ALABAMA WORKFORCE INVESTMENT SYSTEM

Alabama Department of Economic and Community Affairs
Workforce Development Division
401 Adams Avenue
Post Office Box 5690
Montgomery, Alabama 36103-5690

February 10, 2011

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY 2010 – 07

SUBJECT: Instructions for submission of Workforce Investment Act (WIA) and Wagner-Peyser (W-P) Act State Plans and Waiver Requests for Program Year (PY) 2011.

1. **Purpose.** To transmit Training and Employment Guidance Letter (TEGL) No. 17-10 (see attachment), which provides information on options for states to have in place approved WIA/W-P State Plans and waivers for PY 2011, when State Plan modifications and waiver requests are required, and potential future revisions to Stand-Alone and Unified Strategic State Planning Guidances.

2. **Discussion.** In its guidance TEGL No.17-10, *Instructions for submission of Workforce Investment Act and Wagner-Peyser Act State Plans and Waiver Requests for Program Year 2011,* the Employment and Training Administration (ETA) provides two options for states to secure approval of their WIA/W-P State Plan and Waiver Requests for PY 2011, which is the second year of the PY 2010-2014 five-year planning cycle, July 1, 2010 – June 20, 2015. The first option provides ETA approval of an extension of the current WIA/W-P State Plan of an additional year, through PY 2011 (July 1, 2011 – June 30, 2012). The second option requires a PY 2011 (July 1, 2011 – June 30, 2012) State Plan modification to be submitted for approval. Under WIA regulations, states that have undergone substantial changes may be required to submit a modification instead of an extension. A list of such criteria can be found on page 3 of the attached TEGL. States submitting a State Plan modification must follow the state planning instructions and questions included in Part II of the Stand-Alone Planning Guidance (73 Fed. Reg. 72853, Dec. 1, 2008) and updated by TEGL No. 14-08, Appendix A.

   Waiver options for PY 2011 include requesting to renew or extend existing waivers, with the exception of any American Recovery and Reinvestment Act funds waivers, which will expire along with the funds on June 30, 2011, and/or submitting requests for new waivers. States wishing to request new waivers, or adjustments to existing waivers, must submit full waiver plans to ETA. The waiver plan must include all of the required elements listed in the WIA regulations at 20 CFR 661.420(c), and is submit to public comment requirements. States should refer to TEGLs 26-09 and 30-09 for guidance on current ETA waiver policy and waiver request submission requirements.

   The WIA regulations at 20 CFR 661.230(d) provide that modifications to the State Plan are submit to the same public review and comment requirements that apply to the development of the original Plan. To ensure meaningful public comment as

required by 20 CFR 661.420(c)(5)(iv), ETA encourages states to notify the public of their intent to request new waiver plans or extend existing waivers.

3. **Action.** The due date for submission of a State Plan extension request or modification is April 15, 2011. States must include a list of currently approved waivers that it wishes to extend or terminate, and full waiver plans for newly requested waivers. Please review the attached documents and convey the information to pertinent workforce partners.

4. **Contact.** Any questions regarding this directive should be referred to Sara Calhoun, State Programs and Divisional Budget Management Section, at (334) 393-1632 or sara.calhoun@adeca.alabama.gov.

Matthew Hughes, Director
Office of Workforce Development

Attachments: TEGL 17-10

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIA State Plans
	CORRESPONDENCE SYMBOL OWI
	DATE December 30, 2010

ADVISORY: **TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 17-10**

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS

FROM: JANE OATES /s/
Assistant Secretary

SUBJECT: Instructions for Submitting Workforce Investment Act and Wagner-Peyser Act State Plans and Waiver Requests for Program Year 2011.

1. **Purpose.** The purpose of this Training and Employment Guidance Letter (TEGL) is to provide information on:

   - Options for states to have in place approved Workforce Investment Act and Wagner-Peyser Act (WIA/W-P) State Plans and waivers for Program Year (PY) 2011.
   - When State Plan modifications and waiver requests are required.
   - Potential future revisions to Stand-Alone and Unified Strategic State Planning Guidances.

