

U.S. Department of Labor

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



June 23, 2026

The Honorable Jim Pillen
Governor of Nebraska
1445 K Street
Lincoln, NE 68508

Dear Governor Pillen:

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 request was received on April 28, 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 Nebraska will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Nebraska 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 associated with the requirement at WIOA Section 129(a)(4)(A) and 20 CFR 681.410 that the State and local areas expend 75 percent of Governor's reserve youth funds and local formula youth funds on out-of-school youth (OSY).

ETA Response: ETA approves, for Program Years (PYs) 2026 and PY 2027, which includes the entire time period for which states are authorized to spend each of those PY fund allotments, the State's request to waive the requirement that the State expend 75 percent of Governor's reserve youth funds on OSY. 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. The State may lower the expenditure requirement of Governor's reserve funds to 50 percent for OSY.

In addition, ETA approves, for PYs 2026 and 2027, which includes the entire time period for which states are authorized to spend each of those PY fund allotments, the State's request to waive the requirement that local areas expend 75 percent of local youth formula funds on OSY. The State may lower the local youth funds expenditure requirement to 50 percent for OSY.

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 fluid and cursive, with the first name "Henry" and last name "Mack" clearly distinguishable.

Henry Mack, Ed.D.
Assistant Secretary

Enclosures

cc: Katie Thurber, Commissioner, Nebraska Department of Labor
Pam Gerassimides, ETA Regional Administrator
Christopher Mendoza, ETA Federal Project Officer

NEBRASKA ALL WAIVERS

Waiver of 75 percent out-of-school youth expenditure requirements

Statutory and/or regulatory requirements to be waived

NDOL requests continuation of the waiver of requirements established under WIOA Sec. 129(a)(4)(A) and 20 CFR § 681.410, which mandate that at least 75 percent of funds allotted to states under WIOA Sec. 127(b)(1)(C), reserved under WIOA Sec. 128(a), and available for statewide activities under WIOA Sec. 129(b), and not less than 75 percent of funds available to local areas under WIOA Sec. 129(c) must be used to provide youth workforce investment activities for OSY.

- NDOL requests continuing waiver of the requirement to expend at least 75 percent of youth formula funds on OSY and requests that the required OSY expenditure rate be reduced to 50 percent.
- NDOL requests continuing waiver of the requirement that local area OSY spending meet the 75 percent minimum expenditure rate and requests that the 50 percent OSY expenditure rate be calculated at the state-level rather than by each local area's rate of expenditure.
- NDOL requests continuing waiver of the limitation that no more than 25 percent of local area youth formula funds be expended on ISY workforce investment activities and requests that the 50 percent ISY expenditure rate be calculated at the state-level rather than by each local area's rate of expenditure.
- NDOL requests continuing waiver of the requirement to expend 75 percent of the Governor's reserve of youth formula funds on OSY statewide workforce investment activities and requests this percentage-expenditure requirement be eliminated to allow flexibility of funding for special projects that meet the vision and goals of Nebraska.

Waiver goal

Nebraska understands the importance of serving OSY but has also determined that engaging ISY earlier may help yield better results in Nebraska's overall workforce strategies. Limiting use of WIOA Title IB youth funds to serving mostly OSY impedes Nebraska's ability to effectively support Governor Pillen's focus on Nebraska's youth. Nebraska is committed to building and keeping talent here at home. Engaging with more youth prior to exiting school, helps youth to identify employment, education, and training objectives leading to their ideal future careers, setting them up for success and keeping them in Nebraska.

State strategic goal

Nebraska's continuing strategic goal under this waiver is to increase the number of youth participating in evidence-based programs that result in positive outcomes for ISY, as well as OSY, including high school graduation, participation in postsecondary education, career development, and employment. This goal aligns with one of Nebraska's two-part statewide goal for preparing an educated and skilled workforce that meets the needs of employers: selection and prioritization of development of career pathways (see Section II.b.2.).

Actions undertaken to remove state or local statutory or regulatory barriers

Currently, there are no state or local statutory or regulatory barriers to implementing the requested waiver. Applicable State law, regulations, and policy statements are in compliance with current Federal law.

