



DEC 12 2012

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

Dear Governor Sandoval:

This letter provides approval of Nevada's State Integrated Workforce Plan for Title I of the Workforce Investment Act (WIA), the Wagner-Peyser Act (W-P), including W-P Agricultural Outreach Plan, and plans for coordination with Trade Adjustment Assistance (TAA). The Employment and Training Administration (ETA) received the State Plan on September 27, 2012. This letter also responds to Nevada's WIA waiver requests.

Training and Employment Guidance Letter (TEGL) No. 21-11, issued on March 27, 2012, and TEGL No. 21-11, Change 1 issued on August 8, 2012, provide guidance for states to submit their State Workforce Plans and waivers for Program Year (PY) 2012 and beyond. We appreciate the State's responsiveness to this guidance.

#### Plan Review and Approval

ETA has reviewed the Nevada State Integrated Workforce Plan in accordance with Title I of WIA, the Wagner-Peyser Act, the Trade Act (as amended), the corresponding regulations, the State Integrated Workforce Plan Requirements for Workforce Investment Act Title I/Wagner-Peyser Act and Department of Labor Workforce Programs (<http://www.doleta.gov/usworkforce/wia-planning/docs/integrated-planning-guidance.pdf>), and TEGL No. 21-11 and the corresponding Change 1. Pursuant to 20 CFR 661.230(e), this letter constitutes a written determination under WIA Section 112 (29 USC 2822) that ETA is approving the WIA Title I, W-P and TAA portions of Nevada's State Plan for the period July 1, 2012 through June 30, 2017, PY 2012-PY 2016. The annual W-P Agricultural Outreach Plan is approved for the period July 1, 2012 through June 30, 2013.

The State is eligible to receive WIA formula allotments for Adult, Dislocated Worker, and Youth programs, and W-P program allotments, effective July 1, 2012 through June 30, 2017.

#### Performance Levels

Each year, the Regional Administrator negotiates the Program Year's WIA and W-P performance goals with each state. As required by TEGL Nos. 21-11 and 38-11 dated June 18, 2012, negotiations must be completed by December 31, 2012 for PY 2012.

Once the final goals are established, the Regional Administrator's letter advising the State of the PY 2012 WIA and W-P final performance goals constitutes a modification to the State Plan. ETA will incorporate Nevada's final performance goals for PY 2012 into the Regional and National Office copies of the State Integrated Workforce Plan. Please include these final PY 2012 goals in the State's official copy of the State Plan.

### Waivers

As part of Nevada's State Integrated Workforce Plan, the State submitted waiver requests for waivers of statutory and regulatory requirements under WIA (copy enclosed). The State's request for waivers is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c). The disposition of the State's waiver requests is outlined below. This action is taken under the Secretary's authority at WIA Section 189(i) to waive certain requirements of WIA Title I, Subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act.

#### Waiver of WIA Section 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area.

The State requested a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The State is granted this waiver through June 30, 2017. Under the waiver, transfer authority is limited to 50 percent. This limitation provides states flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs.

#### Waiver to permit the State to replace the performance measures at WIA Section 136(b) with the common measures.

The State requested a waiver that allows the State to replace the 17 performance measures under WIA Section 136(b) with the common measures. The State is granted this waiver through June 30, 2017.

This waiver permits the State to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The State will no longer negotiate and report to 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. The State will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Adult and WIA Dislocated Worker programs. The State will use the three youth common performance measures to negotiate goals and report outcomes for the WIA Youth program. Workforce Investment Act Standardized Record Data system (WIASRD) item 619, Type of Recognized Credential, should be completed for each individual as appropriate, regardless of this waiver to report on common performance measure outcomes only.

Waiver of the required 50 percent employer contribution for customized training at WIA Section 101(8)(C).

The State requested a waiver of the required 50 percent employer contribution for customized training to permit the use of a sliding scale for the employer contribution based on the size of the business. The State is granted this waiver through June 30, 2017. Under the waiver, the following sliding scale is permitted: 1) no less than 10 percent match for employers with 50 or fewer employees, and 2) no less than 25 percent match for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent contribution) continue to apply. When determining the funding source for customized training, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State and local area may provide customized training to individuals 18 years of age or older with WIA Adult funds and must provide priority to low-income individuals when funds are limited; the State and local area may provide customized training to dislocated workers with WIA Dislocated Worker funds. Customized training provided with statewide funds must serve WIA eligible individuals.

Waiver of WIA Section 134(a) to permit local areas to use a portion of local funds for incumbent worker training.

The State requested a waiver to permit local areas to conduct allowable statewide activities as defined under WIA Section 134(a)(3) with local WIA formula funding, specifically incumbent worker training. The State is granted this waiver through June 30, 2017. Under this waiver, the State is permitted to allow local areas to use up to 10 percent of local Dislocated Worker funds and up to 10 percent of local Adult funds for incumbent worker training only as part of a layoff aversion strategy. Use of Adult funds must be restricted to serving lower income adults under this waiver. ETA believes limiting incumbent worker training to the specified level and requiring it to be a part of layoff aversion is the best use of funds in the current economic climate where serving unemployed workers is a paramount responsibility of the workforce system. All training delivered under this waiver is restricted to skill attainment activities. Local areas must continue to conduct the required local employment and training activities at WIA Section 134(d), and the State is required to report performance outcomes for any individual served under this waiver in the Workforce Investment Act Standardized Record Data system (WIASRD), field 309. TEGL No. 26-09, Section 7A, "Workforce Investment Act (WIA) Waiver Policy and Waiver Decisions for PY 2009 and 2010" and TEGL No. 30-09, "Layoff Aversion Definition and the Appropriate Use of Incumbent Worker Training for Layoff Aversion Using a Waiver" provide policy guidance related to implementation of this waiver.

Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training.

