

Attachment II: Waivers Through October 16, 2018

ETA regularly updates a report of all approved waivers and posts the report to the WIOA Waiver Webpage at www.doleta.gov/wioa/WIOA_Waivers.cfm. Below is a list of waivers approved through October 16, 2018.

State	Waiver Description	Key WIOA and Regulatory Citations	Hurricane Related
Alaska	Waiver to allow the State Board to act as the Local Board	WIOA Section 107(b)	
Idaho	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.460	
Idaho	Waiver to allow the State Board to act as the Local Board	WIOA Section 107(b)	
Idaho	Waiver of the requirement to conduct evaluations of workforce investment activities for adults, dislocated workers, and youth	WIOA Sections 134(a)(2)(B)(vi) and 129(b)(1)(A)	
Illinois	Waiver to allow the State to lower the local area and statewide reserve out-of-school youth expenditure requirement to 50 percent	WIOA Section 129(a)(4) and 20 CFR 681.410	
Illinois	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.460	
Indiana	Waiver to allow the State to lower the local area and statewide reserve out-of-school youth expenditure requirements to 50 percent	WIOA Section 129(a)(4) and 20 CFR 681.410	
Indiana	Waiver to substitute the WIOA State Board membership requirements	WIOA Sections 101(b)(1) and (c) and 20 CFR 679.110(b)-(c).	
Kansas	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.400-680.530	
Massachusetts	Waiver to increase on-the-job training employer reimbursement up to 90 percent for businesses with 50 or fewer employees	WIOA Section 134(c) (3)(H)(i) and 20 CFR 680.720 (b)	

Michigan	Waiver to allow the State to calculate the out-of-school youth requirement at the State level only	WIOA Section 129(a)(4) and 20 CFR 681.410	
Michigan	Waiver to lower to the local area and statewide out-of-school youth expenditure requirements to 50 percent	WIOA Section 129(a)(4) and 20 CFR 681.410	
Michigan	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.400-680.530	
Minnesota	Waiver to allow the State to lower the out-of-school youth expenditure requirement for statewide and local area funds to 60 percent	WIOA Section 129(a)(4) and 20 CFR 681.410	
Missouri	Waiver of the obligation of eligible training providers to collect performance data on all students in a training program	WIOA Sections 116(d)(4)(A) and 122, and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680	
Missouri	Waiver to lower to the local area and statewide out-of-school youth expenditure requirements to 50 percent	WIOA Section 129(a)(4)(A) and 20 CFR 681.410	
Nebraska	Waiver to allow the State to assign a single local workforce development area to multiple planning regions	WIOA Section 106(a)(2) and 20 CFR 679.210	
New York	Waiver of the requirement that states expend 75 percent of all Governor's reserve funds on out-of-school youth	WIOA Section 129(a)(4)(A) and 20 CFR 681.410	
North Carolina	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.400-680.530	
Northern Mariana Islands	Waiver to lower to the local area and statewide out-of-school youth expenditure requirements to 50 percent	WIOA Section 129(a)(4) and 20 CFR 681.410	
Ohio	Waiver to allow the State to calculate the 75 percent out-of-school youth requirement for local area funds at the State level only	WIOA Section 129(a)(4) and 20 CFR 681.410	
Ohio	Waiver to allow local areas to provide in-school youth with individual	20 CFR 681.550	

