U.S. Department of Labor

Assistant Secretary for
Employment and Training
Washington, D.C. 20210

DEC 10 2012

The Honorable Nathan Deal
Governor of Georgia
203 State Capitol Building
Atlanta, Georgia 30334

Dear Governor Deal:

The Employment and Training Administration (ETA) acknowledges receipt of Georgia's State Plan for Title I of the Workforce Investment Act (WIA), the Wagner-Peyser Act (W-P), including W-P Agricultural Outreach Plan, and plans for coordination with Trade Adjustment Assistance (TAA) on September 17, 2012, and also acknowledges receipt of Georgia's subsequent withdrawal of its State Plan and waivers on November 16, 2012. In its request for withdrawal of the State Plan and waivers, Georgia also requested an extension of its existing State Plan and waivers to allow it adequate time to prepare a new five-year plan.

Extension of State Plan

Georgia's existing State Plan will expire on December 31, 2012. This letter constitutes a written determination under WIA Section 112 (29 USC 2822) that ETA is temporarily extending the approval of Georgia's State Plan for WIA Title I and the Wagner-Peyser Act, including the W-P Agricultural Outreach Plan, through June 30, 2013. Georgia must submit a full State Plan to ETA for Program Years 2013-2016 no later than April 15, 2013, in accordance with guidance provided in Training and Employment Guidance Letter No. 21-11.

The State is eligible to receive WIA formula allotments for Adult, Dislocated Worker, and Youth programs, and W-P program allotments, effective July 1, 2012 through June 30, 2013.

Performance Levels

Each year, the Regional Administrator negotiates the Program Year's WIA and W-P performance goals with each state. Georgia's goals have been negotiated, and the Regional Administrator's letter dated October 26, 2012, advised the State of the PY 2012 WIA and W-P final performance goals. This letter also indicated that Georgia's final performance goals for PY 2012 will be incorporated into the Regional and National Office copies of the State Integrated Workforce Plan. Please include these final PY 2012 goals in the State's official copy of the State Plan.

Waivers

As part of Georgia's request to extend its WIA/W-P State Plan, the State requested a temporary extension of its previously approved waivers of statutory and regulatory requirements under WIA for PY 2012. In a letter dated June 29, 2012 (copy enclosed), ETA provided the disposition of the State's waivers. This letter extends approvals for those waivers under the same terms and

conditions through June 30, 2013. 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.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, as described in TEGL No. 29-11, the State should address the impact these waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

ETA's Atlanta Regional Office will contact the State to provide technical assistance as it develops its State Plan. If you have any questions related to the issues discussed above, please contact Winston Tompoe, Federal Project Officer, at (404) 302-5372 or Tompoe.Winston@dol.gov.

Sincerely,

Jane Oates
Assistant Secretary

Enclosure

cc: Helen Parker, Regional Administrator, ETA Atlanta Regional Office
Winston Tompoe, Federal Project Officer for Georgia

STATE OF GEORGIA

GOVERNOR'S OFFICE OF WORKFORCE DEVELOPMENT

ATLANTA 30334-0900

Nathan Deal
GOVERNOR

Tricia Pridemore
EXECUTIVE DIRECTOR

November 16, 2012

Dr. Helen Parker
Regional Administrator, Region 3 Atlanta
United States Department of Labor
Employment and Training Administration
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW Room 6M12
Atlanta, Georgia 30303

Dr. Parker:

Per the guidance received from USDOL ETA regional office on Wednesday, November 7, 2012, the Georgia State Workforce Investment Board will withdraw the State Integrated Plan submitted to USDOL on September 17, 2012.

The Governor's Office of Workforce Development will work with the Georgia Department of Labor and the State Workforce Investment Board to submit an updated plan by April 15, 2012, the submission deadline presented by ETA.

Thank you for your continued guidance.

