

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



MAR 12 2019

The Honorable Ned Lamont
Governor of Connecticut
210 Capitol Avenue
Hartford, Connecticut 06106

Dear Governor Lamont:

Thank you for your waiver request received on December 14, 2018, regarding certain statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA) and the accompanying plan to improve the statewide workforce development system (copy enclosed). This letter provides the Employment and Training Administration's (ETA) official response to the State's request and memorializes that Connecticut will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Connecticut and ETA. This action is taken under the Secretary's authority to waive certain requirements of WIOA Title I, Subtitles A, B, and E, and Sections 8 – 10 of the Wagner-Peyser Act in WIOA Section 189(i).

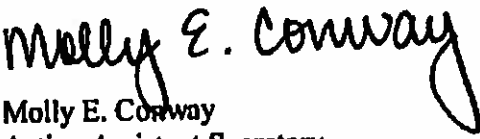
Requested Waiver: Waiver of the obligation of eligible training providers (ETPs) to collect and report on the performance data on all students in a training program at WIOA Sections 116(d)(4)(A) and (B) and 122(d)(2)(A) and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.430(b)(5).

ETA Response: The State's request to waive the obligation of ETPs to collect and report performance data on all students in a training program is approved through June 30, 2020. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Connecticut to implement its plan to improve the workforce development system. The State must provide information regarding how the Governor will take into account the outcomes of all students in an ETP program of study, with respect to their employment and earnings, as required for the demonstration of continued eligibility in 20 CFR 680.460(f)(1)(iii) and WIOA Section 122. The State will continue to collect and report data for all WIOA-funded participants in accordance with all statutory and regulatory requirements, including WIOA Sections 116 and 122, and as specified at 20 CFR 677.230 and 680.460. While ETA recognizes the importance of informing consumer choice through the provision of quality data on training outcomes, we also recognize that the systems and willingness to collect the required performance data from providers may discourage training provider participation, which is a critical component of the workforce development system.

ETA is available for further discussion and to provide technical assistance to the State to support achieving its goals. The Department of Labor proposed additional flexibility in its Fiscal Year 2018 and 2019 budgets to give governors more decision-making authority to meet the workforce needs of their states and will continue to propose these additional flexibilities in future fiscal years.

If you have questions or wish to explore additional flexibility, feel free to contact my office at 202-693-2772.

Sincerely,



Molly E. Conway
Acting Assistant Secretary

Enclosure

cc:

Kurt Westby, Commissioner, Connecticut Department of Labor
Timothy S. Martin, Acting Boston Regional Administrator, Employment and Training Administration
Douglas Shvonski, Federal Project Officer, Employment and Training Administration



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December 7, 2018

Mr. Timothy Martin
Acting Regional Administrator
U.S. Department of Labor
Employment and Training Administration
25 New Sudbury St.
Boston, MA 02203

Dear Mr. Martin:

Connecticut respectfully submits the attached modification request to the State of Connecticut Workforce Innovation and Opportunity Act (WIOA) Unified State Plan. The request is being submitted in accordance with WIOA and guidance provided by USDOL Employment and Training Administration.

The waiver will assist to alleviate any undue burden on CT Eligible Training Providers associated with the reporting of performance-related data on all students participating in training programs listed on the State's Eligible Training Provider List.

We appreciate your review and consideration of this request. Please contact Robert Bongiolatti, Operations Coordinator, CTDOL WIOA Administration Unit at robert.bongiolatti@ct.gov.

Sincerely,

Kurt D. Westby
Commissioner

Attachment

Connecticut Department of Labor

Workforce Innovation and Opportunity Act (WIOA)

Waiver Request

Date: 11/16/2018

State: Connecticut

Agency: Department of Labor

Statutory and/or regulatory requirements to be waived

Indicate which part of the WIOA or the regulations the state would like to waive.

The State of Connecticut is seeking a waiver from the requirements outlined in the WIOA at Sections 116 and 122, and at 20 CFR 677.230 and 20 CFR 680.400 through 680.530, which require the collection and reporting of performance-related data on all students participating in training programs listed on the state's ETPL.

