

Waiver of the requirement to expend 75% of local formula youth funds on Out-of-School Youth (OSY).

Statutory and/or regulatory requirements to be waived

Language that requires the 75% OSY expenditure requirement be imposed on local workforce investment activities identified in Workforce Innovation and Opportunity Act (WIOA) Section 129(a)(4)(A) and 20 CFR §681.410(c).

This request is for Program Year (PY) 2021 and PY 2022 funding allotments.

Actions undertaken to remove state or local barriers

There are no State or local statutory or regulatory barriers to implementing the proposed waiver.

Goals and expected programmatic outcomes of waiver

This waiver will allow New York State (NYS) to decrease the OSY expenditure requirement for interested Local Workforce Development Boards (LWDBs) to no less than 50% while also increasing allowable expenditures for In-School Youth (ISY) to up to 50%; addressing an increase in local need for ISY services due to the COVID-19 pandemic. LWDBs will direct this increase in ISY expenditures toward investing in preventative strategies and addressing the myriad of current needs within the ISY population.

Alignment with USDOL policy priorities

This waiver will allow LWDBs to offer the 14 WIOA Youth program elements as described in 20 CFR §681.460 to more ISY youth participants. This waiver is intended to allow LWDBs to spend youth funds to align with the needs of their local population.

Individuals impacted by the waiver

This waiver will directly impact youth in NYS who qualify as ISY and would otherwise not be served due to the 75% OSY expenditure requirement. Related reductions of OSY enrollments and services to OSY are anticipated to be minimal as the local areas are reporting difficulty in enrolling OSY. Employment opportunities for OSY are plentiful as reflected in current low Unemployment Insurance (UI) rates and high hourly wages for entry level jobs. Thus the waiver will provide the local boards the flexibility to serve more ISY youth and more youth overall.

Process for monitoring progress and the collection and reporting of outcomes related to the waiver

NYSDOL will monitor progress and ensure accountability for Federal funds in connection with this waiver by collecting and reviewing monthly expenditure, performance, and other reports through regular contact with the Employment and Training Regional Office liaisons, and through its monitoring and performance accountability system.

Notice to affected local boards

Should the waiver be granted, NYSDOL would issue an electronic notice that will be disseminated to the Workforce Development community in the State (including LWDB Directors and Chairs).