COLORADO STATE WIA PLAN
Modification
FOR
Program Year 2009

Revised June 2009

Jointly Prepared and Submitted By

COLORADO DEPARTMENT OF LABOR and EMPLOYMENT

and the

COLORADO WORKFORCE DEVELOPMENT COUNCIL

TABLE OF CONTENTS

Executive Summary page 3

Section I. **Context, Vision and Strategy** page 4
- Economic and Labor Market Context
- State Vision and Priorities
- Overarching State Strategies
- Service Delivery Strategies, Support for Training

Section II. **Service Delivery** page 14
- State Governance and Collaboration
- Reemployment Services, and Wagner-Peyser Act Services
- Adult and Dislocated Worker Services
- Youth Services
- Veterans' Priority of Service
- Service Delivery to Targeted Populations

Section III. **Operations** page 30
- Transparency and Public Comment
- Increasing Services for Universal Access
- Local Planning Process
- Procurement
- Technical Assistance
- Monitoring and Oversight
- Accountability and Performance

Section IV **Waiver Plan** page 37
- New Waivers
- Extension of Current Waivers

Section V **Signature Page** page 48

Executive Summary

In accordance with the provisions of TEGL 14-08, "Guidance for Implementation of the Workforce Investment Act and Wagner-Peyser Act Funding in the American Recovery and Reinvestment Act of 2009 and State Planning Requirements for Program Year 2009," issued March 18, 2009, the Colorado Department of Labor and Employment and Colorado Workforce Development Council have modified the Colorado State WIA Plan to reflect changes in the state economy and the requirements of the ARRA governing the use of Recovery Funds.

The modified plan reflects the Governor's "Colorado Promise" and his vision for the "New Energy Economy," both of which call for focused efforts to meet the current and future needs of the Colorado economy, Colorado businesses, Colorado workers and Colorado families. It supports the activities and recommendations of the Governor's P-20 Council in the area of educational reform, and the Governor's Jobs Cabinet. Finally, the modified plan ensures transparency and accountability in Colorado's use of Recovery Act funds.

The plan retains the ability of local Workforce Investment Boards to guide and shape policies and service delivery within their workforce regions while at the same time meeting the requirements of the ARRA and TEGL 14-08. The plan ensures that the state workforce system will provide the full range of services for all workers affected by recent changes to the economy, particularly those who are most vulnerable and in need of assistance. Finally, the plan lays the groundwork to expand the ability of the workforce and talent development systems to better meet the needs of new and emerging industries for an educated and skilled workforce.

Colorado will create two new programs as a result of Recovery Act funding: A Reemployment Services (RES) Program to help unemployment insurance claimants return to work as quickly as possible; and a comprehensive Summer Youth Program that focuses on summer work experience opportunities. RES will target claimants who are unlikely to return to their previous industry or occupation; in addition to providing specialized assistance to help claimants with their job search, it will also provide an additional conduit to WIA services if the claimant requires either a skill upgrade or retraining to obtain new employment. The ARRA Youth Program will be integrated with the regular WIA Youth Program to the fullest extent applicable; with eligibility expanded to 14-24 year old and disconnected youth, and each region's ARRA funds focused primary on the PY09 Summer Youth Employment Program, and funding split between out-of-school youth (at least 30%) and in-school youth.

The state's modified Waiver Plan is appended to this plan, and includes the following waivers:

- Procurement Requirements for Youth Summer Employment Providers – Recovery Act Funds Only (NEW)
- Common Measures for Youth Who Participate in the Summer Youth Employment Program with Recovery Act Funds (NEW)
- Use Local Funds for Statewide Activities (Extension)
- Reallocation Provisions for WIA Formula Funds (Extension)
- Limitation on Transfer of Funds Between the Adult and Dislocated Worker Programs (Extension)
- Youth Program Element Procurement Waiver (Extension)

