



May 5, 2021

The Honorable Janet T. Mills  
Governor of Maine  
#1 State House Station  
Augusta, ME 04333

Dear Governor Mills:

Thank you for your waiver requests 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 February 9, 2021. This letter provides the Employment and Training Administration's (ETA) official response to your requests and memorializes that Maine will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Maine and ETA. This action is taken under the Secretary'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 Year (PY) 2020 and PY 2021, which includes the entire time period for which states are authorized to spend those funds, the State's request to waive the requirement that the State expend 75 percent of Governor's reserve youth funds on OSY. The State may lower the expenditure requirement of Governor's reserve to 50 percent for OSY. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Maine to implement its plan to improve the workforce development system.

In addition, ETA approves for PY 2020 and PY 2021, which includes the entire time period for which states are authorized to spend PY those funds, the State's request to waive the requirement that local areas expend 75 percent of local youth formula funds on OSY. Maine may lower the local youth funds expenditure requirement to 50 percent for OSY. As a result of this waiver, ETA expects that the number of in-school youth (ISY) served will increase and that performance accountability outcomes for overall WIOA Youth (including both ISY and OSY) will remain steady or increase for the majority of the WIOA Youth performance indicators.

Requested Waiver: Waiver of 20 CFR 681.550 to allow WIOA individual training accounts (ITA) for ISY.

ETA Response: ETA approves, through June 30, 2022, the State's request to waive the requirement limiting ITAs to only 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 Maine to implement its plan to improve the workforce development system. Approval of this waiver should not impede the State's efforts to prioritize OSY, including outreach to the OSY population.

Requested Waiver: Waiver of the requirement at WIOA Section 116(e) and 20 CFR 682.200(d) to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth at WIOA Section 134(a)(2)(B)(vi)) and WIOA Section 129(b)(1)(A).

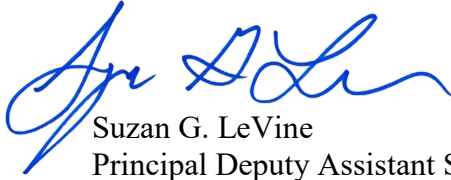
ETA Response: ETA does not approve, at this time, the State's request for a waiver of the requirement to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth at WIOA Section 134(a)(2)(B)(vi)) and WIOA Section 129(b)(1)(A). The State is requesting this waiver due to lack of capacity and funding to conduct evaluations; however, the scale of the requirement is not as steep as the waiver request suggests. ETA will provide technical assistance regarding lower cost evaluation options and other acceptable evaluation activities that the State may undertake to both conduct and benefit from an evaluation.

Requested Waiver: Waiver of WIOA Section 116(c)(3) and 20 CFR 677.210 requiring the local board, the chief elected official, and the governor to negotiate the local levels of performance and make adjustments for the expected economic conditions and characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to WIOA Section 116 (b)(3)(A)(viii).

ETA Response: This request falls outside of the Secretary's waiver authority and, therefore, cannot be approved. WIOA 189(i)(3)(A)(i) prohibits the Secretary from waiving requirements related to the basic purposes of WIOA. ETA views the requirement to develop a statistical adjustment model for local areas as relating to the basic purpose of WIOA regarding promoting accountability using core indicators of performance. ETA understands that Maine, among other states, may have limited capacity to implement this requirement and will, therefore, provide technical assistance.

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,



Suzan G. LeVine  
Principal Deputy Assistant Secretary

Enclosure

cc: Laura A. Fortman, Commissioner, Maine Department of Labor  
Leo Miller, Boston/Philadelphia Regional Administrator, Employment and  
Training Administration  
Minnie Holleran, Federal Project Officer, Employment and Training Administration



STATE OF MAINE  
DEPARTMENT OF LABOR  
BUREAU OF EMPLOYMENT SERVICES  
55 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0055

LAURA A. FORTMAN  
COMMISSIONER

JANET T. MILLS  
GOVERNOR

Employment and Training Administration  
U.S. Department of Labor  
200 Constitution Avenue N.W.  
Washington D.C. 20001

February 9, 2021

Attn: Waiver Request Coordinator:

Attached are four separate requests for waiver, submitted in accordance with WIOA Sec. 189(i)(3)(B) and 20 CFR 679.620, as follows:

Request for waiver of the requirement to expend 75% of WIOA Title IB Youth funds on out-of-school youth. Approval of this waiver will permit local areas to invest more WIOA funds in work experience activities for eligible high school youth and provide additional supports to eligible, first-time college students with barriers to successfully completing their program and attaining a degree/credential.

