

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



July 27, 2026

The Honorable Mike DeWine
Governor of Ohio
Riffe Center, 30th Floor
77 South High Street
Columbus, Ohio 43215

Dear Governor DeWine:

Thank you for your Workforce Innovation and Opportunity Act (WIOA) Workforce Flexibility (Workflex) Plan submitted under WIOA Section 190 and 20 CFR 679.630 to the U.S. Department of Labor (Department). The Workflex Plan was received on April 29, 2026, as part of your recent WIOA State Plan modification submission. We appreciate the State's leadership in pursuing the first Workflex designation under WIOA and for developing a plan that reflects Ohio's commitment to improved service delivery, innovation, and accountability. The Department approves, through June 30, 2028, Ohio's Workflex Plan, with the opportunity to extend approval, upon the State's request, when submitting its full four-year state plan in 2028. This agreement memorializes that the State will:

1. Establish a formal statewide mechanism for local waiver submissions and approvals before the Workflex designation becomes fully effective. Ohio must implement a formal, statewide process, consistent with 20 CFR 679.630(b)(1), through which local workforce development boards, in concurrence with chief elected officials, may submit waiver requests for State review and approval.

The mechanism must include, at minimum:

- A standardized waiver submission template;
- Defined timelines for State review;
- Written State determinations granting, conditionally granting, or denying each local request for the waivers outlined in the plan; and
- Procedures ensuring fiscal, programmatic, and internal control integrity.

The Department requests any written policies or local guidance, once this mechanism is finalized and operational.

2. Provide quarterly reporting including agreed-upon milestones consistent with the Workforce Innovation and Opportunity Act: Workforce Flexibility (Workflex) Plan Collection Form: Workflex Quarterly Report Requirements (OMB No. 1205-0432) and 20 CFR 679.640(b), which must include:
 - Waiver (assigned by State)

- Regulation/Statute affected
- Date received
- Date granted
- Local area(s) requesting waiver
- Purpose and goals of each waiver, proposed outcomes, and outcomes to date
- State-imposed conditions of waiver use, as appropriate

The Department will work with the State to finalize and document required milestones for inclusion in the quarterly report, beginning with the first quarterly report following this conditional approval.

3. Integrate Workflex Status and Outcomes in the State's Annual WIOA Report. Ohio must integrate Workflex-related activities, outcomes, and impacts into its annual WIOA narrative report, including:

- A summary of all waivers approved at the local level under Workflex authority;
- Outcome and performance data associated with the waivers; and
- Any effects on negotiated performance levels or service strategies.

This information must be reported in the first annual report following Workflex approval and in each annual report thereafter for the duration of the designation.

Duration of Approval and Expectations

Once the State finalizes its Workflex policies and procedures, Ohio's Workflex designation will become fully effective through June 30, 2028, the remainder of the current State Plan period, consistent with 20 CFR 679.630(d). The Employment and Training Administration (ETA) Regional Office staff will follow up with the State to confirm timelines, establish milestone expectations, and support quarterly and annual reporting implementation.

With this approval of Workflex authority, the Department memorializes the expectation that all approvals of local waivers granted by the State strictly adhere to the parameters established under WIOA Section 190 and its implementing regulations. Any local waiver approval that exceeds the scope of Workflex authority, or that results in discriminatory, unlawful, or otherwise impermissible implementation fundamentally undermines the integrity of the Workflex plan. See Section 188 of WIOA, the implementing regulations at 29 CFR Part 38, and all applicable federal nondiscrimination laws. The Department will closely review such actions, and if it is determined that the State has acted outside its statutory or regulatory authority, the Department may take appropriate corrective steps, up to and including revocation of the individual local waiver or termination of the State's Workflex authority, as permitted under 20 CFR 679.640(b). If the State has any questions about whether approval of a local waiver might exceed the scope of Workflex authority, we encourage the State to reach out to its ETA Regional Office before approving the waiver.

The Department appreciates Ohio's willingness to innovate and its commitment to improving services for workers, job seekers, and employers. We look forward to continued collaboration as the State implements its Workflex authority. 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, appearing to read 'Marek Laco', with a stylized flourish at the end.

Marek Laco
Acting Assistant Secretary

Enclosures

cc: Matt Damschroder, Director, Ohio Department of Job and Family Services
Pam Gerassimides, ETA Chicago Regional Administrator
Julie Baker, ETA Federal Project Officer