



Workforce Innovation and Opportunity Act (WIOA) Title I Guidance Letter		
Subject: Criteria Regarding Local Area Transfer of Funds Between the WIOA Adult and Dislocated Worker Programs		
Number/Reference: N/A	Review Date: 7/1/2019	Revision # Original

Overview

This guidance letter provides the criteria that local workforce development boards (WDB) must adhere to when transferring WIOA title I funds between the Adult and Dislocated Worker programs.

WIOA section 133(b)(4) describes the transfer authority of local WDBs. Oregon’s WIOA State Plan describes the process local WDBs must use when requesting this transfer authority. This guidance letter reiterates that process and includes additional procedural details (updated office names, addresses, etc.) that do not substantially alter the criteria described in Oregon’s WIOA State Plan.

General Information

A local WDB may transfer:

- Up to 100% of a program year allocation* for adult employment and training activities to dislocated worker activities
- Up to 100% of the program year’s allocation for dislocated worker employment and training activities may be transferred to adult employment and training activities.

Before making such a transfer, a local WDB must obtain written approval from the Office of Workforce Investments (OWI).

Prior to any transfer of adult employment and training funds or dislocated worker employment and training funds, local WDBs must submit a letter to OWI for approval to transfer the funds. The letter must be in the form of a request for a local plan modification and include the following criteria for review and approval by OWI:

- (1) The reason(s) for the request to transfer funds and the percentage the transfer represents of the program allocation;
- (2) The fund source of the transfer;
- (3) The amount of funds involved in the transfer;
- (4) A program analysis that includes:
 - (a) An assurance that the transfer of funds will not have an adverse impact in providing services to participants and that necessary services and participant planned activities will be maintained in the program from which the funds are transferred;
 - (b) The labor market conditions contributing to the need for the transfer;
 - (c) A discussion of the local area’s past history of the request for transfers and how previous transfers impacted participants and funds;
 - (d) If funds are transferred from the dislocated worker program, the analysis must provide a strategy the local WDB will employ to ensure that dislocated workers affected by unanticipated layoffs or closures will receive required rapid response services;

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(e) Current cash draws versus year-to-date expenditures for Adult and Dislocated Worker programs.

- (5) A local WDB may request a transfer of funds anytime during the program year. The local area must confirm that this transfer will not reduce the required rate of expenditure of the fund source to which funds are transferred by the end of the program year. The Department of Labor requires that 80% of the WIOA title I Adult and Dislocated Worker resources be expended or obligated by the end of each program year.
- (6) The transfer request must be accompanied by the local WDB meeting minutes that include the board request for approval of the transfer. The minutes must also reflect that at least one labor board member was present at the local WDB meeting at which the transfer was discussed and acted upon.

(* "program year allocation" from 20 CFR 683.130 has the same meaning as "base allocation", used in the *WIOA State Plan for the State of Oregon*.)

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