Request for waiver of the limitation on use of Individual Training Accounts (ITAs) for in-school-youth attending college. Approval of this waiver will permit the use of WIOA Title IB Youth funds to cover educational costs for low-income youth with barriers who are under age 21 and enrolled in credit-bearing, post-secondary education programs that lead to a recognized credential, degree or diploma.

Request for waiver of the requirement to conduct a formal evaluation of Title IB programs and activities. Maine receives the minimum amount of WIOA funding a State can receive. While able to conduct routine research and evaluation activities, the cost of conducting a formal program evaluation at the level of rigor required under WIOA is not feasible at this time. Approval of this waiver will allow the State to continue to focus limited resources on other WIOA requirements, such as program and financial monitoring, performance reporting and workforce system planning and integration.

Request for waiver of the requirement to develop a Statistical Adjustment Model (SAM) to be used to negotiate and adjust performance in each of Maine's three local areas. This is not a requirement under WIOA or final regulations, but a requirement identified in Training and Employment Guidance Letter (TEGL) 11-19 issued by the U.S. Department of Labor. The cost to develop a statistical adjustment model for each local area far exceeds available resources. Approval of this waiver will permit the State to continue to utilize the statistical adjustment model developed at the federal level to negotiate and adjust local performance measures.

The waiver requests were posted for public comment between January 13, 2021 and January 28, 2021. Two comments were received and are also attached. On behalf of Governor Mills and Commissioner Fortman, we greatly appreciate your review and consideration of these requests. If you have questions, I can be reached at 207-592-5944 or via email at [virginia.a.carroll@maine.gov](mailto:virginia.a.carroll@maine.gov).

Ginny Carroll  
Director, Division of Policy and Evaluation

cc: Janet T. Mills, Governor  
Laura A. Fortman, Commissioner  
Kimberley Moore, Bureau Director  
Minnie Holleran, Region One FPO

**Maine Waiver Submission  
Waiver for State and Local Youth Spending Flexibility**

**Submitted February 9, 2021**

**The statutory and/or regulatory requirements the State would like to waive.**

The State of Maine is requesting a waiver of Section 129(a)(4)(A) and 20 CFR 681.410 which requires that state and local areas spend not less than 75 percent of youth funds to provide career and training services to out-of-school youth and to permit a waiver to allow the State of Maine and local areas the flexibility to direct up to 50% of youth funds to deliver workforce and educational services to in-school youth and up to 50% toward out-of-school youth.

This request is being made under the Secretary's authority at WIOA Section 189(i)(3)(B) to waive certain requirements of WIOA Title I. Waiver of this requirement will provide greater flexibility and increase capacity to respond to the training and employment needs of Maine youth.

**Actions the State has undertaken to remove State or local barriers.**

There are no state or local barriers to this request for spending flexibility.

**State strategic goal(s) and Department of Labor priorities supported by the waiver;**

**Facts:** Students from low-income homes are more likely to drop out of high school than children from higher-income homes. Almost one in five children in Maine live in poverty. Only 86.7 percent of high school students graduate in four years. Students who are engaged in work activities while in high school have better outcomes and are more successful in the workforce. Seventy-seven percent of Maine jobs require at least a high school completion and 50 percent require some level of post-secondary education or training. Maine's death rates exceed birth rates, Maine's rural nature creates challenges in finding, engaging, and staying connected with youth who have already disconnected from school.

Considering these facts and the goals and priorities below, Maine would like the flexibility to use additional WIOA funds to engage youth while they are still in school. By doing so, WIOA can affect high school completion and successful career attainment by connecting these individuals with meaningful career information and development, work-based learning, paid work experiences, and other activities and supports leading to successful outcomes. Maine must employ strategies to increase numbers in the labor force in order to meet workforce needs of employers. This includes maximizing opportunities and supporting all youth in completing high school, obtaining credentials of value, and transitioning to work and careers.

