

Approved WIOA Waivers by Waiver Type

Updated May 6, 2021

Unless otherwise noted, the waivers on this list expire June 30, 2022

Waiver of the obligation of eligible training providers to collect performance data on all students in a training program *

Citations: WIOA Sections 116(d)(4)(A) and 122, and 20 CR 677.230(a)(4) and (5), and 20 CFR 680.

Approved for: Alabama, Arkansas, Colorado, Delaware, Georgia, Hawaii, Illinois, Iowa, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oregon, South Carolina, South Dakota, Rhode Island, Virgin Islands, Virginia, Wyoming (26 total waivers)

* ETP waivers expire June 30, 2021. Starting July 1, 2021, States will be obligated to report performance data on all students in a training program

Waiver of the requirement that states and local areas expend 75 percent of all Governor's reserve and local formula youth funds on out-of-school youth **

Citations: WIOA Section 129(a)(4)(A) and 20 CFR 681.410

Approved for: Alabama, Arkansas, Delaware, Georgia, Guam, Hawaii, Illinois, Indiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New York, Ohio, Oregon, Palau, Puerto Rico, South Dakota, Tennessee, Texas, Wisconsin, Wyoming (26 total waivers)

**This waiver is available for use by States and local areas for the entire time period that they are authorized to spend funds (up to three years for

Waiver to allow calculation of the OSY 75 percent expenditure target at the state-level rather than for each local area.

Citations: WIOA Section 129(a)(4) and 20 CFR 681.410

Approved for: Alabama, Arkansas, Illinois, Indiana, Ohio, and Texas (6 total waivers)

Waiver of the requirement to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth

Citations: WIOA Sections 134(a)(2)(B)(vi) and 129(b)(1)(A), 116(e), 169(a)

Approved for: Puerto Rico, Virgin Islands (2 total waivers)

Waiver to allow the State Board to act as the Local Board

Citations: WIOA Section 107(b)

Approved for: Alaska, Idaho, Montana, Rhode Island (4 total waivers)

Waiver to allow the state to assign a single local workforce development area to multiple planning regions

Citations: WIOA 106(a)(2) and 20 CFR 679.210

Approved for: Illinois (1 total waiver)

Waiver of the state Workforce Development Board membership requirements

Citations: WIOA Section 101(b)(1) and (c) 20 CFR 679.110(b)-(c)

Approved for: CNMI, Indiana, Michigan, Palau (4 total waivers)

Waiver of the requirement that the one-stop operator be “located in the local area”

Citations: WIOA 121(d)(2)(B)

Approved for: Iowa (1 waiver)

Waiver to increase on-the-job training (OJT) employer reimbursement up to 90 percent for business with 50 or fewer employees

Citations: WIOA 134(c)(3)(H)(i) and 20 CFR 680.720(b)

Approved for: Arkansas, California, Colorado, Connecticut, Hawaii, Illinois, Massachusetts, Nevada, Puerto Rico, Virgin Islands (10 total waivers)

Waiver to allow local areas to provide in-school youth with Individual Training Accounts (ITAs)

Citations: 20 CFR 681.550

Approved for: Alabama, Arizona, Illinois, Maine, Minnesota, Missouri, Nevada, Ohio, South Dakota, Tennessee, Texas, Utah, Wisconsin (13 total waivers)

Waiver to allow flexibility in the use of funds reserved by the Governor to provide statewide rapid response activities to instead provide statewide employment and training activities, including disaster relief employment to affected areas

Citations: WIOA 134(a)(2)(A) and (B) and 134(a)(3)

Approved for: Arkansas, Illinois, Pennsylvania, Puerto Rico, Rhode Island (5 total waivers)

Waiver of the limitation on the use of funds for capitalization of business to allow funds to be used to capitalize small business that were affected by Hurricanes Irma and Maria, up to \$5,000 per affected business

Citations: WIOA 181(e)

Approved for: Puerto Rico (1 total waiver)

Waiver of reallocation provisions to allow the State Workforce Development Board to develop additional criteria for the reallocation of recaptured funds

Citations: WIOA 128(c)(3) and 133(c)(3)

Approved for: Texas (1 total waiver)

Waiver of the performance requirements to allow the State to modify the performance measures used to negotiate local workforce development board performance

Citations: WIOA Section 116(c)

Approved for: Texas (1 total waiver)

Waiver to adjust the six-month employment requirement for incumbent worker training

Citations: 20 CFR 680.780

Approved for: Illinois, Colorado (2 total waivers)

Waiver to allow local areas to reserve more than 20 percent of Adult and Dislocated Worker funds for incumbent worker training

Citations: WIOA Section 134(d)(4) and 20 CFR 680.800(a)

Approved for: Colorado (1 total waiver)

Waiver to limit the period of local WIOA Adult, Dislocated Worker and Youth funds availability to the program year of allotment and the succeeding year

Citations: 20 CFR 683.110(c)(1) and (2)

Approved for: Ohio (1 total waiver)

Waiver to allow more than 10 percent of WIOA Title I Adult and Dislocated Worker local formula funds to be used for the provision of transitional jobs

Citations: WIOA Section 134(d)(5) and 20 CFR 680.195

Approved for: California, Illinois (2 total waiver)