



August 22, 2022

The Honorable John Bel Edwards
Governor of Louisiana
Office of the Governor
PO Box 94004
Baton Rouge, LA 70804

Dear Governor Edwards:

Thank you for your waiver request submission to the U.S. Department of Labor (Department) 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 (enclosed). The waiver request was received May 27, 2022, as part of your recent WIOA State Plan modification. This letter provides the Employment and Training Administration's (ETA) official response to your request and memorializes that Louisiana will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Louisiana 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 associated with the requirement at WIOA Section 129(a)(4)(A) and 20 CFR 681.410 that the State and local areas expend 75 percent of Governor's reserve youth funds and local formula youth funds on out-of-school youth (OSY).

ETA Response: ETA approves for Program Year (PY) 2022 and PY 2023, which includes the entire time period for which states are authorized to spend those funds, Louisiana's request to waive the requirement that the State expend 75 percent of Governor's reserve youth funds on OSY. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Louisiana to implement its plan to improve the workforce development system. Louisiana may lower the expenditure requirement for Governor's reserve funds to 50 percent for OSY.

In addition, ETA approves for PY 2022 and PY 2023, which includes the entire time period for which states are authorized to spend those funds, the State's request to waive the requirement that local areas expend 75 percent of local youth formula funds on OSY. Louisiana may lower the local youth funds expenditure requirement to 50 percent for OSY. As a result of this waiver, ETA expects that the number of in-school youth (ISY) served will increase, and performance accountability outcomes for overall WIOA Youth (including both ISY and OSY) will remain steady or increase for the majority of the WIOA Youth performance indicators.

The State must report its waiver outcomes and implementation of the approved waiver in the WIOA Annual Report. ETA will use this information to assess continued waiver approval and to identify promising practices that may be adopted more widely. ETA is available to provide technical assistance to you in support of your goals. If you have questions, feel free to contact my office at (202) 693-2772.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Parton". The signature is fluid and cursive, with a large initial "B" and a long horizontal stroke extending to the right.

Brent Parton
Acting Assistant Secretary

Enclosure

cc: Ava Dejoie, Secretary, Louisiana Workforce Commission
Nicholas Lalpui, Regional Administrator, Employment and Training Administration
Eva Drinkwine, Federal Project Officer, Employment and Training Administration

Louisiana State Plan Waiver Requests
Submitted May 27, 2022

Louisiana is requesting waivers for Program Years 2022 and 2023. Louisiana submits this request to waive certain provisions of the Workforce Innovation and Opportunity Act (WIOA). Please know the Louisiana Workforce Commission has worked closely with its Local Workforce Development Boards (LWDBs) to develop a comprehensive request that is both reasonable and responsive to barriers that LWDBs are facing during the COVID-19 pandemic. In addition, we believe this request and waiver comport to federal regulations.

Workforce Innovation and Opportunity Act (WIOA) Waiver Request Submission

I. The statutory and/or regulatory requirements the State would like to waive

The State of Louisiana seeks approval of the following statutory waiver in accordance with the Workforce Innovation and Opportunity Act (WIOA).

- A waiver of the requirement, WIOA Section 129(a)(4)(A) and 20 CFR 681.410 to expend 75 percent of Statewide Activities and local funding on the OSY population for Program Years 2022 and 2023.

Louisiana is requesting that this percentage be lowered to 50 percent. This would allow the State to increase services to eligible in-school youth to better address the negative educational and employment impacts of the COVID-19 pandemic and the hurricanes that have impacted our State.

II. Actions to Remove Barriers

While the provision of services to OSY is vital, the requirement to expend 75 percent of youth statewide and formula funds on OSY inhibits Louisiana and its 15 local workforce development area's discretion when serving youth based on local demographics, resources, economies, employment outlook, and other labor market factors. The current requirement also weakens our ability to design and deliver meaningful career pathway programs to all youth, regardless of school status. Furthermore, the 75 percent OSY expenditure requirement limits local workforce development area's ability to carry out initiatives that provide much needed education and training experiences for students and that address the employer's workforce education and skills needed.

Consistent with WIOA's increased emphasis on credential attainment, the flexibility that this waiver would allow, if approved, would allow the Local Workforce Development Boards an opportunity to provide work-based learning opportunities such as work experience for ISY as specified in Section 129(c)(2)(C) and 20 C.F.R. 681.600. The ability to provide more work-based learning opportunities to ISY is vital to our commitment to enhancing choices available to eligible youth and to encourage them to complete secondary education, enroll in postsecondary education and advanced training, progress through a career pathway and enter into unsubsidized employment that leads to economic self-sufficiency. It will also provide opportunities for ISY to obtain industry-based certifications (IBCs) prior to, or shortly after, completing their secondary education, thereby improving their

ability to obtain unsubsidized living-wage employment and career opportunities.

