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Workforce Investment Act (WIA) Transmittal Letter No. 20A

To: Local Elected Officials, WIA Local Workforce Investment Boards (WIBs), Fiscal Agents, Administrative Entities, and One-Stop Operators

From: Helen E. Jones-Kelley, Director

Subject: Waiver on Requirement to Competitively Select Youth Providers for Three Program Elements (Paid and Unpaid Work Experience, Supportive Services, and Follow-up Services)

I. Purpose

This communication provides guidance on the option to competitively select a youth provider for three of the youth program elements or to conduct the three youth program elements internally. WIA administrative entities should convey this guidance to subrecipients and other entities that provide WIA activities and services.

II. Effective Date

July 1, 2007 through June 30, 2009

III. Background

The Workforce Investment Act, Public Law 105-220, dated August 7, 1998, Sections 123 and 129 (c) (2) require the local Workforce Investment Board (WIB) to competitively select youth providers to deliver services for the ten youth program elements.

On July 25, 2005, the U.S. Department of Labor (DOL) granted Ohio a waiver to allow a WIB to decide whether to competitively select youth providers or allow the administrative entity to deliver services for the following three youth program elements: Paid and Unpaid Work Experience, Supportive Services, and 12-month Follow-up Services.

IV. Guidance Statements

A WIB has the option to competitively select a youth provider for three of the youth program elements (paid and unpaid work experience, supportive services, and follow-up services) or to conduct the three youth program elements internally. This waiver does not apply to the remaining seven youth program elements.

This waiver applies statewide. A formal request from a WIB is not required to implement this waiver. If a WIB uses this waiver, the local business plan must be modified.

A WIB, in coordination with the Youth Council, should identify the extent that the three program elements are available in the community. These three youth program elements may exist without charge through other community entities. A WIB may:

1. Continue to competitively select youth providers to deliver the services because of operational effectiveness and efficiency.
2. Authorize the administrative entity to provide services internally through One-Stop locations.
3. Use a mixed approach conducting services internally and using a competitive selection process.

Regardless of the option selected, a WIB must ensure documentation of the decision, including the reasonableness of cost. Annually, a WIB should ensure completion of an independent analysis of the cost effectiveness and outcomes under the youth program. The analysis will help to verify that youth services remain cost effective and the youth program continues to meet performance expectations.

This waiver is not meant to diminish the established network of quality youth service providers. The local administrative entity should inform appropriate stakeholders that competitively selecting youth providers is no longer required for the three youth program elements. You may want to consider allowing the community and existing youth service providers the opportunity to submit comments.

V. Technical Assistance

For additional information, you may send your questions to the Bureau of Employer Services-WIA, wiaqna@odjfs.state.oh.us.

VI. References

Workforce Investment Act of 1998, Public Law 105-220, August 7, 1998, Sections 189 (i) (4) (B), (c), 112 (b) (8) (B), 117 (d) (2) (B), 117 (h) (4) (B) (I), 123, and 129(c) (2);

WIA, 20 Code of Federal Regulations, Final Rules, August 11, 2000, Sections 661.420, 664.110(c), 664.220, and 664.405(a) (4);

U.S. DOL Training and Employment Guidance Letter (TEGL) No. 3-99, January 31, 2000;

TEGL No. 9-00, January 23, 2001;

Waiver Request Plan, May 9, 2005; and U.S. DOL waiver approval letter, July 25, 2005

Waiver Request Plan, May 9, 2007; and USDOL waiver approval letter, Sept. 26, 2007