



JUN 15 2012

The Honorable Eddie Calvo
Governor of Guam
Executive Chamber
P.O. Box 2950
Agana, Guam 96932

Dear Governor Calvo:

This letter provides approval of an extension of Guam'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 Guam's current waivers. Training and Employment Guidance Letter (TEGL) No. 21-11, issued on March 27, 2012, provides guidance for states and territories 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, Guam 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

Guam'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 Guam'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. Guam already received its formula allotment for the WIA Youth program for PY 2012. Guam 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 on PY 2012/Fiscal Year 2013 will provide the W-P Act initial base allocation of PY 2012 funds.

Performance Levels

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

Waivers

As part of the Guam's extension of the WIA/W-P Act State Plan, and as described in TEGL No. 21-11, the Territory requested temporary extensions of PY 2011 waivers of statutory and regulatory requirements under WIA for PY 2012. The disposition of Guam'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.

Guam 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 Territory 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 WIA Section 123 that requires that providers of Youth program elements be selected on a competitive basis.

The Territory was previously granted a waiver of the requirement for competitive procurement of service providers for all ten youth program elements. Guam is granted an extension of this waiver through December 31, 2012. Under this waiver, the Territory is permitted to allow its One-Stop Career Centers or partner agencies to directly provide all ten youth program elements. In utilizing this waiver for these elements, Guam and its local areas must still meet Office of Management and Budget requirements (codified in 29 CFR 95.40-95.48 and 97.36) and all state and local procurement laws and policies.

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

Guam was previously granted 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. Guam is granted an extension of this waiver through December 31, 2012. 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, Guam must use the appropriate program funds for the appropriate WIA-eligible population. Guam 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; Guam may provide customized training to dislocated workers with WIA Dislocated Worker funds. Customized training provided with these funds must serve WIA eligible individuals.

The approved waivers are incorporated by reference into the Guam'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 Guam's WIA Grant Agreement and the approved State Plan. In addition, as described in TEGP No. 29-11, Guam should address the impact that these waivers have had on the 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 workforce strategies. If you have any questions related to the issues discussed above, please contact John Jacobs, the Federal Project Officer for Guam, at 415-625-7940 or Jacobs.John@dol.gov.

Sincerely,



Jane Oates
Assistant Secretary

Enclosure

cc: Todd Yamamoto, Acting Regional Administrator, ETA San Francisco Regional Office
John Jacobs, Federal Project Officer for Guam



Agency for Human Resources Development

Ahensian Inadilanto Yan Guinaha Para Taotao

Eddie Baza Calvo, Governor of Guam • Ray Tenorio, Lieutenant Governor of Guam
Alfredo O. Antolin, Jr., Director

**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, D.C. 20210**

Attention: MS. HEATHER FLECK

Dear Ms. Fleck,

Buenas yan Hafa Adai!

This letter is written as an addendum to request for a **TEMPORARY EXTENSION** of Guam's current Workforce Investment Act (WIA) and the Wagner-Peyser Strategic Plan for PY2012.

We intend to submit our State Plan on the specific date of September 15, 2012.

We are also writing to request for support of Guam's current approved existing waivers without revisions as follows:

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

This waiver will allow Guam to provide customized training to low-income adults with WIA Adult funds, and may provide customized training to dislocated workers with WIA funds. Guam will provide WIA funded customized training and serve those who are eligible participants.

2. Waiver of Section 123 that requires that providers of Youth program elements be selected on a competitive basis.

Under this waiver, Guam is permitted to address barriers to allow its One Stop Career Center (OSCC) partners to directly provide all ten (10) Youth elements. It will allow Guam service providers for youth programs to compete given the current high cost of administrative services.



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

This waiver will allow Guam the flexibility to serve Adult and Dislocated Worker targeted populations with WIA funds.

Justification is provided to explain the need for additional time. We are working closely with the Guam Workforce Investment Board (GWIB) and a State Plan Action Team that has been formed to commence work on the PY2012 State Plan. The Government of Guam is also going through a re-organization phase. The Guam Department of Education (DOE) recently selected a new Superintendent of Education and the search is on for a new Guam Housing and Urban Renewal Authority (GHURA) Director. Both have representation on the GWIB.

Responsibilities related to updating the current State Plan include collaboration with all workforce partners, for a desired set of new approaches to performance measures and outcome goals.

The State Plan Action Team Workgroup, comprise of GWIB members and AHRD and GDOL staff.

The requirements from those involved with the State Plan include:

- agency activities
- input and adoption of recommendations
- discussing succession planning issues
- recommendation on how to approach the write-up of the State Plan
- re-visit public comments

Events and activities to include conference proceedings are to be included in the State Plan write-up.

All necessary materials related to the write-up of the PY2012 State Plan include the following:

- Current WIA State Plan and Plans of Work (POWs)
- Governor's Blueprint for 2020
- Bureau of Labor Statistics Report
- Workforce Partner Strategic Plans (DPHSS, GHURA, DISID, GCC, DOE)

Other recommendations include the collaboration with the Regional Workforce Development Council/Pacific Workforce Investment Workgroup (RWDC/PWIW) which has standing with the State Plan.

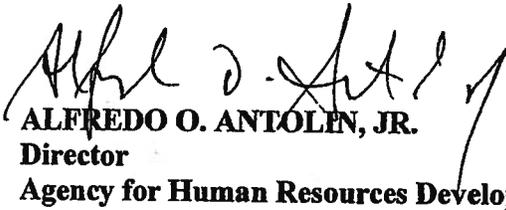


We are utilizing the TEG21-11 guidance and requirements for submittal of the Integrated Workforce Plan for Guam's PY2012 State Plan. We are also planning to include a Senior Community Employment Service Program (SCSEP) Plan with the WIA/Wagner-Peyser State Plan.

We look forward to your favorable response to this temporary extension request. Please email or contact our office should you have additional concerns. You may reach me at alfredo.antolin@dol.guam.gov or call (671) 475-7044.

Si Yu'os Ma'ase!

Sincerely,


ALFREDO O. ANTOLIN, JR.
Director
Agency for Human Resources Development

cc: The Honorable Eddie Baza Calvo, Governor of Guam
Ms. George A. Santos, Director, Guam Department of Labor
Mr. James Martinez, Chairman, Guam Workforce Investment Board
Ms. Rosemary Cowan, Chief, Division of Workforce Investment
Mr. John Jacobs, Federal Project Officer, U.S. Department of Labor