Regards,

Tricia Pridemore
Executive Director
Governor's Office of Workforce Development

Cc: Blake Ashbee
Ashlee Aurandt
Chairman Earl Smith
Commissioner Mark Butler
Brooke Lucas

200 Martin Luther King Jr. Dr., SW, 1408 West Tower, Atlanta, GA 30334 • Telephone (404) 463-5030 FAX (404) 463-5043

The Honorable Nathan Deal
Governor of Georgia
203 State Capitol Building
Atlanta, Georgia 30334

Dear Governor Deal:

This letter provides approval of an extension of Georgia's Unified State Plan that relates to Title I of the Workforce Investment Act (WIA) and Wagner-Peyser Act (W-P) for a portion of Program Year (PY) 2012. This letter also provides approval of extensions for Georgia's waivers. Training and Employment Guidance Letter (TEGL) No. 21-11, issued on March 27, 2012, provides guidance for states to secure approval of their WIA/W-P State Plans and waivers for PY 2012. In accordance with TEGL No. 21-11 and your extension request, the State must submit a full five-year WIA/W-P State Plan and annual W-P Agricultural Outreach Plan by September 15, 2012.

Extension of State Plan

Georgia's existing State Plan will expire on June 30, 2012. This letter constitutes a written determination under WIA Section 112 (29 USC 2822), and WIA Section 501 (20 USC 9271) which pertains to State Unified Plans, that the Employment and Training Administration (ETA) is temporarily extending the approval of those portions of Georgia's Unified State Plan that relate to WIA Title I and the Wagner-Peyser Act into PY 2012, July 1, 2012 through December 31, 2012. The State has already received its formula allotment for the WIA Youth program for PY 2012. The State is eligible to receive WIA formula allotments for Adult and Dislocated Worker programs and W-P initial base program allotments under the PY 2012 annual funding agreement for WIA and the PY 2012/Fiscal Year 2013 annual funding agreement for W-P.

Unified Plan Partner Programs

Georgia's Unified State Plan includes the Vocational Rehabilitation Program (VR) and Veterans' Programs. In accordance with WIA section 501 (20 USC 9271), the Departments of Education (for VR) and the Veterans' Employment and Training Service (VETS) have the authority to approve those portions of the

Unified State Plan relating to their respective programs. We have advised these Federal agencies that ETA is extending the approval of those portions of the Georgia Unified State Plan that relate to Title I of WIA and the Wagner-Peyser Act, and provided their offices with a copy of this letter.

Note that the Jobs for Veterans' State Grant (JVSG) Plans approved by VETS through a separate application process for Fiscal Years (FY) 2010-2014 are considered to be incorporated into your Unified State Plan by reference only. Therefore, your Unified Plan needs to refer to the FY 2010-2014 JVSG Plan, indicating that approval by VETS of the grant modification for the period beginning October 1, 2012 is pending.

The Georgia Unified Plan also includes Trade Act Programs (TAA) and the Unemployment Insurance (UI) Program. ETA exercises administrative authority over these programs, and those portions of the Georgia Unified State Plan that relate to TAA and UI Programs are approved through December 31, 2012.

Performance Levels

Georgia requested to temporarily extend its existing PY 2011 WIA and W-P performance goals for a portion of PY 2012. ETA has incorporated these performance goals, identified as PY 2012 performance goals, into the Regional and National Office copies of the State Plan. Please include these PY 2012 goals in the State's official copy of the State Plan. As required by TEGL 21-11, the state must renegotiate its new PY 2012 goals upon submission of its full State Plan.

Waivers

As part of the State's extension of the WIA/W-P portion of the Unified State Plan, and as described in TEGL No. 21-11, the State requested temporary extensions of Georgia's PY 2011 waivers of statutory and regulatory requirements under WIA for PY 2012. The disposition of the State'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.

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.

The State was previously granted a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The State is granted an extension of this waiver through December 31, 2012. Under the waiver, transfer authority is limited to 50 percent. This

limitation provides states flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs.

Waiver to permit the State to replace the performance measures at WIA Section 136(b) with the common measures.

The State was previously granted a waiver that allows the State to replace the 17 performance measures under WIA Section 136(b) with the common measures. The state is granted an extension of this waiver through December 31, 2012.

