



LOS ANGELES COUNTY

ARRA/WIA Summer Youth Program

DIRECTIVE

Number: ARRA/WIA D09-17

Subject: Workforce Investment Act (WIA)
American Recovery and Reinvestment Act (ARRA)
Summer Youth Employment Program (SYEP)
Waiver of Performance Measures for Youth Who
Participate in Work Experience Only

Date: September 11, 2009

Effective Date: July 1, 2009

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OVERVIEW:

In accordance with the summer youth employment activities authorized under the employment and training provisions of ARRA, local workforce investment areas (LWIAs), including the Los Angeles County LWIA, implemented programs providing paid work experience during the "summer" period, which the U.S. Department of Labor (DOL) has defined as May 1 through September 30, 2009.

On March 18, 2008, DOL's Employment and Training Administration (ETA) published guidance indicating that any SYEP participants served after September 30, 2009 would be subject to the youth common measures, rather than "work readiness," which has been approved by DOL as the sole "summer youth only" program measure. However, DOL has approved a request from the State of California for a waiver to this requirement, thus allowing Out of School Youth ages 18 to 24 participating in work experience only to be served during an additional six month period (October 1, 2009 through March 31, 2010) with Work Readiness being the sole performance measure for these youth.

Purpose:

This directive provides information and guidance to County WIA/ARRA Summer Youth Employment Program contractors regarding DOL's approval of a waiver of the common performance measures for Out of School Youth ages 18-24, who participate in work experience that occurs outside of the summer months.

Scope:

This directive applies to County contractors operating WIA/ARRA-funded 2009 Summer Youth Employment Programs.

Effective Date:

This directive is effective on the date of its issuance.

References:

- Workforce Investment Act (Public Law 105-220)
- U.S. DOL Training and Employment Guidance Letter (TEGL) 14-08: Guidance for Implementation of the Workforce Investment Act and Wagner-Peyser Act Funding in the American Recovery and Reinvestment Act of 2009 and State Planning Requirements for Program Year 2009
- State EDD Workforce Services Directive WSD08-8: ARRA Summer Youth Employment Program

BACKGROUND

Since the enactment of ARRA, virtually every communication from DOL to the employment and training community has emphasized the need to expend WIA/ARRA funds both quickly and wisely. This message is clearly communicated within TEGL 14-08, which states

"If the workforce system is to meet both the letter and the spirit of the law and fulfill its critical role in U.S. economic recovery, we must implement the Recovery Act expeditiously and effectively, with full transparency and accountability of our expenditure of funds."

Section 16 "WIA Youth Program" of TEGL 14-08, states the following under the "Tracking and Reporting" heading of Sub-Section A "Allowable Activities:"

"If a youth served with Recovery Act funds does not participate in summer employment or is served beyond the summer months, he/she would also be included in the regular WIA reporting mechanisms (WIASRD, annual report, quarterly report) and be subject to the full set of WIA Youth measures or youth common measures for those states that have a common measures waiver. (As described in Section 19, states may apply for a waiver that would allow states to use the work readiness indicator as the only indicator of performance for youth ages 18 to 24 who participate in work experience only beyond the summer months)."

In addition, sub-section A "Waiver of Performance Measures for Youth who Participate in Work Experience Only" of Section 19 of the TEGL states:

"States may submit a waiver plan to request that ETA waive the youth performance measures (either the seven statutory youth measures or the common measures as applicable) for out-of-school youth ages 18 to 24 served with Recovery Act funds beyond the summer months who participate in work experience only. This waiver would allow states to use the work readiness indicator as the only indicator of performance for such youth, the same measure that applies to summer youth only participants. The waiver would only be applicable for the first six months following the summer of 2009 (i.e., October to March). As part of this waiver, states may also request that the program

design flexibility for summer youth articulated in Section 16.A of this TEGE apply to such youth who participate in work experience only beyond the summer months. This waiver is intended to facilitate implementation of WIA Youth services under the Recovery Act and support the intent of Congress to serve 18-24 year olds through work experience in a time of difficult employment for young people.”

Pursuant to this provision, the State of California requested a waiver, to which the DOL’s Assistant Secretary for Employment and Training responded on June 29, 2009, indicating:

“The State has requested a waiver to the common performance measures for out-of-school youth ages 18 to 24, who participate in work experience outside the summer month.” and

“The requested waiver is approved and allows the State to use the work readiness indicator as the only indicator of performance for such youth. The waiver only applies to youth served through WIA Youth program funds made available through Recovery Act. The waiver is only applicable from October 1, 2009 through March 31, 2010, the first six months following the summer of 2009.”

DOL ETA’s response also makes clear that, while the waiver applies to out-of-school youth ages 18 to 24 “who participate in work experience only,” those who receive support services in addition to work experience are also covered under the waiver.

POLICY/PROCEDURES

Based the emphasis of ARRA on implementing programs “expeditiously and effectively,” along with the features of the waiver granted by DOL, the following policies and procedures must be implemented by the County WIA/ARRA SYEP contractors:

Policy:

It is the policy of the Los Angeles County Workforce Investment Area that:

1. Youth ages 18 through 24 participating in Work Experience only may be served during an additional six month period (October 1, 2009 through March 31, 2010), with Work Readiness being the sole performance measure for these youth.
2. Such youth must be enrolled into SYEP work experience no later than January 4, 2010.
3. Only those youth who are solely enrolled in the ARRA/WIA Summer Youth Employment Program for 2009 under the JTA/MIS grant code of 107, will be eligible for this waiver.

Procedures:

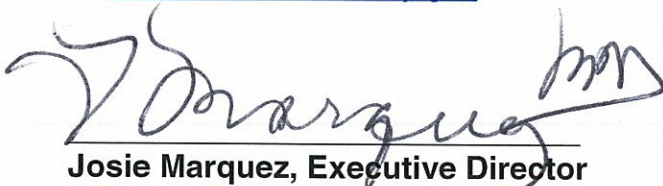
WIA contactors must adopt and implement procedures in furtherance of the above-described policy.

ACTION

Los Angeles County WIA Contractors should ensure that the policies and procedures described herein are communicated throughout the operations, management and governance structure of the contractor organization and that this directive is appropriately maintained until further notice.

INQUIRIES

If you have any questions regarding this directive, please contact Maggie Mireles, Program Manager, at (213) 738-2198 or Barbara Banck at (213) 351-8924 or by e-mail at bbanck@css.lacounty.gov.

A handwritten signature in black ink, appearing to read "Josie Marquez", with a stylized flourish at the end.

**Josie Marquez, Executive Director
Workforce Investment Board**