**Maine's goals and priorities that would be supported by this waiver:**

- ✓ Alignment with Maine's newly reconstituted Children's Cabinet. A main goal of the Cabinet is that all Maine youth enter adulthood healthy, connected to the workforce and/or education" with defined key indicators including that Maine youth leave high school with some sort of paid work

experience and an increased awareness of careers, career pathways, and access points to post-secondary education and training programs.

- ✓ Development and expansion of quality youth apprenticeship programs, in collaboration with Career and Technical Education (CTE) schools and community colleges, that provide youth with a paycheck and structured on-the-job learning that allows them to apply relevant and affordable classroom training that results in dual credit toward high school graduation and an associate degree.
- ✓ Maine's residents and businesses will have economic opportunity and contribute to the growth of Maine through a responsive, networked and coordinated workforce development system across public and private sectors. All components of the workforce development system will be provided seamlessly, resulting in increased educational and employment attainment for residents with a focus on careers, not just jobs, and support Maine's business sectors with skilled and qualified workers.
- ✓ Maine's untapped labor pool will enter employment and advance into high-demand occupations of their choice through private and public investment in training, education, and supports. Youth is one population of the untapped labor pool.
- ✓ Current and future workers will be equipped to meet industry talent needs, with the goal that 60 percent of Maine's workforce will hold a credential of value by 2025.
- ✓ Create a networked, aligned and demand-driven workforce system across public and private partners and fosters the growth of Maine's economy while supporting equitable, safe, productive employment opportunities.
- ✓ For Maine's economy to flourish, employers must have a ready supply of capable and skilled workers. Maine's strategic objectives begin with the recognition that the system must place business and residents at the center and construct programs designed to support them, rather than placing programs at the center and requiring business and residents to manage the programs.

**Projected programmatic outcomes resulting from implementation of the waiver;**

Allow strategies to address challenges of at-risk youth whether in-school or out, and encourage strategies to address student retention, engagement, and immediate transition to post-secondary, meaningful employment, and/or the military.

Expected outcomes for youth participants include an increase in the:

- Number that attain a measurable skill gain;
- Number that attend postsecondary education
- Number that participate in occupational skills training
- Number of ISY that participate in work experience opportunities
- Number that earn an industry-recognized credential

**Individuals, groups or populations benefitting from the waiver;**

- ✓ Maine Youth
- ✓ Employers/Businesses
- ✓ Maine Families

**How the State plans to monitor waiver implementation, including collection of waiver outcome information;**

Maine DOL will oversee and monitor the implementation of the new rates as it does with current requirements.

**Assurance of State posting of the request for public comment and notification to affected local workforce development boards.**

A press release inviting public comments was published on January 13, 2021 providing a 15-day comment period; in addition, required partners, local boards and service provider agencies were informed directly. Two comments were received and are attached to this submittal. Press release inviting public comment can be viewed at:

[https://www.maine.gov/labor/news\\_events/article.shtml?id=3948452](https://www.maine.gov/labor/news_events/article.shtml?id=3948452)

**Maine Waiver Submission**  
**Request to Waive the Limitation on Individual Training Accounts (ITAs) for In-School-Youth**

**Submitted February 9, 2021**

**The statutory and/or regulatory requirements the State would like to waive.**

The State of Maine is requesting a waiver of the limitation under 20 CFR 681.550 of use of individual training accounts (ITAs) for out-of-school youth only. Maine requests the flexibility to provide ITAs to in-school-youth who are enrolled in post-secondary education that will result in attainment of an industry recognized credential, degree or diploma.

This request is being made under the Secretary's authority at WIOA Section 189(i)(3)(B) to waive certain requirements of WIOA Title I. Waiver of this requirement will provide greater flexibility and increase capacity to respond to the training and employment needs of Maine youth.

**Actions the State has undertaken to remove State or local barriers.**

There are no state or local barriers to this request for flexibility to provide ITAs to in-school youth attending post-secondary education.

**Background:**

Per a recent study completed by Educate Maine, Maine's overall secondary school graduation rate is very good, at 87% for all students and 78% for economically disadvantaged students. Approximately 62% of Maine high school graduates go on to enroll in college within the first year of graduation, as do 50% of those who are economically disadvantaged. However, only 40% of economically disadvantaged students complete their program.

