



JUN 24 2011

The Honorable Edward J. B. Calvo
Office of the Governor
P.O. Box 2950
Hagatna, Guam 96932

Dear Governor Calvo:

This letter provides approval of an extension of Guam's current Workforce Investment Act (WIA) and Wagner-Peyser Act (W-P) Plan for Program Year (PY) 2011. This letter also provides approval of extensions for Guam's waivers. Training and Employment Guidance Letter (TEGL) No. 17-10, issued on December 30, 2010, provides guidance for states and territories to secure approval of their WIA/W-P State Plans and waivers for PY 2011.

Extension of State Plan

Guam's existing Plan will expire on June 30, 2011. This letter constitutes a written determination under WIA Section 112 (29 USC 2822) that the Employment and Training Administration (ETA) is extending the approval of Guam's Plan for WIA Title I and the Wagner-Peyser Act for PY 2011, July 1, 2011 through June 30, 2012. Guam has already received its formula allotment for the WIA Youth program for PY 2011. Guam is eligible to receive WIA formula allotments for Adult and Dislocated Worker programs and W-P initial base program allotments under the PY 2011 annual funding agreement for WIA and the PY 2011/Fiscal Year 2012 annual funding agreement for W-P.

Performance Levels

Guam requested to extend its existing PY 2010 WIA and W-P performance goals for PY 2011. ETA has incorporated these performance goals, identified as PY 2011 performance goals, into the Regional and National Office copies of the State Plan. Please include these PY 2011 goals in the State's official copy of the State Plan.

Waivers

As part of the extension of the WIA/W-P State Plan, and as described in TEGL No. 17-10, Guam requested extensions of its PY 2010 waivers of statutory and regulatory requirements under WIA for PY 2011. The disposition of Guam's waiver extensions is outlined below. This action is taken under the Secretary's

authority at WIA Section 189(i) to waive certain requirements of WIA Title I, Subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act.

Extension of Waivers

Adult-Dislocated Worker Funds Transfer

Waiver of WIA Section 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area.

Guam was previously granted a waiver to permit an increase in the amount it is allowed to transfer between the Adult and Dislocated Worker funding streams. Guam is granted an extension of this waiver through June 30, 2012. Under the waiver, transfer authority is limited to 50 percent. This limitation provides flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs.

Waiver of WIA Section 123 that requires that providers of Youth program elements be selected on a competitive basis.

Guam was previously granted a waiver of the requirement for competitive procurement of service providers for all ten youth program elements. Guam is granted an extension of this waiver through June 30, 2012. Under this waiver, Guam is permitted to allow its One-Stop Career Centers or partner agencies to directly provide all youth program elements. In utilizing this waiver for these elements, Guam must still meet Office of Management and Budget requirements (codified in 29 CFR 95.40-95.48 and 97.36) and all of its own procurement laws and policies.

Waiver of the required 50 percent employer contribution for customized training at WIA Section 101(8)(C).

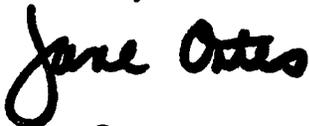
Guam was previously granted a waiver of the required 50 percent employer contribution for customized training to permit the use of a sliding scale for the employer contribution based on the size of the business. Guam is granted this waiver through June 30, 2012. Under the waiver, the following sliding scale is permitted: 1) no less than 10 percent match for employers with 50 or fewer employees, and 2) no less than 25 percent match for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent contribution) continue to apply. When determining the funding source for customized training, Guam must use the appropriate program funds for the appropriate WIA-eligible population. Guam may provide

customized training to individuals over age 18 with WIA Adult funds and must provide priority to low-income individuals when funds are limited; Guam may provide customized training to dislocated workers with WIA Dislocated Worker funds. Customized training provided must serve WIA eligible individuals.

The approved waivers are incorporated by reference into Guam's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the Plan. A copy of this letter should be filed with the WIA Grant Agreement and the approved Plan. In addition, as described in TEGL No. 09-10, page 3, Guam should address the impact these waivers have had on its performance in the WIA annual performance report, due on October 1 of each year.

We look forward to working together as you implement your Plan for PY 2011. If you have any questions related to the issues discussed above, please contact John Jacobs, the Federal Project Officer for Guam at 415-625-7940 or Jacobs.John@dol.gov.

Sincerely,

A handwritten signature in black ink that reads "Jane Oates". The signature is written in a cursive, flowing style.

Jane Oates
Assistant Secretary

Enclosure

cc: Richard Trigg, Regional Administrator, ETA San Francisco Regional Office
John Jacobs, Federal Project Officer for Guam



DEPARTMENT OF
LABOR

DIPATTMENTON HUMOTNÁT • LEAH BETH O. NAHOLOWAA, Director

EDDIE BAZA CALVO
Governor
RAY TENORIO
Lieutenant Governor

March 24, 2011

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

Hafa Adai!

The purpose of this letter is to respectfully request for a one (1) year extension on Guam's WIA and Wagner-Peyser Strategic Plan in accordance with Training and Employment Guidance (TEGL) 17-10.

In January 2011, Governor Eddie Baza Calvo took office as Guam's newly elected Governor. With the change in Administration, Guam is hereby submitting an updated Program Administration designees and Plan Signatures, Attachment A as required in TEGL 17-10.

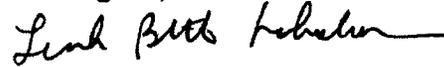
In addition, Guam is requesting an extension on their current approved waivers for Program Year 2011 accordingly.

- Request Waiver No. 1 – Waiver of the required 50 percent employer match for customized training at WIA Section 101 (8) (c): This waiver will allow Guam to more effectively market WIA-funded customized training to the private sector in support of servicing employers in high growth industries.
- Request Waiver No. 2 – Waiver of the competitive selection requirement or youth training providers at WIA Section 123. This waiver will allow Guam to address the barriers related to the pool of providers declining to compete due to the high cost of services and administrative regulations under the current requirements.
- Request Waiver No. 3 – Waiver of the funds transfer limitation at Section 133 (b) (4): This waiver will allow Guam the flexibility to serve WIA targeted populations of Dislocated Workers and/or Adults.

Guam's Strategic Plan and accompanying Transformation Plans of Work continue to be our guiding piece with our efforts to develop and expand a demand-driven and responsive workforce. We remain committed to creating and sharing effective, well-leveraged and integrated partnership that build on the strength and assets of our local community.

Should you require additional information please contact our office at (671) 475-7043/44.

Best Regards,



Leah Beth O. Naholowaa
Director

cc: Governor of Guam
Director, Agency for Human Resources Development
Chairman of the Guam Workforce Investment Board