Section I. Context, Vision, and Strategy

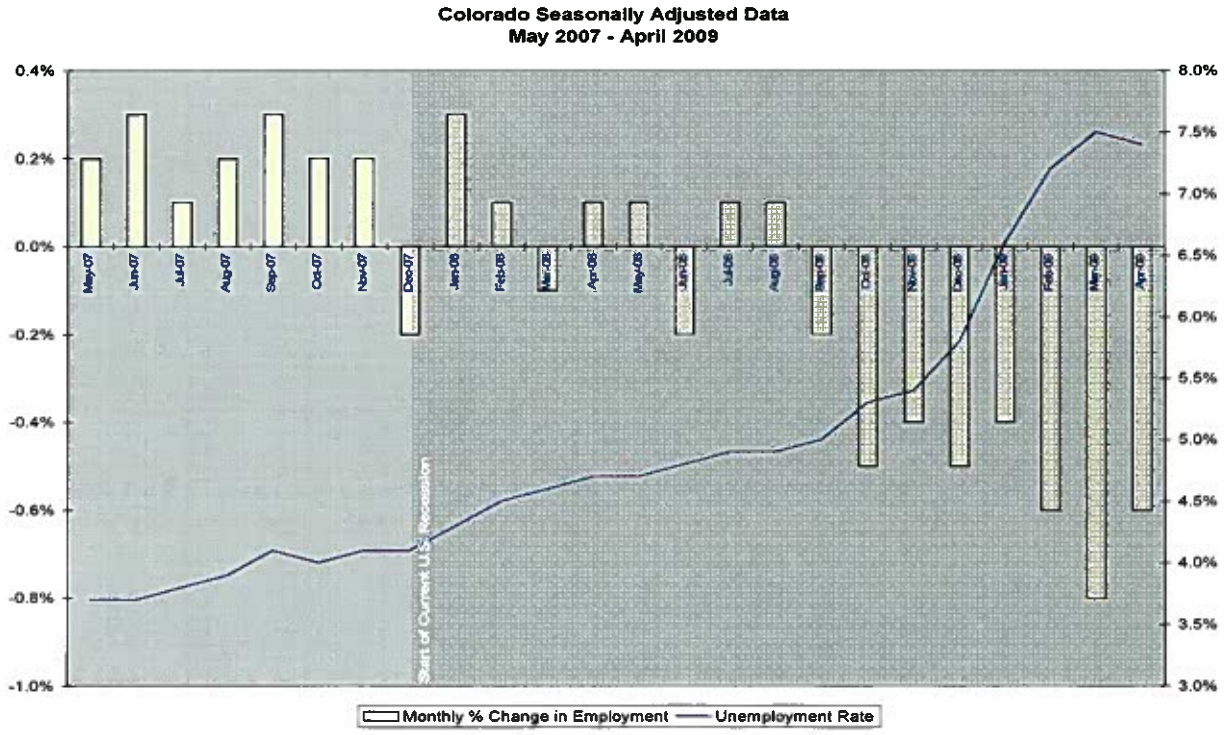
Economic and Labor Market Context

Question IV in PY 2009 Stand-Alone Planning Guidance: Provide a detailed analysis of the state's economy, the labor pool, and the labor market context. (§112(b)(4).)

In responding to this question, the state should update its analysis to indicate how the economic downturn has impacted the state's economy and the labor market context. This analysis should include current and anticipated impacts on employment by sector, current and projected demographics of the available labor pool including income levels as appropriate, and describe any skills gaps the state faces, based on the skills held by current and expected dislocated workers and the skills demanded by industries and occupations expected to grow through economic recovery.

Like most states across the nation, Colorado has experienced significant job loss and structural changes to the state's economy since the start of the current recession.

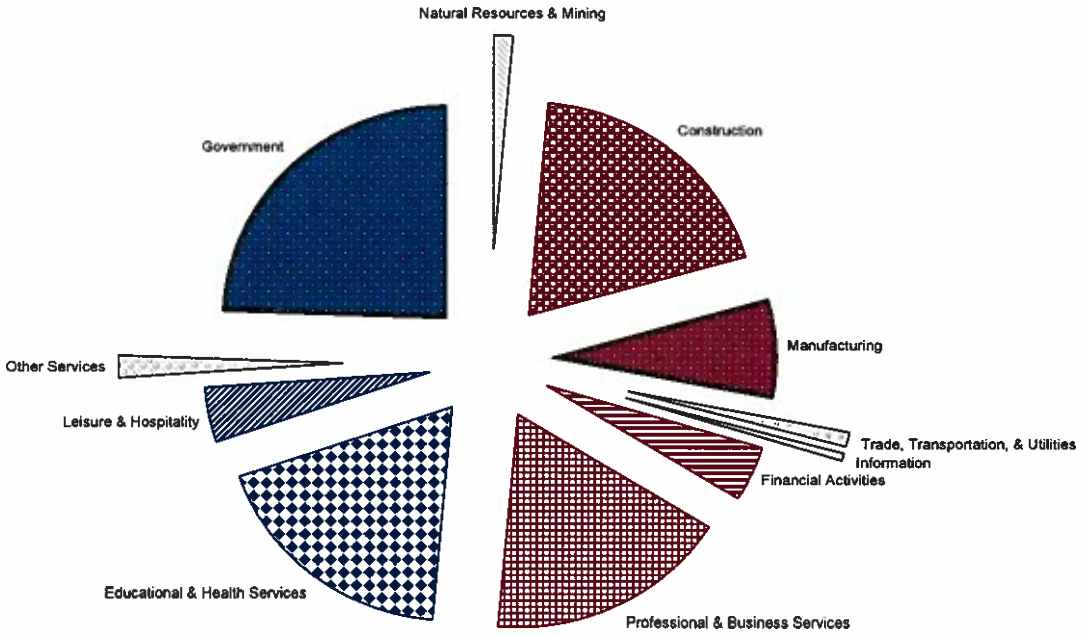
Employment peaked nationally in December 2007, but Colorado employment peaked 5 months later in May 2008 at 2,358,400. Since then, Colorado has lost about 4%, or 93,400, of the state's Non Farm Wage & Salary jobs, which is on par with the proportion of jobs lost at the national level since December 2007. The number of unemployed in Colorado has increased 56.3% since May 2008.