[https://www.educatemaine.org/docs/2019\\_IndicatorsReport-FNL-WEB.pdf](https://www.educatemaine.org/docs/2019_IndicatorsReport-FNL-WEB.pdf)

The limitation on use of individual training accounts (ITAs) for in-school-youth who have applied for, or are attending, post-secondary education has created an impediment to ensuring the success of Maine youth with barriers who require significant supports to enter and succeed in post-secondary education. Many Maine high school seniors register for but never actually enter postsecondary education and many of those who do enter leave within the first year due to lack of necessary supports.

Flexibility on the use of ITAs for in-school-youth attending post-secondary education will permit service providers to better work with educational institutions to determine how federal financial aid resources and WIOA IB youth funds can be used. This flexibility will ensure youth with barriers to education and employment have the resources necessary to subsist, manage academic life, and succeed at completion of educational objectives that will result in attainment of recognized post-secondary credentials, degrees, diplomas and occupational certifications.

**State strategic goals and Department of Labor priorities supported by the waiver:**

We believe approval of this waiver request will expand access to and engage youth most in need of WIOA youth service elements to succeed in transition to and retention in post-secondary education and achievement of postsecondary credentials and which will support the following goals:



- ✓ Ensure current and future workers will be equipped to meet industry talent needs, with the goal that 60 percent of Maine’s workforce will hold a credential of value by 2025
- ✓ Increase access to and engagement of youth in need of education, training and supports necessary to succeed in the labor market and meet current high-growth industry demand in Maine through acquisition of a degree or diploma
- ✓ Support the alignment of the Title IB youth programs with other workforce system programs serving younger workers with barriers to employment in Maine

For Maine’s economy to flourish, employers must have a ready supply of capable and skilled workers. Maine’s strategic objectives begin with the recognition that the system must place business and residents at the center and construct programs designed to support them rather than placing programs at the center and requiring business and residents to manage the programs.

**Projected programmatic outcomes resulting from implementation of the waiver:**

Maine is committed to continuing to serve youth with the greatest barriers and anticipates approval of this waiver will result in:

- ✓ An increase in the number of youths who will successfully complete a program of study and achieve postsecondary credentials
- ✓ Better alignment with other workforce partner programs serving youth with barriers to employment in each age range
- ✓ Expansion of the skilled labor force pool
- ✓ Increased competitiveness of both youth participants and Maine employers

**Individuals, groups or populations benefitting from the waiver:**

- ✓ Maine Youth
- ✓ Employers/Businesses
- ✓ Maine Families

**How the State plans to monitor waiver implementation, including collection of waiver outcome information:**

Maine DOL will oversee and monitor the provision of ITAs for in-school-youth who are transitioning to and/or attending post-secondary education and training to ensure they have the resources to succeed in attainment of approved post-secondary credentials.

**Assurance of State posting of the request for public comment and notification to affected local workforce development boards.**

A press release inviting public comments was published on January 13, 2021 providing a 15-day comment period; in addition, required partners, local boards and service provider agencies were informed directly. Two comments were received and are attached to this submittal. Press release inviting public comment can be viewed at: [https://www.maine.gov/labor/news\\_events/article.shtml?id=3948452](https://www.maine.gov/labor/news_events/article.shtml?id=3948452)

**Maine Waiver Submission**  
**Request to Waive Requirement to Conduct Program Evaluations**

**Submitted February 9, 2021**

**1. The statutory and/or regulatory requirements the State would like to waive.**

The State of Maine is requesting a waiver of the requirement under WIOA sec. 116 (e) and 20 CFR 682.200 (d) to conduct evaluations of core programs, including the adult and dislocated worker program under WIOA Section 134(a)(2)(B)(vi) and youth programs at WIOA Section 129(b)(1)(A).

This request is being made under the Secretary's authority at WIOA Section 189(i)(3)(B) to waive certain requirements of WIOA Title I. Waiver of this requirement will provide greater flexibility and increase capacity to respond to the training and employment needs of Maine youth.

Maine's WIOA state plan describes how statutory performance measures will be used to evaluate the effectiveness of programming. These measures, as well as regular continuous improvement processes, should provide sufficient information to determine the effectiveness of the workforce delivery system.