	training accounts		
Ohio	Waiver to allow both WIOA and TANF funds to count towards the WIOA requirement that a local area expend 75 percent of its youth funds on out-of-school youth	WIOA Section 129(a)(4) and 20 CFR 681.410	
Pennsylvania	Waiver to allow WIOA Individual Training Accounts (ITAs) for in-school youth	20 CFR 681.550	
Puerto Rico	Waiver of the limitation on the use of funds for capitalization of business to allow funds to be used to capitalize small business that were affected by Hurricanes Irma and Maria, up to \$5,000 per affected business	WIOA Section 181(e)	X
Puerto Rico	Waiver to lower to the local area and statewide out-of-school youth expenditure requirements to 50 percent	WIOA Section 129(a)(4), and consistent with 20 CFR 681.410,	X
Puerto Rico	Waiver to permit the Commonwealth to exclude individuals affected by the disaster from the calculation of state and local performance measures	WIOA Section 116(b) and (c)	X
Puerto Rico	Waiver of statewide required activities to conduct evaluations	WIOA Sections 129(b)(1)(A) and 134(a)(2)(vi), section 116(e), section 169(a)	X
Puerto Rico	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116 and 122, and at 20 CFR 677.230 and 20 CFR 680.400 thru 680.530	
South Carolina	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.400-680.530	
South Dakota	Waiver of the requirement that eligible training providers collect performance data for all students in a training program	WIOA Sections 116(d)(4)(A) and 122; 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.400-680.530	
South Dakota	Waiver to lower to the local area and statewide out-of-school youth expenditure requirements to 50 percent	WIOA Section 129(a)(4)(A) and 20 CFR 681.410	
South Dakota	Waiver to allow WIOA individual	20 CFR 681.550	

	Training Accounts for in-school youth		
Tennessee	Waiver of the obligation of eligible training providers (ETPs) to collect performance data on all students in a training program	WIOA Sections 116(d)(4)(A) and 122 and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680	
Tennessee	Waivers associated with the requirement that local areas expend 75 percent of local formula youth funds on out-of-school youth	WIOA Section 129(a)(4)(A) and 20 CFR 681.410	
Tennessee	Waiver to allow WIOA Individual Training Accounts (ITAs) for in-school youth	20 CFR 681.550	
Texas	Waiver to permit the State and its disaster-impacted local areas to use local Adult and Dislocated Worker formula funds for the development or identification of education and training programs that have the characteristics referenced in WIOA Section 134(a)(3)(A)(iii) and to allow the State and its disaster-impacted local areas to use Youth formula funds to support the development of alternative, evidence-based programs, and other activities that enhance the choices available to eligible youth and which encourage youth to reenter and complete secondary education, enroll in post-secondary education and advanced training, progress through a career pathway, and enter into unsubsidized employment that leads to economic self-sufficiency	WIOA Sections 129(b)(2)(B)) and 134(a)(3)(A)(iii)	X
Texas	Waiver to permit funds to be used to capitalize small businesses that were affected by Hurricane Harvey, up to \$5,000 per affected business	WIOA Section 181(e)	X
Texas	Waiver of the requirement that the State and workforce areas must spend not less than 75 percent of youth funds to provide services to out-of-school youth in hurricane-affected local areas	WIOA Section 129(a)(4) and 20 CFR 681.410	X
Texas	Waiver of the requirement that local	WIOA Section	X

	programs provide each of the 14 youth program elements to prioritize needed services to youth participants in hurricane-affected local areas	129(c)(2)	
Texas	Waiver to permit the state to exclude individuals affected by the disaster from the calculation of State and local performance measures	WIOA Section 116(b) and (c)	X
Texas	Waiver to permit the use of individual training accounts for disaster-impacted in-school youth in hurricane-affected local areas	20 CFR 681.550	X
Texas	Waiver of the obligation of eligible training providers (ETPs) to collect performance data on all students in a training program	WIOA Sections 116(d)(4)(A) and 122 and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680	
Texas	Waiver of the requirement that states and local areas expend 75 percent of all Governor's reserve and local formula funds on out-of-school youth	WIOA Section 129(a)(4)(A) and 20 CFR 681.410	
Texas	Waiver to allow WIOA Individual Training Accounts (ITAs) for in-school youth	20 CFR 681.550	
Texas	Waiver of reallocation provisions to allow the State Workforce Development Board to develop additional criteria for the reallocation of recaptured funds	WIOA Sections 128(c)(3) and 133(c)(3)	
Texas	Waiver to allow the State to modify the performance measures used to negotiate Local Workforce Development Board performance	WIOA Section 166(c)	
Utah	Waiver to allow local areas to provide in-school youth with individual training accounts	20 CFR 681.550	