

## **ATTACHMENT G - CONSOLIDATED WAIVER REQUESTS UNDER WIA**

### **Workforce Investment Act Waiver Request #1**

**Date:** July 1, 2012

**State:** District of Columbia

**Agency:** DC Workforce Investment Council/Department of Employment Services

#### **Introduction**

The District of Columbia Department of Employment Services (DOES), which is designated by the Mayor of the District of Columbia as the administrative entity for the Workforce Investment Act of 1998 (WIA), and the District of Columbia Workforce Investment Council (DCWIC) are requesting a general waiver of the legal requirement that limits the transfer of funds between the Adult and Dislocated Worker programs to no more than 20% of a program year allocation. The waiver would grant the transfer of funds up to 50% of a program year allocation between the Adult and Dislocated Worker funding streams. The granting of this waiver would continue to ensure that the critical workforce requirements of the District of Columbia are met and that residents are better prepared for the demands of the local labor market.

#### **Statutory and/or regulatory requirements to be waived**

WIA Section 133(b)(4), (29 USCA Section 2939(i)(4)(B)) and WIA Final Regulations at 20 CFR Section 667.140 provide that with the approval of the Governor, Local Workforce Investment Boards may transfer up to 20% of a program year allocation for adult employment and training activities, and up to 20% of a program year allocation for dislocated worker employment and training activities between the two programs.

#### **Actions undertaken to remove state or local barriers**

There are no current or proposed state statutory or regulatory barriers to impede the extension of this waiver.

#### **Goals and expected programmatic outcomes of waiver**

A summary of goals is as follows:

- Apply funds more strategically within the One-Stop System
- Allow for increased responsiveness to changes in the area's labor market
- Increase accountability of American Job Center service providers
- Increase employer-WIC collaboration to address industry skill requirements and worker training/re-training
- Provide greater flexibility in designing and implementing WIA programs for our customers
- Increase the overall number industry-recognized credentials

The District is requesting to exercise the option under WIA to continue to transfer up to 50% of funds. This action will allow for increased services to low-skilled adult residents most in need of training and other supports.

#### **Individuals impacted by the waiver**

The waiver will continue to benefit employers, job seekers, and service providers. The following are expected to be additional impacts to continue this proposed waiver:

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- Program participants will benefit from the resulting flexibility that will allow for more innovation in program design better aligned to the District's economic desires and priorities to maintain a growing economy;
- More workforce customers will have access to core, intensive and training services leading to greater employment opportunities;
- More flexibility in funding of One-Stop System programs toward those customers requiring greater services.

## **Process for monitoring progress in implementation**

The District has in place a monitoring and performance accountability system that measures and evaluates the result for employers and job seekers accessing the District's One-Stop Career Centers. On a monthly and quarterly basis, the District analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive monitoring is conducted onsite utilizing outcome reports generated from the department's case management database. Should this waiver request be continued, the District will ensure regular review of the Adult and Dislocated Worker programs to monitor outcomes and service impact resulting from the additional fund transfer authority.

## **Notice to affected local boards**

Since the District is a Single Delivery Area, there is no affect to local boards.

## **Public Comment**

Consistent with the general waiver request, the District is adhering to publication requirements to insure the broadest participation possible, including informing appropriate partners and interested parties, such as: citizens, labor groups, businesses and community based organizations. In addition, the District will provided opportunities for public comment and input on the waiver request, which will be posted on the DOES and D.C. Workforce Investment Council websites.

## **Workforce Investment Act Waiver Request #2**

**Date:** July 1, 2012

**State:** District of Columbia

**Agency:** DC Workforce Investment Council/Department of Employment Services

### **Introduction**

The District of Columbia Department of Employment Services (DOES), which is designated by the Mayor of the District of Columbia as the administrative entity for the Workforce Investment Act (WIA) and the District of Columbia Workforce Investment Council (DCWIC), submits this request for a waiver of WIA sections 134(a)(3). This "pro-active" waiver will allow the District to employ, on an "as needed basis," up to 10 percent of the Adult and Dislocated local area formula allocation funds to support local incumbent worker training programs. The granting of this waiver would ensure that the critical workforce needs of underemployed residents and residents who skills require upgrading in order to maintain employment are met, as well as strengthening the District's workforce investment system by addressing the needs for more skilled workers and facilitating business retention in the District.

### **Statutory and/or regulatory requirements to be waived**

The District is seeking a waiver of restrictions on the use of WIA formula funds in order to operate an incumbent worker program. The waiver would allow the District to use up to 15% of the funds allocated under section 133 (b)(4) of the WIA, to operate an Incumbent Worker program as described under Section 134 (a) (3)(A)(iv)(I) and consistent with 20 CFR Sections 665.210 and 665.220.

Actions undertaken to remove state or local barriers

There are no current or proposed state or local statutory or regulatory barriers to implementing the proposed waiver.

