



APR 25 2012

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

Dear Governor Brown:

We are pleased to respond to your request for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA). This request is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c). In a letter dated April 4, 2012, ETA approved the State's request to waive the requirement to conduct evaluations and provide incentive grants to local areas, but determined that additional information was required to make a determination on the State's request to waive the requirement to provide additional assistance to local areas that have a high concentration of WIA eligible youth. The following is the disposition of State's remaining waiver request (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:

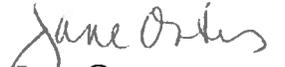
Waiver of WIA Section 129(b)(2)(C) and 20 CFR 665.200(h) to exempt the state from the requirement to provide additional assistance to local areas that have a high concentration of eligible youth.

The State is requesting a waiver of the requirement to provide additional assistance to local areas that have a high concentration of eligible youth. The State is granted this waiver effective July 1, 2011 through June 30, 2012. This waiver only applies to Program Year 2011 WIA funds.

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 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

Enclosure

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.