



MAR - 7 2013

The Honorable Benigno Fitial
Governor of the Commonwealth
of the Northern Mariana Islands
Caller Box 10007
Capitol Hill
Saipan, MP 96950

Dear Governor Fitial:

We are pleased to respond to your request for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA) submitted on January 23, 2013. This request is written in the format identified in WIA section 189(i)(4)(B) and 20 CFR 661.420(c), and meets the standard for approval at 20 CFR 661.420(e). The following is the disposition of the Territory's submission (copy enclosed). This action is taken under the Secretary's authority to waive certain requirements of WIA Title I, Subtitles B and E, and sections 8-10 of the Wagner-Peyser Act.

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

The Territory is requesting a waiver that allows the Territory to replace the 17 performance measures under WIA Section 136(b) with the common measures. The Territory is granted this waiver through June 30, 2017.

This waiver permits the Commonwealth of the Northern Mariana Islands to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The Territory 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 youth measures. The Territory will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Adult and WIA Dislocated Worker programs. The Territory will use the three youth common performance measures to negotiate goals and report outcomes for the WIA Youth program. Workforce Investment Act 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.

The approved waiver is incorporated by reference into the Commonwealth of the Northern Mariana Islands' WIA Grant Agreement, as provided for under paragraph three of the executed Agreement, and it constitutes a modification of the State Plan. A copy of this letter should be

filed with the Territory's WIA Grant Agreement and the approved State Plan. In addition, as described by TEGE No. 09-10, the Territory should address the impact its waivers have had on its performance in the WIA annual performance report, due on October 1 of each year.

We look forward to continuing our partnership with you and achieving better workforce outcomes. If you have any questions related to the issues discussed above, please contact Janice Shordike, the Federal Project Officer for CNMI, at (415) 625-7943 or Shordike.Janice@dol.gov.

Sincerely,


Jane Oates
Assistant Secretary

Enclosure

cc: Virginia Hamilton, Regional Administrator, ETA San Francisco Regional Office
Janice Shordike, Federal Project Officer for CNMI

CNMI Statewide Investment Board
Workforce Investment Act of 1998

WAIVER REQUEST
Common Measure

PY 2012 AND SUBSEQUENT YEARS

A. Statutory or Regulatory Requirements to be Waived

The CNMI State respectfully requests to waive the statutory performance measures described at WIA Section 136(b) and instead be allowed to be accountable to the Adult, Dislocated and Youth common measures.

B. Actions Undertaken to remove state or local barriers

There is no State statutory or regulatory barrier to the implementation of the proposed waiver.

C. Goals and expected programmatic outcomes of waiver

The approval of this waiver will allow the CNMI State to effectively negotiate what is reasonable and achievable WIA outcome and performance successes derived from its internal reporting sources and submitted to the grantor on a quarterly basis.

D. Description of Individuals Impacted by the Waiver

This waiver will impact adult, dislocated and youth program participants whom the core measures are made applicable to.

E. Process for monitoring progress in implementation

The CNMI State has established policies and procedures that serves as the guiding document for program reporting implementation, monitoring and subsequently timely and accurate reporting to its grantor agency.

F. Notice to affected local boards

The CNMI State Workforce Investment Board are fully aware that the CNMI historically does not offer unemployment benefits and as such does not have unemployment wage records to measure performance success. Additionally, on April 29, 2011, the CNMI State Workforce Investment Board (SWIB) through the Office of the CNMI Governor submitted to USDOL ETA an official Memorandum Regarding Supplemental Data documenting the CNMIs lack of unemployment wage records and as such derives its program outcomes from other sources as prescribed in TEGL 17-05. Notification of this waiver to the CNMI SWIB is premised on what has already been historically known to the CNMI SWIB. The approval of this waiver will be of importance to the CNMI by allowing it to utilize other means of data source to report and be accountable for Adult, Dislocated an Youth common measures and not be subjected to the statutory legislative measure in the absence of official unemployment wage records required to measure performance success.

G. Public Comment

Public comment opportunity was made available by posting the waiver since 12/20/12 on WIA's website address at www.wia.gov.mp. The waiver did not receive any public comment since its initial posting.