



**JUN 29 2010**

The Honorable Jim Gibbons  
Governor of Nevada  
State Capitol Building  
Carson City, Nevada 89701

Dear Governor Gibbons:

This letter provides approval of the modification to Nevada's State Plan for Title I of the Workforce Investment Act (WIA) and the Wagner-Peyser Act (W-P), and approves the extension of Nevada's existing waivers for the period July 1, 2010 through June 30, 2011, Program Year (PY) 2010. The Employment and Training Administration (ETA) received the State's proposed modification on May 14, 2010.

Training and Employment Guidance Letter (TEGL) No. 21-09, issued on April 15, 2010, provides guidance for states that choose to submit a modification of the existing State Plan for PY 2010 or submit requests for new waivers. We appreciate the State's responsiveness to this guidance.

#### Plan Review and Approval

ETA has reviewed the Nevada State Plan modification in accordance with Title I of WIA, the Wagner-Peyser Act, the corresponding regulations, the WIA/W-P Planning Guidance (73 Fed. Reg. 72853, December 1, 2008), and as appropriate Attachment A of TEGL 14-08. Pursuant to 20 CFR 661.230(e), this letter constitutes a written determination under WIA Section 112 (29 USC 2822) that ETA is approving the modification to Nevada's State Plan for the period July 1, 2010 through June 30, 2011.

The Grant Officer will issue a Notice of Obligation for the "July portion" of the WIA formula allocations for Adult and Dislocated Worker programs, effective July 1, 2010, under the PY 2010 Annual Funding Agreement. The W-P program's Annual Funding Agreement for PY 2010/Fiscal Year 2011 will be sent to the designated state grantee agency for signature and return to the Grant Officer for execution, effective July 1, 2010. The W-P Annual Funding Agreement will provide for the initial base allocation of PY 2010 funds.

### Performance Levels

The Regional Administrator's letter advising the State of the PY 2010 WIA and W-P final performance goals constitutes a modification to the State Plan. ETA will incorporate the State's final performance goals for PY 2010 into the Regional and National Office copies of the State Plan. Please include these final PY 2010 goals in the State's official copy of the State Plan.

### Waivers

As part of Nevada's modification of the WIA/W-P State Plan, and as described in TEGL 21-09, ETA has made determinations regarding an extension of Nevada's PY 2009 waivers of statutory and regulatory requirements under WIA for PY 2010. The disposition of the State's waiver extensions is outlined below. This action is taken under the Secretary's authority at WIA section 189(i) to waive certain requirements of WIA title I, Subtitles B and E, and sections 8-10 of the Wagner-Peyser Act. Unless otherwise indicated, all waiver approvals that follow apply to both WIA formula funds and funds made available under the American Recovery and Reinvestment Act of 2009.

#### Extension of Waivers

##### Waiver of WIA Section 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area.

The State was previously granted a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The State is granted an extension of this waiver through June 30, 2011. Under the waiver, transfer authority is limited to 50 percent. This limitation provides states flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs. As stated in ETA Training and Employment Guidance Letter (TEGL) No. 14-08, Section 19, issued on March 18, 2009, this waiver does not apply to funds made available through the American Recovery and Reinvestment Act of 2009. However, the State is permitted to transfer up to 30 percent of ARRA funds between programs under WIA and under the Department of Labor Appropriations Act of 2009. This authority is discussed in TEGL No. 14-08, Change 1.

Waiver of the required 50 percent employer contribution for customized training at WIA Section 101(8)(C).

The State was previously granted a waiver of the required 50 percent employer contribution for customized training to permit the use of a sliding scale for the employer contribution based on the size of the business. The State is granted an extension of this waiver through June 30, 2011. Under the waiver, the following sliding scale is permitted: 1) no less than 10 percent match for employers with 50 or fewer employees, and 2) no less than 25 percent match for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent contribution) continue to apply. When determining the funding source for customized training, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State may provide customized training to low-income adults with WIA Adult funds, and may provide customized training to dislocated workers with WIA Dislocated Worker funds. Customized training provided with statewide funds must serve WIA eligible individuals.

Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training.

The State was previously granted a waiver to permit an increase in employer reimbursement for on-the-job training through a sliding scale based on the size of the business. The State is granted an extension of this waiver through June 30, 2011. Under the waiver, the following reimbursement amounts will be permitted: 1) up to 90 percent for employers with 50 or fewer employees, and 2) up to 75 percent for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent reimbursement) will continue to apply. When determining the funding source for on-the-job training, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State may provide on-the-job training to low-income adults with WIA Adult funds, and may provide on-the-job training to dislocated workers with WIA Dislocated Worker funds. On-the-job training provided with statewide funds must serve WIA eligible individuals.

Waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts for older and out-of-school youth.

The State was previously granted a waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts (ITAs) for older and out-of-school youth program participants. The State is granted an extension of this waiver through June 30, 2011. Under this waiver, the State can use ITAs for older and out-of-school youth program participants. The State should ensure that funds used for ITAs are tracked and reflected in the individual service strategies for these youth.

Waiver to permit the State to replace the performance measures at WIA Section 136(b) with the common measures.

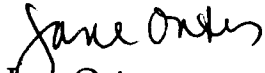
The State was previously granted a waiver that allows the State to replace the 17 performance measures under WIA Section 136(b) with the common measures. The State is granted an extension of this waiver through June 30, 2011.