Maine lacks the capacity to procure or develop for itself the rigorous statistical and analytical evaluations expected in the statute. Disproportionally large samples sizes are required to achieve statistically significant results. The State's limited resources would be better directed toward service delivery and continuous improvement, while conceding evaluation expertise to federal coordination. The State will continue to participate in and cooperate with evaluations and research projects initiated by the Departments of Labor and Education.

**2. Actions the State has undertaken to remove State or local barriers.**

There are no state or local barriers to this request beyond lack of funding and capacity.

**3. State strategic goal(s) and Department of Labor priorities (i.e. expansion of apprenticeship, improved employer engagement, etc.) supported by the waiver;**

Although congressional action increased the percentage of Governor's Reserve funding for states to 15 percent in PY16, Maine continues to struggle with the challenges small states face when the cost of infrastructure and federal requirements are in line with other states; however, the funding received is much smaller than that of larger states. In addition, Maine's funding decreased \$2.4 million from PY16 to PY20. The total amount available for the Governor's Reserve in PY2020 is \$1,040,413 down from \$1,406,326 in PY16. Consequently, funding has become severely limited while the costs of operating

the state's workforce development/One-Stop system and the other mandatory WIOA activities continues to rise, further restricting Maine's ability to effectively fund and carry-out all the required statewide workforce investment activities. The current funding level for this program year and anticipated funding levels for future program years are insufficient to cover the costs of conducting evaluations.

With this waiver, the reduced Governor's Reserve funding will be used for primary and basic functions and activities of the system authorized in WIOA sec. 129(b), 134(a)(2)(B), or 134(a)(3)(A).

The state's goal in seeking this waiver is to ensure that the state can prioritize the use of Governor's Reserve funds for the required WIOA activities deemed most essential to the basic functions of the state's workforce development system.

#### **4. Projected programmatic outcomes resulting from implementation of the waiver;**

Traditionally, Maine has used state funds to ensure that it conducts activities required within Section 134 of WIOA. Governor's Reserve funds have also been used to support local programs and initiatives that increase the availability and quality of services provided to WIOA participants. With the continued reduction in the state's overall WIOA Title 1B allocation and the subsequent reduction in the Governor's Reserve funds, the state has prioritized usage of these funds to:

- a. Ensure the state remains compliant with required WIOA administrative functions,
- b. Maintain activities necessary for federal reporting through the management information systems for the programs in Maine's workforce development system,
- c. Develop and administer effective rapid response activities, and
- d. Promote and expand the services available through the American Job Centers to businesses and individuals throughout the state.

#### **5. Individuals, groups or populations benefitting from the waiver;**

The ability to maintain, rather than reduce, the current levels of service is essential to Maine's workforce development system. This waiver will provide the state with more flexibility in directing Governor's Reserve funds to activities that best preserve basic functions of the statewide workforce development system and ensure current service levels are maintained.

It is not anticipated that this waiver will impact any services provided to WIOA participants. Further, Maine is committed to conducting evaluation under WIOA sec. 116(e), should future congressional budget action increase funding to the state to a level sufficient to accommodate requirements under 20 CFR §682.220.

**6. How the State plans to monitor waiver implementation, including collection of waiver outcome information;**

Maine Department of Labor will monitor the implementation and impact of the waiver and progress toward expected outcomes. State oversight and evaluation will make effective use of these means to identify obstacles and address them. Any comments received will be forwarded to the USDOL and included as a modification to the State Plan. The impact of this waiver on the state's performance will be addressed in the state's WIOA Annual Report. The waiver outcomes, in the form of performance goals and standards, will be reported in the state's WIOA Annual Report.

**7. Assurance of State posting of the request for public comment and notification to affected local workforce development boards.**

A press release inviting public comments was published on January 13, 2021 providing a 15-day comment period; in addition, required partners, local boards and service provider agencies were informed directly. Two comments were received and are attached to this submittal. Press release inviting public comment can be viewed at: [https://www.maine.gov/labor/news\\_events/article.shtml?id=3948452](https://www.maine.gov/labor/news_events/article.shtml?id=3948452)

**Maine Waiver Submission**  
**Request to Waive Requirement to Develop a Statistical Adjustment Model for Each Local Area**

**Submitted February 9, 2021**

**1. The statutory and/or regulatory requirements the State would like to waive.**

The State of Maine is requesting a waiver of the requirement put forth in TEGL 11-19 requiring states to develop local statistical adjustment models for local area performance negotiations and adjustments.

