



New York State Department of Labor
Andrew M. Cuomo, Governor
Colleen C. Gardner, Commissioner

April 7, 2011

Ms. Kimberly Vitelli
Federal Coordinator for Plan Review and Approval
Division of Workforce System Support
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave., NW, Room S-4231
Washington, DC 20210

Dear Ms. Vitelli:

New York State's Strategic State Plan for Title I of the Workforce Investment Act (WIA) and Wagner-Peyser Act will expire on June 30, 2011. In accordance with Training and Employment Guidance Letter (TEGL) No.17-10, the New York State Department of Labor (NYSDOL), as the designated State agency responsible for overseeing implementation of WIA and Wagner-Peyser, and acting on behalf of the Governor and the State Workforce Investment Board, is requesting that the U.S. Department of Labor extend the life of the existing New York State WIA/Wagner-Peyser Act State Plan into Program Year 2011 (July 1, 2011 – June 30, 2012).

New York State will not be seeking to modify its current plan for PY 2011 given the recent changes in State government, pending changes to state planning guidance and the anticipation of new requirements resulting from WIA reauthorization. Extension of the current State Plan into Program Year 2011 will continue the State's emphasis on fostering regional initiatives and building upon existing partnerships to develop a public workforce system throughout the State that is responsive to the needs of job seekers and existing and emerging businesses.

New York State intends to extend its negotiated Program Year 2010 WIA and Wagner-Peyser performance goals through Program Year 2011. As required by TEGL No. 17-10, the State will notify the appropriate Regional Administrator of this intention.

New York State is also requesting an extension of existing waivers through Program Year 2011, in compliance with the guidance provided in TEGL No. 17-10. No new waivers for Program Year 2011 are requested.

For PY 2010, New York State was granted the following waivers:

- Funds Flexibility: 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;
- Funds Flexibility: Waiver to increase the employer reimbursement for on-the-job training for small- and medium-sized businesses;
- Funds Flexibility: Waiver to permit the use of a portion of local area formula allocation funds to provide incumbent worker training;
- Funds Flexibility: Waiver to permit a state to use a portion of rapid response funds to conduct incumbent worker training;
- Youth: Waiver of the prohibition on use of Individual Training Accounts for youth to allow flexibility in provision of training services to youth;
- Youth: Waiver of the requirement for competitive procurement of service providers for up to two youth elements (work experience and follow-up services) to ensure continuity of youth services;
- Performance: Waiver to permit implementation of (and reporting only) common measures in place of current measures;
- Performance: Waiver to permit a state to discontinue the collection of seven of the data elements in Section 1 of the WIASRD for incumbent workers. Under the waiver, a 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);
- Eligible Training Providers/Other: Waiver of the time limit on the period of initial eligibility for training providers, to address data collection barriers.

New York State has reviewed these waivers and has concluded that they continue to support the strategies outlined in its existing State Plan and match the needs of the State's workforce system. Therefore, New York State is requesting that these waivers be extended through Program Year 2011.

Notice of this request for an extension of the current WIA/Wagner-Peyser Act State Plan and waivers into Program Year 2011 has been made available on the NYSDOL website: www.labor.ny.gov. The current State Plan may be viewed there as well.

Thank you for your consideration of this request to extend our existing WIA/Wagner-Peyser Act State Plan and waivers into Program Year 2011.

Sincerely,



Karen A. Coleman
Director, Division of Employment
and Workforce Solutions