Projected programmatic outcomes resulting from waiver implementation

The projected programmatic outcomes during performance of this continued waiver are:

- 10 percent overall increase of Title I youth program enrollment by the end of PY 27.
- Coenrollment of ten JAG Nebraska students in Title I youth program during each of PY26 and PY27.
- Enrollment of five Title I youth participants in Registered Apprenticeship or Pre-Apprenticeship programs by the end of PY27.

Alignment with Department policy priorities

WIOA places an emphasis on preemployment education and development as well as access to work-based learning opportunities. As stated in TEN 31-16, Registered Apprenticeship is a (a) valuable work-based training opportunity that can provide youth with academic and workplace skills and (b) proven model of job preparation that combines paid on-the-job training and related instruction to progressively increase worker skill levels and wages. Approval of this waiver will align with the Department's policy priorities for Title I youth programs through increased services for ISY leading to greater numbers of skilled youth available to enter the workforce. This waiver provides greater opportunities for states and local areas to coordinate ISY services with Perkins V funded CTE programs and is aligned with the Administration's industry-driven strategies Pillar by prioritizing Registered Apprenticeships and Quality Pre-Apprenticeship pathways for Youth.

Individuals, groups, or populations benefitting from the waiver

Approval of this waiver will enhance Nebraska’s ability to serve ISY, including those with basic skills deficiency and those who are English language learners, offenders, youth who are in or have aged out of foster care, pregnant or parenting youth, youth with disabilities, or youth that require additional assistance to complete education or secure employment. Approval of this waiver will also enhance capabilities of Nebraska’s Title I youth programs to enhance services for ISY, while continuing to serve OSY.

Monitoring of waiver implementation and outcome

NDOL will monitor progress on this waiver and ensure accountability for use of Federal funds in connection with this waiver by collecting and reviewing expenditure and performance data. In addition, NDOL will utilize NWorks (NDOL’s management information system of record) to develop relevant performance data reports to assist Title I service providers with effective monitoring of the agreed-upon projected programmatic outcomes defined in this waiver. NDOL will utilize NWorks to generate related reports, which will be provided to local Title I youth programs.

Notice to Local Boards and Public Comment

On January 30, NDOL published this waiver request on its public website, as part of the publication of the Nebraska’s 2026 modification of the 2024-2027 Combined State Plan. NDOL published a “Notice of Public Comment” in major newspapers statewide regarding this waiver request. The mandatory 30-day public comment period was provided, commencing on January 30 and concluding on March 2. Public comments on this waiver were not submitted to NDOL.

Most recent data available regarding results and outcomes observed through implementation of the existing waiver

Table 1. Nebraska WIOA Title IB youth participants served, PY21-PY24

	PY21	PY22	PY23	PY24
Total Participants Served	294	390	463	409

While enrollment dipped for PY24, the previous two program years saw 33 percent and 19 percent increases. For PY25 Quarter 1, Nebraska has already served 233 participants, on pace to increase enrollment by 10 percent over the previous program year.

Table 2. Nebraska WIOA Title IB youth participants enrolled in Registered Apprenticeships

	PY21	PY22	PY23	PY24
Total Enrolled in RA	0	0	0	0

Although Nebraska has not recently had a WIOA youth participant enrolled in a Registered Apprenticeship program, the table below shows the number of youth participants who engaged in Work Experience during each Program Year. Youth are interested in beginning their career path while still in school, a clear opportunity for Registered Apprenticeship. Nebraska has a renewed focus on Registered Apprenticeship under the *Good Life, Great Careers* initiative established by Governor Pillen in Executive Order 25-15 signed October 14, 2025. This waiver aligns with the Governor’s initiative by focusing on establishing career pathways for youth in Nebraska via Registered Apprenticeship.

Table 3. Nebraska WIOA Title IB youth participants enrolled in Work Experience, PY21 - PY24

	PY21	PY22	PY23	PY24
Total Enrolled in WEX	118	110	123	100

Table 4. Nebraska WIOA Title IB youth performance results PY21 – PY23

	PY21	PY22	PY23
ERQ2	100.4%	96.5%	106.1%
MEQ2	96.7%	101.4%	118.4%
ERQ4	Not Assessed	97.8%	108.3%
CRED	Not Assessed	157.7%	111.2%

Nebraska has consistently passed all performance metrics for the WIOA Title IB youth program.