Background

Subsequent to the passage of WIOA in 2014, the State of Connecticut immediately began working towards the implementation of WIOA's Eligible Training Provider (ETP) provisions. At that time, the state's MIS system, CTWBS, was in the midst of being phased out to the CTHires (Geographic Solutions) system now in use. This system went "live" in December 2015. During 2016-2017, Connecticut went through the process of converting all ETPL providers to CTHires. In addition, Geographic Solutions was converting its system from WIA to WIOA. Prior to CTHires, Connecticut had not been collecting performance data on ETPL providers. Connecticut's first step towards a comprehensive ETPL was the creation of our WIOA Policy Manual, which included both WIOA ETPL policy and its performance requirements. The policy and performance requirements were finalized in July 2018. Connecticut began meeting with its educational partner, the Connecticut State Colleges and Universities (CSCU), in 2016 to begin moving towards the technical and FERPA requirements that would allow ETPL performance information to be shared. In 2017, the CSCU system reported initial performance rates within the CTHires system manually. This was a hardship for the university system, requiring time, effort and manpower.

While this is a step in the right direction, many private providers do not have the time and manpower necessary to report on all participants. Connecticut has addressed several critical points while working to implement the WIOA ETP requirements, which include:

- Ensuring that the local WDB's have sufficient numbers and diversity in training providers to create a competitive well rounded marketplace for Individual

Training Accounts (ITAs.)

- Ensuring equal performance evaluation among providers when determining ETPL continued eligibility.
- Reducing the burden on training providers to submit performance information on non-WIOA participants to the state which may not be readily available.
- Development of an automated system for ETPL providers to report performance information.
- Burden on providers providing personal, sensitive information which may leave participants open to identity theft and or fraud.
- Ability of providers to capture relevant information on non-WIOA participants who have left or graduated the program. Many of these providers choose not to be on the ETPL, limiting participants' consumer choice of programs.
- Providing beneficial information to WIOA participants on eligible training programs that allow them to make informed choices on how to use their ITAs most effectively.

Actions undertaken to remove state or local barriers

Describe the actions undertaken to remove state or local barriers.

As required by 20 CFR 679.620 (d)(2) we have determined that there are no state or local statutory or regulatory barriers to implementing the requested waiver.

Goals and expected programmatic outcomes of waiver

Describe and specify how the waiver will help the state achieve an identified strategic goal or set of goals that it has outlined in its State Plan. If possible and appropriate the type of waiver requested, provide quantifiable projections for programmatic outcomes that will result from the waiver.

- Additional added providers who offer more varied programs enhancing consumer choice.
- Increased competition among providers and programs which may lead to lower costs.
- Stronger partnerships and relations between training providers and the public workforce system.
- Greater flexibility in assisting providers who might not otherwise meet the federal WIOA reporting requirements for inclusion in the ETPL.

Individuals impacted by the waiver

Describe which populations the waiver will benefit, including how the waiver will impact services for disadvantaged populations or individuals with multiple barriers to employment.

The waiver will benefit all populations, regardless of whether individuals are disadvantaged or have multiple barriers to employment, by providing the ability for the state to include a wider array of continued eligibility providers.

Process for monitoring progress in implementation

Describe the processes used to monitor the progress in implementing the waiver.

Annual WIOA programmatic monitoring will include an evaluation of the impact the waiver has on programmatic objectives.

Additionally, the CTDOL WIOA Administration unit will have the responsibility of ensuring the specific objectives achieved by the waiver are realized. Furthermore, the information gathered from the waiver will result in implementation of improved policies to effectuate overall best practices. CTDOL's WIOA Administration Unit and Performance Accountability staff will periodically examine the appropriateness and the effectiveness of this waiver towards meeting its objectives.

Notice to affected local boards

Address how local boards affected by the waiver were notified of the request.

Connecticut's five local boards were provided a draft of the waiver request at CTDOL's WIOA Administration Unit's monthly meeting in October and were included in plans to request the waiver in the weeks prior to the meeting. The boards will be advised via email of the actual submission of this waiver.

Public Comment

Provide a description of the proactive solicitation of public comments. At a minimum, post the proposed waiver request to the state's official website for comment. Ideally, develop a targeted outreach strategy to collect input and comment from all affected stakeholders. Submit any comments or concerns collected in this manner and the outcome of the state's review of the public comments received.

Connecticut is submitting this waiver request separately from its state plan; and as such, the waiver request will be posted on CTDOL's website for comment and review by interested parties and the public.

Waiver Impact

Collect and report information about waiver outcomes in the State's WIOA Annual Report. The Secretary may require that States provide the most recent data available about the outcomes of the existing waiver in cases where the State seeks renewal of a previously approved waiver.

The Connecticut Department of Labor WIOA administration unit will have the responsibility of ensuring the specific objectives achieved by the waiver are realized. Outcomes of the waiver will be reported in the WIOA Annual Report.