



DEPARTMENT OF
CAREER SERVICES

Workforce Issuance

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☒ **Policy** ☐ **Information**

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
Title I Administrators
MassHire Career Center Directors
Title I Fiscal Officers
MDCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
MassHire Department of Career Services

Date: March 11, 2019

Subject: **WIOA Waiver for Eligible Training Providers Approved**

Purpose: To notify MassHire Workforce Boards, MassHire Career Centers and other workforce partners of the US Department of Labor (US DOL) approved Massachusetts waiver of certain Workforce Innovation and Opportunity Act (WIOA) requirements regarding Eligible Training Providers, effective immediately, through June 30, 2020.

Background: Section 189(i) of WIOA authorizes the Secretary to waive certain statutory and regulatory provisions of the WIOA and of the Wagner-Peyser Act. This general statutory and regulatory waiver authority provides increased flexibility to states and local areas, and it provides an opportunity for states and local areas to organize services in ways that best meet the needs of the state, regional and local economies and overcome legal or regulatory barriers that may impeded innovation. Waivers provide flexibility in exchange for improved programmatic outcomes and must be consistent with WIOA's key reform principles.

In a letter dated December 13, 2018, the U.S. Department of Labor, Employment and Training Administration granted Massachusetts 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 Eligible Training Provider List (ETPL).

Policy: For training providers listed on the Massachusetts ETPL, this waiver eliminates the need to report performance outcomes for students whose training is not funded through the Workforce System. The Commonwealth continues to require training providers to report on customers attending training through one of the Workforce System's program resources (i.e. WIOA, Trade, Training Opportunities Programs (Section 30), National Dislocated Worker Grants, etc.). These are customers who receive training services from the training provider and also career services via a MassHire Career Center.

The Commonwealth anticipates achieving the following goals with implementation of this waiver:

- Removal of a potential disincentive for schools and training providers to participate in ETPs in anticipation of maximizing the available marketplace of training curriculum.
- An increase in varied training offerings for individuals utilizing Individual Training Accounts (ITA) via the public workforce system (increased consumer choice).
- Greater utilization of the ETPL by individuals pursuing training in the Commonwealth related to jobs that are in-demand by employers.
- Improved overall performance outcomes for individuals pursuing training utilizing ITAs.
- Strengthen partnerships and relationships between training providers and the public workforce system.
- Enhanced ability of local boards to respond quickly and efficiently to immediate local job seeker and employer needs.

Action

Required: Workforce Boards will base ETPL approval on performance that is reported for those students whose training is funded through the MassHire workforce system.

Waiver implementation must be documented in the Local Annual Plan.

Effective: Immediately

Attachments: A. US DOL Waiver Approval Letter - Eligible Training Provider List (ETPL) Requirements (December 13, 2018)

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