

ATTACHMENT H1

District of Columbia WIA Waiver Request

Statutory/Regulatory Provisions	Allowing the District of Columbia to use, on a voluntary basis, up to 15% of Adult and Dislocated formula allocation funds to support incumbent worker training programs.
Citations	Workforce Investment Act (WIA) 133 (b)(4)
Entity	Department of Employment Services
Contact	Summer Spencer Director Department of Employment Services Workforce Development Bureau 64 New York Avenue, NE Washington, D.C. 20002 (202) 671-1900 Summer.spencer@ dc.gov
Mayor	Adrian M. Fenty

The District of Columbia Department of Employment Services (DOES), which is the designated by the Mayor of the District of Columbia as the administrative entity for the Workforce Investment Act (WIA) and the District of Columbia Workforce Investment Council (DCWIC), submits this request for a waiver of WIA sections and 133 (b)(4). The waiver will allow the District to use, on a voluntary basis, up to 15 percent of the Adult and Dislocated local area formula allocation funds to support local incumbent worker training programs. The granting of this waiver would ensure that the critical workforce needs of employed residents are met, as well as strengthening the Department's workforce investment system by addressing the needs for more skilled workers and facilitating business retention in the District.

The statutory or regulatory requirement that are requested to be waived:

The District is seeking a waiver of restrictions on the use of our WIA formula in order to operate an incumbent worker program. The waiver would allow us to use up to 15% of the funds allocated under section 133 (b)(4) of the WIA, to operate an incumbent worker program as described under Section 134 (a) (3)(A)(iv)(I) and consistent with 20 CFR Sections 665.210 and 665.220.

Actions that the State or local areas, as appropriate have undertaken to remove State or local statutory or regulatory barriers:

There are no state or local statutory or regulatory barriers to implementing the proposed waiver.

Describe the goals of the waiver and the expected programmatic outcomes if the request is granted: Below list the anticipated outcomes if this request is granted:

- Support projects that further job retention and career development for improved economic self-sufficiency for employed workers including those most vulnerable to job loss;
- Increases capacity of the workforce development system to support incumbent worker training;
- Provides for an increased understanding on “return of investment” particularly through outcome measures;
- Provides support to projects that increase the capability of companies to access and retain skilled workers; and
- Improves the economic and business climate in the District.

Description of the Individuals Impacted by the Waiver:

This waiver will benefit employers, employed workers, service providers, DCWIC and the DOES. The following are expected to be additional impacts of the proposed waiver:

- Program participants will benefit from the resulting flexibility that will allow for more expansion in program design and implementation which will help meet the need and priorities of District residents.
- More District residents will have access to training enabling them to upgrade their skills resulting in a workforce that is able to keep up with the demands of the ever-changing marketplace; and
- WIA Administrator will have added flexibility to move funds where they are needed.

Describe the process used to monitor the progress in implementing such a waiver, and the process by which notice and an opportunity to comment on such request has been provided to the local board:

DOES will be the entity responsible for monitoring the progress in the Incumbent Worker Training program, we have in place a monitoring and performance accountability system that measures and evaluates results for employers and employees participating in the Incumbent Worker Training Program. On a monthly and quarterly basis, DOES analyzes employer and participant enrollments, service levels, program expenditures, and performance outcomes. In addition, DOES will continue to use the DOL’s reporting

system. Should this waiver request be granted, DOES will ensure regular review of the Incumbent Worker Training program and monitor outcomes and service impact resulting from the additional fund transfer authority.

Consistent with the general waiver request, the Department is adhering to publication requirements to insure broadest participation possible, including informing appropriate partners, interested employers, community based organizations and DCWIC. A thirty day public comment period will be provided.