

U.S. Department of Labor

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



June 23, 2026

The Honorable Dan McKee
Governor of Rhode Island
82 Smith Street
Providence, RI 02903

Dear Governor McKee:

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 request was received on April 27, 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 Rhode Island will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Rhode Island 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 the requirements outlined in WIOA Section 107(b) to allow a state workforce development board to carry out the roles and responsibilities of a local board.

ETA Response: ETA approves, through June 30, 2028, Rhode Island's request for a waiver to allow the state board to carry out the roles of the Greater Rhode Island (GRI) Local Workforce Development Board. ETA reviewed Rhode Island'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. Given the challenges the State and local area have in mounting a fully compliant local-led board at this time, ETA agrees that the state board is in a better position to ensure effective service delivery in the GRI Local Workforce Development Board local area. Under this waiver, the Governor may designate the state board to carry out the roles and responsibilities of the local board in the State. In implementing this waiver, the State must:

- Continue to include local input into its activities; and
- Allocate funding to the local area for which the state board is carrying out local board functions.

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 State'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 State can 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.

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: Pauline Abetti, Assistant Director, Rhode Island Department of Labor and Training
Danielle Worthen-Ramos, Acting Boston Regional Administrator, ETA
Larica Kintchen, Federal Project Officer, ETA

Rhode Island Waiver Requests

Received April 27, 2026

- 1. Identifies the statutory or regulatory requirements for which a waiver is requested and the goals that the State or local area, as appropriate, intends to achieve as a result of the waiver and how those goals relate to the Unified or Combined State Plan;**

The State of Rhode Island seeks continuation of the waiver from the requirements outlined at Sec. 107 of the Workforce Innovation and Opportunity Act, relating to the roles and responsibilities of a local board.

Prior to the Secretary's initial September 2019 waiver approval, Rhode Island had two Local Workforce Development Areas under the Workforce Innovation and Opportunity Act (WIOA): The Providence/Cranston Local Workforce Development Area (LWDA) (made up of two cities) and the Greater Rhode Island LWDA (made up of thirty-seven (37) cities and towns). WIOA requires Chief Local Elected Officials to administer WIOA Title I funds and appoint Local Workforce Development Board members. In Rhode Island, as far back as the Jobs Training Partnership Act, the Governor performed the functions of the Chief Local Elected Official for the Greater Rhode Island (GRI) LWDA. This meant the Governor was appointing both the State Workforce Development Board (SWDB) and the GRI LWDB.

After authorization of WIOA, the Governor continued to serve as the Chief Elected Official for the GRI LWDB. However, during a compliance monitoring review conducted in February 2018, United States Department of Labor (USDOL) regional staff identified that the Governor acting in this capacity was inconsistent with WIOA requirements because the Governor is not a Local elected official and, thus, cannot appoint the local board. Regional staff advised finding a local elected official(s) to assume the role of Chief Local Elected Official for the area or submit a waiver requesting that the SWDB act as, and carry out roles and responsibilities of, the GRI LWDB. It is important to note that the local area belonging to this board comprises 95% of the municipalities within the state.

In response to the regional office's directive, the Governor engaged the RI League of Cities and Towns to address the issue. The DLT Director, at the direction of the Governor, met with the League twice to explain the change in law and answer questions regarding the ramifications of that change. The DLT then asked local officials if they wanted to appoint the board and they ultimately decided they wanted to relinquish that responsibility to the state and therefore wanted the state to produce a waiver request. These considerations were documented in a letter addressed to the Director dated April 23, 2019. The main theme of those comments involved the need for more efficient management of the local

board and more effective use of funds. The decision of the local officials was the primary compelling reason for the proposed governance structure. The waiver request was initially approved in September 2019. It was subsequently reauthorized in September 2020, again in June 2022, and again in May 2024.

The May 2024 reauthorization included the following conditions:

- That the state demonstrate progress in addressing concerns identified in the 2018 compliance monitoring review, particularly in regard to fiscal controls and firewalls;
- That the state include local input into its activities. As proposed in the State's waiver request, the state board must maintain a subcommittee to reflect the geographic diversity of the State and its local elected officials; and
- Allocate funding to the local area for which the state board is carrying out local board functions.

