



AUG 19 2013

The Honorable Peter Shumlin
Governor of Vermont
109 State Street
Suite 200
Montpelier, Vermont 05609

Dear Governor Shumlin:

The Employment and Training Administration (ETA) is pleased to respond to your request for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA). 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. The request was 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 State's waiver request (copy enclosed).

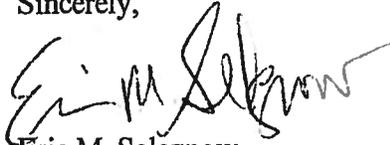
Waiver of the WIA regulations at 20 CFR 666.100 to exempt the state from including credential attainment outcomes for participants enrolled in on-the-job training in the credential performance measure calculations.

The State is requesting a waiver to exempt it from including credential attainment outcomes in the credential performance measure calculations for participants enrolled in on-the-job training. The State is granted this waiver for PY 2013 through PY 2016, from July 1, 2013 through June 30, 2017. The State must continue to report outcomes in the Workforce Investment Act Standardized Record Database (WIASRD) for participants enrolled in on-the-job-training.

The approved waiver is incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this 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 required by TEGP No. 29-11, the State should address the impact this waiver has 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 George Kincannon, the Federal Project Officer for Vermont, at (617) 788-0135 or Kincannon.George.J@dol.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric M. Seleznow". The signature is fluid and cursive, with the first name "Eric" being the most prominent.

Eric M. Seleznow
Acting Assistant Secretary

Enclosure

cc: Holly O'Brien, Regional Administrator, ETA Boston Regional Office
George Kincannon, Federal Project Officer for Vermont

Date: June 24, 2013

State: Vermont

Agency: Department of Labor, Workforce Development

Statutory and/or regulatory requirements to be waived

WIA Regulations 20 CFR 666.100

Vermont requests a waiver to exempt the state from including credential attainment outcomes for participants enrolled in On-the-Job Training (OJT) in the credential performance calculations.

Vermont requests that, if approved, this waiver be retroactively applied to PY 2012 in addition to PY 2013.

Actions undertaken to remove state or local barriers

There is no existing State or local statutory or regulatory barriers.

Goals and expected programmatic outcomes of waiver

This waiver would allow Vermont the ability to exclude On-the-Job training participants from the credential attainment performance indicator. As a result, credential attainment would not count against overall credential performance.

The waiver would provide the state greater flexibility for the OJT program without negatively impacting credential-related performance standards, allowing VT to be more responsive to employers and employees by developing OJT's based on local industry, business or worksite needs.

The waiver would apply for all participants enrolled in OJT's regardless of the funding source. The state will continue to collect outcomes in the Workforce Investment Act Standardized Record Database (WIASRD) item #619, Type of Recognized Credential, for individuals enrolled in OJT's.

Individuals impacted by the waiver

This waiver impacts adults, dislocated workers, and eligible youth who are enrolled in On-the-Job training programs.

Process for monitoring progress in implementation

Waivers and their usage are discussed at regularly scheduled state Workforce Development Council meetings. If approved for this waiver, the Executive Office of the Vermont Department of Labor and its Workforce Development Division will monitor progress by reviewing quarterly expenditures as well as performance outcomes to ensure programmatic goals are being met. Appropriate state policies will be drafted to govern its use.

Notice to affected local boards

This waiver was discussed at the most recent Workforce Development Council meeting, the State's Workforce Development Board.

Public Comment

As with all other major policy and procedural decisions made by the State of Vermont, we rely upon input from Vermont's Workforce Development Division's Management, State's Workforce Investment board, businesses and Career Resource Center staff and customers. As required by WIA Section 122 (C) (5) and WIA Regulations 20 CFR 663.530, requests for waiver submission have been posted on the Vermont Department of Labor website, with a procedure for submission of comments and questions. Public input is factored into all policy consideration in the State.