The State requested a waiver to permit an increase in employer reimbursement for on-the-job training through a sliding scale based on the size of the business. The State is granted this waiver through June 30, 2017. Under the waiver, the following

reimbursement amounts will be permitted: 1) up to 90 percent for employers with 50 or fewer employees, and 2) up to 75 percent for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent reimbursement) will continue to apply. When determining the funding source for on-the-job training, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State and local area may provide on-the-job training to individuals 18 years of age or older with WIA Adult funds and must provide priority to low-income individuals when funds are limited; the State and local area may provide on-the-job training to dislocated workers with WIA Dislocated Worker funds. On-the-job training provided with statewide funds must serve WIA eligible individuals.

Waiver of WIA Section 134(a)(1)(A) to permit a portion of the funds reserved for rapid response activities to be used for incumbent worker training and other statewide activities.

The State requested a waiver to permit use of rapid response funds to conduct allowable statewide activities as defined under WIA Section 134(a)(3) for incumbent worker training and other statewide activities. The State is partially granted this waiver through June 30, 2017; incumbent worker training activities are approved and other activities are denied. Under this waiver, the state is permitted to use up to 20 percent of rapid response funds for incumbent worker training only as part of a layoff aversion strategy. All training delivered under this waiver is restricted to skill attainment activities. The State is required to report performance outcomes for incumbent workers served under this waiver in the Workforce Investment Act Standardized Record Data system (WIASRD), field 309. TEGL No. 26-09, Section 7A, "Workforce Investment Act (WIA) Waiver Policy and Waiver Decisions for PY 2009 and 2010" and TEGL No. 30-09, "Layoff Aversion Definition and the Appropriate Use of Incumbent Worker Training for Layoff Aversion Using a Waiver" provides policy guidance related to implementation of this waiver.

ETA denies the State's request to use rapid response funds for other statewide activities. ETA believes that rapid response funds should only be used to enhance services provided to dislocated workers including placement in employment, training, or provision of supportive services. The State's request fell outside these parameters.

Waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts for older and out-of-school youth.

The State requested a waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts (ITAs) for older youth and out-of-school youth program participants. The State is granted this waiver through June 30, 2017. Under this waiver, the State can use ITAs for older youth and out-of-school youth program participants. The State must continue to make the 10 youth program elements available as described at WIA Section 129(c)(2). The State should ensure that funds used for ITAs are tracked and that the ITAs are reflected in the individual service strategies for these youth.

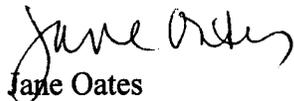
Waiver of WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) to exempt a state from the requirement to provide local workforce investment area incentive grants.

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. ETA is unable to make a determination with the information provided in the request. TEGL 26-09, change 1, provides guidance on the required information for this waiver, and the ETA Regional Office is available to answer questions regarding additional needed information

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 are incorporated into the State Integrated Workforce Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and with the approved State Plan. In addition, as described in TEGL No. 29-11, the State should address the impact these 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 working together as you implement your State Integrated Workforce Plan for PY 2012 and beyond. Thank you for adopting the American Job Center Brand; we are available to provide technical assistance as needed. If you have any questions related to the issues discussed above, please contact Denise Dombek, the Federal Project Officer for Nevada, at 415-625-7945 or [Dombek.Denise@dol.gov](mailto:Dombek.Denise@dol.gov).

Sincerely,



Jane Oates  
Assistant Secretary

Enclosures

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

**From:** Grant Nielson [ghnielson@nvdetr.org]  
**Posted At:** Thursday, September 27, 2012 5:44 PM  
**Conversation:** Transmittal of Nevada's Integrated WIA/WP/AOP Plan  
**Posted To:** WIA.PLAN

**Subject:** RE: Transmittal of Nevada's Integrated WIA/WP/AOP Plan

I will be submitting the plan document in three email due to the fact that5 the [WIA.PLAN@dol.gov](mailto:WIA.PLAN@dol.gov) email account would not accept the transmittal size.

Attached is Section 1.

---

**From:** Grant Nielson  
**Sent:** Thursday, September 27, 2012 12:09 PM  
**To:** 'WIA.PLAN@dol.gov'  
**Cc:** 'Hamilton.Virginia@dol.gov'; 'dombek.denise@dol.gov'; Frank Woodbeck; Dennis Perea; Renee Olson; Lynda Parven; Tami Nash  
**Subject:** Transmittal of Nevada's Integrated WIA/WP/AOP Plan

Please find attached, the Integrated Workforce Plan For Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act for the period July 1, 2012 through June 30, 2016 including the proposed levels of performance for Program Year 2012.

Also included are previously approved waiver requests, which are to be a part of the plan submission.

Sincerely,

Grant Nielson  
Chief - Workforce Investment Support Services  
Employment Security Division  
Department of Employment Training and Rehabilitation  
Ph. 775-684-0304

**STATE OF NEVADA  
WAIVER REQUEST**

**RAPID RESPONSE FUNDS FOR INCUMBENT WORKER TRAINING/OTHER  
STATEWIDE ACTIVITIES**

---

The Governor's Workforce Investment Board, and the State of Nevada Department of Employment, Training and Rehabilitation, Nevada's administrative entity for WIA Title I B programs, request a waiver to use up to 20 percent of rapid response funds for incumbent worker training only as part of a layoff aversion strategy and other statewide activities that enhance services to dislocated workers. Statewide activities include:

The Silver State Works (SSW) initiative, announced by Governor Sandoval in his State of the State address, is designed to encourage employers to hire in order to move the state towards economic recovery and provide enhanced services to dislocated workers and assist workers in removing barriers to employment in order to promote a work first culture.

Silver State Works (SSW) contains three separate and distinct components.

**Employer Based Training Program:** This component allows laid-off workers who qualify for Unemployment Insurance (UI) benefits to simultaneously receive on-site workplace training and regular UI benefits. It provides a special training allowance of \$200.00 every two weeks for a maximum of \$600.00. Job seekers would be required to work 24 hours per week up to six weeks while continuing regular work search.

**Employer Incentive Job Program:** Employers will enter into a contract which establishes the agreed upon wage, number of hours to master the tasks, and the maximum amount of reimbursement based on the wage paid. Employers will be reimbursed up to a maximum of 50% of the participant's initial agreed upon gross wage for the contract period and a maximum of 40 hours per week.