### **Goals and expected programmatic outcomes of waiver**

The goals and program expectations of the waiver's outcomes are the following:

- Supports projects that further job retention and career development for improved economic self-sufficiency for employed workers including those most vulnerable to job loss
- Increases capacity of the workforce development system to support incumbent worker training by increase credential attainment to remain competitive within the regional labor force
- Provides for an increased understanding on "return of investment" particularly through outcome measures by offering these "pro-active" services
- Provides support to projects that increase the capability of companies to access and retain skilled workers
- Improves the economic and business climate in the District by increasing the interaction between government and business.
- Decreases the need for other employment and training services – i.e. Rapid Response and Unemployment Compensation

### **Individuals impacted by the waiver**

This waiver will benefit employers, employed workers, and service providers. The following are expected to be additional impacts of the proposed waiver:

- Program participants will benefit from the resulting flexibility that will allow for more expansion in program design and implementation which will help meet the requirements and priorities of District residents.
- More District residents will have access to training enabling them to upgrade their skills resulting in a workforce that is able to keep up with the demands of the ever-changing marketplace
- DCWIC and DOES will have added flexibility to move funds where they are required to provide the best possible services for this participants.

## **Process for monitoring progress in implementation**

The District has in place a monitoring and performance accountability system that can measure and evaluate results for employers and employees participating in the Incumbent Worker Training Program. On a monthly and quarterly basis, the department will analyze employer and participant enrollments, service levels, program expenditures, and performance outcomes. In addition, the department will continue to utilize the DOL/ETA's DVRS system with our VOS Case Management System. Should this waiver request be continued, the department will ensure regular review of the Incumbent Worker Training programs and monitor outcomes and service impact resulting from the additional fund transfer authority.

## **Notice to affected local boards**

Since the District is a Single Delivery Area, there is no affect to local boards.

## **Public Comment**

Consistent with the general waiver request, the District is adhering to publication requirements to insure the broadest participation possible, including informing appropriate partners and interested parties, such as: citizens, labor groups, businesses and community based organizations. In addition, the District will provided opportunities for public comment and input on the waiver request, which will be posted on the department and D.C. Workforce Investment Council websites.

### **Workforce Investment Act Waiver Request #3**

**Date:** July 1, 2012

**State:** District of Columbia

**Agency:** DC Workforce Investment Council/Department of Employment Services

#### **Introduction**

The District of Columbia Department of Employment Services (DOES), which is designated by the Mayor of the District of Columbia as the administrative entity for the Workforce Investment Act (WIA) and the District of Columbia Workforce Investment Council (DCWIC), resubmits this request for a waiver of WIA sections 136(b) and 20 CFR Part 666.100 discussing the Workforce Investment Act. This waiver request will continue the District to implement and track the nine WIA Title IB performance measures presented within the following list:

Common Measures

#### **Adult**

- Adult Entered Employment
- Adult Retention
- Adult Average Earnings

#### **Dislocated Worker**

- Dislocated Worker Entered Employment
- Dislocated Worker Retention
- Dislocated Worker Average Earnings

#### **Youth**

- Youth Placement in Employment or Education
- Youth Attainment of a Degree or Certificate
- Youth Literacy and Numeracy Gains

#### **Statutory and/or regulatory requirements to be waived**

The continuation of this waiver permits the District to report WIA performance outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). Accordingly, the District no longer has to report to DOL/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. This waiver allows the District to continue to remove the inconsistencies and complexities inherent in the current WIA performance reporting requirements. Furthermore, this waiver shall enable the District to continue to effectively align accountability across all programs within its One-Stop System. The common measures more effectively support the state's plan of promoting on-the-job training and customized training for adult workers - including employed workers. The common measures also more clearly target Out-of-School youth and youth most in need as identified by the USDOL's Youth Vision.

## **Actions undertaken to remove state or local barriers**

No additional requirements have been added to impede or prohibit implementing the common measures. Upon notification of approval of this waiver request, State rules, policies and procedures will be developed and issued to comply with the terms of this waiver.

## **Goals and expected programmatic outcomes of waiver**

With the continuation of this waiver, the District's performance measurement system has evolved into a simplified and streamlined process for the following:

- Utilization of a single set of measures for youth, thus eliminating the need to track younger versus older youth;
- Utilization of the common measures definition of certificate, thereby eliminating confusion between that definition of certificate and the WIA definition of credential;
- Reduction of paperwork and labor costs associated with performance data collection;
- Providing a more useful program management tool;
- Alignment of federal performance standards towards the city's overall performance within workforce and economic development;
- Providing for customer-driven - instead of program-driven - outcomes;
- greater degree of efficiency in program delivery;
- Provides clear and understandable information to stakeholders

## **Individuals impacted by the waiver**

The waiver will have a positive impact, either directly or indirectly, on all statewide participant training customers by providing accountability while improving program management and performance.

