

ATTACHMENT H4

The District of Columbia Waiver Request Workforce Investment Act Transfer Authority

The District of Columbia Department of Employment Services (DOES), which is 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), are requesting a general waiver of the legal requirement that limits the transfer of funds between the Adult and Dislocated Worker programs to no more than 20% of a program year allocation. The waiver would grant the transfer of funds up to 100% of a program year allocation between the Adult and Dislocated Worker funding streams. The granting of this waiver would ensure that the critical workforce needs of District residents are met so that they are better prepared to apply the occupational skills required by the local labor market.

This waiver request follows guidelines identified in WIA Section 189(i)(4)(B) (29 USCA Section 2939(i)(4)(B)) and WIA Final Regulations at 20 CFR Section 661.420(c).

1. Statutory Regulations to be Waived:

WIA Section 113(b)(4)(29 USCA Section 2939(i)(4)(B)) and WIA Final Regulations at 20 CFR Section 667.140 provide that with the approval of the Governor, Local Workforce Investment Boards may transfer up to 20% of a program year allocation for adult employment and training activities, and up to 20% of a program year allocation for dislocated worker employment and training activities between the two programs.

As a single service entity, the District of Columbia's structure for WIA consists of the Department of Employment Services (DOES), which is responsible for providing the administrative and fiscal management systems for program implementation, and the District of Columbia's Workforce Investment Council (DCWIC), which perform policy functions and represents the Mayor's economic development priorities. The planning and delivery of services are administered by the DOES Associate Director of One-Stop Career Center Operations.

Washington, D.C. is predominantly an office economy and has a minimum amount of dislocated worker events. Although the mixture of Services and Government, its two leading industry divisions, provides high level and entry-level positions available to these industries, the need for literacy is essential in most related occupations. A significant percentage of the District's population is a diversified workforce lacking the customized skills and literacy levels required of the current demand economy. Strategic application of funding to enhance the effectiveness of both entry level training and re-training will be crucial to craft a customized workforce better prepared to meet employer needs.

2. State or Local Statutory Regulatory Barriers:

There are no state statutory or regulatory barriers to impede the proposed waiver. DOES policies and the DCWIC are in compliance with the current Federal guidelines. Upon notification of approval if this waiver request, DOES policy will be amended to comply with the terms of the waiver.

3. Goals to be Achieved by the Waiver:

- Allow for increased responsiveness to changes in the labor market
- Provide a more rapid and robust return into the local labor force
- Apply funds more strategically where they are most needed
- Increase accountability of One Stop Career Center service providers
- Increase employer WIC collaboration to address industry needs and worker training
- Provide greater flexibility in designing and implementing WIA programs

4. Programmatic Outcomes to be Achieved by the Waiver:

DOES has exercised the options under WIA to transfer up to 20% of funds. However, by virtue of the District's critical disconnect between employer skill requirements and workforce skills capabilities, increased funding flexibility and control to transfer funds between the Adult and Dislocated Worker programs will allow for further customized service delivery and maximized use of limited funds.

The role of DCWIC is to plan, oversee and evaluate the delivery of workforce training. DOES will partner with the DCWIC to facilitate the design of innovative programs unique to the District's needs and priorities. Such customized programs will result in increased service provider accountability and service impact. The granting of the waiver will allow the District to continue to meet its goal of tailoring a competency based and dynamic workforce that is prepared to competitively meet the needs of the new economy.

5. State Local Statutory or Regulatory Barriers:

There are no existing state or local statutory or regulatory barriers to implementation of this waiver request.

6. Individuals Impacted by the Waiver:

This waiver will benefit employers, job seekers, service providers, DCWIC, and 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 innovation in program design better aligned to the District's needs and priorities
- More workforce customers will have access to core, intensive and training services
- WIA Administrator will have added flexibility to move funds where they are needed

7. Process Used to Monitor Progress in Implementing the Waiver:

DOES has in place a monitoring and performance accountability system that measures and evaluates result for employers and jobseekers accessing the District's network of One-Stop Career centers. On a monthly and quarterly basis, DOES analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive monitoring is conducted onsite utilizing outcome reports generated from DOES's District wide database. Should this waiver request be granted, DOES will ensure regular review of the Adult and Dislocated Worker programs to monitor outcomes and service impact resulting from the additional fund transfer authority.

8. Process for Notice of Local Boards and Opportunity to Comment:

DOES sought the input of DCWIC during the development of the waiver request. Over a period of several months, DOES administrators met to review their expenditure levels and program needs and ultimately received unanimous support for the submission of this waiver. Once the waiver document is finalized, it will be published for 30 days on the public web site maintained by DOES to allow for public comment on its content and potential impact. In addition a copy of the waiver will be available for public inspection at DOES offices, and electronic copies of the waiver will be sent via e-mail to workforce centers.