**Incentive Based Employment:** This component supports employers who hire and retain eligible individuals in full-time employment (30 hours or more) by reimbursing a portion of wages paid in order to offset the costs associated with training and developing the employee into the employer's regular workforce. Upon completion and satisfying certain requirements, the employer may receive a wage retention supplement on average up to \$2,000.

To ensure businesses have the broadest range of choices, the selection of one of the three options above will be the decision of the business. It is anticipated that up to 10,000 unemployed Nevadans will participate in the three components of SSW.

The purpose of this waiver is to provide enhanced services to dislocated workers, and will not be used as a means to deliver WIA services to individuals who would not otherwise be served under a WIA program.

The State will be required to report performance outcomes for any Silver State participants including incumbent worker served under this waiver in the Workforce Investment Act Standardized Record Data (WIASRD) system.

It is in the best interest of Nevada and its citizens to seek a waiver due to the continued economic downturn in Nevada and reaching the highest unemployment rate since 1983 in the month of December 2010 (14.5% statewide and 14.9% in the Las Vegas Metropolitan area).

**Waiver Duration:** Program Year 2010 and subsequent years.

This waiver request follows guidelines identified in WIA Section 189(i) (4) (B) and WIA Final Rules at 20 CFR Section §661.420(c).

**Statutory and Regulatory Sections to be Waived:**

The State of Nevada requests a waiver from the provisions of Section 134 (a) (1) (A) of the Workforce Investment Act; 20CFR §663.145; §665.320(d) (2); §665.210 and §665.220

**State or Local Statutory Regulatory Barriers:**

There are no known state or local statutory or regulatory barriers to implementing the waiver. The only known barriers are federal in nature as described above.

**Goals and Programmatic Outcomes to be Achieved by the Waiver:**

This waiver is instrumental as a component in Nevada's workforce strategy, which is consistent with national policy direction, to develop amore integrated, efficient and effective workforce system.

The goals of this waiver are:

- Increase employer exposure to and use of the state's public workforce system.
- Increase employer/board collaboration to address industry needs and worker training.
- Investing public resources to support occupational, technical and/or soft skills training of incumbent workers as a practical layoff aversion strategy.
- Target industries, which offer high skill and high wage jobs, as part of Nevada's layoff aversion strategy.
- Improve the state's overall economic and business climate.
- Enhance the LWIBs ability to respond more quickly and efficiently to immediate local needs of employers and workers.
- Maintain and increase the competitiveness of Nevada employers, allowing them to remain in business.
- Increase skills and wages for the incumbent workers and dislocated workers.
- Enhance employment, reemployment and job retention for job seekers and workers by providing education, training and other enhanced services necessary to assist dislocated workers.

- Enhance effective access of individuals and businesses to training and employment services that meet workforce needs.
- Provide greater flexibility in designing and implementing WIA programs

**Nevada's Overall Layoff Aversion Approach and How Incumbent Worker Training Fits Into that Strategy:**

Unemployed workers are not the only Nevadans who need to increase their skills to gain and retain employment. Incumbent workers must also increase their skills for their employers to remain competitive in the global economy.

Investing public resources to support occupational, technical and/or soft skills training of incumbent workers is a practical layoff aversion strategy for the state and local areas. It is critical that funds used for incumbent worker training benefit the employer and employee, as well as improve the local area's economic outlook. The plan for incumbent worker training, as part of Nevada's layoff aversion strategy, will target industries and economic sectors, which offer high skill and high wage jobs.

If approved, this waiver will allow LWIBs the opportunity to provide incumbent worker training as part of an overall layoff aversion strategy and their overall service delivery to incumbent workers. In May 2010, Nevada's unemployment rate climbed to 14.0%, the highest in history and the use of labor market data alone cannot accurately predict where the demand for layoff aversions may be needed. Just identifying target industries and sectors alone is not a viable option. Rather than attempting to predict where incumbent worker strategies may be needed, Nevada will establish a two-tiered process for local areas who wish to establish incumbent worker training efforts:

1. A layoff aversion plan must be submitted by the local board and approved by the Department of Employment, Training and Rehabilitation (DETR). The plan will be considered an amendment to the local area's local plan and must address the following:
  - The local area's overall layoff aversion strategies including establishing linkages with the economic development and employer communities;
  - The exact percentage of funds to be set aside;
  - A description of the various services and activities to be funded;
  - A target number of employers and/or employees that will benefit from the funds, and how these were identified;
  - Assurance that the training is for high demand or high growth industries; and
  - Description of the eligibility criteria to be used to select employers and incumbent workers.
2. Once the layoff aversion plan is approved by DETR, LWIBs will be able to accept applications from employers. The application specific to the project must be provided to DETR for approval and include the following:
  - The type of training to be delivered and the skills acquired as a result;
  - Number of employees to be trained, names, job titles and current salary/wage;
  - Amount of funding requested;

- How employers were selected (announced layoffs through a WARN, other public notice, reduced employee hours or another indicator of economic difficulty, e.g., mid-range or lower Dun and Bradstreet scores);
- A determination that incumbent worker training is the appropriate solution for the employer and that the training will provide the employer with the skills it needs to maintain operations and avoid closure or lay-offs;
- Evidence of employer commitment, either to retain the employee or to pay the employee a higher wage.

**Individuals Impacted by the Waiver:**

The waiver is expected to benefit Nevada employers, job seekers and incumbent workers by maximizing training services to meet the need of a skilled workforce.

**Process Used to Monitor Progress in Implementing the Waiver:**

The Nevada Department of Employment, Training and Rehabilitation will ensure regular review of funds and activities to monitor outcomes and impacts and make appropriate adjustments as needed.

**Process for Notice to Public and Local Boards and the Opportunity to Comment:**

The waiver was posted to the home page of the Department of Employment, Training and Rehabilitation for public comment. No comments were received.

