



JUN 23 2011

The Honorable David Heineman
Governor of Nebraska
State Capitol
P.O. Box 94848
Lincoln, Nebraska 68509-4848

Dear Governor Heineman:

This letter provides approval of the modification to Nebraska's State Plan for Title I of the Workforce Investment Act (WIA) and the Wagner-Peyser Act (W-P) for the period July 1, 2011 through June 30, 2012, Program Year (PY) 2011. The Employment and Training Administration (ETA) received the State's proposed modification on April 15, 2011. This letter also provides approval of extensions for Nebraska's waivers.

Training and Employment Guidance Letter (TEGL) No. 17-10, issued on December 30, 2010, provides guidance for states that choose to submit a modification of the existing State Plan or submit requests for new waivers. We appreciate the State's responsiveness to this guidance.

Plan Review and Approval

ETA has reviewed the Nebraska State Plan modification in accordance with Title I of WIA, the Wagner-Peyser Act, the corresponding regulations, the WIA/W-P Planning Guidance (73 Fed. Reg. 72853, December 1, 2008), and as appropriate TEGL No. 17-10. 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 modification to Nebraska's State Plan for the period July 1, 2011 through June 30, 2012. The State has already received its formula allotment for the WIA Youth program for PY 2011. The State is eligible to receive WIA formula allotments for Adult and Dislocated Worker programs and W-P initial base program allotments, effective July 1, 2011, under the PY 2011 annual funding agreement for WIA and the PY 2011/Fiscal Year 2012 annual funding agreement for W-P.

Performance Levels

Nebraska requested to extend its existing PY 2010 WIA and W-P performance goals for PY 2011. ETA has incorporated these performance goals, identified as PY 2011 performance goals, into the Regional and National Office copies of the

State Plan. Please include these PY 2011 goals in the State's official copy of the State Plan. For your convenience a copy of the PY 2011 performance goals is enclosed with this letter.

Waivers

As part of Nebraska's modification of the WIA/W-P State Plan, and as described in TEGE No. 17-10, the State requested extensions of Nebraska's PY 2010 waivers of statutory and regulatory requirements under WIA for PY 2011. The disposition of the State'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.

Extension of Waivers

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 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 State is granted an extension of this waiver through June 30, 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 State was previously granted 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 an extension of this waiver through June 30, 2012.

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 provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers.

The State 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 State is granted an extension of this waiver through June 30, 2012. Under the waiver, the State is allowed to postpone the determination of subsequent eligibility of training providers. The waiver also allows the State to provide an opportunity for training providers to re-enroll and be considered enrolled as initially eligible providers.

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 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 described in TEGL No. 09-10, page 3, 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 WIA/W-P State Plan for PY 2011. If you have any questions related to the issues discussed above, please contact Rochelle Bradley, the Federal Project Officer for Nebraska, at 312-596-5530 and Bradley.Rochelle@dol.gov.

Sincerely,



Jane Oates
Assistant Secretary

Enclosures

cc: Byron Zuidema, Regional Administrator, ETA Chicago Regional Office
Rochelle Bradley, Federal Project Officer for Nebraska

Workforce Investment Act and Wagner-Peyser Act Performance Goals for PY 2011

Nebraska

Workforce Investment Act Performance Goals

<u>Adult Measures</u>	<u>PY 2011</u>
Adult Entered Employment Rate	78.8%
Adult Employment Retention Rate	83.1%
Adult Six-months Average Earnings	\$10,000

<u>Dislocated Worker Measures</u>	<u>PY 2011</u>
Dislocated Worker Entered Employment Rate	89.0%
Dislocated Worker Employment Retention Rate	90.0%
Dislocated Worker Six-months Average Earnings	\$13,000

<u>Youth Measures</u>	<u>PY 2011</u>
Youth Placement in employment or education	76.0%
Youth Attainment of degree or certificate	73.0%
Youth Literacy and numeracy gains	38.0%

Wagner-Peyser Act Performance Goals

<u>Measures</u>	<u>PY 2011</u>
Entered Employment Rate	69.0%
Employment Retention Rate	84.0%
Six-months Average Earnings	\$10,700



Dave Heineman
Governor

STATE OF NEBRASKA

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April 12, 2011

Mr. Byron Zuidema, Regional Administrator
United States Department of Labor – ETA, Region V
230 South Dearborn Street, Sixth Floor
Chicago, Illinois 60604

Dear Mr. Zuidema:

Following recommendation by the Nebraska Workforce Investment Board on April 8, 2011, I approve and request your authorization to modify Nebraska's Strategic State Plan for Title I of the Workforce Investment Act (WIA) of 1998, and the Wagner-Peyser Act for the period of July 1, 2010, through June 30, 2012.

