



JAN 18 2012

The Honorable John R. Kasich
Governor of Ohio
Riffe Center, 30th Floor
77 South High Street
Columbus, Ohio 43215-6117

Dear Governor Kasich:

We are pleased to respond to your request for waivers of statutory and regulatory requirements under the Workforce Investment Act (WIA) submitted on November 30, 2011. These requests are written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c), and meet the standard for approval at 20 CFR 661.420(e). The following is the disposition of the State's submission (copy enclosed). This action is taken under the Secretary's authority to waive certain requirements of WIA Title I, Subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act.

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 is requesting 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 this waiver effective July 1, 2011 through June 30, 2012. This waiver only applies to Program Year 2011 WIA funds.

Waiver of WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) to exempt the 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. The State is granted this waiver effective July 1, 2011 through June 30, 2012. This waiver only applies to Program Year 2011 WIA funds.

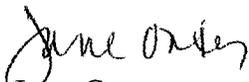
Waiver of 20 CFR 665.200(b)(3) to exempt the state from the requirement to disseminate training provider performance and cost information.

The State is requesting a waiver of the requirement to disseminate training provider performance and cost information. The State is granted this waiver effective July 1, 2011 through June 30, 2012. This waiver only applies to Program Year 2011 WIA funds.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and constitute a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, as described by TEGL No. 09-10, the State should address the impact its waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

We look forward to continuing our partnership with you and achieving better workforce outcomes. If you have any questions related to the issues discussed above, please contact Corey Bulluck, the Federal Project Officer for Ohio, at (312) 596-5532 or Bulluck.Corey@dol.gov.

Sincerely,


Jane Oates
Assistant Secretary

Enclosure

cc: Byron Zuidema, Regional Administrator, ETA Chicago Regional Office
Corey Bulluck, Federal Project Officer for Ohio



Department of
Job and Family Services

John R. Kasich, Governor
Michael B. Colbert, Director

Date: November 17, 2011

Federal Coordinator
Division of Workforce System Support
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave., NW, Room S-4231
Washington, DC 20210

Byron Zuidema
Regional Administrator
U.S. Department of Labor/ETA
230 South Dearborn Street, 6th floor
Chicago, IL. 60604

ATTN: Federal Coordinator for Plan Review and Approval

State: **Ohio**

Agency: The Ohio Department of Job and Family Services
30 E. Broad Street, 32nd Floor
Columbus, Ohio 43215

RE: Waiver Request Submission

Dear Federal Coordinator,

On behalf of the Ohio Department of Job and Family Services, please accept this correspondence as a formal request for the approval of the following waiver request. The proposed waiver request was developed in accordance with the Training and Employment Guidance Letter (TEGL) No. 9-11 published October 26, 2011.

Statutory and/or Regulatory Requirements to be Waived

1. Waiver of WIA Section 134(a)(2)(B)(ii) and 20 CFR 665.200(d) requiring the conduct of evaluations of workforce investment activities for adults, dislocated workers, and youth;
2. Waiver of WIA Section 134(a)(2)(B)(iii) and 20 CFR 665.200(e) requiring provision of incentive grants to local areas;
3. Waiver of 20 CFR 665.200(b)(3) requiring dissemination of training provider performance and cost information.

Actions Undertaken to Remove State or Local Barriers

There is no state or local barriers.

30 East Broad Street
Columbus, Ohio 43215
jfs.ohio.gov

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Goals and Expected Programmatic Outcomes of the Waiver

The reduction to five percent in the WIA allotment for Program Year 2011 Governor's Reserve funds, restricts the state's ability to effectively fund and carry out all of the required statewide workforce investment activities. The current funding level in the Governor's Reserve is insufficient to cover the cost of evaluations, incentive grants to local areas, dissemination of training provider performance and cost information.

The state's reduced funds are being used to cover the following required activities:

- (a) Operating a fiscal and management accountability information system, based on guidelines established by the Secretary after consultation with the Governor, chief elected officials, and One-Stop partners, as required by WIA section 136(f). [WIA Sections 129(b)(2), 134(a)(2), and 136(e)(2)]
- (b) Submitting required reports (WIA Section 136(f));
- (c) Disseminating the list of eligible providers of training services (including those providing non-traditional training services), for adults and dislocated workers;
- (d) Providing technical assistance to local areas that fail to meet local performance measures;
- (e) Conducting required rapid response activities, as described in Section 665.310;
- (f) Information identifying eligible providers of On-The-Job training (OJT) and customized training;
- (g) A list of eligible providers of youth activities as described in WIA Section 123;
- (h) Assisting in the establishment and operation of One-Stop delivery systems, in accordance with the strategy described in the State workforce investment plan. [WIA Section 112(b)(140)]; and
- (i) Providing additional assistance to local areas that have high concentrations of eligible youth.

(Note: USDOL has previously approved the waiver of 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers).

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 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

This waiver request will be distributed by email to the WIA Area Directors, WIB Chairs, and the WIA Executive Directors (if applicable). Additionally, this waiver request will be posted on the ODJFS Office of Workforce Development website at <http://jfs.ohio.gov/owd/WorkforceProf/waivers.stm>.

Public Comment

Once this document is sent via email and posted on the website for two (2) weeks, the state will proactively solicit comments to a central email account at WIAQNA@jfs.ohio.gov. Comments received will be carefully considered.

We appreciate the opportunity to submit this waiver request and look forward to the Secretary's approval. We believe there is an urgent need for this waiver, and that it is essential in our efforts to administer the WIA programs in Ohio. If you have any questions or require additional information, please call me at (614) 466-9494 or by email at John.Weber@jfs.ohio.gov.

Thank You,



John B. Weber, Deputy Director
Office of Workforce Development
Ohio Department of Job and Family Services

Cc: Michelle Horn, JFS, OWD Asst. Dep. Director
Kathy Maybriar, JFS, OWD Bureau Chief