In response to condition one; on March 29, 2021, the state provided USDOL regional staff a copy of the document entitled "Firewalls and Internal Controls Re: State and Local Board Responsibilities." This document memorialized the internal controls that all staff adhere to when fulfilling State and Local Workforce Board responsibilities in order that business will be conducted in a manner that will prevent actual, potential, or questionable conflicts of interest and will provide clear separation of duties. The Board's administrative and fiscal agent, the Department of Labor and Training, continues to conduct the responsibilities and functions of both boards consistent with Uniform Guidance and in compliance with the established firewalls and internal controls. Administrative and fiscal procedures were shared with, and reviewed by, USDOL-ETA staff during a PY2022 Consolidated Compliance Review. Any issues or deficiencies with those procedures were addressed and resolved through corrective action.

In response to condition two; the Board initially worked with the League of Cities and Towns to establish a Local Area Advisory Committee (LAAC) for the State Board, comprised of business, labor, and community leaders from throughout the Greater Rhode Island workforce area. This Subcommittee has continuously met throughout PY2021-PY2024, and presently - and helps ensure local area 'voice' and representation in key WIOA-related matters including policymaking, service data and demographic analysis, modification of the local WIOA plan, overseeing rehabilitation and upgrading of the local area American Job Centers, and other matters. While the ultimate responsibility for these functions remains with the board; the LAAC insures the needs, perspective, and opinions of the local area is hear.

In response to condition three; the state board allocates funds to both local areas annually through the annual “Allocations for Adult, Youth, and Dislocated Programs” policy ([Workforce Innovation Notice 03-03](#)). The development of the weights and allocation formulas, as well as the annual calculation and funding allocation, are done in specific manner such to ensure they are free from any real or perceived conflicts or biases toward one local area over another.

2. Describes the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers;

The Rhode Island Department of Labor and Training conducted a review of potential statutory and regulatory barriers and does not anticipate any challenges in this area. In addition, this waiver would not change the allocation of resources as there will be no change to the designation of Local Workforce Development Areas. Allocations made to the Providence/Cranston local area would remain unchanged as the Providence/Cranston local board would remain active and continue to be appointed by the two mayors.

State law R.I.G.L §42-102 provides the Governor’s Workforce Board authority to “establish statewide policies, definitions, objectives, goals, and guidelines for the coordination of all employment-and-training programs and related services and programs within the state.” This statute applies to all such programs administered by the Department of Labor and Training, which includes WIOA Title 1B. This statute, and its related subsections, provides the state policy necessary to assume the roles of the local workforce board.

As mentioned above, to ensure local stakeholder interests are represented and engaged; the Governor’s Workforce Board has formed a subcommittee called the Local Area Advisory Committee, which reflects the geographic diversity of the greater Rhode Island area. This body is in addition to the current composition of the Board itself which includes representation from the greater Rhode Island area and already provides a degree of synergy between the role of the SWDB and the GRI LWDB. Existing SWDB committees already address many of the local board roles and the Local Area Advisory Committee is positioned to handle any additional roles.

3. Describes the goals of the waiver and the expected programmatic outcomes if the request is granted;

The primary goal and outcome related to this waiver request are to comply with the provisions of WIOA.

Ancillary outcomes expected from this waiver include increased efficiency within the Department of Labor and Training, reduced overhead costs, and a maximizing of funds available for direct services for individuals and businesses. Pandemic-related disruptions

made it difficult to quantify and document the efficiencies that have resulted from the board governance waiver. However, as Rhode Island enters the fourth year of the waiver, the state estimates that the waiver and its associated administrative efficiencies have resulted in a reduction of no fewer than two FTEs, reducing overhead and freeing up more resources for direct participant services.

A second outcome of this waiver greater synergy between WIOA investments and the sizable commitment of state funds to workforce development. Per state statute, the State Workforce Development Board oversees WIOA investments and activities in the state and is also responsible for allocating the Job Development Fund – a state level workforce development account that augments the federal investments of WIOA. Involving the board in the direct oversight and administration of the local area offers opportunities to integrate state-funded programming into the local area American Job Centers and helps identify gaps and areas where state funds can compliment and assist federal programming.

