

WIA Waiver Request

Statutory/Regulatory Provision:		Transfer Up to 50 Per cent of Title I Adult and Dislocated Worker Funds					
Citation: Statute:	§133(b)(4);	Citation: Regulation:	20 CFR 667.140				
Entity:	WorkForce West Virginia						
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Address:	112 California Avenue	City:	Charleston	State:	WV	Zip:	25305
Duration:	From:	July 1, 2009	To:	June 30, 2010			
Governor:	Joseph Manchin III						

Justification (Narrative 1)

West Virginia requests a waiver of the statutory 20% limitation on transferring local WIA funds between the Adult and Dislocated Worker programs so the fifty (50) per cent of Title I Adult and Dislocated Worker funds are available depending on which population has the greatest service needed as determined locally. West Virginia issued a Policy No. 27-03 on March 1, 2003 to allow LWIBs to request up to fifty per cent (50%) of a program year formula allocation either from the adult to dislocated worker funding or from the dislocated worker to the adult funding stream.

This waiver will increase the flexibility to serve West Virginia's adult population with formula funds. Program needs change quickly at the local level. Each of West Virginia's seven (7) local areas serves diverse groups of job seeker and businesses. Local Workforce Investment Boards needs the flexibility to transfer funds to deliver intensive and training services to their participants. Services can be directed to the unemployed and under-employed participants who may need intensive services and/or training services in order to obtain or retain employment that allows for self-sufficiency. The economic climate in the various regions vary greatly even under the best circumstances and given the current economic crisis, changes in regional economies can often place increased demands on dislocated worker funds, and likewise, continued reductions in adult program funding can limit some areas in serving those hard-to-serve adults most in need.

Local Workforce Investment Boards prefer the flexibility to move their adult and dislocated worker funds in order to use funding to its fullest potential. This will allow the LWIBs to remain flexible enough to meet unanticipated needs of their customers as it related to the current economy. Obligations are often effective management tools for determining the commitment of funds, but accrued expenditures are the common language of fiscal reporting requirements and present a much more accurate and consistent financial picture.

WIA Waiver Request

Outcomes/Benefit (Narrative 2)

Goals to be Achieved by the Waiver:

The impact of this waiver at the local level will be reflected in the State's overall expenditure level, especially given the continued nationwide concern expressed about the expenditure rates for WIA funds. Low income individuals seeking entry into the workforce as well as unemployed individuals seeking workforce re-entry will be positively impacted by the waiver as local boards can respond to the service needs in the area that may differ throughout the course of the year and may not always align with the circumstances that existed when adult and dislocated worker formula calculations were determined. By having the option to transfer up to fifty per cent of adult and dislocated worker funds, the LWIBs can meet the demand of their customers. This will better position the LWIBs to have resources available to respond to national directions, priorities, and challenges within their region and also advance implementation of the Workforce Investment Plan.

Description of the Individuals Impacted by the Waiver:

Local areas with a documented need for and ability to transfer funds for services that will benefit the needs of West Virginians statewide. Local areas will be able to submit a written request to transfer funds between the adult and dislocated worker programs throughout the program year, and can be made at any time during the life of the funds.

Monitoring/Evaluation Process (Narrative 3)

Description of the Process to Monitor Progress:

WORKFORCE West Virginia is the state administrative entity for the Workforce Investment Act. West Virginia's workforce development goals are designed to achieve an industry-led, demand-driven system and a highly skilled workforce. With emphasis on furthering customer satisfaction through choice, individual opportunity, and continuity of services, each LWIB can ensure an efficient and quality delivery system. WorkForce West Virginia will monitor the implementation and impact of the waiver, through a combination of reporting from the local level, state oversight, and evaluation. Performance measures from the Local Workforce Investment Areas will be regularly evaluated to determine the impact of the waiver approval. The State will gather information through discussion on the progress of the implementation of the waiver, performance data, and obstacles encountered, if any. To ensure fiscal integrity, there will be both adequate oversight and complete, consistent reporting.

Other Comments Provided (Narrative 4)

Consistent with the general waiver request, the state is adhering to publication requirements to ensure the broadest participation possible, including informing appropriate partners and interested parties, such as labor, community based organizations, LWIBs and the West Virginia Workforce Investment Council. A public comment period was provided from August 7, 2009 through August 21, 2009.

Public comments may be sent to [Feedback](#).