**TEGL 11-19, page 16** The Departments have developed the framework for an objective *statistical adjustment model* that satisfies the WIOA requirements at the state level. States must use this framework and develop a model that satisfies their needs at the local level, both in performance negotiations and year-end adjustment of local levels of performance.

Maine lacks the resources and capacity to procure or develop statistical adjustment models for each local area. This requirement only appears in TEGL 11-19 but is not required by the Act or final rule. WIOA Section 116(c)(3), maintains that States are to use the statistical adjustment model developed by the U. S. Departments of Labor and of Education to negotiate, predict, and adjust local performance levels and is reiterated in the final rule.

(3) Adjustment factors.--In negotiating the local levels of performance, the local board, the chief elected official, and the Governor shall make adjustments for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(A)(viii). In addition, the negotiated local levels of performance applicable to a program year shall be revised to reflect the actual economic conditions experienced and the characteristics of the populations served in the local area during such program year using the statistical adjustment model.

**§677.210 How are local performance levels established?**

- a. The objective statistical adjustment model required under sec. 116(b)(3)(A)(viii) of WIOA and described in §677.170(c) must be:
  1. Applied to the core programs' primary indicators upon availability of data which are necessary to populate the model and apply the model to the local core programs;
  2. Used in order to reach agreement on local negotiated levels of performance for the upcoming program year; and
  3. Used to establish adjusted levels of performance at the end of a program year based on actual conditions, consistent with WIOA sec. 116(c)(3).

**2. Actions the State has undertaken to remove State or local barriers.**

There are no state or local barriers to this request beyond lack of funding and capacity.

**3. State strategic goal(s) and Department of Labor priorities supported by the waiver;**

As required under WIOA, Maine will utilize the statistical adjustment model developed at the federal level to negotiate and adjust local performance measures. Maine continues to struggle with the challenges small-funded states face when the cost of federal requirements exceeds the amount of funding received. Funding has become severely limited while the costs of operating the state's workforce development system and other mandatory WIOA activities continues to rise, further restricting Maine's ability to effectively fund and carry-out even the required statewide workforce investment activities. The current funding level for this program year and anticipated funding levels for future program years are insufficient to cover the costs of procuring or developing statistical adjustment models for each local area.

At a recent affinity group meeting regarding this requirement it was apparent that only a handful of states have been able to take on this requirement. Of those states who have, significant issues have been identified such as inability to properly adjust for very small local areas (geographically) who enroll a smaller sample of participants.

**4. Projected programmatic outcomes resulting from implementation of the waiver:**

State set-aside funds are insufficient to cover even required activities identified under WIOA Section 134(a)(2) and with the continued reduction in the state's overall WIOA Title 1B allocation and the subsequent reduction in the set-aside funds, the state has prioritized use of these funds to:

- a. Ensure the state remains compliant with requirements under WIOA,
- b. Maintain activities necessary for federal reporting through the management information systems for the programs in Maine's workforce development system,
- c. Promote and expand the services available through the American Job Centers to businesses and individuals throughout the state.

**5. Individuals, groups or populations benefitting from the waiver;**

The ability to maintain, rather than reduce, the current levels of service is essential to Maine's workforce development system. This waiver will provide the state with more flexibility in directing set-aside funds to activities that best preserve basic functions of the statewide workforce development system and ensure current service levels are maintained. There will be no negative impact to participants served with WIOA Title 1B or Wagner-Peyser program funds, in fact funds preserved upon approval of this waiver will continue to support current service levels.

**6. How the State plans to monitor waiver implementation, including collection of waiver outcome information;**

The Maine Department of Labor will monitor the impact of the waiver and progress toward expected outcomes for local area performance negotiations. Any comments received will be forwarded to the USDOL and included as a modification to the State Plan. The waiver

outcomes, in the form of performance goals and standards, will be reported in the state's WIOA Annual Report.

**7. Assurance of State posting of the request for public comment and notification to affected local workforce development boards.**

A press release inviting public comments was published on January 13, 2021 providing a 15-day comment period; in addition, required partners, local boards and service provider agencies were informed directly. Two comments were received and are attached to this submittal. Press release inviting public comment can be viewed at:

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