**STATE OF NEVADA  
WAIVER REQUEST**

**TRANSFER OF WORKFORCE INVESTMENT ACT (WIA) TITLE 1B FUNDS  
BETWEEN THE ADULT AND DISLOCATED WORKER FUNDING STREAMS**

---

The Governor's Workforce Investment Board, and the State of Nevada Department of Employment, Training and Rehabilitation, Nevada's administrative entity for WIA Title 1B programs, request an extension to this waiver, approved by USDOL in June 2005, of the legislative provisions calling for the transfer of no more than 30 percent of the program year's allocation between the Adult and Dislocated Worker funding streams. The waiver would grant individual Local Areas, with the Governor's approval, the ability to transfer up to 50 percent of each program year allocation between the Adult and Dislocated Worker funding streams.

**Waiver Duration:** July 1, 2012 and subsequent years or upon re-authorization of the Workforce Investment Act, whichever occurs later.

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) and WIA Final Rules at 20 CFR Section §661.420(c).

**Statutory and Regulatory Sections to be Waived:**

Statute: P.L. 105-220, WIA Section 133(b)(4) and Regulations: 20 CFR, WIA Final Rules Section §667.140(a); and Training and Employment Guidance Letter 23-02 provide that with the approval of the Governor, the Governor's Workforce Investment Board (GWIB) may transfer up to 30% of a program year's allocation for adult employment and training activities, and up to 30% of a program year's allocation for dislocated worker employment and training activities between the two Local Area programs.

**In Nevada, the two Local Workforce Investment Areas (LWIAs) are comprised of diverse economic and cultural communities that present unique challenges to the provision of WIA services. In addition, a disproportion of Nevadan's reside in the Las Vegas MSA (i.e. Clark County) which accounts for 70% of the state's population, versus those who reside in the balance of the sixteen (16) Nevada counties, necessitates the need for maximum flexibility in the transfer of funds.**

The Governor's Workforce Investment Board has consistently advocated for local alliances through the establishment of the statewide Nevada JobConnect system that strengthen the level and mix of services to job seekers, as well as streamlining service delivery. However, local decisions have been constrained by Federal funding rules that limit funding and, thus, services to adults or dislocated workers seeking assistance to obtain or retain employment through the Nevada JobConnect system. Maximum flexibility in the transfer of funds would help ensure that services to both adults and dislocated workers would be maintained at levels sufficient to meet the distinct needs of each group. This flexibility would also help support local service plans that must integrate the cultural, educational, and employment-related needs unique to each local workforce community, both urban and rural.

### **State or Local Statutory Regulatory Barriers:**

There are no state or local statutory or regulatory barriers to implementing the waiver. The Governor's Workforce Investment Board state policies are in compliance with current Federal guidelines. Upon notification of approval of this waiver request, WIA State Compliance policy Section 3.8 will be updated to comply with the revised timeframe of the waiver. The state policy outlines specific actions each Local Area must take in requesting the Governor's approval to modify or revise the Local Area's transfer rate (%) between the Adult and Dislocated Worker funding streams. Specific actions include, but are not limited to, a formal request to be submitted by the LWIA to the State for review and action, and formal modification of the Local Areas plan upon approval of an increased transfer rate, if applicable.

### **Goals and Programmatic Outcomes to be Achieved by the Waiver:**

- Enhance the ability of the Local Areas to respond to workforce and economic dynamics within their area
- Increase local flexibility in the design and delivery of adult and dislocated worker services through the Nevada JobConnect system
- Improve performance outcomes as a result of increased ability to provide needed services
- Improve the ability of local boards to provide targeted assistance in response to the demands of the workforce, businesses and local communities
- Increase business and individual customer satisfaction with the JobConnect system

The responsibility of Local Areas is to plan, oversee, and evaluate the delivery of WIA employment and training programs in their respective areas through the One-Stop service delivery system, in Nevada, the Nevada JobConnect system. Because of Nevada's size, its population distribution, its cultural diversity, and the remoteness of many of its communities, customer needs vary greatly from one local workforce investment area to the other and within the respective areas. The flexibility to transfer funds between the adult and dislocated worker programs allows Local Areas to respond more effectively to their individual communities.

With the waiver, Local Areas would be able to design programs that address the specific service priorities among their business and individual customers, and that lead to customer employment and eventual self-sufficiency. The waiver would also help position Nevada's workforce as a better skilled and more competitive workforce in the diversification of Nevada's economy.

### **Individuals Impacted by the Waiver:**

The waiver is expected to benefit Local Areas, Nevada JobConnect partner programs, employers, service providers, and WIA customers overall.

- Local Areas will have the flexibility to design and implement programs based on local needs and priorities
- Nevada JobConnect partner programs will be able to better align their service offerings with those of the local WIA Programs
- Employers will be better served through job-seekers that acquire skills specific to each employer's needs
- WIA program participants will receive appropriate services based on client needs

- Funding will be utilized effectively and efficiently, resulting in an increase in the number of individuals to be served in the aggregate

### **Process Used to Monitor Progress in Implementing the Waiver:**

The Nevada Department of Employment, Training and Rehabilitation, Workforce Investment Support Services Unit is charged with monitoring compliance with WIA requirements. Nevada's statewide performance tracking system, Nevada JobConnect Operating System, has the capability of continually assessing the effectiveness of the WIA programs. Waivers will not be granted to local workforce areas until appropriate policies and guidelines have been reviewed and approved by the Governor's Workforce Investment Board. These policies and guidelines will ensure that appropriate funding levels remain allocated to the needs of both adults and dislocated workers in the State of Nevada.

### **Process for Notice to Public and Local Boards and the Opportunity to Comment:**

Nevada's two Local Areas will be notified via electronic submittal of this waiver request to afford them the opportunity to comment prior to formal submittal to USDOL-ETA. Preliminary endorsement of this waiver request has been received from both Local Areas. No comments were received during the public comment period.