2. **References.**

   - Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.)
   - Workforce Investment Act of 1998, as amended (29 U.S.C. 2801 et seq.)
   - WIA regulations, 20 CFR parts 652 and 660-671
   - Priority of Service for Covered Persons Regulations (Veterans' Priority of Service Regulations), 20 CFR part 1010.100-330
   - Trade Adjustment Assistance Regulations for Merit Staffing of State Administration, 20 CFR part 618
   - The American Recovery and Reinvestment Act of 2009 (P.L. 111-5)
   - Planning Guidance for the Strategic State Plan for Title I of the Workforce Investment Act of 1998 (WIA) and the Wagner-Peyser Act (W-P) [73 FR 72853 Dec. 1, 2008] (OMB No. 1205-0398)
   - State Unified Plan Planning Guidance [73 FR 73730 Dec. 3, 2008] (OMB No. 1205-0398)

RESCISSIONS TEGL 21-09	EXPIRATION DATE Continuing

- TEGL No. 14-08, and TEGL No. 14-08 Change 1, "Guidance for Implementation of the Workforce Investment Act and Wagner-Peyser Act Funding in the American Recovery and Reinvestment Act of 2009 and State Planning Requirements for Program Year 2009"
- TEGL No. 26-09, "Workforce Investment Act (WIA) Waiver Policy and Waiver Decisions for PY 2009 and 2010."
- TEGL No. 30-09, "Layoff Aversion Definition and the Appropriate Use of Workforce Investment Act Funds for Incumbent Worker Training for Layoff Aversion Using a Waiver

3. Background. All WIA/W-P State Plans currently in place will expire on June 30, 2011, and all approved waivers currently in place will expire before or on June 30, 2011. States must have approved State Plans in place to receive formula allotments under WIA and the Wagner-Peyser Act. For PY 2009, all states were required to submit a modified State Plan, and were provided the option to either extend or modify that Plan for PY 2010 due to anticipated reauthorization of WIA. Given the continued potential for reauthorization of WIA within the next year and the Employment & Training Administration (ETA)'s intention to revise State Planning Guidance for PY 2012 and beyond, ETA is providing two options to extend or modify current Plans to enable states to have an approved State Plan in place for PY 2011 without engaging in full five-year planning. If WIA is reauthorized and requires changes to WIA/W-P State Plans, ETA will issue subsequent guidance on implementing any new requirements.

4. State Plan Options for PY 2011. There are two options for states to secure approval of their WIA/W-P State Plan for PY 2011, which is the second year of the PY 2010-2014 five-year planning cycle, July 1, 2010 – June 30, 2015.

A. Option I: ETA approves an extension of the current WIA/W-P State Plan for an additional year, through PY 2011 (July 1, 2011 – June 30, 2012).

As noted in Section 3, WIA requires states to have an approved WIA/W-P State Plan in place in order to receive WIA/W-P allotments. For all interested states, ETA will consider this legislative requirement met by approving a requested extension of the current State Plan for an additional year. ETA will also approve requests for waiver extensions for an additional year as described in Section 5.A below. Information on the process for State Plan extensions and waiver extensions is provided below in Section 6.

B. Option II: ETA reviews and approves the WIA/W-P State Plan modification submitted by a state for PY 2011.

i. Legislative Requirements. Section 112(d) of WIA provides that states may submit modifications to State Plans at any time during the five-year period covered by the Plan. Any state that wishes to revise its State Plan instead of extending its current Plan should submit a State Plan modification for the period of PY 2011, July 1, 2011 through June 30, 2012.

Under WIA regulations, states that have undergone substantial changes may be required to submit a modification instead of an extension. For instance, some states are required to submit modifications to describe organizational changes that have occurred since their last modification. States that meet the criteria provided below must submit a

modification. Information on the process for submitting a State Plan modification, due April 15, 2011, is provided below in Section 6.

