

Texas Workforce Commission

A Member of Texas Workforce Solutions

Tom Pauken, Chairman

Ronald G. Congleton
Commissioner Representing
Labor

Andres Alcantar
Commissioner Representing
the Public

Larry E. Temple
Executive Director

August 17, 2010

Mr. Joseph C. Juarez
Regional Administrator, Region IV
U.S. Department of Labor
Employment and Training Administration
A. Maceo Smith Federal Building
525 Griffin Street, Room 317
Dallas, Texas 75202

Dear Mr. Juarez:

On behalf of the Texas Workforce Commission (TWC), the state operational entity for the Title I Workforce Investment Act (WIA), I respectfully request approval of the enclosed waiver requests for the State of Texas. The requested waivers were developed in accordance with WIA §189(i)(4), 20 C.F.R. §§661.400–661.420, and Training and Employment Guidance Letter No. 27-09.

TWC is requesting the following:

1. A waiver of the provisions of WIA §101(31)(B), which provides for a 50 percent reimbursement rate to employers providing on-the-job training (OJT) opportunities for adults, dislocated workers, and older youth. The waiver will allow Local Workforce Development Boards (Boards) to provide employers with a reimbursement rate of 50 or 75 percent of the employer match, based on employer size.

To encourage employers to place low-income individuals and hard-to-serve dislocated workers in OJT, Boards will be permitted to offer reimbursement on the following sliding scale:

- For employers with 250 or fewer employees, reimbursement may be up to 75 percent.
 - For employers with 251 or more employees, reimbursement will remain at 50 percent.
2. A waiver of the provisions of WIA §128(c) and WIA §133(c), and 20 C.F.R. §667.160 associated with redistribution of funds among local workforce development areas (workforce areas). Currently, TWC's General Administration rules (40 Texas Administrative Code, Chapter 800) allow it to ensure that funding is redistributed in a manner that best serves Texas citizens who are most in need of services. The rules require that:
 - Boards that do not meet specified targets are not eligible to receive redistributed funds; and
 - funds must be redistributed to workforce areas that can effectively design and deliver services for low-income and hard-to-serve individuals, and expend the funds in a manner that is consistent with U.S. Department of Labor (DOL) expectations.

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As required by DOL, enclosed is a description of the process for providing notice and opportunity to comment on the waiver requests to Boards and other interested parties.

We appreciate the opportunity to submit these waiver requests and look forward to receiving the Secretary's approval. We believe the waivers will provide increased flexibility to the state and the Boards and will allow TWC to place funds in workforce areas most in need.

If you have questions or require additional information, please contact Reagan Miller, Deputy Division Director, Workforce Policy and Service Delivery Branch, at (512) 936-3563.

Sincerely,



Larry E. Temple
Executive Director

Enclosure

cc: H. E. (Gene) Crump, Jr., Deputy Executive Director, TWC