIOA and Regulatory Citations: 20 CFR 681.550

Approved for: Alabama, Arizona, Illinois, Minnesota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas and Utah

**Waive to allow flexibility in the use of funds reserved by the Governor to provide statewide rapid response activities to instead provide statewide employment and training activities, including disaster relief employment to affected areas**

Key WIOA and Regulatory Citations: WIOA 134(a)(2)(A) and (B) and 134(a)(3)

Approved for: Illinois and Pennsylvania

**Waiver of the limitation on the use of funds for capitalization of business to allow funds to be used to capitalize small business that were affected by Hurricanes Irma and Maria, up to $5,000 per affected business**

Key WIOA and Regulatory Citations: WIOA 181(e)

Approved for: Puerto Rico and Texas

**Waiver to permit the State to exclude individuals affected by the disaster from the calculation of state and local performance measures**

Key WIOA and Regulatory Citations: WIOA 116(b) and (c)

Approved for: Puerto Rico, Texas and Virgin Islands
Waiver to allow up to 50 percent of WIOA Title 1 Adult, Dislocated Worker local formula funds to be used for the provision of transitional jobs

Key WIOA and Regulatory Citations: WIOA 134(d)(5) and 20 CFR 680.195

Approved for: Puerto Rico

Waiver to permit the State and its disaster-impacted local areas to use local Adult and Dislocated Worker formula funds for education and training programs like these in WIOA Section 134(a)(3)(A)(iii) and allow use of Youth formula funds to support the development of alternative, evidence-based programs

Key WIOA and Regulatory Citations: WIOA 129(b)(2)(B) and 134(a)(3)(A)(iii)

Approved for: Texas

Waiver of the requirement that local programs provide each of the 14 youth program elements to prioritize needed services to youth participants in hurricane-affected local areas

Key WIOA and Regulatory Citations: WIOA 129(c)(2)

Approved for: Texas and Virgin Islands

Waiver of reallocation provisions to allow the State Workforce Development Board to develop additional criteria for the reallocation of recaptured funds

Key WIOA and Regulatory Citations: WIOA 128(c)(3) and 133(c)(3)

Approved for: Texas

Waiver to allow the State to modify the performance measures used to negotiate Local Workforce Development Board performance

Key WIOA and Regulatory Citations: WIOA 166(c)

Approved for: Texas

Waiver of the provision in that requires the delivery of Trade Adjustment Assistance (TAA) services by staff considered part of the State merit system.

Key WIOA and Regulatory Citations: 20 CFR 618.890

Approved for: Illinois