



APR - 4 2012

The Honorable Jerry Brown
Governor of California
State Capitol Building
Sacramento, California 95814

Dear Governor Brown:

We are pleased to be able to respond to your requests for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA). These requests are written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c). The following is the disposition of the State'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.

Requested Waivers:

Waiver of WIA Section 134(a)(2)(B)(ii) and 20 CFR 665.200(d) to exempt the state from the requirement to conduct evaluations.

The State is requesting a waiver of the requirement to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth in order to establish and promote continuous improvement of the statewide workforce investment system. The State is granted this waiver effective July 1, 2011 through June 30, 2012. This waiver only applies to Program Year 2011 WIA funds.

Waiver of WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) to exempt the state from the requirement to provide local workforce investment area incentive grants.

The State is requesting a waiver of the requirement to provide local workforce investment areas incentive grants to reward regional cooperation, local coordination of activities, and exemplary performance. The State is granted this waiver effective July 1, 2011 through June 30, 2012. This waiver only applies to Program Year 2011 WIA funds.

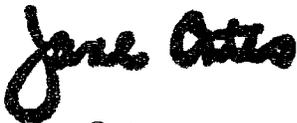
Waiver of WIA Section 129(b)(2)(C) requiring the State to provide additional assistance to local areas that have high concentrations of eligible youth.

The State is requesting a waiver of the requirement to provide additional assistance to local areas that have high concentrations of WIA eligible youth. ETA has requested additional information from the State, and the waiver request remains under review by ETA.

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 it 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 by TEGL No. 09-10, the State should address the impact its 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 continuing our partnership with you and achieving better workforce outcomes. If you have any questions related to the issues discussed above, please contact Carol Padovan, the Federal Project Officer for California, at (415) 625-7946 or by e-mail at Padovan.Carol@dol.gov.

Sincerely,



Jane Oates
Assistant Secretary

Enclosures

WORKFORCE INVESTMENT ACT WAIVER REQUEST
Required Statewide Activities

Date: November 16, 2011

State: California

Agency: California Workforce Investment Board

Statutory and/or regulatory requirements to be waived

Waiver of WIA Section 129(b)(2)(C) and 20 CFR 665.200(h) requiring provision of additional assistance to local areas that have a high concentration of eligible youth.

Actions undertaken to remove state or local barriers

There are no state or local barriers.

Goals and expected programmatic outcomes of waiver

The reduction to five percent in the WIA allotment for Program Year 2011 Governor's Reserve funds restricts the state's ability to effectively fund and carry out all of the required statewide workforce investment activities. The current funding level in the Governor's Reserve is insufficient to cover the cost of evaluations. The state's reduced funds are being used to cover the following required activities:

Required statewide administrative activities
Governor's Award for Veterans Grants

Our goal in seeking this waiver is to ensure that the state may prioritize the use of Governor's Reserve funds for the required activities we deem most essential to the basic functions of the workforce investment system.

Individuals impacted by the waiver

The Governor currently reserves a total of \$500,000 for this activity. For Program Year 2010 the State competitively awarded five \$100,000 grants to local workforce boards that met the criteria for having a high concentration of eligible youth. If this waiver is granted, five local boards will not receive a high concentration youth grant award during the current program year.

This waiver will provide the state agency with more flexibility in directing Governor's Reserve funds to those activities that best preserve basic functions of the statewide workforce investment system.

Process for monitoring progress in implementation

The State will monitor progress and ensure accountability for Federal funds in connection with these waivers by reviewing monthly expenditure, performance and other reports, through regular contact with the ETA Regional Office liaisons, and through its monitoring and performance accountability system.

Notice to affected local boards

Local boards and the California Workforce Association were notified in writing on November 4, 2011 of the State Board's intent and the meeting Agenda was published on its website in compliance with the Bagley Keene Act. No response was received.

WORKFORCE INVESTMENT ACT WAIVER REQUEST
Required Statewide Activities

Date: November 16, 2011

State: California

Agency: California Workforce Investment Board

Statutory and/or regulatory requirements to be waived

Waiver of WIA Section 134(a)(2)(B)(ii) and 20 CFR 665.200(d) requiring the conduct of evaluations of workforce investment activities for adults, dislocated workers, and youth.

Actions undertaken to remove state or local barriers

There are no state or local barriers.

Goals and expected programmatic outcomes of waiver

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Notice to affected local boards

Local boards were notified by electronic mail and provided a copy of the draft waiver. Comments were solicited and none were received.

Public Comment

The draft waiver was published with the State Board meeting agenda packet on its website ten days prior to the November 15, 2011 meeting in accordance with state law. During the meeting public comments were solicited and none were forthcoming. Consequently, the State Board recommended approval of the waiver.

WORKFORCE INVESTMENT ACT WAIVER REQUEST
Required Statewide Activities

Date: November 16, 2011

State: California

Agency: California Workforce Investment Board

Statutory and/or regulatory requirements to be waived

Waiver of WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) requiring provision of incentive grants to local areas.

Actions undertaken to remove state or local barriers

There are no state or local barriers.

Goals and expected programmatic outcomes of waiver

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