The WIA regulations at 20 CFR 661.230, and the regulations at 20 CFR 652.212 which relate to the Wagner-Peyser Act portions of the Plan, require modifications in certain circumstances. These regulations provide that modifications are required when one or more of the following occur:

- Changes in Federal or state law or policy that substantially change the assumptions upon which the Plan is based, to include any enhancements needed to State Plans pursuant to Trade Adjustment Assistance regulations issued by ETA on merit staffing of state administration (20 CFR, Part 618);
- Changes in the statewide vision, strategies, or supporting policies;
- Changes in the methodology used to determine local allocation of funds;
- Reorganizations that change the working relationship with system employees, or changes in organizational responsibilities;
- Reorganization of the state agency designated to deliver services under the Wagner-Peyser Act;
- Changes in services delivered by state merit-staff employees;
- Changes to the membership structure of the State Board or alternative entity;
- Changes in Wagner-Peyser service delivery strategy;
- Changes in performance indicators. A state that has failed to meet performance goals and must adjust service strategies should submit a substantive modification; and
- Any similar substantial changes to the state's workforce investment system.

The requirements listed above apply to stand-alone plans as well as to the WIA Title I and Wagner-Peyser Act portion of unified plans. In determining whether it is appropriate for your state to submit a modified State Plan, it may be helpful to review the State Plan in light of these requirements. States with newly elected Governors may experience organizational changes that would require a modification to their Plan yet may not have organizational changes in place prior to the State Plan modification submission deadline of April 15, 20100 for PY 2011. Such states may submit a modification *during* PY 2011 as necessary. If there is any question or doubt about whether a modification is required, please contact your ETA Regional Office. States should update their program administration designees, frequently referred to as the "signatures page" of the State Plan, if there have been changes to the individuals listed since the last submittal. A sample is provided in Attachment A.

As described above, states are required to prepare modifications where there are changes to the membership structure of the State Board or alternative entity. Under provisions of Section 5102 of the Affordable Care Act (ACA), the U.S. Department of Health and Human Services' Health Resources and Services Administration awarded State Health Care Workforce Development Grants to 24 states and the District of Columbia. In some instances, these grants required changes to the structure and membership of some of the grantees' State Workforce Investment Boards (SWIB) or alternative entities. In order to be eligible for the Section 5102 grants, some states may have added a health care employer, a representative of a public 4-year higher education institution, a recognized

state federation of labor, the state public secondary education agency, a P-16 or 20 Council if in existence in the state, and a philanthropic organization devoted to health care workforce development to the SWIB. States that have substantially changed the membership of the SWIB as a result of these grants should submit a plan modification to describe the changes.

ii. State Plan Modification Content. States submitting a State Plan modification must follow the state planning instructions and questions included in Part II of the Stand-Alone Planning Guidance (73 Fed. Reg. 72853, Dec. 1, 2008) or Part III of the Unified Planning Guidance (73 Fed. Reg. 73730, Dec. 3, 2008) and updated by TEGL No. 14-08, Appendix A. States may update their responses to these questions and modify a single part, many parts, or all of their State Plan.

Veterans' Priority of Service for Veterans and Covered Persons. Note that ETA will provide a copy of each plan modification that contains revisions related to priority of service for veterans and covered persons to the Veterans' Employment and Training Service (VETS) which will review the plan modification to ensure that it adequately addresses and adheres to Veterans' Priority of Service provisions in the Jobs for Veterans Act and regulations.

Equivalent and Proportionate Services for Migrant and Seasonal Farmworkers (MSFWs). States have a responsibility under Wagner-Peyser regulations to provide services to MSFWs on a basis that is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs. To ensure these equivalent and proportionate services are provided, ETA has long required states to submit a regular Agricultural Outreach Plan (AOP). For PY 2011, ETA intends to require states to submit an agricultural outreach plan, guidance for which will be forthcoming. For PY 2012, ETA intends to integrate the AOP requirements for agricultural outreach plan requirements into the overall WIA/W-P planning requirements as part of an overall redesign of the state planning process described in Section 11.