## **Process for monitoring progress in implementation**

The District, will monitor the implementation and impact of the waiver, as well as progress toward expected outcomes, through a combination of performance reporting, monitoring, and discussions with stakeholders. State oversight and evaluation will make effective use of these means to identify obstacles and address them within these time periods - monthly, quarterly, and annually. Moreover, the District shall continue to will review applicable policies and procedures and modify them accordingly for seamless and integrated services.

## **Notice to affected local boards**

Since the District is a Single Delivery Area, is no affect to local boards.

## **Public Comment**

Consistent with the general waiver request, the District is adhering to publication requirements to insure the broadest participation possible, including informing appropriate partners and interested parties, such as: citizens, labor groups, businesses and community based organizations. In addition, the District will provided opportunities for public comment and input on the waiver request, which will be posted on the department and D.C. Workforce Investment Council websites.

#### **Workforce Investment Act Waiver Request #4**

**Date:** July 1, 2012

**State:** District of Columbia

**Agency:** DC Workforce Investment Council/Department of Employment Services

The Department of Employment Services (DOES), which has been designated by the Mayor of the District of Columbia as the administrative entity for the Workforce Investment Act (WIA), and the District of Columbia Workforce Investment Council (DCWIC), are requesting a continuation of a general waiver that will extend the period of initial eligibility of training providers which addresses the Eligible Training Provider List (ETPL) requirement for subsequent eligibility determinations. This waiver will contribute towards increased performance outcomes for training services and will allow the District to continue to enhance systems that facilitate the provision of informed training choices for all District customers based on the availability of up to date and thorough performance data on providers of training services.

#### **Statutory and/or regulatory requirements to be waived**

The District is requesting a waiver extension in reference to WIA Section 122(c)(5) and Title 20 CFR Part 663.530, which require time limit observance for initial eligibility of providers of training services before being considered for subsequent eligibility for inclusion on the State List of Eligible Training Providers. The District is requesting that it be allowed to waive the federal time limit and extend initial eligibility for training providers from eighteen (18) months to twenty-four (24) months before fully implementing the subsequent eligibility determination process.

#### **Actions undertaken to remove state or local barriers**

No additional requirements have been added to impede or prohibit implementing the common measures. Upon notification of approval of this waiver request, State rules, policies and procedures will be developed and issued to comply with the terms of this waiver.

#### **Goals and expected programmatic outcomes of waiver**

The goal to be achieved by the granting of the waiver extension shall be to increase the training options for job seekers and to insure that District residents are informed consumers of training services that are most likely to successfully prepare them for the pursuit and obtainment of self-sufficient careers.

The District is committed to the collection and accessible dissemination of relevant performance information that upholds the spirit and intent of the WIA principles of consumer choice and improved program accountability. Increasing the quality, quantity, and accessibility of performance information to training providers will ultimately provide baseline benchmarks of service expectations by establishing a performance outcome matrix that provides a more defined set of criteria for subsequent eligibility determinations for training providers.

The District shall continue with its efforts to collect, organize and reflect comprehensive performance information required for training providers to remain on the State Eligibility List annually without being overly burdensome to training providers. Currently the District's automated workforce investment delivery system, Virtual One Stop (VOS) contains a Consumer Reports System (CRS) and an Individual Tracking Fund Module (ITF). The combining of these two informational systems has expanded the performance matrix platform and assisted in eligibility determination.

All WIA requirements for initial and subsequent eligibility determinations will continue to be upheld. The DCWIC will

insure compliance by, at a minimum, continuing to review Completions and Credentials (self-attestations) of the Individual Training Accounts (ITA) training providers while creating performance standards for training subsequently becoming eligible to provide training services for the citizens of the District.

## **Individuals impacted by the waiver**

The waiver will have a positive impact, either directly or indirectly, on all statewide participant training customers by providing accountability while improving program management and performance.

## **Process for monitoring progress in implementation**

The District has in place a monitoring and performance accountability system that measures and evaluates result for employers and jobseekers accessing the District's network of One-Stop Career Centers. On a monthly and quarterly basis, DOES will analyze customer enrollment and training provider service levels, program expenditures, and performance outcomes. In addition, program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive monitoring is conducted onsite utilizing outcome reports generated from DOES' District wide database. Should this waiver request be extended, DOES will ensure regular review of the impact of waiving the time limit observed for initial eligibility of providers of training services before being considered for subsequent eligibility determinations with the DCWIC.

## **Notice to affected local boards**

Since the District is a Single Delivery Area, is no affect to local boards.

## **Public Comment**

-Consistent with the general waiver request, the District is adhering to publication requirements to insure the broadest participation possible, including informing appropriate partners and interested parties, such as: citizens, labor, community based organizations and D.C. Workforce Investment Council. In addition, the District will provided opportunities for public comment and input on the waiver request, which will be posted on the department and D.C. Workforce Investment Council websites.