

State of Montana
Waiver Request
Workforce Investment Act
Request: Waive the Incentive Grants to Local Areas for Exemplary Performance
Requirement

1. Statutory and Regulatory Requirements to be Waived.

WIA §134(a)(2)(B)(iii) and WIA Regulations at 20 CFR §665.200(e)(3) require, as statewide workforce investment activities, providing incentive grants for exemplary performance by local areas on the performance measures.

The Montana Department of Labor and Industry's Statewide Workforce Programs and Oversight Bureau (Bureau) as the Administrative Entity for the Workforce Investment Act (WIA), requests a waiver of the requirement to provide incentive grants to local areas for exemplary performance. The waiver would allow use of funds from this requirement to providing Technical Assistance to all WIA providers across Montana. In January 2006, Montana transitioned to a Single Planning area thus eliminating the two local workforce boards. Montana still has two workforce areas, the Concentrated Employment Area (CEP) and Balance of State (BOS) however; the State Workforce Investment Board (SWIB) is the only workforce board in Montana and provides direction and leadership on behalf of the Governor for the WIA.

The Bureau has been providing one to two general technical assistance and training conferences per year for all of the WIA providers. The Bureau brings all providers from across the State to a three day training session. This has proven to be very helpful to our WIA providers, most specifically in relation to performance, since Montana was just recently one of the seven states to receive Section 503 Incentive awards.

The Bureau requests this waiver remain in place through June 30, 2009 when the current plan expires.

This waiver request follows the format identified in WIA §189(i)(4)(B) and WIA Regulations at 20 CFR §661.420(c).

2. State or Local Statutory and/or Regulatory Barriers

There are no state or local statutory or regulatory barriers to implementing the award or the waiver.

3. Goals to be Achieved by the Waivers

The following goals will be achieved with the approval of the waiver request.

- The funds will be put to better, more proven use by continuing to provide technical assistance and training conferences to all of the WIA providers.
- With the implementation of the new MontanaWORKS computer system (October 1, 2007) the WIA providers still need training in the use of this new system. The waiver will allow us to continue providing technical assistance to the State as a whole on the use of this system.
- The funds will be put to more meaningful use with the decline in WIA funds as a whole. Montana as most other states continues to receive drastic cuts in WIA funding. The amount of money each provider would receive as an incentive would be insignificant, but if we are able to use the entire amount for technical assistance and training, it positively affects all providers.

4. Programmatic Outcomes by the Waiver.

The waiver will result in continued success in improving the State's performance outcomes because the funds will be used to

- 1) provide ongoing technical assistance to all WIA providers across the State, and
- 2) provide a more meaningful use of the incentive funds.

5. Impacts on Individuals by the Waiver.

There will be a positive impact on individuals because improved performance outcomes result in the award of Section 503 Incentive funds and positive performance outcomes means the individuals receiving WIA services are also having positive outcomes in their lives.

6. Monitoring the Waiver's Implementation.

The Bureau as the state administrative entity for the WIA will monitor the implementation and impact of the waiver through a combination of performance reporting and evaluation to identify obstacles and address them as they happen. The Bureau will review applicable policies and procedures and modify them accordingly.

7. Notice and Opportunity to Comment.

Consistent with general waiver requirements, the Bureau is adhering to publication requirements to ensure the broadest participation possible. The Bureau will submit the waiver request to the SWIB at the September 26, 2008 meeting for approval. Once it is approved, it will be posted on the SWIB website with a note sent to all interested parties with a 15 day comment period.