



JUN 4 - 2012

The Honorable Vincent Gray
Mayor of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 316
Washington, DC 20004

Dear Mayor Gray:

This letter provides approval of an extension of the District of Columbia's current Workforce Investment Act (WIA) and Wagner-Peyser Act (W-P) Plan for a portion of Program Year (PY) 2012. This letter also provides approval of extensions for the District's waivers. Training and Employment Guidance Letter (TEGL) No. 21-11, issued on March 27, 2012, provides guidance for states to secure approval of their WIA/W-P State Plans and waivers for PY 2012. In accordance with TEGL No. 21-11 and your extension request, the District must submit a full five-year WIA/W-P State Plan and annual W-P Agricultural Outreach Plan by September 15, 2012.

Extension of State Plan

The District of Columbia's existing State Plan will expire on June 30, 2012. This letter constitutes a written determination under WIA Section 112 (29 USC 2822) that the Employment and Training Administration (ETA) is temporarily extending the approval of the District of Columbia's State Plan for WIA Title I and the Wagner-Peyser Act into PY 2012, July 1, 2012 through December 31, 2012. The District has already received its formula allotment for the WIA Youth program for PY 2012. The District is eligible to receive WIA formula allotments for Adult and Dislocated Worker programs and W-P initial base program allotments under the PY 2012 annual funding agreement for WIA and the PY 2012/Fiscal Year 2013 annual funding agreement for W-P.

Performance Levels

The District of Columbia requested to temporarily extend its existing PY 2011 WIA and W-P performance goals for a portion of PY 2012. ETA has incorporated these performance goals, identified as PY 2012 performance goals, into the Regional and National Office copies of the State Plan. Please include these PY

2012 goals in the State's official copy of the State Plan. As required by TEGL 21-11, the State must renegotiate its new PY 2012 goals upon submission of its full State Plan.

Waivers

As part of the District's extension of the WIA/W-P State Plan, and as described in TEGL No. 21-11, the District requested temporary extensions of the District of Columbia's PY 2011 waivers of statutory and regulatory requirements under WIA for PY 2012. The disposition of the District's waiver extensions 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 District was previously granted a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The District is granted an extension of this waiver through December 31, 2012. 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 District was previously granted a waiver that allows the District to replace the 17 performance measures under WIA Section 136(b) with the common measures. The District is granted an extension of this waiver through December 31, 2012.

This waiver permits the District to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The District 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 District will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Adult and WIA Dislocated Worker programs. The District 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 provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers.

The District was previously granted a waiver of the time limit on the period of initial eligibility of training providers provided at 20 CFR 663.530. The District is granted an extension of this waiver through December 31, 2012. Under the waiver, the District is allowed to postpone the determination of subsequent eligibility of training providers. The waiver also allows the District to provide an opportunity for training providers to re-enroll and be considered enrolled as initially eligible providers.

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

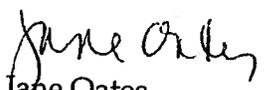
The District was previously granted a waiver to permit local areas to conduct allowable statewide activities as defined under WIA Section 134(a)(3) with local WIA formula funding, specifically incumbent worker training. The District is granted an extension of this waiver through December 31, 2012. Under this waiver, the District 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 District 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.

The approved waivers are incorporated by reference into the District'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 District's WIA Grant Agreement and the approved State Plan. In addition, as described in TEGL No. 29-11, the District should address the impact these waivers have had on the District's performance in the WIA annual performance report, due on October 1 of each year.

We look forward to receiving your full State Plan for PY 2012 and working together as you implement it. If you have any questions related to the issues discussed above, please contact Dennis Dougherty, the Federal Project Officer for the District of Columbia, at 215-861-4838 or by Dougherty.Dennis@dol.gov.

Sincerely,


Jane Oates
Assistant Secretary

Enclosure

cc: Lenita Jacobs-Simmons Regional Administrator, ETA Philadelphia
Regional Office
Dennis Dougherty, Federal Project Officer for the District of Columbia



VINCENT C. GRAY
MAYOR

Heather Fleck
Division of WIA Adult Services and Workforce System
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave., NW, Room S-4209
Washington, DC 20210

Dear Ms. Fleck:

This letter is to request a temporary extension of the currently approved State Plan for Title I of the Workforce Investment Act / Wagner-Peyser Act for Program Year 2011 and the current negotiated performance targets into PY 2012, as well as an extension of the currently approved waivers on behalf of the District of Columbia.

With regard to the waiver requests, the District of Columbia would like to extend the following waivers:

- Waiver of **WIA Section 133(b)(4)** to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to local areas.
- Waiver of **WIA Section 134 (a)** to permit local areas to use a portion of local funds for incumbent worker training.
- Waiver to permit the District to replace the performance measures at **WIA section 136(b)** with the common measures.
- Waiver of the provision at **20 CFR 665.330** that prescribes a time limit on the period of initial eligibility.

When I assumed office I reconstituted the Workforce Investment Council (WIC) and placed it under the administrative oversight of the Deputy Mayor for Planning and Economic Development (DMPED) in order to promote the further development of the city's workforce system. The WIC is now business led and is made up of a strong group of top-level representatives from the private sector, organized labor, government, education, and community-based organizations charged with providing robust and stringent oversight of training providers and workforce development programming.

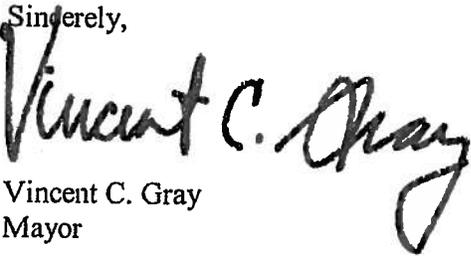
As a newly reconstituted board, Workforce Investment Council (WIC) will undertake and coordinate the process for developing the District's five-year state plan. The plan will be developed in accordance with the instructions issued by the Employment and Training Administration in Training and Employment Guidance Letter No. 21-11. Through a series of

public and private meetings, the WIC will engage board members, government agencies, employers, and other relevant partners to collaboratively create and establish the high-level vision, goals, and other elements required under the State Workforce Strategic Plan. The WIC will also work closely with the District's Department of Employment Services, which serves as both the state labor agency and the one-stop operator, to develop a State Operational Plan and provide the required Assurances that correspond to the Strategic Plan. This Operational Plan will serve as both the state and local plan under the Workforce Investment Act and, as such, will be posted for the required 30-day public comment period prior to submission.

Given that both the WIC staff and board are relatively new and that District's five-year plan will serve as both the state and local WIA plan, the District would like to allow itself as much time as possible to thoroughly complete the necessary strategic planning and state plan development processes. **Thus, the date that the District of Columbia plans to submit the State Plan is September 15, 2012.**

If you have any questions or require further information, please contact Allison Gerber, Executive Director of the District's Workforce Investment Council, via email at allison.gerber@dc.gov or by phone at (202) 724-5133.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray". The signature is written in a cursive style with a large, looped "V" and a long, sweeping "y".

Vincent C. Gray
Mayor

cc: Lenita-Jacobs-Simmons, Regional Administrator, Employment and Training Administration,
U.S. Department of Labor