

**STATE OF UTAH
WAIVER REQUEST
WORKFORCE INVESTMENT ACT**

The Utah Department of Workforce Services (DWS) provides the following waiver request to allow up to 50% of Workforce Investment Act (WIA) Adult and Dislocated worker formula funds to be transferred into the statewide fifteen (15) percent set-a-side annually. This funding would be in addition to the fifteen (15) percent reserved for statewide activities. The intent is to expand the states Incumbent Worker Program. The waiver request is for program years 2007 & 2008.

This waiver request complements Utah's current Strategic Plan by concentrating resources among growth areas and there-by provides the necessary incentives for improved employment for incumbent workers. The amount transferred annually would be dependent on the approved employer requests never exceeding 50% of the years allocation.

1. Statutory Regulations to be waived: WIA Final Regulations at 20 CFR Sections 667.130 (b)(1). (Of the WIA formula funds allotted for services to youth, adults and dislocated workers, the governor must reserve funds from each of these sources for statewide workforce investment activities. In making these reservations, the Governor may reserve up to fifteen (15) percent from each of these sources...)
2. State or local statutory regulatory barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waiver.
3. Goals to be achieved by the Waiver:
 - Provide growth industry training incentives for career ladder positions of incumbent workers. Utah is currently focusing on the growth industries of Life Sciences, Bio-Technology, Energy, and Advanced Manufacturing industries to emphasize career ladder.
 - Create a growth cycle for new hired employees and therefore creating employment for dislocated workers.
 - Expect increased State Workforce Investment Board (SWIB) collaboration with growth industry employers, education and economic development to meet industry and worker training needs.
 - Increase flexibility and alternatives in providing a trained workforce for emerging growth industries.

4. Programmatic Outcomes to be achieved by the Waiver:

- **For the Incumbent Worker**
 - i. To retain employment with increased wages by progressing up a career ladder.
 - ii. Develop marketable, transportable skills.
 - iii. Career progression will open up entry-level positions at which time DWS will recruit for.
- **For the Employer**
 - i. Experience an increased productivity due to a better-trained workforce.
 - ii. Increase retention of well-trained workers.
 - iii. Attract better-prepared entry-level workers.
 - iv. Allows employer to be more adaptable to changing labor market technologies.
- **For Utah's Department of Workforce Services**
 - i. Ensures a higher level of performance level attainment.
 - ii. Increased levels of customer satisfaction.
 - iii. Increase resources for targeted industries.
 - iv. Increased effectiveness and efficiency of program resources.
 - v. Increased collaboration and coordination between public and private sector entities.
 - vi. Good overall return on the public workforce investment.

5. Individuals impacted by the waiver:

- Low and medium skilled workers.
- Workers in an occupation whose technology has changed
- Workers who without training may become dislocated.

6. Process used to monitor progress in implementing the waiver:

- Monitor the approved incumbent Worker requests to the available funding per year.
- Reconcile expenditures to approved funding level using standard fiscal reports.

7. Process for notice of local boards and opportunity to comment:

(i) **Provide notice to any Local Board affected by the waiver:**

Although Utah is a WIA single state workforce investment area, each of the state's five administrative regions have local regional councils on workforce services (as created under state law in 1996) that have provided waiver development input and approval to this Waiver plan. Final local waiver recommendations were provided to the State Workforce Investment Board that approved the waiver as presented to DOL.

- (ii) Provide any Local Board affected by the waiver an opportunity to comment on the request:**

Refer to Item above explaining Utah's Single State Service Delivery

The proposed waiver was presented during a public meeting of the State Council, public comment on the proposal was heard and all comments taken into consideration.

- (iii) Ensure meaningful public comment, including comment by business and organized labor, on the waiver:**

The proposed waiver was presented during a public meeting of the State Council, public comment on the proposal was heard and all comments taken into consideration.

This waiver request to move formula money into statewide funds will allow Utah to administer an Incumbent Worker Program that will meet the established goals as outlined in number 3 above. Details summarized as follows:

Duration is intended for Program Years 2007 & 2008.

- Maximum amount to be moved annually is up-to 50% of the program year allocation and is in addition to allowable statewide funds.

Utah appreciates the flexibility afforded to states through the waiver process and anticipates the SWIB waiver plan provides adequate accountability and improved performance for DOL approval.