ETA encourages states to take steps now to integrate their AOP into the WIA/W-P Plan by providing robust responses to questions that pertain to services for MSFWs, such as outlining how the state will ensure that services to MSFWs are provided on a basis which is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs. ETA expects that states will consult with State Monitor Advocates in the planning process, as required under 20 CFR 653.108(s). Attachment B highlights questions in the WIA/W-P planning guidance which pertain to MSFW and which are also required in states' agricultural outreach plan. States are encouraged to use this attachment to address services to MSFWs in their WIA/W-P Plan.

5. <u>Waiver Options for PY 2011</u>. Most states have waivers that expire on or before June 30, 2011. Many of these waivers apply to the American Recovery and Reinvestment Act (Recovery Act) funds, and these funds expire June 30, 2011. Consequently, waivers applying only to Recovery Act funds cannot be renewed. ETA encourages each state to consider whether its approved waivers support the strategies outlined in its existing State Plan and match the needs of its workforce system. This is an ideal time for states to consider whether new waivers are needed, and whether currently approved waivers support their strategic goals.

For PY 2011, states can request extensions of their existing waivers and/ or submit requests for new waivers.

A. Extension of Existing Waivers through PY 2011 (July 1, 2011 – June 30, 2012).

If requested, ETA will grant an extension of an additional year for existing approved waivers, except in the following circumstances: (1) ETA has advised the state in prior correspondence that it did not anticipate approving an extension beyond June 30, 2011; or (2) ETA advises the state that there are significant performance issues related to the use of the waiver or that the waiver as implemented is not in compliance with the terms prescribed in the approval letter. If a state no longer intends to use a certain waiver, it should advise ETA of this and request that it not be extended. States are encouraged to reevaluate the necessity for approved waivers that are not being implemented.

To ensure meaningful public comment as required by 20 CFR 661.420(5)(iv), ETA encourages states to notify the public of their intent to extend the existing waivers. Information on the process for the extension of waivers is provided in Section 6.

B. New Waiver Requests for PY 2011.

States wishing to request new waivers must submit full waiver plans to ETA, and states wishing to make adjustments to current waivers must also submit full waiver plans. The waiver plan must include all of the required elements listed in the WIA regulations at 20 CFR 661.420(c), and is subject to public comment requirements. States should refer to TEGLs 26-09 and 30-09 for guidance on current ETA waiver policy and waiver request submission requirements.

States should be aware that ETA is not able to waive Veterans' Priority of Service regulations, nor Office of Management and Budget (OMB) requirements such as the OMB Cost Principles or other OMB Circulars.

6. <u>Actions Required for State Plan and Waiver Extensions or Modifications</u>. The due date for submission of a State Plan extension request or modification is April 15, 2011. States must include a list of currently approved waivers that it wishes to extend or terminate, and full waiver plans for newly requested waivers. States have the option to submit their State Plan extension requests, modifications, and waiver requests in an electronic, hard copy, or CD-ROM format. ETA encourages electronic submissions to reduce the processing burden and to ensure timely receipt by ETA.

The Federal Coordinator will confirm receipt of the State Plan and waivers extension request or modification within two business days of receipt and indicate the date for the start of the review period. When a state submits an incomplete State Plan modification or waiver plan, the period for review will not start until all required components have been received.

Electronic Submission. States can submit a State Plan extension, modification or waiver request electronically either by posting it on an Internet Web site that is accessible to ETA or by transmitting it through e-mail to ETA. States choosing to post on an Internet Web site should post the State Plan extension, modification or waiver request on a Web site and send an e-mail to wia.plan@dol.gov and the appropriate ETA Regional Administrator. The e-mail must identify the URL for the State Plan extension, modification or waiver request, provide contact information in the event of problems accessing the Web site, and certify that no changes will be made to the version posted on the website after it has been submitted to ETA, unless ETA gives prior approval for such changes.

States submitting their extension, modification or waiver request by e-mail should send it to wia.plan@dol.gov with a copy sent to the appropriate ETA Regional Administrator. If a state chooses to submit its extension, modification or waiver request by transmitting it through e-mail, the state must submit it in Microsoft Word or PDF format.

