

## New York State Department of Labor

W. Averell Harriman State Office Campus  
Building 12, Room 440, Albany, NY 12240  
[www.labor.ny.gov](http://www.labor.ny.gov)

### Workforce Development System Program Guidance Letter #23-01 May 31, 2023

**To:** Workforce Development Community

**SUBJECT:** Guidance on Waiver Requests for the Workforce Innovation and Opportunity Act (WIOA) 80% Obligation Requirement for Title I Adult, Dislocated Worker (DW), and Youth Formula Funds

#### ACTION

Local Workforce Development Boards (LWDBs) may request a waiver for Program Year 2022 (PY 22) of the 80% obligation requirement identified in Workforce Development System Technical Advisory (WDS TA) #[16-3](#): Policy on the Recapture and Redistribution of Local Workforce Development Board (LWDB) Formula Funds (3/10/16), as they did for PYs 19, 20, and 21. If granted, LWDBs will not be held to the 80% obligation requirement for PY 22.

LWDBs wishing to request a waiver of the PY 22 WIOA 80% obligation requirement must do so by emailing the request to [LWDB@labor.ny.gov](mailto:LWDB@labor.ny.gov) no later than **July 31, 2023**. The request must address:

- The WIOA funding stream(s) the waiver is being requested for (Adult, DW, and/or Youth); and
- The rationale for requesting the waiver.

Waiver request emails must include “[LWDB Name] 80% Obligation Requirement Waiver Request” in the subject line, with a CC to the appropriate New York State Department of Labor (NYSDOL) Fiscal and Program Monitors.

**Note:** Regardless of whether a waiver is granted, LWDBs must continue to keep accurate records of obligations and expenditures of WIOA funding and follow all fiscal reporting requirements.

#### REFERENCES

WDS TA #[16-3](#): Policy on the Recapture and Redistribution of Local Workforce Development Board (LWDB) Formula Funds (3/10/16)

#### INQUIRIES

**WE ARE YOUR DOL**





Questions regarding this Program Guidance Letter may be directed to your LWDB Fiscal and/or Program Monitors.

**WE ARE YOUR DOL**

