



JUN 14 2012

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 an extension of Nebraska's current Workforce Investment Act (WIA) and Wagner-Peyser Act (W-P) State Plan for a portion of Program Year (PY) 2012. This letter also provides approval of extensions for Nebraska's current 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 State 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

Nebraska'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 Nebraska's State Plan for WIA Title I and the Wagner-Peyser Act into PY 2012, for the period July 1, 2012 through December 31, 2012. The State already received its formula allotment for the WIA Youth program for PY 2012. The State is eligible to receive WIA formula allotments for the Adult and Dislocated Worker programs under the PY 2012 Annual Funding Agreement. The W-P Annual Funding Agreement for on PY 2012/Fiscal Year 2013 will provide the W-P Act initial base allocation of PY 2012 funds.

Performance Levels

Nebraska 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 State's extension of the WIA/W-P Act State Plan, and as described in TEGL No. 21-11, the State requested temporary extensions of Nebraska's PY 2011 waivers of statutory and regulatory requirements under WIA for PY 2012. 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 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 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 December 31, 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.

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 December 31, 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 WIA Section 134(a)(2)(B)(ii) and 20 CFR 665.200(d) to exempt the state from the requirement to conduct evaluations.

The State was previously granted a waiver of the requirement to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth in order to establish and promote continuous improvement of the statewide workforce investment system. The State is granted an extension of this waiver through December 31, 2012.

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 was previously granted a waiver of the requirement to provide local workforce investment areas incentive grants to reward regional cooperation, local coordination of activities, and exemplary performance. The State is granted an extension of this waiver through December 31, 2012.

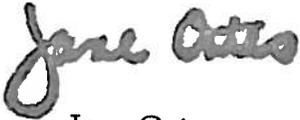
Waiver of 20 CFR 665.200(b)(3) to exempt the state from the requirement to disseminate training provider performance and cost information.

The State was previously granted a waiver of the requirement to disseminate training provider performance and cost information. The State is granted an extension of this waiver through December 31, 2012.

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 TEGE No. 29-11, the State should address the impact that 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 receiving your full State Plan for PY 2012 and working together as you implement your State workforce strategies. If you have any questions related to the issues discussed above, please contact Danielle Waddell, the Federal Project Officer for Nebraska, at 312-596-5539 or Waddell.Danielle@dol.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jane Oates".

Jane Oates
Assistant Secretary

Enclosure

cc: Byron Zuidema, Regional Administrator, ETA Chicago Regional Office
Danielle Waddell, Federal Project Officer for Nebraska



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF LABOR Catherine

D. Lang, Commissioner

P.O. Box 94600 • Lincoln, NE 68509-4600

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April 13, 2012

Ms. Heather Fleck
Employment and Training Administration
U.S. Department of Labor
200 Constitution Avenue, NW, Room S-4209
Washington, D.C. 20210

Dear Ms. Fleck:

The State of Nebraska is requesting a temporary extension of its currently approved Workforce Investment Act/Wagner-Peyser (WIA/W-P) State Plan and Waivers through September 14, 2012. Per Training and Employment Guidance Letter No. 21-11, the following information is provided to support this request

- 1) Nebraska needs a temporary extension of its currently approved WIA/W-P State Plan and current negotiated performance targets into Program Year (PY) 2012 to provide the opportunity to involve multiple partners in the Strategic Planning Process.
- 2) This extension request includes extending the following currently approved waivers:
 - Transfer of funds up to 50 percent between Adult and Dislocated Workers [SEC.133(b)(4); 20 CFR 667.140]
 - Extend the period of "Initial Eligibility of Training Providers." [20 CFR 663.530]
 - Replace the WIA 17 Performance Measures with the nine Common Measures [WIA SEC.136(b)(2) and (c) (1); 20 CFR 666.100 and 666.300]
 - Waive the requirement of conducting evaluations under Statewide Activities [WIA SEC.134(a)(2)(B) (ii) and 20 CFR 665.200(d)]
 - Waive the requirement to provide incentive grants to local areas [WIA SEC.134(a) (2)(B)(iii) and 20 CFR 665.200(e)]
 - Waive disseminating Training Provider Performance and cost information (20 CFR 665.200(b)(3))

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- 3) Nebraska intends to submit its five year plan on or before Friday, September 14,2012.
- 4) This extension will allow the Nebraska Department of Labor to conduct a comprehensive planning process to include the Senior Community Service Employment Program (SCSEP) in Nebraska's integrated plan as well as exploring the potential of submitting a "unified" plan. Additional time will provide for increased joint planning across programs including; Department of Education (Carl Perkins Career Technical Education, Adult Basic Education and Vocational Education), Housing Urban Development, (CDBG and public housing), Health and Human Services (SNAP and TANF, Community Services Block Grant). Nebraska is committed to identifying and implementing ways to provide more effective and efficient services to our jobseekers and business community. This extended period of time will help ensure the alignment of resources and increased coordination.

Thank you in advance for your favorable consideration of this request.

Sincerely

c / J

Commissioner of Labor

CDL:nl

cc: Byron Zuidema, E&T Regional Administrator
Joan Modrell, Director, Office of Employment and Training
John Albin, Legal Counsel
Debbie Kay Ward, Controller
Corey Bullock, Employment and Training Administration
Malcom Jackson, Employment and Training Administration