4. Describes how the waiver will align with the Department’s policy priorities, such as:

- 1. Supporting employer engagement;**
- 2. Connecting education and training strategies;**
- 3. Supporting work-based learning;**
- 4. Improving job and career results, and**
- 5. Other guidance issued by the department.**

This waiver directly responds to the issues raised in the USDOL compliance monitoring review conducted in February 2018, which identified that the Governor appointing membership to the LWDA is inconsistent with WIOA requirements because the Governor is not a Local elected official and, thus, cannot appoint the local board.

5. Describes the individuals affected by the waiver; and

We believe that all employer and job-seeker customers benefit from this waiver and the transition toward a more unified statewide workforce system. WIOA partner programs benefit from a more straightforward planning and program development. AJC staff and other partners benefit from increased resources for direct programming and training as well as increased opportunities for system improvements and investments in technical assistance.

6. Describes the processes used to:

- 1. Monitor the progress in implementing the waiver;**
- 2. Provide notice to any local board affected by the waiver;**
- 3. Provide any local board affected by the waiver an opportunity to comment on the request;**
- 4. Ensure meaningful public comment, including comment by business and organized labor, on the waiver.**
- 5. Collect and report information about waiver outcomes in the State's WIOA Annual Report.**

The State Workforce Development Board will continuously monitor the implementation and impact of this waiver. The Office of Planning, Integrity, and Compliance (OPIC) within the Department of Labor and Training is responsible for this monitoring. OPIC includes dedicated staff who do not have a role in the implementation or operations processes. Consistent with the terms of the waiver, the state revised its statewide monitoring policy to ensure that local monitoring decisions were free from any actual, potential, or perceived conflicts of interest. In CY2022, OPIC conducted a comprehensive fiscal monitoring of the Providence/Cranston workforce development area. A similar review of the Greater Rhode Island workforce development area is planned for the near future and will include a review of the aforementioned firewalls and internal controls to ensure continued adherence.

In addition to formal monitoring functions, the department also engages in regular internal performance reviews. These reviews cover progress on key implementation issues involving workforce development programs and Unemployment Insurance. The continued implementation of the waiver and the related data necessary to evaluate outcomes would be collected by the department's performance data team and presented at these meetings. Each local board role and project relating to the waiver would be converted into deliverable and the progress of each deliverable would be evaluated.

The initial waiver request was announced to the public and posted to the State Workforce Development Board's website for four weeks for public comment and review. Furthermore, Rhode Island Department of Labor and Training hosted three (3) public hearings across the LWDA to encourage public comment and notified stakeholders and advocates of these scheduled events, as well as the process for submitting written comments.

A copy of this renewal request has been shared with the Chair and Executive Director of the Providence-Cranston Local Workforce Development Board as well as the Chair and executive Director of the State Board, acting as Local Board for the Greater Rhode Island

area. Should the waiver be renewed, notice will be disseminated to both boards as well as other impacted partners as necessary.

As part of the 2026 WIOA State Plan Modification submission, this waiver request will be posted to the State Workforce Development Board's website for comment and review by the general public and will be accompanied by public notice.

7. The most recent data available regarding the results and outcomes observed through implementation of the existing waiver, in cases where the State seeks renewal of a previously approved waiver.

As described above, the waiver has functioned without issue since its initial authorization in 2019. The members of the Local Area Advisory Committee meet regularly and are engaged in decision-making effecting the Greater Rhode Island local area; firewalls and internal controls are working as intended with board and staff taking reasonable precautions against real or perceived biases. The waiver has resulted in some administrative efficiencies as estimated; with a reduction of no fewer than two FTEs, reducing overhead and freeing up more resources for direct participant services.

