

BRIAN SANDOVAL
GOVERNOR




FRANK R. WOODBECK
DIRECTOR

OFFICE OF THE DIRECTOR

MEMORANDUM

Date: December 7, 2011

To: Department of Labor, Region 6

From: Frank R. Woodbeck, Director 

Subject: Request for waiver of Workforce Investment Act incentive grants

The Nevada Department of Training, Employment and Rehabilitation (DETR) is requesting from the Department of Labor to waive the requirement in WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) to provide incentive grants to local boards. Training and Employment Guidance Letter 9-11 stated that this is a state requirement waiver the Department of Labor will approve.

DETR is requesting this waiver due to the recent action by Congress that decreased the level of PY 2011 base funds that Governors may reserve for statewide activities by 10 percentage points, from 15 percent to 5 percent. In order to maintain a sufficient level of funding for the other required statewide activities, this waiver is necessary.

Thank you for your attention to this matter.

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Attachment

Workforce Investment Act Waiver Request Template

To submit a waiver request, e-mail this completed form (or state-developed form) along with a cover letter to WIA.Plan@dol.gov or the appropriate ETA regional office. ETA will also accept hard copy submissions.

Date: December 2, 2011

State: Nevada

Agency: Department of Employment, Training and Rehabilitation

Statutory and/or regulatory requirements to be waived

Waiver of WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) requiring provision of incentive grants to local areas.

Actions undertaken to remove state or local barriers

There is no state or local barriers.

Goals and expected programmatic outcomes of waiver

The reduction to five percent in the WIA allotment for Program Year 2011 Governor's Reserve funds restricts the state's ability to effectively fund and carry out all of the required statewide workforce investment activities. The current funding level in the Governor's Reserve is insufficient to cover the cost of incentive grants to local areas. The state's reduced funds are being used to cover the following required activities:

- operating fiscal and management accountability information systems (WIA Section 134(a)(2)(B)(vi) and 20 C.F.R. 665.200(b)(1)),
- submitting required reports (WIA Section 136(f)),
- disseminating the list of eligible training providers for adults and dislocated workers (WIA Section 134(a)(2)(B)(i) and 20 C.F.R. 665.200 (b)(1)), and youth activities (20 C.F.R. 665.200(b)(4)), and
- Providing technical assistance to poor performing local areas (WIA Section 134(a)(2)(B)(iv) and 20 C.F.R 665.200(f)).
- Conduct evaluations (WIA Section 134(a)(2)(B)(ii) and 20 CFR 665.200(d))
- Disseminate training provider performance and cost information (20 CFR 665.200(b)(3)).
- Required rapid response activities, as described in § 665.310;
- Information identifying eligible providers of on-the-job training (OJT) and customized training;
- Disseminate a list of eligible providers of youth activities as described in WIA section 123;

- Assisting in the establishment and operation of One-Stop delivery systems, in accordance with the strategy described in the State workforce investment plan. (WIA sec. 112(b)(14).)
- Providing additional assistance to local areas that have high concentrations of eligible youth.

Our goal in seeking this waiver is to ensure that the state may prioritize the use of Governor's Reserve funds for the required activities we deem most essential to the basic functions of the workforce investment system.

Individuals impacted by the waiver

This waiver will provide the state agency with more flexibility in directing Governor's Reserve funds to those activities that best preserve basic functions of the statewide workforce investment system.

Process for monitoring progress in implementation

The State will monitor progress and ensure accountability for Federal funds in connection with these waivers by reviewing monthly expenditure, performance and other reports, through regular contact with the ETA Regional Office liaisons, and through its monitoring and performance accountability system.

Notice to affected local boards

The State of Nevada will follow legislatively required notice policy as well as a direct communication to the local boards of the waiver request.

Public Comment

(Public comment will be included at the end of the comment period and prior to submission.)