

## Attachment I

### Provisions of WIA That May Be Waived and Work-Flex Plan Options

#### Waivers:

States may want to consider requesting one or more of the following waivers in response to the hurricanes of 2005. For a more detailed explanation of what approval of the waiver may accomplish for your state, please reference TEGL 5-05 at [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2151](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2151)

1. Waiver of the funds transfer limitation at WIA Section 133(b)(4).
2. Waiver of the language that limits the authority to provide the activities identified in WIA Section 134 to the state.
3. Waiver of the reallocation provisions at WIA Sections 128(c)(2) and 133(c)(2), and 20 CFR 667.160, permitting more flexible state recapture and reallocation policies.
4. Waiver of the required 50 percent employer match for customized training at WIA Section 101(8)(C).
5. Waiver of the employer reimbursement for on-the-job training at WIA Section 101(31)(B). **If approved, this waiver is limited to six months.**
6. Waiver to exclude individuals affected by the hurricane from the calculation of State and local performance measures identified at WIA Sections 136(b) and (c) should they be unable to complete the planned WIA activities because they return to their home or move to a new location prior to program completion. **If approved, the State must still include these displaced participants in its annual WIASRD submissions, using a special notation of their status in the global exclusion field.**
7. Waiver requiring local programs to provide each of the ten youth program elements at WIA Section 129(c)(2) as options available to youth participants.
8. Waiver of 20 CFR 664.510 under WIA Section 129 to permit the use of Individual Training Accounts (ITAs) for youth.
9. Waiver of 20 CFR 664.450(b) under WIA Section 129(c)(2)(I) requiring that all youth participants receive some form of follow-up services for a minimum duration of 12 months.
10. Waiver of WIA Section 123 requirement that eligible providers of youth activities shall be identified on a competitive basis.

#### Workflex:

States may also want to consider requesting designation as a work-flex state.