

U.S. Department of Labor

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



July 20, 2026

The Honorable Jenniffer González-Colón
Governor of Puerto Rico
P.O. Box 9020082
San Juan, PR 00902

Dear Governor González-Colón:

Thank you for your waiver request submission to the U.S. Department of Labor 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 Puerto Rico will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Puerto Rico 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 134(d)(2) and 20 CFR 680.910 to allow to use supportive services for participants within 12 months of exit for employment retention.

ETA Response: ETA approves, through June 30, 2028, the Commonwealth's request to waive the requirement that prohibits the use of Adult and Dislocated Worker funds to be used during the 12 months of exit for employment retention. With this waiver, the Commonwealth can, as described in its request, provide targeted supportive services to participants who have exited and are recipients of public assistance, to temporarily replace benefits as the exited participant secures higher earnings through employment.

Requested Waiver: Waiver of 20 CFR 681.550 to allow WIOA individual training accounts (ITAs) for in-school youth (ISY).

ETA Response: ETA approves, for Program Years 2026 and 2027, which includes the entire time period for which states are authorized to spend each of those Program Year fund allotments, the Commonwealth's request to waive the requirement limiting ITAs to only out-of-school youth (OSY), ages 16–24. In addition to these OSY, the State may use ITAs for ISY, ages 16–21. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of the State 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 programs elements required under WIOA Section 129(c)(2).

ETA Response: ETA approves, through June 30, 2028, the Commonwealth's request to waive the requirement that local youth programs make available each of the 14 youth program elements listed in WIOA Section 129(c)(2) and 20 CFR 681.460. Under this approval, local areas are not required to make available all 14 program elements. ETA reviewed the Commonwealth's request and plan and determined that the requirements requested to be waived impede the Commonwealth's ability to implement its plan to improve youth workforce development service delivery.

Requested Waiver: The Commonwealth is requesting a waiver of WIOA 134(d)(4) and 20 CFR 680.800(a) to allow local areas to reserve more than 20 percent of Adult and Dislocated Worker funds for incumbent worker training (IWT).

ETA Response: ETA approves the Commonwealth's waiver, through June 30, 2028, to permit local areas to increase the allowable threshold available for IWT from 20 to 35 percent. ETA reviewed the Commonwealth's waiver request and plan and has determined that the requirements requested to be waived impede the ability of the Commonwealth to implement its plan to improve the workforce development system.

The Commonwealth 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 Commonwealth 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: Mariamelia Sueiro-Álvarez, Deputy Assistant Secretary, Puerto Rico Department of Economic Development
Danielle Worthen Ramos, Regional Administrator, ETA
Marisol Lopez, Federal Project Officer, ETA