State Plan certifications with electronic signatures are acceptable. If a state chooses not to use an electronic signature, then the program administration designees and plan signatures page ("signature page," see Attachment A) must be submitted in hard copy with an original signature to the Federal Coordinator, and a copy to the ETA Regional Administrator.

Hard Copy or CD-ROM Submission. States choosing to submit a hard copy should submit one copy of the extension, modification or waiver request with an original signature to the Federal Coordinator for Plan Review and Approval, and one copy to the appropriate ETA Regional Administrator. The address for the Federal Coordinator is as follows:

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

States submitting a State Plan extension, modification or waiver request on CD-ROM should submit one copy to the Federal Coordinator at the address above, and one copy to the appropriate ETA Regional Administrator. If the modification on the CD-ROM does not include the signature of the Governor on the signature page, the state must submit electronically to the Federal Coordinator and appropriate ETA Administrator a signed signature page, or a hand-signed signature page in hard copy. Documents submitted on a CD-ROM must be in Microsoft Word or PDF format.

7. Public Comment and Review. The WIA regulations at 20 CFR 661.230(d) provide that modifications to the State Plan are subject to the same public review and comment requirements that apply to the development of the original Plan. To facilitate public review and comment, as well as ETA review of the modified Plans, ETA recommends that states submitting a modified Plan integrate the proposed modifications into the existing Plan following the format provided in either the Stand-Alone Planning Guidance (73 FR 72853, Dec. 1, 2008) or Unified Planning Guidance (73 FR 73730, Dec. 3, 2008), and attach a list to identify those portions of the Plan that have been modified.

In keeping with ETA's efforts to promote transparency, states that are extending the life of their existing Plan by one year are encouraged to notify the public of their intent, and make the current Plan available to the public. Providing an opportunity for meaningful public input and comment during the development and life of the State Plan is a critical part of the strategic planning process. The WIA regulations at 20 CFR 661.420(c)(5)(iv) require that states provide meaningful public comment for new waiver plans as well. ETA also encourages states to notify the public of their intent to extend current waivers.

8. Local Plan Development. Under 20 CFR 661.355, each Governor sets the policy for when a Local Plan must be modified, such as significant changes in local economic conditions and changes in financing available for WIA Title I and partner-provided WIA services. States maintain the option to review their Local Plan modification policy, and to require that Local Plans be modified according to state policy. Local Plans are important for guiding local decision-making and investments, and ETA encourages states to provide timely guidance to local areas for developing Local Plans. ETA also encourages regular state review of locally-developed plans for sound strategy and responsiveness to state guidance and local economic conditions. ETA reviews Local Plans during site visits as part of WIA formula grant monitoring.

9. Guidance for Unified State Plans. States are authorized to submit Unified Plans under Title V, Section 501 of WIA, and the Unified Planning Guidance facilitates the development and submission of such plans. As indicated in Section 4.A, ETA will consider the WIA legislative requirement that states have a State Plan in place to be met by approving requests from states for an extension of their current WIA/W-P State Plan for an additional year. This approval does not apply to the other programs included in a state's Unified Plan. ETA does not have the authority to approve portions of a Unified Plan that relate to programs or activities for which other Federal agencies exercise administrative authority.

As indicated in Section 4.B, states can submit a modification request that covers PY 2011 for the WIA/W-P portions of the Unified Plan. States submitting a modification of a Unified Plan or submitting a Unified Plan for the first time should follow the Unified Planning Guidance (73 Fed. Reg. 73730, Dec. 3, 2008). As indicated in the Guidance, the Federal Coordinator will ensure that each Federal agency whose program is included in the state's Unified Plan, and the appropriate ETA Regional Office, receives copies of the Unified Plan as modified.

Currently, only three states have Unified Plans in place. ETA encourages all states to develop a Unified Plan to better align and leverage resources for jobseekers and employers. The benefits of unified planning include achieving efficiencies and cost savings in delivering government services, improving the level and scope of government services available to citizens, and developing more comprehensive solutions to workforce challenges within states.