### **Response to DOL question regarding AD-DW transfer**

The transfer of funds between Adult and Dislocated Worker allows the local workforce investment boards to provide funding and services according to the need or demand for services and can go either way. Local areas have historically received more Adult Proposals than Dislocated Worker Proposals during the Request for Proposal process. Local Areas are able to fund more Adult Proposals with the help of the transfer. Without the transfer, they would have had unfunded Adult Proposals and had additional Dislocated Worker carryover funding.

The AD-DW transfer has been crucial for Local areas to allow sub-recipients to deliver additional sorely needed intensive and training services to the most in need group of program participants. This is a most effective use of critically limited resources. With transfer flexibility, WIA program dollars can be targeted for specific employment and training services where they count the most.

**STATE OF NEVADA  
WAIVER REQUEST**

**EMPLOYER REIMBURSEMENT RATE FOR ON-THE-JOB TRAINING**

---

The Governor's Workforce Investment Board, and the State of Nevada Department of Employment, Training and Rehabilitation, Nevada's administrative entity for WIA Title I B programs, requests a waiver of the reimbursement rate of 50 percent to employers for providing on-the-job training opportunities for adults, dislocated worker and older youth to a match based on a sliding scale ranging from 10 to 35 percent for the employer match.

Specifically the Governor shall establish or may authorize the Local Areas to establish the sliding scale, which shall be not less than 10 percent of the costs for employers with 50 or fewer employees; 25 percent of the costs for employers with 51 to 100 employees; 35 percent for employers with 101 – 250 and 50 percent of the costs for employers with more than 251 employees.

It is in the best interest of Nevada and its citizens to seek a waiver of the required 50 percent or less of the wage reimbursement rate due to the continued economic downturn in Nevada and reaching the highest unemployment rate since 1983 in the month of March 2009.

**Waiver Duration:** Through June 30, 2013 and subsequent years.

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) and WIA Final Rules at 20 CFR Section §661.420(c).

**Statutory and Regulatory Sections to be Waived:**

Section 101 (31)(B) of the Workforce Investment Act and §663.710(b).

**State or Local Statutory Regulatory Barriers:**

There are no known state or local statutory or regulatory barriers to implementing the waiver. The only known barriers are federal in nature as described above.

**Goals and Programmatic Outcomes to be Achieved by the Waiver:**

- By removing the requirement for a 50 percent employer match toward the cost of on-the-job training, Local Areas and their service providers will be able to more effectively market on-the-job to the private sector and building or expanding relationships with employers in demand/high growth industries.
- The proposed waiver will increase the responsiveness of the Local Areas in dealing with the increased number of unemployed Nevadans during this economic downturn.
- The proposed sliding scale will provide the Local Areas with greater flexibility for responding to changes in their local labor markets.
- The sliding scale will allow Local Areas to serve those businesses that demonstrate the greatest need for financial assistance to support economic development.

- Will ensure that WIA funds allocated to each local area are being utilized in a way that will meet the needs of the business community.
- The proposed sliding scale will provide the required match at a level more suited to their size and should increase participation in the on-the-job training program at the local level.
- The waiver will increase the number of employers using on-the-job training as a means to hire and retain skilled workers.

**Individuals Impacted by the Waiver:**

The waiver is expected to benefit both Nevada employers and the large number of unemployed Nevadans. Employers will benefit from the waiver due to the reduced match requirement. This will make on-the-job training a more attractive option for acquiring workers trained to their specifications. The waiver will also have a positive impact on unemployed Nevadans eligible for services under WIA.

**Process Used to Monitor Progress in Implementing the Waiver:**

The Nevada Department of Employment, Training and Rehabilitation, Workforce Investment Support Services unit will monitor the implementation and impact of the waiver through annual on-site reviews.

**Process for Notice to Public and Local Boards and the Opportunity to Comment:**

The waiver was posted to the home page of the Department of Employment, Training and Rehabilitation (DETR) for public comment. Both Local Areas were notified via electronic submittal of this waiver request to afford them the opportunity to comment prior to the formal submission to USDOL-ETA. Endorsement of this waiver request has been received from both Local Areas.

**STATE OF NEVADA  
WIA WAIVER REQUEST**

**WIA Youth ITA For Older and Out-of-School Youth**

---

**Statutory and Regulatory Sections to be Waived:**

The Governor's Workforce Investment Board and the State of Nevada Department of Employment, Training and Rehabilitation (DETR), Nevada's administrative entity for Workforce Investment Act (WIA) Title I-B programs, request a waiver for WIA Section 123 and §664.510, which excludes the use of Individual Training Accounts (ITAs) for older and out-of-school youth. Approval of this waiver would allow youth to select training providers from the eligible training provider (ETP) list.

**Waiver Duration:** Date approved by the Employment and Training Administration through June 30, 2013 and subsequent years or upon re-authorization of the Workforce Investment Act.

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) and WIA Final Rules at 20 CFR Section 661.420(c).

**State or Local Statutory Regulatory Barriers:**

There are no known state or local statutory or regulatory barriers to implementing this waiver. The only known barriers are federal in nature as described above.

**Goals to be Achieved by the Waiver:**

This waiver will expand the service delivery options for older and out-of-school youth. It will allow youth, who are not following an academic track, but are more employment-focused, the same access to ITAs for training services as adults and dislocated workers.

Eliminate the need for co-enrollment in either the adult or dislocated worker program, and streamline the process for youth assessed to be in need of training services.

To increase efficiency and customer choice for the older and out-of-school youth, while reducing some of the administrative costs of procuring training providers for youth.

Charging the ITA cost to the youth program instead of adult or dislocated worker program would reduce the dependence on the limited adult/dislocated worker funds and would increase the funds applied to the 30 percent out-of-school expenditure rate, which is a requirement for youth funds.

**Individuals Impacted by the Waiver:**

- Older and out-of-school youth will benefit because they will be able to select from a list of certified training providers and will receive services more quickly.
- Local Areas will benefit because they will not have to direct their resources to costly and time-consuming, competitive procurements.

- Training providers will benefit because they will not have to follow two separate procedures to provide training for adults and dislocated workers, which require certification, and for older and out-of-school youth, which require competitive bidding.

