

State of Florida
Workforce Investment Act:
Waiver #3 - Continuation Request:

DATA CAPTURE REQUIREMENTS IMPACTING SKILLS UPGRADE TRAINING

Pursuant to WIA Section 189 (i)(4)(B) and the WIA Federal regulations at 20 CFR 661.420, the State of Florida requests the continuation of its waiver approval to support State policy regarding its programs to upgrade workforce skills: Florida's Incumbent Worker Training (IWT) program (funded with state level 15% funds) and Regional Workforce Board's Employed Worker Training (EWT) programs (funded with local adult WIA allocation). The purpose of the request is to minimize the data capture requirements under these programs so that employers are not unnecessarily burdened with federal data requirements. Since both programs seek to upgrade the skills of existing workers employed by businesses operating in our State—and in many cases this training is sought to improve the competitiveness of both the employer and the worker—data capture requirements should be based on *employer* application, rather than *individual trainee* eligibility.

Additionally continuation of this waiver will strengthen to ability of local workforce boards to coordinate workforce investment activities with economic development strategies.

Florida's IWT program has been in place since July 2000. Florida's policy regarding regional Employed Worker Training (EWT) programs was developed under the state's Workforce Board in 2001. Each Regional Workforce Board was asked to modify their five-year plan to specify methods to upgrade the skills in their regional workforce area, including through employed worker training. A guidance paper on the provision of training services to employed workers under WIA was developed in 2001 and distributed to all Regional Workforce Boards.

As noted above, local workforce boards are required to coordinate workforce investment activities with economic development strategies and develop employer linkages. One of the primary reasons that local workforce boards provide EWT is to improve their regional economies by upgrading the skills of their existing workforce, enabling both the employer and the individual worker to improve their competitiveness. Additionally, as workers improve their skills and climb the career ladder, it enables the board to backfill those vacancies. Thus, the program builds employer usage and satisfaction of the public workforce system. One hindrance to usage of these programs is federal data requirements.

All individuals served with federal WIA funds must be included in the State's performance report. Individuals served in the State's IWT program are only required to provide minimal participant data. The required data items are: RWB number, Social Security Number, Date of Application, Participant name, Date of Birth, Race, Gender, Ethnicity, and Individual with a Disability, Selective Service Registration, and Citizenship.

When using local funds to serve the participants for an employer a full application is required. The full application includes all of the elements above as well as additional program elements,

education attainment levels, family status and income, among others. A full application is appropriate for individual trainee eligibility or the unemployed. It is far too cumbersome when working with employed workers and employers to achieve skills upgrade training.

A. Statutory or Regulatory Requirements to be Waived

Florida requests the continuation of a waiver of the federal regulations at 20 CFR 666 and 20 CFR 667.300 should the above policy related to the provision of IWT and EWT and the need to minimize data capture requirements be deemed to be not in accord with these provisions.

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

Greater demand-driven, public workforce system responsiveness to the skills upgrade training needs of Florida's economy.

Elimination of excessive data capture requirements at the local workforce board when regional allocated funds are used to provide employed worker training.

Greater coordination of state and local workforce board activities with state and local economic development efforts.

C. State or Local Statutory or Regulatory Barriers

There is no state or local statutory or regulatory barrier to implementing the State's policy or any federal waiver necessary to implement the policy. The policy is in accordance with the intent of State Statutes enacted to implement WIA.

D. Description of the Individuals Impacted by the Waiver

All WIA customers, as well as the State's Regional Workforce Boards, will be positively affected by the adoption of the above referenced policy.

Service will be provided to increased numbers of individuals in need of service.

Regional Workforce Boards will improve linkages with employers and economic development in their areas.

The rate of investment of WIA funds will increase.

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

The State's policy regarding the provision of IWT and EWT as well as the data capture requirements for the two programs was developed by Workforce Florida, Inc., the State's Workforce Investment Board. Based on its review of the goals established in the State's

Strategic Plan, the Board identified the need to revise policy governing the investment of local allocation funds in order to achieve the maximum investment of WIA funds. Indeed, in 2002, the Board approved start-up funds to each RWB to allow local EWT programs to be initiated. Both IWT and EWT programs and data capture requirement issues have been extensively discussed at RWB business liaisons meetings and through guidance papers.

The request for continuation of the waiver was also developed through such a collaborative effort. Public comment on the intent of the State to continue this waiver has been encouraged and received. Public comment was solicited by email to state agencies, all regional workforce boards, service providers, and other interested parties.

The implementation of this policy will be monitored by the Workforce Florida, Inc., and the Agency for Workforce Innovation as they continue to monitor all WIA performance and the progress towards goals and objectives expressed in the State Plan. Information contained in the State's management information system and financial management tracking system will be reviewed and reported to the local areas and Workforce Florida, Inc., on a regular basis. Review of the implementation and application of the policy will regularly be placed on the agenda of public meetings of State Board and regular scheduled meetings of the Board members and staff, with partner agencies, representatives of regional workforce boards, one-stop operators and other partners.