States with questions related to submitting a modification using the Unified Planning Guidance should contact their Regional Office or the Federal Coordinator for Plan Review and Approval (contact information is provided in Section 6). Any state that does not currently have a Unified Plan and intends to move from a stand-alone Plan to a Unified Plan for PY 2011 should advise the Federal Coordinator and Regional Administrator of its intention upon receipt of this TEGL.

10. Negotiation of Levels of Performance. In 2010, states had the option of continuing to use the goals negotiated for PY 2009 or negotiating new performance goals for PY 2010. A similar policy will prevail for PY 2011. States may continue to use the PY 2010 goals, or negotiate some or all of the goals for PY 2011. This includes goals for WIA and Wagner-Peyser programs. States that choose to extend their negotiated PY 2010 goals for an additional year should notify the appropriate Regional Administrator of their intention. If a state wishes to negotiate new goals, the state must submit proposed levels of performance to the appropriate Regional Administrator. Those states submitting a modification that covers PY 2011 can include the proposed levels with the modification request.

The Regional Administrator's letter advising the state of the agreed-upon goals will constitute a modification to the State Plan. For subsequent revisions to performance goals during the life of the State Plan, the Regional Administrator's letter advising the state of the agreed upon goals will also constitute a modification to the State Plan. The state must ensure that the agreed-upon goals are included in the state's official copy of the State Plan, and that any published State Plan, on the state's Web site or through other forums, includes the agreed upon goals. ETA will incorporate the agreed-upon goals into the Regional and National Office copies of the State Plan.

States should also note that the proposed levels of performance are subject to the same public review and comment requirements that apply to State Plans and Plan modifications. When the state submits the proposed levels to ETA, the state should confirm that it has made the proposed levels available to the public for review and comment. States that choose to extend their negotiated PY 2010 goals for an additional year are encouraged to notify the public of their intent.

A group of states has volunteered to work with ETA on an implementation strategy for using a regression model as part of the negotiations process. The work of this pilot continues, and ETA is determining how best to implement the use of regression model goals at the state level.

Further guidance about the negotiation of performance goals for PY 2011 and the use of regression-adjusted goals will be issued separately. Guidance regarding the negotiation of measures of One-Stop Career Center services to veterans, and specific outcome measures for the staff supported by the Jobs for Veterans State Grants will be issued separately by the Veterans' Employment and Training Service.

11. State Planning for PY 2012 and Beyond. ETA intends to update the State Planning Guidance for the PY 2012 planning cycle. Should WIA be reauthorized, ETA's guidance will reflect the new legislative requirements and priorities. Otherwise, ETA will update the guidance within its current legislative authority. ETA's goals in revising its planning guidance are to facilitate state planning that: 1) emphasizes state strategy over compliance, 2) includes active involvement from state and local workforce investment boards, 3) more readily lends itself to strategic discussions among One-Stop partners, and 4) moves more states toward developing a Unified Plan as envisioned in WIA. ETA efforts will focus on simplifying planning questions and streamlining the paperwork requirements to facilitate the focus of state planning on the above listed goals. ETA is also examining other enhancements to the planning process, including introducing incentives for conducting unified planning and exploring flexibility related to submission deadlines.

12. Tools and Resources. ETA maintains web-based resources that may facilitate the development of State Plans and/or modifications. ETA posts WIA/W-P strategic planning resources online at www.doleta.gov/usworkforce/wia-planning and waiver-related resources at http://www.doleta.gov/waivers. We also encourage states to take advantage of the information available at Workforce3one, an interactive knowledge sharing and learning platform, available at www.workforce3one.org.

13. Inquiries. Please direct questions regarding this notice and instructions to the appropriate Regional Office. States may also submit questions on the planning or waiver approval process by e-mail to wia.plan@dol.gov. Responses to questions raised about the content of this TEGL will be posted at www.doleta.gov/usworkforce/wia-planning.