As instructed in Training and Employment Guidance Letter 17-10, enclosed is a list reflecting our request for the extension of currently approved waivers. In addition, a list identifying significant modifications to the State Plan for Program Year 2011 has been provided. The complete plan with modifications highlighted is posted on the Nebraska Department of Labor website at www.dol.nebraska.gov, go to "get Answers" – Workforce Investment Act – State Plans.

If you have any questions, please contact Ms. Catherine Lang, Commissioner of Labor, at (402) 471-5919.

Sincerely,

A handwritten signature in black ink that reads "Dave Heineman".

Dave Heineman
Governor

Request for Extension of Currently Approved Waivers in Nebraska for PY 2011

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.

Nebraska previously received approval for a waiver allowing transfer of funds up to 50 percent between the Adult and Dislocated Worker funding streams. The Governor is requesting an extension of this transfer of funds waiver through June 30, 2012.

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

Nebraska was previously granted a waiver that allows the State to replace the 17 performance measures under WIA Section 136(b) with the common measures. This waiver permits Nebraska to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The Governor requests this waiver be extended through June 30, 2012.

Waiver of the provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers.

Nebraska previously received a waiver of the time limit on the period of initial eligibility of training providers provided at 20 CFR 663.530. Under this waiver, Nebraska is allowed to postpone the determination of subsequent eligibility of training providers. The Governor requests an extension of this waiver through June 30, 2012.

SIGNIFICANT MODIFICATIONS TO NEBRASKA'S STRATEGIC STATE PLAN FOR PY 2011

Cover

Dates revised to show new planning cycle.

Waivers

Nebraska is requesting an extension of all currently approved waivers. This is discussed on Pages 50, 51, 65, 79, 127, and 128.

Management Information System Name Change

The new management information system is named NEworks. Narrative was revised to reflect this on several pages of the plan including: P. 52, 80, 85, 93a, 102, 109, 111, 112, 116, 126, 129, and 130.

Incentive Policy and Definition of Failure

The definition of failure and the State Incentive Policy on Pages 132 – 135 applies when evaluating both the PY10 and the PY11 local performance.

Goals

Minor wording clarifications were made to one of the Governor's goals on P. 5, 6, 87, and 88.

NWIB

The Nebraska Workforce Investment Board has experienced changes in membership as noted on P. 11.

Allocations

The data sources for allocating dislocated worker funds were updated on P. 62.

Migrant and Seasonal Farm Workers

Nebraska's strategies to enhance and integrate service delivery through the One-Stop delivery system for migrant and seasonal farm workers and agricultural employers were updated on Pages 107 – 111.

Subsequent Designation

The status of the subsequent designations of the local areas is discussed on Pages 57 – 58.

Veterans

NEworks implementation has impacted the Veterans notification and information processes as reflected in the revised wording on P. 111 and P. 112. A statement emphasizing priority of service to veterans and their eligible spouses from TEN 15-10 has been included in the PY 11 Local Plan Instructions as noted on P. 112. In addition, PY 2011 was referenced on P. 105.

Performance Measures

The latest information regarding performance is discussed on P. 128, 129, and 153.

Wagner-Peyser Funded Program

Clarified how NEworks shall impact reemployment services provided to unemployment insurance claimants on P. 102.

Planning Processes

Information was added to P. 3 updating the State Plan Development Process. The local planning process narrative for PY 11 is discussed on P. 53, 54, 60, and 116.

Labor Market Information

Information on the Governor's P-16 initiatives and NEworks Labor Market Information website are discussed on P. 90. Outdated information on P. 91 was replaced with new information on more recent surveys.

Nebraska's One-Stop Delivery System Policy

The policy on Nebraska's One-Stop Delivery System has been revised and the pages referenced on P. 92 corrected.

Worker Training Program

Worker Training Program grants awarded in PY09 are discussed on P. 96.

Faith-based and Neighborhood Partnerships

Information on the Center for Faith-based and Neighborhood Partnerships has been updated on P. 125.