

Wisconsin Workforce Investment Act Title I Waiver Summary: Updated May 2010

Waiver Issue Request and Regulatory Reference	Request By	Current Status & Pending Status Per TEGL 14-08 & Change- 1 March 18, 2009 *	Department of Labor or State Conditions	Latest DOL Approval	Workforce Development Board Waiver Requests and Status
Extending the period of initial eligibility of training providers which postpones the implementation of the subsequent eligibility provision 20 CFR § 663.530	State	Approved for Program Year (PY) 2009- 10	Not Applicable (NA)	June 29, 2009 and confirmed November 13, 2009	NA: This is a waiver for statewide implementation
Using only the common performance measures to negotiate goals and report outcomes for the Adult, Dislocated Worker and Youth formula fund programs WIA Section 136 (b)	State	Approved for PY 2009- 10	NA	June 29, 2009 and confirmed November 13, 2009	NA: This is a waiver for statewide implementation WBDs have been notified of negotiations for local performance goals
Allowing the State to approve WDB requests to transfer up to 100 percent between the Adult and Dislocated Worker(DW) local formula funds WIA Section 133(b)(4)	State	Temporary approval of extension request in PY 09-10 WIA State Plan Modification to cover the period July 1, 09 to September 30, 09. A full waiver plan is in the WIA ARRA State Plan. Addendum Approved with conditions for PY 2009- 10	DOL has approved the transfer authority with a limit of up to 50% between Adult and Dislocated Worker funding streams allocated to a local area.	Revised previous approval November 13, 2009 This is not allowable for ARRA funds. * The state is permitted to allow transfer up to 30% between ARRA Adult and DW funds allocated to a local area.	South Central WI WDB April 6, 2009 waiver request. DET approved waiver with DOL conditions for PY 09-10 in letter 22 December 09 Fox Valley WDB expressed interest in April 2009 WIA Plan. DET sent 22 Dec 09 letter that they must submit waiver plan

<p>Allowing the State to approve WDB requests to use up to 10 percent of local formula funds for incumbent worker training, and that those individuals be excluded from the performance measures WIA Section 134</p>	<p>State</p>	<p>Temporary approval of extension request in PY 09-10 WIA State Plan Modification [not including the exclusion from performance] to cover the period July 1, 09 to September 30, 09. A full waiver plan is in the WIA ARRA State Plan Addendum.</p> <p>Partially approved with conditions for PY 2009-10</p>	<p>DOL narrowed the scope of the activities, participant population and funding:</p> <p>(1) Permitted to use up to 10% of local DW funds and up to 10% of local Adult funds (<u>not</u> youth) for incumbent worker training <u>only</u> as part of a lay-off aversion strategy;</p> <p>(2) Use of Adult funds is restricted to serving low-income adults under this waiver;</p> <p>(3) All training under this waiver is restricted to skill attainment activities;</p> <p>(4) Local areas must continue to conduct the required local employment and training activities in 134(d); and</p> <p>(5) The State is required to report performance outcomes for any individual served under this waiver for WIASRD.</p>	<p>November 13, 2009</p> <p>Revised previous use of funds.</p> <p>Denied approval (a) on the use of local funds for other statewide activities including innovative training and service delivery approaches, and (b) on the performance exclusion.</p>	<p>WDB of South Central WI April 6, 2009 email request for PY 08-09. Approved by DET. South Central requested extension for PY 09-10 in April 09 WIA Plan. DET approved waiver for PY 09-10 with DOL conditions in letter 22 Dec 09</p> <p>North Central WDB requested waiver for PY 09-10 in April 09 WIA Plan. DET approved waiver for PY 09-10 with DOL conditions in letter 22 Dec 09</p> <p>Milwaukee Area WIB submitted a waiver plan in June 12, 2009 email. DET approved waiver for PY 09-10 with DOL conditions in letter 22 Dec 09</p> <p>Fox Valley WDB expressed interest in April 09 WIA Plan. DET sent 22 Dec 09 letter that they must submit waiver plan</p> <p>West Central WDB stated in the April 09 WIA Plan they will submit a waiver plan. DET sent 4 January 2010 letter that they must submit waiver plan</p>
<p>Allowing the State to approve WDB requests to waive the competitive procurement process for youth providers WIA Section 123</p>	<p>State</p>	<p>Temporary approval of extension request in PY 09-10 WIA State Plan Modification to cover the period July 1, 09 to</p>	<p>DOL's directives include:</p> <p>(1) Denial of the waiver for the elements of tutoring, study skills training and instruction, alternative secondary school services, summer employment, occupational skills training, leadership development, mentoring and guidance and counseling;</p> <p>(2) No new non-competitive obligations may be</p>	<p>November 13, 2009</p> <p>Partially denied waiver & prescribed transition steps</p>	<p>West Central WI WDB February 20, 2009 Request Approved by DET for PY 08-09. West Central requested extension in April 09 WIA Plan for PY 09-10. DET approved waiver for PY 09-10 with DOL conditions in 22 Dec 09 letter</p>

