WAIVER OF THE REQUIREMENT OF CONDUCT EVALUATIONS

Statutory or Regulatory Requirements to be Waived

The Virgin Islands Department of Labor requests a waiver of WIA Section 134 (a)(2)(B)(ii) and 20 CFR 665.200(d) requiring the conduct of evaluations of workforce investment activities for adults, dislocated workers and youth.

The cost of conducting an evaluation of the specificity required under WIA Section 172 is prohibitive without the availability of Statewide funds. The Virgin Islands is not in a position to utilize money from any other local funding streams due to the economic crisis that has forced the local government to impose very stringent austerity measures.

Therefore, a waiver is sought from the requirement to conduct evaluations, under section 136 (e), of activities authorized [in WIA Section 134], in coordination with the activities carried out under section 172.

Intended Goals and Outcomes
The reduction of the fifteen percent to five percent in the WIA allotment for PY 2011 Governor’s Reserve funds restricts the Territory’s ability to effectively fund and carry out all the required statewide workforce investment activities. Specifically, it is insufficient to cover the cost of evaluations. The reduced funding is currently being used to cover the following required activities:

- Operating fiscal and management accountability information systems (WIA Section 134 (a)(2)(B)(vi));
- Submitting required reports (WIA Section 136 (f)); and
- Disseminating the list of eligible training providers for adults, dislocated workers and youth (WIA Section 134 (a)(2)(B)(i) and Section 129 (b)(2)(A)).

The Territory will continue to collect data and produce evaluation reports on a smaller scale that focuses on at least one area workforce operations. The goal is to stay abreast of the challenges confronted by the system and seek ways of implementing continuous improvement measures in a cost effective manner.
Individuals/Groups Affected
This waiver will ease the financial burden placed on the entire Virgin Islands Workforce System to meet an unfunded mandate and provide more flexibility in directing Governor Reserve funds to those activities that best preserve the basic functions of the statewide workforce investment system.

Inhibiting State or Local Statutes/Regulations
There are no state or local statutory or regulatory barriers to implementing this request.

Process for Monitoring Progress in Implementation
The Virgin Islands Workforce Investment Board will oversee the collection of data and select the “challenge areas” to be monitored for improvement. This waiver has been shared with the public and can be viewed at www.viwib.org. No comments have been received to date.