**Process Used to Monitor Progress in Implementing the Waiver:**

Once the waiver is approved, the WIA State Compliance Policy Section 1.9 – Individual Training Accounts, will be revised to reflect the use of ITAs for both older and out-of-school youth.

The compliance instrument for on-going review of youth records in the Nevada JobConnect Operating System will be changed to include which training provider was selected and to ensure provider is on the current ETP list.

**Process for Notice to the Public and Local Boards and the Opportunity to Comment:**

The waiver was posted to the home page of the Department of Employment, Training and Rehabilitation (DETR) for public comment. The Southern Local Area requested the waiver, and both Local Areas discussed and approved the waiver at the March 10 Workforce Development Coordination Meeting, a meeting between DETR and Local Area's staff.

**STATE OF NEVADA  
WAIVER REQUEST**

**EMPLOYER MATCH FOR CUSTOMIZED TRAINING**

---

The Governor's Workforce Investment Board, and the State of Nevada Department of Employment, Training and Rehabilitation, Nevada's administrative entity for WIA Title I B programs, request a waiver for the required 50 percent employer match for customized training at WIA 101(8) to a match based on a sliding scale, ranging from 10 to 50 percent for the employer match.

Specifically, the Governor shall establish or may authorize the Local Areas to establish the sliding scale, which shall be not less than 10 percent of the costs for employers with 50 or fewer employees; 25 percent of the costs for employers with 51 to 100 employees; and 50 percent of the costs for employers with more than 100 employees.

It is in the best interest of Nevada and its citizens to seek a waiver of the required 50 percent employer match for customized training due to the continued economic downturn in Nevada and reaching the highest unemployment rate since 1983 in the month of December 2010.

**Waiver Duration:** Program Year 2012 and subsequent years.

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) and WIA Final Rules at 20 CFR Section §661.420(c).

**Statutory and Regulatory Sections to be Waived:**

Section 101 (8) (C) of the Workforce Investment Act and §663.715 (c).

**State or Local Statutory Regulatory Barriers:**

There are no known state or local statutory or regulatory barriers to implementing the waiver. The only known barriers are federal in nature as described above.

**Goals and Programmatic Outcomes to be Achieved by the Waiver:**

- By removing the requirement for a 50 percent employer match toward the cost of customized training, Local Areas and their service providers will be able to more effectively market customized training to the private sector and build or expand relationships with employers in demand/high growth industries.
- The proposed sliding scale will provide the Local Areas with greater flexibility for responding to changes in their local labor markets and other demand-driven needs of the business community.
- The sliding scale will allow Local Areas to serve those businesses that demonstrate the greatest need for financial assistance to support economic development.

- The proposed sliding scale will provide the required match at a level more suited to business size and should increase participation in the customized training program at the local level.
- The waiver will increase the number of employers using customized training as a means to train/retrain their workers for higher paid/higher skilled positions.

**Individuals Impacted by the Waiver:**

The waiver is expected to benefit both Nevada employers and the large number of under-employed and lower skilled Nevadans. Employers will benefit from the waiver due to the reduced match requirement. This will make customized training a more attractive option for training workers to their unique specifications.

**Process Used to Monitor Progress in Implementing the Waiver:**

The Nevada Department of Employment, Training and Rehabilitation, Workforce Investment Support Services unit will monitor the implementation and impact of the waiver through annual on-site reviews.

**Process for Notice to Public and Local Boards and the Opportunity to Comment:**

The waiver was posted to the home page of the Department of Employment, Training and Rehabilitation for public comment. Both Local Areas were notified via electronic submittal of this waiver request to afford them the opportunity to comment prior to the formal submission to USDOL-ETA. Endorsement of this waiver request has been received from both Local Areas.

**STATE OF NEVADA  
WAIVER REQUEST**

**SEVENTEEN STATUTORY WIA PERFORMANCE MEASURES**

---

The Governor's Workforce Investment Board, and the State of Nevada Department of Employment, Training and Rehabilitation, Nevada's administrative entity for WIA Title IB programs, requests a waiver of the 17 (15 core and 2 customer satisfaction) performance indicators. This waiver request will enable Nevada's Workforce Investment Act programs to implement the six (three adult and three youth) common performance measures as presented by the U.S. Department of Labor in Training and Employment Guidance Letter 17-05 beginning July 1, 2007.

**Waiver Duration:** July 1, 2013 and subsequent years or upon re-authorization of the Workforce Investment Act, whichever occurs later.

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) and WIA Final Rules at 20 CFR Section 661.420(c).

**Statutory and Regulatory Sections to be Waived:**

Section 136 of the Workforce Investment Act.

Nevada is requesting this waiver to implement common measures in order to simplify and streamline the statewide performance accountability system, which we believe is crucial to the seamless delivery of services.

It is in the best interest of Nevada and its citizens to seek a waiver of the current statutory performance measures for WIA Title 1B programs. This will allow the state to adopt the common measures developed by USDOL, which we believe will ultimately yield improved case management and coordination across multiple programs, as well as resulting in improved performance and enhanced customer service.

**State or Local Statutory Regulatory Barriers:**

There are no known state or local statutory or regulatory barriers to implementing the waiver. The only known barriers are federal in nature as described above.

**Goals and Programmatic Outcomes to be Achieved by the Waiver:**

With the shift to the six standards under common measures, Nevada would achieve the following goals:

- 1) Eliminate duplicative administrative systems, which will reduce paperwork and labor costs associated with redundant data collection. Examples include:
  - Eliminate the tracking and performance for –
    - a. the credential measure for Adults and Dislocated Worker clients
    - b. the skill attainment measure for Younger Youth; and

- c. the current Customer Satisfaction measurement system required by the USDOL;
- 2) Enhance integration of the Nevada JobConnect System by use of a single measurement system to test performance for all employment and training programs within.
- 3) Better implementation the USDOL's Strategic Vision for Services to Youth, with emphasis on out-of-school populations with increased accountability for employment and/or increased secondary and post-secondary education outcomes.
- 4) Cost Savings through streamlining. A simplified and streamlined performance measurement system is more cost effective. With consistent direction, program resources can be directed to a single set of goals, rather than competing goals and costly processes.