		September 30, 09. A full waiver plan is in the WIA ARRA State Plan Addendum. Partially denied Waiver PY 09-10	made for the denied elements effective the date of this letter, and a competitive procurement process must be initiated within 60-days of the date of this letter; and (3)The State and local areas must still meet Office of Management and Budget Requirements and all state and local procurement laws and policies.	for the two WDBs to adhere to competitive procurement procedures.	North West WI WIB March 26, 2009 Request. Approved by DET for PY 08-09. NW WI WIB requested extension in ARRA Plan for PY 09-10. DET approved waiver for PY 09-10 with DOL conditions in 22 Dec 09 letter DET requested DOL's extension of RFP timeline. Received 8 Jan 2010 DOL approval until 13 March 2010. DET notified WC & NW in 22 Jan 2010 letters Fox Valley expressed interest in April 09 WIA Plan. DET sent 22 Dec 09 letter that they must submit waiver plan
Permitting the State to develop more flexible recapture and reallocation policies WIA Section 133 (c)	State	Revised the waiver in PY 09-10 WIA State Plan Modification to have a reallocation policy based on expenditures rather than obligations. Denied	Not approved- November 29, 2008; DOL pending review of revision	November 13, 2009 Denied	NA: Waiver Denied
Allowing the State to approve WDB policies to increase the employer reimbursement for on-the-job training for small and medium-sized businesses WIA Section 101(31)(B)	Mil Area WIB	A full waiver plan is in the WIA ARRA State Plan Addendum. Approved with conditions for PY 09-10	DOL's conditions include: (1)The following reimbursement amounts will be permitted: (a) up to 90 percent for employers with 50 or fewer employees, (b) up to 75 percent for employers with 51-250 employees; and (c) for employers with more than 250 employees, the current statutory requirements (50% reimbursement) will continue to apply; (2) The appropriate program funds must be used for the appropriate WIA-eligible population;	November 13, 2009 Approved with conditions	NA: This is a waiver for statewide implementation if the WDBs want to use the sliding scale Milwaukee Area WIB expressed interest in ARRA Plan. DET letter of 15 Jan 2010 notified MAWIB that they do not have to submit a waiver plan State policy issued 11 May 2010

			(3) OJT may be provided to low-income adults with WIA Adult funds, and to DW with WIA DW funds; and (4) OJT provided with statewide funds must serve WIA eligible individuals.		
Allowing the State to approve WDB policies for less than the 50% employer match for customized training WIA Section 101(8)(C) Customized training continued	Mil Area WIB	A full waiver plan is in the WIA ARRA State Plan Addendum. Approved with conditions for PY 09-10	DOL's conditions include: (1) The sliding scale to use is (a) no less than 10 percent match for employers with 50 or fewer employees, (b) no less than 25 percent match for employers with 51-250 employees, and (c) for employers with more than 250 employees, the current statutory requirements (50 percent contribution) continue to apply. (2) The appropriate program funds must be used for the appropriate WIA-eligible population; (3) Customized training may be provided to low-income adults with WIA Adult funds, and to DW with WIA DW funds; and (4) Customized training provided with statewide funds must serve WIA eligible individuals.	November 13, 2009 Approved with conditions	NA: This is a waiver for statewide implementation if the WDBs want to use the sliding scale Milwaukee Area WIB expressed interest in ARRA Plan. DET letter of 15 Jan 2010 notified MAWIB that they do not have to submit a waiver plan State policy issued 11 May 2010
Providing a statewide waiver of the youth performance measures for out-of-school youth ages 18-24 served with ARRA funds in work experiences beyond the summer months & only use the work readiness indicator WIA Section 136 (b); 129(c)(2)(I); 129(c)(1)(A); 129(c)(1)(B)	State	Approved for PY 09 to March 31, 2010	DOL's conditions are: (1) Using the work readiness indicator as the only indicator of performance only applies to youth who participate in work experience that occurs outside the summer months, served through WIA Youth program funds <u>made available through Recovery Act</u> from Oct 1, 2009, through March 31, 2010; (2) Can be applied to out-of-school youth ages 18-24, that receive supportive services in addition to participating in work experience. Waiver does <u>not</u> apply to youth participating in other WIA youth program elements; (3) Waiving the required minimum of 12 months follow-up services, to allow local	August 13, 2009 Approved with conditions	Not applicable: This is a waiver for statewide implementation A statewide policy was issued September 17, 2009

			<p>areas to provide follow-up services with ARRA funds as deemed appropriate; and Waiving the required objective assessment and the individual service strategy to allow local areas to provide an assessment or ISS as deemed appropriate.</p>		
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NOTES

- (1) Unless otherwise indicated, all waiver approvals above apply to both WIA formula funds and funds made available under the American Recovery and Reinvestment Act of 2009.
- (2) Unless otherwise indicated, all participants served through these waivers must be WIA eligible participants and reported in WIASRD.
- (3) The State must address the impact these waivers had on the State's performance in the WIA Annual Performance Report.