14. Attachments.

- Attachment A: Sample of Program Administration Designees and Plan Signatures page in State Plans
- Attachment B: Agricultural Outreach Plan Information Potentially Included in State Plan

Attachment A

PROGRAM ADMINISTRATION DESIGNEES AND PLAN SIGNATURES

Name of WIA Title I Grant Recipient Agency:_____

Address: _____

_____

Telephone Number:_____

Facsimile Number:_____

E-mail Address:_____

Name of State WIA Title I Administrative Agency (if different from the Grant Recipient):

_____

Address: _____

_____

Telephone Number:_____

Facsimile Number:_____

E-mail Address:_____

Name of WIA Title I Signatory Official:_____

Address: _____

_____

Telephone Number:_____

Facsimile Number:_____

E-mail Address:_____

Name of WIA Title I Liaison:_____

Address: _____

_____

Telephone Number:_____

Facsimile Number:_____

E-mail Address:_____

Name of Wagner-Peyser Act Grant Recipient/State Employment Security Agency:

_____

Address: _____

_____

Telephone Number:_____

Facsimile Number:_____

E-mail Address:_____

Name and Title of State Employment Security Administrator (Signatory Official):

_____

Address: _____

_____

Telephone Number:_____

Facsimile Number:_____

E-mail Address:_____

As the governor, I certify that for the State/Commonwealth of _____, the agencies and officials designated above have been duly designated to represent the State/Commonwealth in the capacities indicated for the Workforce Investment Act, title I, and Wagner-Peyser Act grant programs. Subsequent changes in the designation of officials will be provided to the U.S. Department of Labor as such changes occur.

I further certify that we will operate our Workforce Investment Act and Wagner-Peyser Act programs in accordance with this Plan and the assurances herein.

Typed Name of Governor_____

Signature of Governor_____ Date_____

Attachment B

Agricultural Outreach Plan Information Potentially Included in State Plan

The Wagner-Peyser (W-P) regulations require states to submit agricultural outreach plans that must include certain information, some of which may already be included in state responses to current WIA/W-P planning guidance. This table indicates where in the WIA/W-P State Plan a state may wish to include information typically included in an agricultural outreach plan.

This table is meant as a reference tool, and does not infer that all elements of the agricultural outreach plan must be included in a WIA/W-P State Plan. However, ETA encourages states to consider how to integrate some or all agricultural outreach plan information into the WIA/W-P State Plan.

Ag Outreach Plan Requirements (from 20 CFR 653.107(c))	**WIA/Wagner-Peyser Planning Guidance**
(1) *Assessment of need.* This assessment of need shall include:	IX.C.4.e. How is the State's workforce investment system working collaboratively with business and industry and the education community to develop strategies to overcome barriers to skill achievement and employment experienced by … migrant and seasonal farmworkers … and to ensure they are being identified as a critical pipeline of workers?
(i) A review of the previous year's agricultural activity in the State.	IV.A. What is the current makeup of the State's economic base by industry?
(ii) A review of the previous year's Migrant Season Farm Worker (MSFW) activity in the State.	IV.F. What are the current and projected demographics of the available labor pool (including the incumbent workforce) both now and over the next decade? IV.G. Is the State experiencing any "in migration" or "out migration" of workers that impact the labor pool?
(iii) A projected level of agricultural activity in the State for the coming year.	IV.B. What industries and occupations are projected to grow and/or decline in the short term and over the next decade?
(iv) A projected number of MSFWs in the State for the coming year, which shall take into account data supplied by WIA 167 National Farmworker Jobs Program grantees, other MSFW organizations, employer organizations and Federal and/or State agency data sources such as the Department of Agriculture and the United States Employment Service.	IV.F. What are the current and projected demographics of the available labor pool (including the incumbent workforce) both now and over the next decade? IV.G. Is the State experiencing any "in migration" or "out migration" of workers that impact the labor pool?

