



EDUCATION and WORKFORCE DEVELOPMENT CABINET
OFFICE OF THE SECRETARY
DEPARTMENT OF WORKFORCE INVESTMENT

Steven L. Beshear
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Joseph U. Meyer
Secretary

Beth A. Brinly
Commissioner

May 4, 2012

Division of Workforce System Support
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave., NW, Room S-4231
Washington, DC 20210

Attention: Kim Vitelli

Dear Ms. Vitelli:

On behalf of the Education and Workforce Development Cabinet (EWDC), the state operational entity for the Title I Workforce Investment Act (WIA), the Commonwealth of Kentucky respectfully requests approval of the enclosed waiver request. This request is in compliance with WIA Section 189 (i) (4) (B) and WIA Regulations 20 CFR 661.420 (c).

Kentucky is requesting a waiver of the requirements of WIA Section 134(a) (2) (B) (iii) and 20 CFR 665.200(e) relating to the provision of incentive grants to local workforce investment areas.

In Program Year 2011, Congress decreased the amount of funding for statewide activities from 15 percent to five percent. This reduction restricts Kentucky's ability to effectively fund and carry out all required statewide WIA activities and currently identified statewide innovative projects. The current unobligated funding level in the governor's reserve is insufficient to cover the cost of incentive grants to workforce areas.

We appreciate the opportunity to submit this waiver request and look forward to receiving approval. If you have questions or require additional information, please contact Linda Prewitt, Assistant Director, Office of Employment and Training, Division of Workforce and Employment Services at 502-782-3124, LindaA.Prewitt@ky.gov.

Sincerely,


Beth Brinly
Commissioner

cc: Helen Parker, Regional Administrator

Workforce Investment Act Waiver Request

Date: May 4, 2012

State: Kentucky

Agency: Education and Workforce Development Cabinet

Statutory and/or regulatory requirements to be waived

The Kentucky Education and Workforce Development Cabinet (EDWC) is requesting that WIA §134(a) (2) (B) (iii) and 20 CFR §665.200(e) requiring provision of incentive grants to local workforce investment areas be waived.

Actions undertaken to remove state or local barriers

There are no state or local barriers.

Goals and expected programmatic outcomes of waiver

The reduction to five percent in the WIA allotment for PY 11 and PY 12 Governor's Reserve funds restricts the state's ability to effectively fund and carry out all of the required statewide workforce investment activities and current obligated statewide innovative projects. The current unobligated funding level in the governor's reserve is insufficient to cover the cost of incentive grants to workforce areas. The state's reduced funds are being used to cover the following required activities:

- Carrying out statewide rapid response activities
- Disseminating Kentucky's list of eligible providers of training services
- Conducting evaluations
- Providing technical assistance to workforce areas
- Assisting in the establishment and operation of the one-stop delivery system
- Operating fiscal and management accountability information systems

Kentucky's goal in seeking this waiver is to ensure that the state can prioritize the use of governor's reserve funds for the required activities deemed most essential to the basic functions of the workforce investment system and any carryover funds from Governor's Reserve in PY 10 be reserved for identified innovative statewide projects.

Individuals impacted by the waiver

The waiver will provide Kentucky with more flexibility in directing governor's reserve funds to those activities that best preserve basic functions of the statewide workforce investment system.

Process for monitoring progress in implementation

Kentucky will monitor progress and ensure accountability for federal funds in connection with this waiver by reviewing monthly expenditures, performance, and other reports through regular contact with the U.S. Department of Labor Employment and Training Administration's regional office liaisons, and through Kentucky's monitoring and performance accountability system.

Notice to affected local boards

An email was issued to Local Workforce Investment Board chairs and local WIA Directors on May 1, 2012 notifying them that the Commonwealth intends to post this waiver for comment on the Kentucky Workforce Investment Board's website for two weeks beginning the week of May 1.

Public Comment

Notice has been posted to the Kentucky Workforce Investment Board (KWIB) website www.kwib.ky.gov for review and comment. All comments received from the posting will be reviewed and included where appropriate.