

PROPOSED WIA WAIVERS
TO BE FILED WITH THE DEPARTMENT OF LABOR FROM THE WDC
WDC QUARTERLY MEETING, JANUARY 12, 2012

Purpose of Waivers

The United States Department of Labor (“USDOL”) allows statewide Workforce Investment Boards (for Hawaii, the WDC) to request waivers from rules proposed in the Workforce Investment Act of 1998.

These waivers provide flexibility in implementing Workforce Investment Act statewide activities. With recent Congressional action on the WIA budget, cutting the amount of Governors Reserve from 15% to 5% for all performance year 2011 WIA funds, the U.S. Department of Labor sent guidance to all the states as to what new waivers would be accepted. Waivers filed will need to meet a threshold in which:

- The justification must include estimated costs to carry out the currently required tasks;
- how statewide funds are being used and the extent of; and
- the extent to which ongoing funding levels are insufficient to cover the activity.

After review of the guidance and its budgetary situation, the WDC proposes sending four waiver requests to the USDOL, upon approval of the board.

Waiver Requests:

1. *Waive the requirement to conduct evaluations per WIA section 134(a)(2)(B)(ii) and 20 CFR 665.200(d).* This waiver would exempt the state from conducting program evaluations in which the statewide entity (WDD & WDC) would study, report on and recommend improvements to the WIA programs carried out in Hawaii. Currently, WDD and WDC staff are required to perform evaluations and report on findings with the U.S. Dept. of Labor.
2. *Waive the requirement for data validation per WIA section 185 and 20 CFR 667.300 (e)(2).* This would exempt the state of Hawaii from performing data validation on reports relating to program activity and performance per WIA law. Currently, workforce staff (WDD) is required to perform data validation and show results of that validation when reporting program performance data to the USDOL.
3. *Waive the requirement for customer satisfaction surveys per WIA section 136 (b)(2)(B).* This would exempt the state from having to issue, collect and report to the USDOL “customer satisfaction surveys” with employers and participants for services given or received from workforce investment activities. Currently, WDD staff is required to issue, receive and record results from surveys that are sent out on a periodic basis.