This waiver permits the State to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The State will no longer negotiate and report to ETA on the following WIA measures: WIA adult and dislocated worker credential rates; participant and employer customer satisfaction; older youth measures; and younger youth measures. The State will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Adult and WIA Dislocated Worker programs. The State will use the three youth common performance measures to negotiate goals and report outcomes for the WIA Youth program. Workforce Investment Act Standardized Record Data system (WIASRD) item 619, Type of Recognized Credential, should be completed for each individual as appropriate, regardless of this waiver to report on common performance measure outcomes only.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, as required by TEGl No. 14-00, Change 3, the State should address the impact these waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

We look forward to working together as you implement your WIA/W-P State Plan for PY 2010. If you have any questions related to the issues discussed above, please contact Denise Dombek, the Federal Project Officer for Nevada, at (415) 625-7945 or [Dombek.Denise@dol.gov](mailto:Dombek.Denise@dol.gov).

Sincerely,

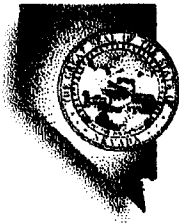


Jane Oates  
Assistant Secretary

Enclosure

cc: Larry J. Mosley, Director, Department of Employment, Training and Rehabilitation (DETR)  
Ardell Galbreth, DETR Deputy Director  
Cynthia A. Jones, DETR Deputy Director and Employment Security Division Administrator  
Richard Trigg, Regional Administrator, ETA San Francisco Regional Office  
Janet Sten, Federal Coordinator for Plan Review and Approval  
Thomas Martin, Grant Officer  
Denise Dombek, Federal Project Officer

JIM GIBBONS  
Governor



**DETR**

Nevada Department of Employment,  
Training and Rehabilitation

LARRY J. MOSLEY  
Director

OFFICE OF THE DIRECTOR

May 14, 2010

Richard C. Trigg, Regional Administrator  
U.S. Department of Labor  
Employment and Training Administration  
Region 6 San Francisco  
90 7<sup>th</sup> Street, Suite 17-300  
San Francisco, CA 94103

Re: Modification of Nevada's Strategic 1-Year Plan for Title I of the Workforce  
Investment Act of 1998 and the Wagner-Peyser Act

Dear Mr. Trigg,

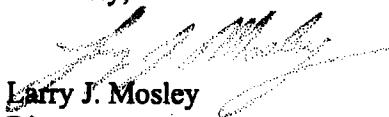
Please find enclosed the plan modification to the State of Nevada Strategic 1-Year Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act for the period July 1, 2010 through June 30, 2011 including the proposed levels of performance for Program Year 2010.

Also included are five previously approved waiver requests, which are to be a part of the plan modification. They are:

- Transfer of WIA Title IB Funds Between the Adult and Dislocated Worker Funding Streams
- Employer Reimbursement Rate for On-the-Job Training
- WIA Youth ITA for Older and Out-of-School Youth
- Employer Match for Customized Training
- Seventeen Statutory WIA Performance Measures

Please do not hesitate to contact me at (702) 486-7923 or Ardell Galbreth, Deputy Director at (702) 486-7980, if you have any questions or need further clarification.

Sincerely,

  
Larry J. Mosley  
Director

cc: Denise Dornbeck, Nevada State Liaison, DOL Region 6  
Ardell Galbreth, Deputy Director, DETR  
Cynthia A. Jones, Deputy Director, DETR/Administrator, ESD  
Lynda Parven, Deputy Administrator, DETR/ESD  
Tami Nash, Chief, DETR/ESD/WISS

**Program Administration Designees and Plan Signature**

**WIA Title I Grant Recipient Agency: Department of Employment, Training and Rehabilitation**

Address: 500 East Third Street, Carson City, NV 89713  
Telephone: 775-684-3911  
Facsimile: 775-684-3908  
E-Mail: [ljmosley@nvdetr.org](mailto:ljmosley@nvdetr.org)

**State WIA Title I Administrative Agency: Same**

**WIA Title I Signatory Official: Larry J. Mosley, Director, Department of Employment, Training and Rehabilitation**

Address: 500 East Third Street, Carson City, NV 89713  
Telephone: 775-684-3911  
Facsimile: 775-684-3908  
E-Mail: [ljmosley@nvdetr.org](mailto:ljmosley@nvdetr.org)

**WIA Title I Liaison: Ardell Galbreth, Deputy Director, Department of Employment, Training and Rehabilitation**

Address: 500 East Third Street, Carson City, NV 89713  
Telephone: 702-486-7980  
Facsimile: 775-684-3908  
E-Mail: [a-galbreth@nvdetr.org](mailto:a-galbreth@nvdetr.org)

**Wagner-Peyser Act Grant Recipient/State Employment Security Agency:  
Department of Employment, Training and Rehabilitation, Employment Security Division**

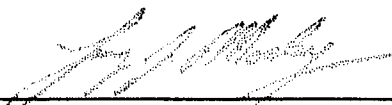
Address: 500 East Third Street, Carson City, NV 89713  
Telephone: 775-684-3909  
Facsimile: 775-684-3910  
E-Mail: [cajones@nvdetr.org](mailto:cajones@nvdetr.org)

**State Employment Security Administrator: Cynthia A. Jones, Deputy Director,  
DETR/Administrator, ESD**

Address: 500 East Third Street, Carson City, NV 89713  
Telephone: 775-684-3909  
Facsimile: 775-684-3910  
E-Mail: [cajones@nvdetr.org](mailto:cajones@nvdetr.org)

As the WIA Title I Signatory Official, I certify that for the State of Nevada, the agency and official designated above has been duly designated to represent the State in the capacities indicated for the Workforce Investment Act, Title I, and Wagner-Peyser Act grant programs. Subsequent changes in the designation of officials will be provided to the U.S. Department of Labor as such changes occur.

I further certify that we will operate Nevada's Workforce Investment Act and Wagner-Peyser Act programs in accordance with this Plan and the assurances herein.

  
\_\_\_\_\_  
Larry J. Mosley, Director  
Department of Employment, Training and Rehabilitation

5/13/10  
\_\_\_\_\_  
Date