

# STATE OF NEBRASKA

## *Workforce Investment Act Waiver Request*

### Waiver of Transfer Authority

**Date:** October 23, 2012  
**State:** Nebraska  
**Agency:** Department of Labor, Office of Employment and Training

#### **Statutory And/Or Regulatory Requirements To Be Waived**

WIA Section 133(b)(4) and 20 CFR Part 667.140 which provides the authority for workforce investment areas, with approval of the Governor, to transfer up to 20% of the Adult Activities funds to Dislocated Worker Activities, and up to 20% of Dislocated Worker Activities funds to Adult Activities. The State of Nebraska requests that Local Boards be allowed to transfer up to 50% of a program year allocation for Adult funds and up to 50% of a program year allocation for Dislocated Worker funds between the two funding streams.

#### **Actions Undertaken To Remove State Or Local Barriers**

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

#### **Goals And Expected Programmatic Outcomes Of Waiver**

The goal of the State is to provide more flexibility to local boards so they are able to respond to changes in local labor markets and economic conditions in a more efficient manner. This waiver has helped ensure the WIA funds allocated to each local area are being utilized in a way that will maximize recruitment and customer service, and will contribute to the integration of services to employers and job seekers by multiple public and private partners.

#### **Individuals Impacted By The Waiver**

All Adults and Dislocated Workers will benefit in that the funds available will be expended in an efficient manner allowing for the needs of the communities and businesses to be met as timely as possible. Individuals on waiting lists who sometimes get discouraged will be able to receive services sooner. One-Stop partner programs will be able to better integrate their services with the local WIA programs since local boards will have the resources available to design programs more responsive to customer needs. Employers will benefit by having more workers trained in their demand industries.

#### **Process For Monitoring Progress In Implementation**

To ensure all population groups are served, the State will require all transfer requests be limited to 25% per quarter not to exceed 50% with justification of need provided. The State Monitor will ensure this requirement becomes a part of the monitor review process.

### **Notice To Affected Local Boards**

This waiver was originally approved beginning PY2005. The waiver was initially addressed at the February 17, 2005, Local WIA Administrators meeting with representatives from all three local areas present. This waiver has been included in all of the State Plan postings since PY2005 and was most recently included in the final draft Five-Year Integrated State Plan posted at [www.dol.nebraska.gov](http://www.dol.nebraska.gov) on September 14, 2012.

### **Public Comment**

This waiver request is posted for public comment on the Nebraska Department of Labor (NDOL) website at [www.dol.nebraska.gov](http://www.dol.nebraska.gov). Any comments received will be forwarded to ETA Regional Office. Upon approval of this waiver, NDOL's Office of Employment and Training will issue a revised "Allocation Planning Policy" reflecting this waiver that will be disseminated to the Local Workforce Investment Areas and Local WIB Chairs. The policy will also be posted on the NDOL website for a 10 day comment period, with the final policy posted on the NDOL website, at [www.dol.nebraska.gov](http://www.dol.nebraska.gov).