



WORKFORCE INNOVATION AND OPPORTUNITY ACT

VIRGINIA WORKFORCE LETTER (VWL) No. 16-02 change 2

TO: Local Workforce Development Boards

FROM: Carrie Roth Director, Virginia Works

SUBJECT: Local Area WIOA Funds Transfer Procedures

EFFECTIVE DATE: 2/1/2024

PURPOSE: The purpose of this letter is to describe the procedure for initiating a request to transfer funds between the adult and dislocated worker streams under a particular allocation cycle by Local Workforce Development Boards.

REFERENCES:

Section 133 Workforce Innovation and Opportunity Act of 2014

Workforce Innovation and Opportunity Act; Employment and Training Administration; Labor; Final Rule, Administrative Provisions Under Title I of the Workforce Innovation and Opportunity Act, Subpart A Funding and Closeout, § 683.130 (a-c)

Revisions:

Change 2: Provides an update that fund transfer procedures may be approved by the executive committee of the LWDB or during a meeting of the full LWDB.

BACKGROUND:

The Workforce Innovation and Opportunity Act (WIOA) provides local workforce development boards (LWDBs) with the flexibility to transfer funds between the Adult and Dislocated Worker programs. The ability to transfer funds gives LWDBs funding flexibility when local circumstances warrant. Section 683.130 of the WIOA permits LWDBs to transfer up to, and including, 100 percent of a Program Year (PY) allocation for WIOA Title I Adult employment and training activities, and up to, and including, 100 percent of a PY allocation for WIOA Title I Dislocated Worker activities between the two programs. There is no provision to allow transfers to or from the WIOA Title I Youth program. Ten Percent (10%) of the WIOA Title I formula allocation of Youth (Section 128(b)), Adult and Dislocated Worker Programs (Section 133(b)) designated for administrative activities cannot be exceeded as a result of the transfer of funds.

GUIDANCE:

For purposes of the WIOA Title I, LWDBs must submit on letterhead a hard copy or electronic request, to transfer funds between the Adult and Dislocated Worker streams, to the WIOA Title I Director of Administration and Compliance for administrative review and approval on behalf of the Governor. Requests must be submitted to wioa@vccs.edu. The WIOA Title I Administrator will provide a response within 15 business days of receipt of the request.

Transfer requests must include:

- WIOA program year affected,
- Amount of the proposed transfer, and
- A detailed impact analysis indicating the anticipated impact to the program from which funds are being moved and to the program which will receive the funds.
- Source documentation showing that the transfer decision was approved by:
 - The LWDB or
 - The LWDB Executive Committee.
- Transfer requests must be submitted before expenses are incurred.

Transfer requests provided to WIOA Title I Administrator must come with supporting documentation such as meeting minutes and the approved action item by the appropriate board or committee as determined by the LWDB by-laws.

The impact analysis shall include 1) expenditures for each the Adult and Dislocated Worker Programs for each of the last three years¹, 2) the number of Adult and Dislocated Worker participants enrolled in each Program for each of the last three years, and 3) a narrative describing how the receiving Program participants will benefit from the transfer as well as how the impact on the contributing Program will be mitigated, including assurance that the remaining participants will be served.

To make a determination, the WIOA Title I Administrator will also review the LWDB's most recent Monthly Expenditure Detail Report (MEDR) for the Program Year to confirm that sufficient unobligated funds in the source Program funding stream are available to fund the requested transfer.

Approved transfers will result in the issuance of a signed Transfer Authorization from the WIOA Title I Director of Administration and Compliance. The Authorization does not result in a change in the allocation by stream as issued on the original Notice of Obligation for each of the Programs. The MEDR form provides the appropriate line items for recording, and reporting monthly, approved transfer amounts and expenditures.

In the event a transfer request is denied by the WIOA Title I Director of Administration and Compliance, the WIOA Title I Grant Administrative Coordinator will respond to the LWDA indicating the reason for the denial and, if applicable, request additional information for further consideration of the transfer request.

INQUIRIES:

Please submit inquiries regarding this VWL to wioa@vccs.edu

¹ Expenditures must match what the LWDA has reported on their Monthly Expenditure Detail Reports. If adult funds have been used for dislocated worker expenses, the expense should be classified as a dislocated worker expense.