

New Jersey

Workforce Innovation Notice 4-15, Change 1(F)

TO: Workforce Development Boards
One-Stop Operators
Employment Service Managers

FROM: John Bicica, Chief
Office of WIOA Technical Assistance and Capacity Building

SUBJECT: WIOA Adult and Dislocated Worker Transfer Authority

DATE: January 4, 2017

Purpose

To provide the revised procedures for the transfer of funds between the Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker programs based on additional requirements in the WIOA Final Rules at 683.130(c). The Final Rules require the State to establish the criteria for the approval of transfer requests; these criteria are provided in this guidance.

Background

Local workforce development boards, with the approval of the Governor, have the authority to transfer up to 100 percent of the Adult Activities funds to Dislocated Worker Activities, and up to 100 percent of the Dislocated Worker Activities funds to Adult Activities. There is no authority to transfer funds to or from the Youth Activities Program.

Requests

Each request must include the following. Incomplete requests will be returned for additional information:

1. Signature of the local board chair
2. The transfer fund source
3. The dollar amount of the transfer request, including the percentage share of the base allocation (the initial allocation received by the local area at the beginning of the program year) represented by the dollar amount
4. Justification for the transfer that includes the following:
 - The reasons for the request for the transfer
 - An assurance that the transfer will not adversely impact services to participants.

- All relevant data, including level of service reports and expenditures.

The following criteria will be used in evaluating the request for the transfer of funds:

Dislocated Worker transfer to Adult (Both criteria must be met):

1. The local board must certify that it lacks sufficient funds from other sources to adequately serve the WIOA Adult priority population:
 - Public Assistance Recipients
 - Other Low-Income Individuals
 - Basic Skills Deficient Individuals
2. The local board must certify that it has determined that there are no pending layoffs within their local area that will impact the dislocated worker program.

Adult transfer to Dislocated Worker: The local board must certify that they have sufficient adult funds (i.e. TANF, GA, WIOA Adult) to serve the WIOA Adult priority population (public assistance recipients, other low-income individuals and basic skills deficient individuals) in the local area.

Procedure

The following procedure must be followed when requesting to transfer Adult Activity funds to Dislocated Worker, and Dislocated Worker to Adult Activity:

- 1) Prior to requesting a transfer of funds, the local area's current program year's signed contract reflecting initial program allocations must have been received and accepted by the Department of Labor and Workforce Development.
- 2) A letter requesting a transfer of funds must be sent to

Patricia Moran, Ph.D.
Assistant Commissioner
Workforce Development
P.O. Box 055
Trenton, New Jersey 08625-0055

Please include an electronic copy to John Bicica, Chief, Office of WIOA Technical Assistance and Capacity Building, at john.bicica@dol.state.nj.us.

The New Jersey Department of Labor and Workforce Development will examine relevant fiscal and program data upon receipt of the transfer request as part of the review of the request. For requests to transfer funds from the Dislocated Worker Program, the State will consider any impact on potential eligibility for National Dislocated Worker Grants. Additional information may be required for any requests to transfers of greater than 50 percent.

Reference and Links

WIOA Se. 133(b) (4); 20 CFR 683.130(b)

Rescissions

NJWIN 4-15

Authority

New Jersey Department of Labor and Workforce Development	X
State Employment And Training Commission	

For any questions regarding this guidance, please contact John Bicica, Chief, WIOA Technical Assistance and Capacity Building at john.bicica@dol.nj.gov