USDOL requires states to report on the current 17 measures in addition to the six common measures. By requesting a waiver to remove Nevada from the original measures, the state avoids a duplication of efforts in reporting and is able to apply its diminishing resources where they are most needed.

**Individuals Impacted by the Waiver:**

The waiver is expected to benefit the Local Areas, their service providers and our WIA customers. Customers from any program that become a part of the common measures process will be impacted. However, approval of this waiver will positively impact all customers by providing accountability while improving program management and performance.

**Process Used to Monitor Progress in Implementing the Waiver:**

The Nevada Department of Employment, Training and Rehabilitation, Workforce Investment Support Services unit will monitor the implementation and impact of the waiver through a combination of performance reporting and local level input. Nevada's statewide performance tracking system, Nevada JobConnect Operating System, has the capability to continually assess the performance levels of both Local Areas and the performance results achieved following the adoption of common measures.

Service provider case management staff and others will be looked to for feedback and asked to discuss issues related to the common measures process and to address issues as they arise.

**Process for Notice to Public and Local Boards and the Opportunity to Comment:**

Nevada's two Local Areas were notified via electronic submittal of this waiver request to afford them the opportunity to comment prior to formal submittal to USDOL-ETA. Preliminary endorsement of this waiver request has been received from both Local Areas.

**STATE OF NEVADA  
WAIVER REQUEST**

**Date: December 2, 2011**

**State: Nevada**

**Agency: Department of Employment, Training and Rehabilitation**

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

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 incentive grants to local areas. The state's reduced funds are being used to cover the following required activities:

- operating fiscal and management accountability information systems (WIA Section 134(a)(2)(B)(vi) and 20 C.F.R. 665.200(b)(1)),
- submitting required reports (WIA Section 136(f)),
- disseminating the list of eligible training providers for adults and dislocated workers (WIA Section 134(a)(2)(B)(i) and 20 C.F.R. 665.200 (b)(1)), and youth activities (20 C.F.R. 665.200(b)(4)), and
- Providing technical assistance to poor performing local areas (WIA Section 134(a)(2)(B)(iv) and 20 C.F.R 665.200(f)).
- Conduct evaluations (WIA Section 134(a)(2)(B)(ii) and 20 CFR 665.200(d))
- Disseminate training provider performance and cost information (20 CFR 665.200(b)(3)).
- Required rapid response activities, as described in § 665.310;
- Information identifying eligible providers of on-the-job training (OJT) and customized training;
- Disseminate a list of eligible providers of youth activities as described in WIA section 123;
- Assisting in the establishment and operation of One-Stop delivery systems, in accordance with the strategy described in the State workforce investment plan. (WIA sec. 112(b)(14).)
- Providing additional assistance to local areas that have high concentrations of eligible youth.

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

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

The State of Nevada will follow legislatively required notice policy as well as a direct communication to the local boards of the waiver request.

Public Comment

(Public comment will be included at the end of the comment period and prior to submission.)

**STATE OF NEVADA  
WAIVER REQUEST**

**INCUMBENT WORKER TRAINING AT THE LOCAL AREA LEVEL**

---

The Governor's Workforce Investment Board and the State of Nevada Department of Employment, Training and Rehabilitation, Nevada's administrative entity for WIA Title I B programs, request a waiver allowing a portion, up to twenty percent of WIA Dislocated Worker formula funds and ARRA Dislocated Worker funds to be utilized to operate an incumbent worker training program at the local workforce investment board (LWIB) level.

These funds would be utilized in the same manner as statewide activities funding for incumbent worker programs specifically for layoff aversion at the local level. The State will be required to report performance outcomes for any incumbent worker served under this waiver in the Workforce Investment Act Standardized Record Data (WIASRD) system.

Due to the continued economic downturn in Nevada and having reached the highest unemployment since 1983 in the month of May 2010 at 14.0%, it is in the best interest of Nevada, its employers and residents to seek a waiver allowing LWIBs to operate an incumbent worker program at the local level.

**Waiver Duration:** Program Year 2010 and subsequent years

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) and WIA Final Rules at 20 CFR Section 661.420(c).

**Statutory and Regulatory Sections to be Waived:**

The State of Nevada requests a waiver from the provisions of WIA Section 134 (use of funds for employment and training activities), as well as a waiver from the provisions of WIA 20 CFR §663.145 regarding the use of WIA Title I Adult and Dislocated Worker formula funds to allow local areas to operate an incumbent worker program as described under Section 134(a)(3)(A)(iv)(I) and 20 CFR §665.210 and §665.220.

**State or Local Statutory Regulatory Barriers:**

There are no known state or local statutory or regulatory barriers to implementing the waiver. The only known barriers are federal in nature as described above.

**Goals and Programmatic Outcomes to be Achieved by the Waiver:**

The implementation of the incumbent worker program waiver will enhance overall WIA programs and activities at the local level. Providing additional flexibility for the use of formula and ARRA funds will enable LWIBs to tailor their programs to meet demands of local employers, and the needs of incumbent workers.

The goals of this waiver are:

- Increase employer exposure to and use of the state’s public workforce system.
- Investing public resources to support occupational, technical and/or soft skills training of incumbent workers as a practical layoff aversion strategy.
- Target industries, which offer high skill and high wage jobs, as part of Nevada’s layoff aversion strategy.
- Improve the state’s overall economic and business climate.
- Enhance the LWIBs ability to respond more quickly and efficiently to immediate local needs of employers and workers.
- Maintain and increase the competitiveness of Nevada employers, allowing them to remain in business.
- Increase skills and wages for the incumbent workers.

**How goals relate to Nevada’s Strategic Plan goals:**

The mission of Nevada’s workforce development system is to provide Nevada businesses with access to a qualified workforce, assist residents of Nevada in achieving their career goals, and help strengthen Nevada’s economic health by supporting businesses and their employment needs.

