



December 31, 2020

The Honorable Anthony Evers
Governor of Wisconsin
115 East State Capitol
Madison, WI 53707

Dear Governor Evers:

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 November 16, 2020. This letter provides the Employment and Training Administration's (ETA) official response to your requests and memorializes that Wisconsin will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Wisconsin 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 of 20 CFR 681.550 to allow WIOA individual training accounts (ITA) for in-school youth (ISY).

ETA Response: ETA approves, through June 30, 2021, the State'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 Wisconsin 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 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 OSY.

ETA Response: ETA approves for Program Year (PY) 2020 and 2021, which includes the entire time period for which states are authorized to spend PY 2020 and 2021 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 Wisconsin to implement its plan to improve the workforce development system.

In addition, ETA approves for PY 2020 and 2021, which includes the entire time period for which states are authorized to spend PY 2020 and 2021 funds, the State's request to waive the requirement that local areas expend 75 percent of local youth formula funds on OSY. Wisconsin 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 ISY served will increase and 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.

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. The Department proposed additional flexibility in its budgets for Fiscal Years 2018 through 2021 to give governors more decision-making authority to meet the workforce needs of their states. If you have questions, feel free to contact my office at (202) 693-2772.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Pallasch".

John Pallasch
Assistant Secretary for Employment and Training

Enclosure

cc: Rob Cherry, Deputy Secretary, Wisconsin Department of Workforce Development
Rose Zibert, Acting Chicago Regional Administrator, Employment and Training Administration
Malissa Dieterle, Federal Project Officer, Employment and Training Administration

**Department of Workforce Development
Secretary's Office**

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Tony Evers, Governor
Robert Cherry, Deputy Secretary

November 13, 2020

The Honorable Eugene Scalia
Secretary
United States Department of Labor
200 Constitution Avenue
Washington, DC 20210-0002

Dear Secretary Scalia,

Waiver Request

The State of Wisconsin is requesting two youth waivers for your consideration. The first waiver is requesting that Individual Training Accounts (ITAs) be allowed for Workforce Innovation and Opportunity Act (WIOA) In-School participants, and the second waiver asks that the 75%/25% Out-of-School/In-School Youth expenditure requirement be 50%/50%.

Both waivers will provide the flexibility to allow Wisconsin to help address negative impacts created by significant disparity in the availability of technology and connectivity, particularly in its rural areas, including 15.6 percent of Wisconsin households without a broadband internet connection and 9.6% of Wisconsin households without a computer.

DWD-DET posted the waiver requests, along with instructions for submitting comments, on its public-facing WIOA webpage from November 6 to November 13, 2020. DWD-DET sent an email notification about the period for public comment to the eleven local WDB Directors and their staff.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Rob Cherry".

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Rob Cherry, Deputy Secretary
Department of Workforce Development

cc: Rose Zibert, Regional Administrator (Acting)
Malissa Dieterle, DOL Federal Project Officer
wioa.plan@dol.gov, United States Department of Labor WIOA Plan