

**Subject: Transfer of Title I Adult and Dislocated Worker Funds**

**Effective: March 1, 2003**

**Purpose:** To set forth policy and procedure for Local Workforce Investment Boards (LWIBs) regarding requests to transfer of funds between Workforce Investment Act (WIA) (the Act) Title I adult and dislocated worker funding streams.

**Reference:** WIA §133(b)(4); 20 CFR 667.140

**Background:** The WIA provides that LWIBs may transfer up to twenty percent (20%) of a program year allocation for adult employment and training activities to the dislocated worker funding stream. The reverse is also true, as up to twenty percent (20%) of a program year allocation for dislocated worker employment and training activities may be transferred to the adult funding stream. All such transfers are subject to the Governor's approval. In addition, no such transfers are permitted to or from the youth funding stream.

The State of West Virginia, in an effort to increase the flexibility of afforded its LWIBs in the delivery of services to adults and dislocated workers, has sought and received a waiver from the United States Department of Labor (DOL) regarding the twenty percent (20%) limitation on transfers outlined above. This policy outlines the results of the waiver received, as well as the requirements and procedures for LWIBs seeking approval for any transfers between the adult and dislocated worker funding streams.

**Policy:** Based on the waiver granted by the DOL, LWIBs may request approval to transfer up to fifty percent (50%) of a program year formula allocation either from the adult to the dislocated worker funding stream or from the dislocated worker to the adult funding stream.

Any LWIB seeking to make such a transfer must request approval to do so in writing. All such requests will be submitted to the Director of the Governor's Workforce Investment Division (GWID) at the address listed below. All requests to transfer funds will contain at least the following information:

- i) The amount of the transfer (in both actual dollars and a percentage of the program year allocation)
- ii) The program year of the funds in question
- iii) The fund source (i.e. from adult to dislocated worker or from dislocated worker to adult)
- iv) A detailed financial and programmatic analysis
  - (1) Criteria and considerations used in deciding to reduce the program funds from the reduced program
  - (2) Benefits to the receiving program
  - (3) How the transfer impacts and fits with the LWIB approved strategic plan
  - (4) How all services and activities will be maintained after the transfer, including assurances the transfer will not adversely impact those needing services in the reduced program
  - (5) Labor market conditions contributing to the transfer
  - (6) How the transferred funds will be used to provide services and training targeted toward demand occupations in the region
  - (7) To the extent possible, information regarding layoffs or closures of which the LWIB is aware and the potential impact of the transfer on those impacted by these events
  - (8) The status of the LWIBs current fund obligations, commitments, and expenditures for both programs (including an updated Budget Information Summary and Program Planning Summary for each program as of the date the transfer is requested) without the transfer

All requests must also contain the signatures of the Chair or lead of the Local Elected Officials and LWIB Chair.

The State's decision as to approval or disapproval of the requested transfer will be based on a review of the local analysis provided, taking into account the reasons for the transfer, the effects on services, and the impact on participants served under both funding streams. Such decisions will be made by the Director of the GWID in consultation with appropriate staff as determined by the Director.

LWIBs will be notified as quickly as possible as to the approval or disapproval of transfer requests. However, such will be rendered no later than 30 calendar days from receipt of the request. In the event a request is deemed to contain incomplete or insufficient information based on the requirements set forth above in this policy, the LWIB Director will be notified of this situation and asked to provide the additional information or clarifications needed. Notification on approval or disapproval of the transfer request will be made within thirty calendar days of receipt of additional information or clarifications deemed sufficient to allow for proper review of the request.

If a transfer request is approved, the LWIB receiving such approval will contact the GWID fiscal section to make necessary adjustments and modifications to fiscal records. The LWIB will also promptly submit revised "Budget Information Summary" (BIS) and "WIA Program Planning Summary" (PPS) documents as proposed modifications to their local plans in order to reflect the changes to local planning brought about by the approved transfer.

**Action:** LWIBs will take whatever steps are necessary to assure compliance with this policy and its contents. This policy should be placed in the binder or other filing mechanism used to maintain an updated collection of state policy issuances.

**Questions:** Contact the Governor's Workforce Investment Division, Building 6, Room B-617, 1900 Kanawha Blvd., East, Charleston, WV 25305. Toll free 1-877-967-5498.

**Expiration Date:** Effective until rescinded or modified by the West Virginia Workforce Investment Council.