

INFORMATION NOTICE

WORKFORCE SERVICES

Number: WSIN08-64

Date: June 9, 2009

Expiration Date: 7/9/11
69:224:cs:12807

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PROPOSED WAIVER OF COMMON MEASURES FOR ARRA FUNDED YOUTH PROGRAMS

The purpose of this Information Notice is to solicit comments regarding a proposed Workforce Investment Act (WIA) waiver request from the use of Common Measures. This waiver would allow the State to use the work readiness indicator as the only indicator of performance for youth served by funds from the American Recovery and Reinvestment Act (ARRA). Specifically, this waiver would impact out-of-school youth ages 18 to 24, served with ARRA funds between October 1, 2009 and March 31, 2010, who participate in work experience.

The WIA provides for waiver requests on certain programs elements through Public Law 105-220. In conformance with WIA Section 189(i)(4)(b) and Title 20 Code of Federal Regulations Part 661.420(c), and a California Workforce Investment Board (CWIB) approved [Waiver Request Process](#), the CWIB will accept comments on the attached/proposed waiver requests and will consider all public comments while processing the waiver request.

The public comment period for this proposed waiver request will remain open until 8:00 a.m. on Friday, June 12, 2009.

Comments can be submitted through one of the following ways:

- 1) Fax - CWIB, Attention: **John R. Williams** at (916) 324-3068
- 2) E-Mail - john.williams@cwib.ca.gov (Include "Proposed Waiver Request" in the subject line)
- 3) Mail - CWIB / Proposed Waiver Request / 777 12th St., Suite 200 / Sacramento, CA 95814

/S/ BOB HERMSMEIER
Chief
Workforce Services Division

Attachment

EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Special requests for services, aids, and/or special formats need to be made by calling (916) 654-8055 (Voice). TTY users, please call the California Relay Service at 711.

**STATE OF CALIFORNIA
WORKFORCE INVESTMENT ACT (WIA)
WAIVER REQUEST**

**Waiver Relating to Performance Measures for Youth Programs Funded under the
American Recovery and Reinvestment Act (ARRA)**

The California Workforce Investment Board (CWIB) and the Employment Development Department, as the administrative entity of the WIA, submit this request for a waiver to the use of Common Measures for Youth; a waiver previously granted to California on December 11, 2007.

In keeping with the guidelines set forth at WIA Section 189(i)(4)(B) and 20 Code of Federal Regulations (CFR) Part 661.420(c), please accept the following as a request for waiver.

The CWIB respectfully requests a waiver to allow the State to use the work readiness indicator only for youth who participate in work experience after September 30, 2009. This would permit the work readiness indicator to be used during the period October 1, 2009 through March 31, 2010.

A. Statutory or Regulatory Requirements to be Waived

This request is for a waiver from the Common Measures for Youth specified in Employment and Training Agency Training and Employment Guidance Letter 17-05, which California has been permitted to adopt in pursuance to a previous waiver granted on December 11, 2007. The Governor is requesting an extension of the Common Measures waiver for the period of July 1, 2009 through June 30, 2010.

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

There are multiple goals related to this waiver request. This waiver will provide for greater flexibility in the summer youth program utilizing the ARRA funds. It will allow for greater risk taking and creativity by making the program less complex. It will allow the program to serve more youth. The waiver will result in cost effectiveness as ARRA funds will be fully expended. It will also allow the employer base to be expanded.

Focusing on the work readiness indicator allows the CWIB and its Local Workforce Investment Boards (LWIBs) to give youth a unique opportunity to explore work experiences that may not have been possible without ARRA funds. Without this waiver, the performance requirements would impede the true intent of this program as concerns over performance would overshadow the great opportunities and choices given to California's youth during these challenging economic times.

Additionally, the Governor has addressed city officials “to ensure that a large-scale summer youth program is up and running in your community.” He encouraged them to “direct their city and county departments to make jobs available, as well as working with your LWIB to ensure that there are jobs available in your community’s nonprofit organizations and in the private sector where appropriate. This all has to be done immediately as summer will soon be here.” This waiver will assist the city and county officials to implement the Governor’s vision for California’s statewide workforce investment system.

C. State or Local Statutory or Regulatory Barriers

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

D. Description of Individuals Impacted by the Waiver

Youth participants ages 18 to 24 are impacted by this waiver request. In addition, LWIBs who administer the summer youth program and businesses that employ the eligible youth will be impacted.

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

This waiver is the result of input and/or requests from LWIBs. As with all other major policy and procedural decisions made by the State, we will rely heavily upon input from local partners. The potential impediments and benefits of being granted this waiver will be extensively discussed with local partners to gain input on those areas. The procedure used by the State is detailed in Directive WIAD05-13, WIA Waiver Request Process, published February 9, 2006. This procedure includes the requirement for making any waiver requests available for public comment for a 30-day period. However, due to the expediency required to implement this program, that period will be reduced to 10 days to ensure the necessary flexibility is provided to LWIBs in a timely manner to effect these summer youth programs and the youth served by them.

If this waiver is approved, youth who are in need of additional work experience under the ARRA shall have the justification documented in their individual service plans. Youth who are determined in need of services beyond their additional work experience will be enrolled into other experiences such as ARRA youth services or co-enrolled into a WIA Adult program or service.

The CWIB and the EDD, as the administrative entity of the WIA in California, will monitor all ARRA summer youth employment programs. The State’s current monitoring policy/procedures will be modified to include a review of the appropriate youth participant plans.