



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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CHRIS CHRISTIE
Governor

HAROLD J. WIRTHS
Commissioner

KIM GUADAGNO
Lieutenant Governor

April 15, 2011

Ms. Holly O'Brien
Regional Administrator
U.S. Department of Labor
Employment & Training Administration
John F. Kennedy Federal Bldg., Room E-350
Boston, MA 02203

Dear Ms. O'Brien:

This letter is to formally advise you of New Jersey's request for ETA's approval of a one year extension of the current WIA/Wagner-Peyser State Plan, through Program Year 2011 (July 1, 2011 – June 30, 2012) in accordance with Training and Employment Guidance Letter (TEGL) Number 21-09 (April 15, 2010), Option 1. As part of this request, the State also seeks to extend all existing WIA waivers (non-ARRA) for the same one year period. In addition, we would like consideration of an additional waiver (attached) which would provide local workforce areas the option of providing up to three of the required youth elements themselves. This waiver is included at the request of our local areas who believe this will assist them in the provision of services to young people.

In accordance with Training and Employment Guidance Letters (TEGL) Number 17-10 (December 30, 2010) and TEGL 23-09 (April 27, 2010), New Jersey is currently requesting an extension to its existing performance targets, pending USDOL release of its guidance on the matter referenced on page 8 of TEGL 17-10. WIA targets for this year were based upon the regression model provided by USDOL and it is our intent to again utilize that tool based upon your forthcoming guidance. Regarding the Wagner-Peyser program, we believe that these targets warrant reconsideration and await your guidance package on the subject to move forward.

New Jersey is proud of its past achievements and performance of its workforce investment system and is committed to providing the quality employment and training services that will help preserve and create the jobs necessary to work our way out of an unprecedented economic recession. The State is also acutely aware of the importance of program performance and accountability and believes that a thorough vetting of the performance targets based upon your guidance will assist our state in providing results reflective of the current economic environment.

As the State's subsequent negotiation of local area performance standards is critical to program planning we look forward to ETA's expeditions review of this request. Further, we would appreciate the guidance referenced in TEGL 17-10 so that we may finalize performance targets for both WIA and Wagner-Peyser for the upcoming year. Thank you for considering this request and I look forward to hearing from you. If you have any questions regarding this matter, please contact Assistant Commissioner Mary Ellen Clark at 609-292-2000.

Sincerely,

Harold J. Wirths
Commissioner

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State of New Jersey

Request for Waiver

Procurement Requirements for up to Three (3) Youth Program Elements to Ensure Continuity of Youth Services.

Identify the statutory or regulatory requirements for which a waiver is requested and the goals that the State or local area, as appropriate, intends to achieve as a result of the waiver and how these goals related to the Strategic Plan goals:

Pursuant to Section 189 (i) (4) (B) and WIA Regulations 661.420 (c) New Jersey is requesting a waiver of the statutory and regulatory requirements at WIA Regulations Section 123, IDENTIFICATION OF ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES. The local boards, as per WIA requirements, have awarded grants or contracts on a competitive basis based upon the recommendations of the youth council and the criteria in the State plan, and conduct oversight with respect to the providers. These processes comply with OMB requirements codified in 29 CFR Parts 95.40-95.48 and 97.36.

Describe the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers:

There are no existing State or local statutory or regulatory barriers to implementation of this waiver request.

Describe the goals of the waiver and the expected programmatic outcomes if the request is granted:

The goal of the waiver is to give the local workforce investment areas greater flexibility and access to the eligible providers of Youth Services. Under this waiver, local areas would be allowed to waive the requirement for competitive procurement of service providers for up to three (3) youth elements (work experience, supportive services, and follow-up services) to ensure continuity of youth services.

Describe the individuals affected by the waiver:

Individuals affected by this waiver are WIA eligible Youth who will receive greater assistance via WIA-funded training and employment programs.

Describe the processes used to:

Monitor the progress in implementation the waiver:

The process of acquiring valid data will be monitored by the State Employment and Training Commission (SETC) and the New Jersey Department of Labor and Workforce Development, Office of Oversight and Compliance utilizing the Department of Labor and Workforce Development's and SETC's existing monitoring procedures.

Provide notice to any Local Board affected by the waiver:

The local Workforce Investment Boards will have an opportunity to comment concerning the waiver request at the monthly scheduled meetings hosted by the State Employment and Training Commission.

Provide any local board affected by the waiver an opportunity to comment on the request:

The local Workforce Investment Boards will have an opportunity to comment concerning the waiver request at the monthly scheduled meeting hosted by the State Employment and Training Commission.

Ensure meaningful public comment, including comment by business and organized labor on the waiver:

Business and labor are represented on the State Employment and Training Commission and the local Workforce Investment Boards. Information about the waiver request will be disseminated through these Boards to the necessary groups.