

U.S. Department of Labor

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



AUG 31 2012

The Honorable Brian Sandoval
Governor of Nevada
Capitol Building
Carson City, Nevada 89701

Dear Governor Sandoval:

This letter responds to your request for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA). 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 Waiver: Waiver to permit the State to apply the WIA regulations at 20 CFR 661.300(f) to the two local workforce investment areas described in the Nevada State Plan.

The State is requesting a waiver to permit the State to apply 20 CFR 661.300(f) to the two local workforce investment areas (LWIAs) described in the State Plan. The regulations at 20 CFR 661.300(f) allow states that operate as a single LWIA to use the state workforce investment board to carry out the requirements of the local workforce investment board. The State is seeking this waiver to permit the Governor to designate the state board to carry out the roles and responsibilities of the two local boards for the State's two LWIAs.

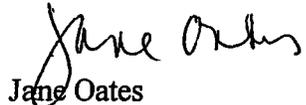
WIA envisions a prominent role for local boards and local stakeholders, and the WIA regulations require that waivers be approved consistent with the strong local role envisioned by WIA. As the preamble to the WIA regulations explains, the focus of these "local, business-led boards" is "strategic planning, policy development and oversight of the local workforce investment system," and the active involvement of business and labor is "critical to the provision of essential data on what skills are in demand, what jobs are available, what career fields are expanding, and the identification and development of programs that best meet local employer needs." 65 Fed. Reg. 49294, 49295 (Aug. 11, 2000).

Through the statutorily required public comment process, the State of Nevada received numerous comments and concerns opposing the State's waiver request. In addition, several chief local elected officials and diverse stakeholders with a role in workforce development have communicated to the Department their lack of support for the requested waiver.

In the absence of support from these groups for the proposed waiver, and in light of WIA's emphasis on the importance of local administration of WIA, ETA denies this waiver request.

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 Virginia Hamilton, the Regional Administrator for Region VI, at 415-625-7900 or Hamilton.Virginia@dol.gov.

Sincerely,



Jane Oates
Assistant Secretary

Enclosures

cc: Denise Dombek, Federal Project Officer for Nevada,
ETA San Francisco Regional Office