The goals above support Nevada’s strategic plan by:

- Focusing on statewide and regional alignment and leveraging resources;
- Establishing more effective public and private partnerships including economic development; and
- Developing and implementing sector strategies to meet workforce demands of regional and industry sectors.

**Expected Programmatic Outcomes:**

The waiver provides the flexibility for the LWIBs to increase their services and become more responsive and innovative in meeting the needs of employers in the local area.

It is anticipated that the waiver will enhance the ability of LWIBs to improve job retention, avoid layoffs, and increase the competitiveness of the employers in the local area.

**Nevada’s Overall Layoff Aversion Approach and How Incumbent Worker Training Fits Into that Strategy:**

Unemployed workers are not the only Nevadans who need to increase their skills to gain and retain employment. Incumbent workers must also increase their skills for their employers to remain competitive in the global economy.

Investing public resources to support occupational, technical and/or soft skills training of incumbent workers is a practical layoff aversion strategy for the state and local areas. It is critical that funds used for incumbent worker training benefit the employer and employee, as well as improve the local area’s economic outlook. The plan for incumbent worker training, as part of Nevada’s layoff aversion strategy, will target industries and economic sectors, which offer high skill and high wage jobs.

If approved, this waiver will allow LWIBs the opportunity to provide incumbent worker training as part of an overall layoff aversion strategy and their overall service delivery to incumbent workers. In May 2010, Nevada's unemployment rate climbed to 14.0%, the highest in history and the use of labor market data alone cannot accurately predict where the demand for layoff aversions may be needed. Just identifying target industries and sectors alone is not a viable option. Rather than attempting to predict where incumbent worker strategies may be needed, Nevada will establish a two-tiered process for local areas who wish to establish incumbent worker training efforts:

3. A layoff aversion plan must be submitted by the local board and approved by the Department of Employment, Training and Rehabilitation (DETR). The plan will be considered an amendment to the local area's local plan and must address the following:
  - The local area's overall layoff aversion strategies including establishing linkages with the economic development and employer communities;
  - The exact percentage of funds to be set aside;
  - A description of the various services and activities to be funded;
  - A target number of employers and/or employees that will benefit from the funds, and how these were identified;
  - Assurance that the training is for high demand or high growth industries; and
  - Description of the eligibility criteria to be used to select employers and incumbent workers.
  
4. Once the layoff aversion plan is approved by DETR, LWIBs will be able to accept applications from employers. The application specific to the project must be provided to DETR for approval and include the following:
  - The type of training to be delivered and the skills acquired as a result;
  - Number of employees to be trained, names, job titles and current salary/wage;
  - Amount of funding requested;
  - How employers were selected (announced layoffs through a WARN, other public notice, reduced employee hours or another indicator of economic difficulty, e.g., mid-range or lower Dun and Bradstreet scores);
  - A determination that incumbent worker training is the appropriate solution for the employer and that the training will provide the employer with the skills it needs to maintain operations and avoid closure or lay-offs;
  - Evidence of employer commitment, either to retain the employee or to pay the employee a higher wage.

If the waiver is approved DETR will develop a WIA State Compliance Policy to provide guidance to the LWIBs on implementing incumbent worker training at the local level.

**Plan for How the Incumbent Worker Training Will Be Delivered:**

Occupational skills training will be designed to meet the special requirements of the employer, which has demonstrated a commitment to continue to retain all trained workers upon successful completion of the training. Training is also expected to provide skills for employees, which will permit advancement to higher skilled, higher paying jobs and job retention.

To avert layoffs, training will provide the skills that result in the employer being able to adjust to a changing economic climate by providing the jobs necessary to do so.

**The Criteria Nevada Will Consider In Identifying Appropriate Uses of Incumbent Worker Training:**

It will be the responsibility of the LWIBs to set priorities for the use of incumbent worker training as part of a layoff strategy. By the time the State receives a WARN notice, it is often too late for incumbent worker training to avert the layoff. Early warning of layoffs will usually occur at the local level through established partner networks or because of longstanding relationships with individual employers.

Criteria will be collaboratively developed by the LWIBs in collaboration with state agencies, service providers, organized labor and economic development agencies, etc. Employers will be selected where economic indicators demonstrate a need for incumbent worker training as part of a layoff aversion strategy.

**Individuals Impacted by the Waiver:**

This waiver will benefit:

- The participating employers and incumbent workers.
- The employees, employers, the state and local areas will be better served if the employee can be assisted while employed rather than them becoming unemployed.
- Entire communities within the state by allowing local areas to quickly adapt to economic conditions.
- Businesses so they can remain open and competitive and keep their workers employed.

This front end assistance will be less costly over time than the impacts of a business shutting down and laying off employees. The flexibility of this waiver will encourage LWIBs to increase their services and become more responsive and innovative to meeting existing and new customers' needs.

For the purposes of this program, an incumbent worker is defined as "an individual currently employed in an existing non-public business in Nevada." Training will be provided to affected incumbent workers at risk of layoff due to the skill requirements they need in order for the employer to remain competitive or increase competitiveness.

**Process Used to Monitor Progress in Implementing the Waiver:**

The Nevada Department of Employment, Training and Rehabilitation, Workforce Investment Support Services unit will monitor the implementation and impact of the waiver through quarterly and fiscal reviews and reports. The LWIBs will be required to report on the following participant data:

- Name of participants and SSN
- Names of participants who complete training
- Type of training provided
- Length of training provided
- Name of program participants who received a credential or certificate
- Program participant's wage at completion of training and six months after completion
- Names of participants whose job classification changed or skills were upgraded.

**Process for Notice to Public and Local Boards and the Opportunity to Comment:**

The waiver was posted to the home page of the Department of Employment, Training and Rehabilitation (DETR) for public comment. No comments were received. Both LWIBs were notified via electronic submittal of this waiver request to afford them the opportunity to comment prior to the formal submission to USDOL-ETA. Endorsement of this waiver request has been received from both LWIBs.