



DEC 13 2018

The Honorable Brian Sandoval
Capitol Building
101 N. Carson Street
Carson City, Nevada 89701

Dear Governor Sandoval:

Thank you for your waiver request on September 19, 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 Nevada will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Nevada 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 performance data on all students in a training program at WIOA Sections 116(d)(4)(A) and 122 and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.

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 Nevada 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 has proposed additional flexibility in its Fiscal Year 2019 budgets to give governors more decision-making authority to meet the workforce needs of their states.

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:

Don Soderberg, Director, Nevada Department of Employment, Training and Rehabilitation

Renee L. Olsen, Administrator, Employment Security Division

John Bailey, Acting San Francisco Regional Administrator, Employment and Training Administration

Jeffrey Patton, Federal Project Officer, Employment and Training Administration

EMPLOYMENT SECURITY
DIVISION

Office of the Administrator



BRIAN SANDOVAL
Governor

DON SODERBERG
Director

RENEE L. OLSON
Administrator

September 19, 2018

John Bailey - Acting Regional Administrator
Region 6
US Department of Labor
Employment and Training Administration
90 7th St
Suite 17-300
San Francisco, CA 94103-1516

RE: WIOA Waiver Request

Dear Mr. Bailey:

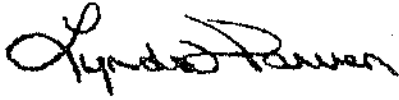
The State of Nevada is submitting a modification request to the Workforce Innovation and Opportunity Act (WIOA) Unified State Plan. The request is submitted in accordance with WIOA Section 189(i)(3)(B) and regulations at 20 CFR 679.620.

Nevada is seeking a waiver of WIOA §116(d) (4), regulations at 20 CFR §677.230(a) (5) and at 20 CFR 680 Subpart D to allow eligible training providers (ETPs) to collect and report performance data for WIOA-funded participants only. The waiver request was posted from September 10, 2018 through September 14, 2018. No comments were received concerning the request.

Approval of this waiver will reduce the reporting burden on Nevada training providers while retaining the requirement to report required performance data for all WIOA-funded participants. Approval will allow training providers to focus time and resources on producing successful outcomes for both their WIOA-funded and non-WIOA students.

Your consideration of the attached waiver request is greatly appreciated. Please contact Karlene Johnson at 775-684-0314 or KFJOHNSON@detr.nv.gov if you have any questions.

Sincerely,



Lynda Parven
ESD Deputy Administrator

Enclosure

cc: Renee Olson, ESD Administrator
Grant Nielson, ESD Chief of Workforce Investment Support Services
Karlene Johnson, ESD Program Specialist III, WISS