

MASSACHUSETTS

Workforce Investment Act

WIA Communication No. 05-70

Policy **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Regional Directors for Workforce Integration
DCS Associate Directors
DCS Field Managers

cc: WIA State Partners

From: Susan V. Lawler, Commissioner
Division of Career Services

Date: September 15, 2005

Subject: WIA Funds Transfer Authority

Purpose: To transmit the Commonwealth's policy regarding the parameters for transferring WIA funds between Adult and Dislocated Worker programs (this policy replaces WIA Communication issuance No. 03-27).

Background: The Workforce Investment Act of 1998 (WIA) allowed for the transfer of funds between the Adult and Dislocated Worker Programs (§133(b)(4)). The provision to allow transfer of funds between the two programs provided local areas with a significant level of flexibility to meet local service needs. JTPA Issuance No. 00-20 (issued by the Commonwealth Corporation on May 31, 2000) described the parameters for transferring funds. Under the policy, local areas were allowed to transfer a maximum of 20 percent of its program year allocation for either the adult or dislocated worker activities between the two programs.

On April 1, 2003, the U.S. Department of Labor Employment and Training Administration issued Training and Employment Guidance Letter (TEGL) 23-02 which increased the limit on transfer authority to 30 percent.

The Commonwealth, as part of its strategic State Plan for Title I of the Workforce Investment Act and the Wagner-Peyser Act for the two-year period, July 1, 2005 through June 30, 2007 requested and was granted approval to increase transfer authority from the current 30% to 50% for Adult and Dislocated Worker funds.

Policy: A Local Workforce Investment Board may transfer up to 50 percent of its program year allocation for either adult or dislocated worker employment and training activities between the two programs. Transfer of funds between any other programs covered by the Workforce Investment Act is not allowed.

To transfer any amount of funds between either the adult and dislocated worker programs for a program year, a local board must first obtain the Governor's approval by forwarding a formal request, in writing to:

The Division of Career Services
Quality Assurance and Monitoring – 2nd Floor
Charles F. Hurley Building
19 Staniford Street
Boston, MA 02114
Attn: Eddie Bartkiewicz

Transfer requests received subsequent to the end of the third quarter of the fiscal year will be considered for approval only in extreme circumstances.

Please complete and submit the attached justification form and revised Title I Program Summary modification with the transfer request. Upon approval of the transfer request, a modification to the Annual Business Plan budget reflecting the transfer must be submitted within 10 days from receipt of the transfer approval. The approved transfer documents will be incorporated as a modification to the Annual Business Plan.

Action

Required: Please assure that all appropriate individuals in your workforce investment area are notified of this revised policy, and take necessary steps to ensure compliance with its content.

Effective: Immediately

References: The Workforce Investment Act of 1998; Training and Employment Guidance Letter No. 23-02 (4/1/03); JTPA Policy No. 00-02 (5/31/00); WIA Communication Policy No. 03-16 (6/24/03); WIA Communication Policy No. 03-27 (11/13/03); July 7, 2005 correspondence to the Governor from USDOL - USDOL's disposition of the Commonwealth's waiver submission; WIA Communication 05-68 (9/15/05).

Inquiries: Please email all questions to PolicyQA@detma.org. Also, indicate Issuance number and description.

Filing: Please file this in your notebook of previously issued WIA Communication Series Issuances as #05-70.