Statutory and/or Regulatory Requirement to be Waived – Allowing use of supportive services for participants within 12 months of exit for employment retention (new request)

1. Identifies the statutory or regulatory requirements for which a waiver is requested and the goals that the State or local area, as appropriate, intends to achieve as a result of the waiver and how those goals relate to the Unified or Combined State Plan;

Rhode Island is seeking a waiver from WIOA Section 134(d)(2) and 20 CFR 680.910 to allow use of supportive services for participants within 12 months of exit for employment retention. WIOA allows provision of supportive services to enable participants to successfully participate in career or training services; however for Adult and Dislocated Worker program participants, it does not authorize their use during the 12-month period post exit. This waiver can assist Adult and Dislocated Worker program participants who successfully obtain employment to have access to short-term supportive services that can ease the transition period to a new job.

2. Describes the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers;

There are currently no state nor local statutory or regulatory barriers to implementing the requested waiver.

3. Describes the goals of the waiver and the expected programmatic outcomes if the request is granted;

WIOA allows provision of supportive services to enable participants to successfully participate in career or training services; however for Adult and Dislocated Worker program participants, it does not authorize their use during the 12-month period post exit. This waiver will assist newly employed Adult and Dislocated Worker program participants to have access to short-term supportive services that can ease the transition period to a new job, particularly if that new job causes a participant to lose public benefits due to income thresholds. Often we see participants declining better-paid jobs due to the expected losses in public assistance benefits (i.e. the “benefits cliff”). This waiver will address benefit cliffs and temporarily replace lost benefits as the exited participant earns higher wages through employment. Such supportive services may include transportation, temporary living costs, grocery/gas cards, or childcare expenses while the individual adjusts to his or her new employment and public assistance situation.

4. Describes how the waiver will align with the Department’s policy priorities, such as:

- 1. Supporting employer engagement;**
- 2. Connecting education and training strategies;**
- 3. Supporting work-based learning;**
- 4. Improving job and career results, and**
- 5. Other guidance issued by the department.**

By allowing supportive services for WIOA participants post-exit, the US Department of Labor seeks to ease the transition period to a new job. This waiver is designed to address benefit cliffs and temporarily replace lost benefits as the exited participant secures higher earnings through employment. This waiver will improve job and career results as participants are able to train for and obtain better-paying jobs without the worry of a challenging transition period as they earn higher wages and potentially lose public benefits. This will lead to a higher-income, more self-sustainable population that can enjoy the dignity of work and pull themselves and their families out of poverty, and a more stable workforce for employers.

5. Describes the individuals affected by the waiver; and

WIOA adult and dislocated worker participants will benefit from this waiver, particularly participants transitioning off social assistance benefits. Employers will also benefit from a

more stable workforce as participants can keep their better-paying jobs while transitioning off social assistance.

6. Describes the processes used to:

- 1. Monitor the progress in implementing the waiver;**
- 2. Provide notice to any local board affected by the waiver;**
- 3. Provide any local board affected by the waiver an opportunity to comment on the request;**
- 4. Ensure meaningful public comment, including comment by business and organized labor, on the waiver.**
- 5. Collect and report information about waiver outcomes in the State's WIOA Annual Report.**

Annual WIOA programmatic reviews will include an evaluation of how this and all waivers are impacting local programs and performance. Rhode Island can effectively monitor the impact of the waiver through our existing client management system. Funds used for supportive services would be tracked, easily identifiable, and linked to the specific participant.

A copy of this waiver request has been shared with the Chair and Executive Director of the Providence-Cranston Local Workforce Development Board as well as the Chair and executive Director of the State Board, acting as Local Board for the Greater Rhode Island area. Should the waiver be renewed, notice will be disseminated to both boards as well as other impacted partners as necessary.

As part of the 2026 WIOA State Plan Modification submission, this waiver request will be posted to the State Workforce Development Board's website for comment and review by the general public and will be accompanied by public notice.

Any information gathered from the waiver will inform new or changes to policy as well as provide best practices. Outcomes of the waiver will be reported in the WIOA Annual Report. This strategy ensures that the goals described above, as well as those outlined in the State's Combined Plan are consistent with established objectives of the WIOA and federal and state regulations.

- 7. The most recent data available regarding the results and outcomes observed through implementation of the existing waiver, in cases where the State seeks renewal of a previously approved waiver.**

This is a new waiver request for which no previous outcome data is available. However, Rhode Island is prepared to provide any other information that may be requested.