

**U.S. Department of Labor**

Assistant Secretary for  
Employment and Training  
Washington, D.C. 20210



July 20, 2026

The Honorable Jared Polis  
Governor of Colorado  
State Capitol Building  
200 E. Colfax Avenue, Room 136  
Denver, CO 80203

Dear Governor Polis:

Thank you for your waiver request submission to the U.S. Department of Labor (Department) regarding certain statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA) and the accompanying plan to improve the statewide workforce development system (enclosed). The waiver requests were received on April 30, 2026, as part of your recent WIOA State Plan modification submission. This letter provides the Employment and Training Administration's (ETA) official response to your request and memorializes that Colorado will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Colorado and ETA. This action is taken under the Secretary of Labor's authority to waive certain requirements of WIOA Title I, Subtitles A, B, and E, and Sections 8-10 of the Wagner-Peyser Act in WIOA Section 189(i).

Requested Waiver: Waiver of WIOA Section 129(c)(4) and 20 CFR 681.590(b), to allow local workforce development areas to count WIOA local youth formula, Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and Medicaid funds toward the minimum 20 percent expenditure requirement for paid or unpaid work experience.

ETA Response: ETA approves, for Program Years (PYs) 2026 and 2027, which includes the entire time period for which states are authorized to spend PYs 2026 and 2027 funds, Colorado's request to allow local areas in the State to count SNAP, Medicaid, and TANF work experience expenditures, in addition to WIOA youth work experience expenditures, toward the 20 percent work experience expenditure requirement for WIOA youth co-enrolled in those programs. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede Colorado's ability to implement its plan to improve the workforce development system.

Requested Waiver: Waiver of the requirement that local youth programs make available each of the 14 youth program elements required under WIOA Section 129(c)(2).

ETA Response: ETA approves, for PYs 2026 and 2027, the State's request to waive the requirement that local areas must competitively procure all 14 required youth program elements listed in WIOA Section 129(c)(2) and 20 CFR 681.460. Under this approval, local areas are not required to procure providers for all 14 required youth program elements in order to support local area focus on the most needed services, such as work experiences, pre-apprenticeships, post-secondary education preparation, and to reduce the administrative cost and burden associated with competitive procurement of rarely-used services. The State's local areas may identify and procure any of the 14 required youth program elements on an as needed basis. ETA reviewed the State's request and plan and determined that the requirements requested to be waived impedes the State's ability to implement its plan to improve youth workforce development service delivery.

Requested Waiver: Waiver of the requirements outlined in WIOA Section 121(d)(2)(A) and 20 CFR Part 678.605, which requires selection of a one-stop operator (OSO) through a competitive process every four years.

ETA Response: ETA approves Colorado's waiver request through June 30, 2028. Prior to implementing this waiver, the State must provide ETA information that clearly explains the need for the waiver and how the waiver will result in improved and streamlined services to participants.

Requested Waiver: Waiver of the requirements at WIOA Section 106(a)(2) to allow the State Plan to serve as the Regional Plan for each of the State's identified regions.

ETA Response: ETA approves, through June 30, 2028, the State's request to waive the requirement that a planning region consist of one local workforce development area, two or more intrastate local areas, or two or more interstate local areas. This waiver allows Colorado the flexibility to assign the State's ten local workforce development areas to one statewide planning region and to use the WIOA State Plan as the regional plan. ETA reviewed the State's waiver request and plan and determined that the requirements requested to be waived impede the State's ability to implement its plan to improve the workforce development system and approves this waiver. Any local planning requirements that the Governor previously included in the Regional Plan must be reflected in each local plan.

The State is reminded that WIOA Title I waivers may not be used for any discriminatory purposes. All activities and waiver plan provisions must comply with Section 188 of WIOA, the implementing regulations at 29 CFR Part 38, and all applicable federal nondiscrimination laws.

The State must report its waiver outcomes and implementation of the approved waivers in the WIOA Annual Report. ETA will use this information to assess continued waiver approval and to identify promising practices that may be adopted more widely. ETA is available to provide technical assistance to you in support of your goals. If you have questions, feel free to contact my office at (202) 693-2772.

Sincerely,

A handwritten signature in blue ink that reads "Henry Mack". The signature is written in a cursive, flowing style.

Henry Mack, Ed.D.  
Assistant Secretary

Enclosures

cc: Joe Barela, Executive Director, Colorado Department of Labor and Employment  
Jessica Maiorca, Senior Consultant, Colorado Workforce Development Council  
M. Frank Stluka, Acting Dallas Regional Administrator, ETA  
Eva Mejia, Federal Project Officer, ETA