NORTH DAKOTA WORKFORCE DEVELOPMENT COUNCIL

POLICY 2-06-03 (2)

WAIVER REQUESTS

PURPOSE:

Reference: WIA Section 189. States and local areas may be granted relief from selected portions of the Workforce Investment Act and Wagner-Peyser Act, upon approval by USDOL of a waiver request submitted by the Governor in accordance with the requirements of WIA Section 189.

The policy establishes the process for the development of waiver requests within the state.

POLICY:

Entities (either agencies or agency staff) proposing waivers to law or regulations are responsible for compiling the information necessary to support the request and must submit a proposal that addresses the criteria specified in WIA Section 189. In addition, proposals that include modification to any key element of the WIA reform principles must include a description of the "extremely unusual circumstances" that warrant the waiver and documentation that demonstrates an impediment to reform if the waiver is not granted.

All waiver requests must be reviewed and a recommendation provided by the North Dakota Workforce Development Council prior to the Governor's consideration.

REFERENCE:

(0) NDWDC minutes dated September 11, 2003
(1) NDWDC minutes dated October 20, 2005
(2) NDWDC minutes dated November 20, 2008

SUNSET: November 20, 2011