

**State of Florida
Workforce Investment Act
Waiver # 2 - Continuation Request:**

TRANSFER AUTHORITY

Pursuant to WIA Section 189 (i)(4)(B) and the WIA Federal regulations at 20 CFR 661.420, the State of Florida requests continuation of the current waiver approval necessary to increase the transfer authority of Local Workforce Investment Boards from the current 30 percent to 100 percent for Adult and Dislocated Worker funds. This proposed increase will continue to provide the local boards with greater flexibility for responding to changes in their local labor markets, and will help ensure that the WIA funds allocated to each local area are being utilized in a way that will maximize customer service and more appropriately meet the changing needs of the business community. The waiver was initially approved by USDOL in 2002 and subsequently extended through June 30, 2009.

A. Statutory or Regulatory Requirements to be Waived

WIA Section 133(b)(4) and 20 CFR Part 667.140 state that a Local Board may transfer, if such a transfer is approved by the Governor, not more than 20 percent of the funds allocated to the local area for a fiscal year between Adult employment and training activities and Dislocated Worker employment and training activities. Subsequent appropriation language has, in some cases, increased the percentage to 30 percent.

The State of Florida requests that Local Boards be allowed to transfer up to 100 percent of a program year allocation for Adult funds and up to 100 percent of a program year allocation for Dislocated Worker funds between the two funding streams. This, in effect, allows regional boards to use the WIA funding more like a block grant that can easily be used in whichever program most needs these limited resources.

B. Goals of the Waiver and Expected Programmatic Outcomes if Waiver is Granted

The goal is increased flexibility for the local areas in allocating and expending Adult and Dislocated Worker funds. Such flexibility will enable local areas to better serve the needs of their customers and will heighten their ability to respond to changes in the local labor market, particularly to respond to the growing employer demand for Employed Worker Training, which can be funded at the local level only with WIA Adult funds. This increased flexibility will also allow greater responsiveness to deal with changes in the economic climate such as the most recent economic decline that has resulted in much more of a demand for dislocated worker assistance.

C. State or Local Statutory or Regulatory Barriers

There is no State or local statutory or regulatory barrier to implementing the proposed waiver.

D. Description of Individuals Impacted by the Waiver

All Adults and Dislocated Workers, as well as business customers, will benefit from the waiver. Granting the Local Boards the ability to move substantial funds to the areas of greatest need will ensure optimum service to the general population of that workforce area.

E. Opportunity for Public Comment and the Process for Monitoring Implementation of the Waiver

This request was developed as a result of concerns expressed by local areas and demand from business partners. As with all other major policy and procedural decisions made by the State, input from local area staff and boards was heavily relied upon. Problems with the current limitation on fund transfers between Adult and Dislocated Worker funding streams have been discussed with the local areas to gain input on those problems and on the benefits of being granted this waiver.

The implementation of this policy is monitored by the WFI and the Agency for Workforce Innovation as they continue to monitor all WIA performance and the progress toward goals and objectives expressed in the State Plan. Information contained in the State's management information system and financial management tracking system is reviewed and reported to the local areas and WFI on a regular basis. Regular monthly expenditure reports of formula WIA funding by region is provided to the State Board.