(v) A statement of the consideration given to the State Monitor Advocate's recommendation as set forth in the annual summary developed under §653.108(t).	Plan Development process.1. Include (a) a discussion of the involvement of the governor and the State Board in the development of the Plan, and (b) a description of the manner in which the State Board collaborated with economic development, education, the business community and other interested parties in the development of the State Plan. (§112(b)(1).) Plan Development process.2. Include a description of the process the State used to make the Plan available to the public and the outcome of the State's review of the resulting public comments. (§§111(g), 112(b)(9).)
(2) *Assessment of available resources.* This assessment of the resources available for outreach shall include: (i) The level of funds available from all sources, including the funds specifically made available to the State agency for outreach. (ii) Resources made available through existing cooperative agreements with public and private community service agencies and MSFW groups. (iii) Where fewer resources are available for outreach than in a prior year, a statement of why fewer resources are available.	V.A. Identify how the State will use WIA title I funds to leverage other Federal, State, local, and private resources in order to maximize the effectiveness of such resources and to expand the participation of business, employees, and individuals in the statewide workforce investment system. IX.C.4.a. Describe the State's strategies to ensure that the full range of employment and training programs and services delivered through the State's One-Stop delivery system are accessible to and will meet the needs of ...migrant and seasonal farmworkers...
(3) *Proposed outreach activities.* The proposed outreach activities shall be designed to meet the needs determined under paragraph (c)(1) of this section with the available resources determined under paragraph (c)(2) of this section. The plan for the proposed outreach activities shall include: (i) Numerical goals for the number of MSFWs to contact during the fiscal year by Employment Service (ES) staff. The number of MSFWs planned to be contacted by other agencies under cooperative arrangements during the fiscal year also should be included in the plan. These numerical goals shall be based on	IX.C.4.i. Describe the State's strategies to enhance and integrate service delivery through the One-Stop delivery system for migrant and seasonal farmworkers and agricultural employers. How will the State ensure that migrant and seasonal farmworkers have equal access to employment opportunities through the State's One-Stop delivery system? Include the number of migrant and seasonal farmworkers the State anticipates reaching annually through outreach to increase their ability to access core, intensive, and training services in the One-Stop Career Center System.

the number of MSFWs estimated to be in the State in the coming year, taking into account the varying concentration of MSFWs during the seasons in each geographic area, the range of services needed in each area and the number of ES and/or cooperating agency staff who will conduct outreach. (ii) Numerical goals for the staff years to be utilized for outreach during the fiscal year. (iii) The level of funding to be utilized for outreach during the fiscal year. (iv) The tools which will be used to conduct outreach contacts, including personal contact, printed matter, videotapes, slides, and/or cassette recordings. (v) The records to be maintained by the ES outreach staff—logs of daily contacts to include the number of MSFWs contacted and assistance provided. The name of the individual contacted should be recorded when: (A) An application for work is taken by an outreach worker, (B) A referral to a job is made by an outreach worker, and/or (C) A complaint is taken by an outreach worker.	
(20 CFR 653.107(d)) In developing the outreach plan, the State agency shall solicit information and suggestions from WIA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. In addition, at least 45 days before submitting its final outreach plan to the Regional Administrator, the State agency shall provide a proposed plan to WIA 167 National Farmworker Jobs Program grantees, public agencies, agricultural employer organizations, and other organizations expressing an interest and allow at least 30 days for review and comment. The State agency shall: (1) Consider any comments received in formulating its final proposed plan.	IX.C.4.e. How is the State's workforce investment system working collaboratively with business and industry and the education community to develop strategies to overcome barriers to skill achievement and employment experienced by … migrant and seasonal farmworkers … and to ensure they are being identified as a critical pipeline of workers? Plan Development process.1. Include (a) a discussion of the involvement of the governor and the State Board in the development of the Plan, and (b) a description of the manner in which the State Board collaborated with economic development, education, the business community and other interested parties in the development of the State Plan.

(2) Inform all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore. (3) Transmit the comments and recommendations received and its responses to the Regional Administrator with the submission of the plan. (If the comments are received after the submission of the plan, they may be sent separately to the Regional Administrator.)	(§112(b)(1).) Plan Development process.2. Include a description of the process the State used to make the Plan available to the public and the outcome of the State's review of the resulting public comments. (§§111(g), 112(b)(9).)