III. Strategic Goals

Louisiana's State Plan articulates our Governor's commitment to consistently support and make workforce progress a priority with the vision of a workforce system that will provide pathways for all Louisianans. In furtherance of this commitment, the below strategic goals were identified in Louisiana's WIOA Combined State Plan and accompanying executable objectives for their accomplishment:

Goal 1: Continue to strengthen existing and establish new Career Pathways as a model for skill, credential and degree attainment for Louisiana citizens. This will help secure jobs that provide opportunities for economic independence and family stability.

Objective 1.1: Workforce development system partners will develop a shared vision and strategy for industry sector-based career pathways for youth and adults. Career pathways are diverse, with multiple entry and exit points allowing individuals of varying abilities, including adults and youth with multiple barriers to employment and in need of skill enhancement, to have realistic access to pathways.

Objective 1.4: Strengthen the alignment of K-12 education, workforce, and other viable initiatives such as improving processes for transfer credits through postsecondary, apprenticeships and college coursework as entry and exit points in the career pathways model for in and out-of-school youth.

Goal 2: Expand career services and opportunities for targeted and special populations facing multiple barriers.

Objective 2.1: Expand and incentivize the utilization of evidenced-based workforce strategies that support targeted populations (e.g., the long-term unemployed, individuals with disabilities, veterans, and out-of-school youth) into sector-based career pathways leading to gainful employment.

These strategic goals were developed to overcome significant barriers faced by Louisianans who are receiving public assistance, unemployed or underemployed, basic skills deficient, persons with disabilities, and others by creating solutions that will ensure access to education, training and supportive services needed to prepare for, and secure high-demand occupations that pay family-sustaining wages.

IV. Projected Programmatic Outcomes Resulting from Implementation of the Waiver

With waiver approval, Louisiana will be able to:

- Increase the number of WIOA youth program participants
- Strengthen and support Career Pathways
- Expand career services and opportunities for those individuals with multiple barriers
- Increase access to work-based training, thus aiding achievement of the 20% spending requirement for work experience
- Build a better workforce for Louisiana businesses

An increase in participants is projected and areas expressed they could see a potential to double youth participants if we are given this waiver as it opens the

doors to much more flexibility. With the increased participant enrollment, some areas want to do an in-school JAG program (25-30 participants) and also want to expand a "Career Exploration Project" (additional 15-20 youth) that was just kicked off this summer, but limited it to just OSY. They also have ideas of putting in a carpentry pre-apprenticeship project (15-20 participants) at a Community College. Many areas have the partners ready to go and they are just waiting on us to get the waiver. This isn't counting those enrolling in ITA's that we currently enroll as adults as they don't meet the OSY criteria and we can afford to show them as an ISY. Enrollment would increase significantly across the state if this waiver were granted.

V. Alignment with Department policy priorities

This waiver request is consistent with USDOL's policy priorities in that the request will:

- Focus on ensuring that eligible youth achieve secondary and postsecondary educational success;
- Increase youth access to much needed opportunities for education, training, employment and supportive services; and
- Align with WIOA's intent by supporting career pathways and the preparation of young people for in-demand careers.

VI. Individuals, groups, or populations affected by the waiver

The intent of this waiver is to benefit at-risk ISY who face barriers to education, training and employment. OSY will also

benefit as they will continue to be served as a priority population as required by WIOA. Local boards will benefit from increased flexibility to develop unique solutions to improve service to all youth according to local conditions and needs.

VII. Plan for State Monitoring of Waiver Implementation

Annual WIOA on-site programmatic reviews will include an evaluation of the impact of the waiver on local programs to ensure programmatic goals and outcomes are being met. In addition, local areas will monitor their own progress under this waiver by reviewing their monthly expenditures, along with their performance reports.

VIII. Public Comment and Notification to Local Workforce Development Boards

This waiver request will be posted on a publicly accessible website with a link to provide and/or accept public comment for a minimum of 30 days on April 22, 2022 in alignment with the State's Combined State Plan. The state notified all 15 Local Workforce Development Board Directors and other stakeholders of the publication and comment period.

Local Workforce Development Boards were provided a copy of this waiver request and given the opportunity to contact the Office of Workforce Development prior to submission of Louisiana's WIOA State Plan modification to discuss and have input on the waiver request.