This waiver permits the State to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures prescribed at WIA Section 136 (b). The State will no longer negotiate and report to ETA on the following WIA measures: WIA adult and dislocated worker credential rates; participant and employer customer satisfaction; older youth measures and younger and youth measures. The State will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Adult and WIA Dislocated Worker programs. The State will use the three youth common performance measures to negotiate goals and report outcomes for the WIA Youth program. Workforce Investment Standardized Record Data system (WIASRD) item 619, Type of Recognized Credential, should be completed for each individual as appropriate, regardless of this waiver to report on common performance measure outcomes only.

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

The State 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. The State is granted this waiver through December 31, 2012. 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, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State and local area may provide customized training to individuals age 18 and older with WIA Adult funds and must provide priority to low-income individuals when funds are limited; the State and local area may provide customized training to dislocated workers with WIA Dislocated Worker funds. Customized training provided with statewide funds must serve WIA eligible individuals.

Waiver of WIA Section 134(a) to permit local areas to use a portion of local funds for incumbent worker training.

The State was previously granted a waiver to permit local areas to conduct allowable statewide activities as defined under WIA Section 134(a)(3) with local WIA formula funding, specifically incumbent worker training. The State is partially granted an extension of this waiver through December 31, 2012. Under this waiver, the State is permitted to allow local areas to use up to 10 percent of local Dislocated Worker funds and up to 10 percent of local Adult funds for incumbent worker training only as part of a layoff aversion strategy. Use of Adult funds must be restricted to serving lower income adults under this waiver. ETA believes limiting incumbent worker training to the specified level and requiring it to be part of layoff aversion is the best use of funds in the current economic climate where serving unemployed workers is a paramount responsibility of the worker system. All training delivered under this waiver is restricted to skill attainment activities. Local areas must continue to conduct the required local employment and training activities at WIA Section 134(d), and the State is required to report performance outcomes for any individual served under this waiver in the Workforce Investment Act Standardized Record Data system (WIASRD), field 309. TEGL No. 26-09, Section 7A, "Workforce Investment Act (WIA) Waiver Policy and Waiver Decision for PY 2009 and 2010" and TEGL No. 30-09," Layoff Aversion Definition and the Appropriate Use of Incumbent Worker Training for Layoff Aversion Using a Waiver" provide policy guidance related to implementation of this waiver.

Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training.

The State was previously granted a waiver to permit an increase in employer reimbursement for on-the-job-training through a sliding scale based on the size of the business. The State is granted an extension of this waiver through December 31, 2012. Under the waiver, the following reimbursement amounts will be permitted: 1) up to 90 percent for employers with 50 or fewer employees, and 2) up to 75 percent for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent reimbursement) will continue to apply. When determining the funding source for on-the-job training, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State and local area may provide on-the-job training to individuals age 18 and older with WIA Adult funds and must provide priority to low-income individuals when funds are limited; the State and local area may provide on-the-job training to dislocated workers with WIA Dislocated Worker funds. On-the-job training provided with statewide funds must serve WIA eligible individuals.

Waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts for older and out-of-school youth.

The State was previously granted a waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training accounts (ITAs) for older youth and out-of-school youth program participants. The State is granted an extension of this waiver through December 31, 2012. Under this waiver, the State can use ITAs for older youth and out-of-school youth programs participants. The State must continue to make the 10 youth program elements available as described at WIA Section 129(c)(2). The state should ensure that funds used for ITAs are tracked and that the ITAs are reflected in the individual service strategies for these youth.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, as described in TEGL No. 29-11, the State should address the impact these waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

We look forward to receiving your full State Plan for PY 2012 and working together as you implement it. If you have any questions related to the issues discussed above, please contact Jessica Otieno, the Federal Project Officer for Georgia, at (404) 302-5370 and Otieno.Jessica@dol.gov.

Sincerely,

Jane Oates

Jane Oates
Assistant Secretary

Enclosure

cc: Helen Parker, Regional Administrator, ETA Atlanta Regional Office
Jessica Otieno, Federal Project Officer for Georgia