A year ago 1 in every 14 Wage & Salary jobs was in Construction. That sector now accounts for only 1 out of every 16 jobs. Conversely, in April 2008, 1 in every 9.5 jobs was in Educational and Health Services; due to employment losses in other sectors and growth in education and health care, that ratio is now 1 in every 8.9. Without the addition of 8,400 public sector jobs over the past year, the employment situation in Colorado is even more bleak.

Private sector job losses total 100,400 since April 2008 with a disproportionate share occurring in the goods producing sectors. Goods producing industries made up 17.1% of Colorado's private sector payroll jobs in April 2008 and a year later that share has fallen to 16%. Of the total private sector jobs lost, over 37% were in Construction and Manufacturing. Natural Resources and Mining was a modest bright spot in that it added 200 jobs over the year.

Share of Colorado's Employment Change by Industry
April 2008 - April 2009



Sectors in blue account for an increased share of Colorado employment while those in red have declined. Employment share of sectors in gray have changed little.

As with the goods producing side of the economy, all but one of the 7 service providing sectors lost jobs over the year. Professional and Business Services, down 30,500, alone accounted for almost half of the job losses of service providing industries. Educational and Health Services, the only portion of the private sector in Colorado to grow at what historically would have been considered a healthy clip, added 7,800 jobs.

Job losses are expected to continue through much of 2009 though the rate of loss is anticipated to slow in the latter half of the year. The over the year growth of Natural Resources and Mining is

expected to turn negative in the near future as lower commodity prices and demand for oil take their toll on the sector. Additionally, declining revenues will harm the ability of state and local governments to maintain current employment levels even as demand for services increases.

State Vision and Priorities

Question I.C. What is the Governor's vision for ensuring a continuum of education and training opportunities that support a skilled workforce? (§112(a) and (b)(4).)

In responding to this question, the state should review ETA's vision for implementing the Recovery Act in Section 4 of this TEGL, and describe the Governor's new vision since the economic downturn. The description should include the Governor's vision for economic recovery, touching on the Act's principles and the Governor's view of how the Recovery Act funds can be integrated into transformational efforts to achieve an invigorated, more innovative public workforce system capable of helping enable future economic growth and advancing shared prosperity for all Americans.

When Governor Ritter was elected, he issued the "Colorado Promise" to focus on a growing and expanded era of full opportunity and access to career pathways and well paying jobs for every strata of Colorado workforce. This Promise remains a cornerstone in Colorado's economic recovery, and will be joined with the new directions required by the economic conditions and created with ARRA funds. The Governor has directed all state agencies to accelerate his "New Energy" economic development plan, to enhance and expand preparation and training projects and set new strategies and priorities to prepare the state's workforce for the recovery and for jobs within the "New Energy Economy." He recognizes that changes in the American workplace and the economy will result from the restructuring of major industries and the growth of emerging industry sectors, such as renewable energy and alternative energy.

The Governor believes that the ARRA and current economy provide a window of opportunity to energize the reformation of education he is implementing with the work of the P-20 Council and accelerate the reinvigoration of the Talent Development system currently underway through the work of his specially appointed Jobs Cabinet. The Colorado Workforce Development Council (CWDC) and Department of Labor and Employment (CDLE) have been tasked to continue the transformation of the workforce system in Colorado; provide leadership to increase collaboration within the state's workforce system; and expand its outreach to, and partnerships with, all agencies involved with training, education and economic development in Colorado, including DOT, DOE, and other state entities receiving ARRA funding. In addition, all current activities that utilize technology, create transparency and challenge the status quo will be maintained, and will be aligned with new innovations and the skills development needs of emerging industry sectors. Both CDLE and the CWDC recognize the significant impact that the current economy has had on Colorado's most vulnerable residents, including lower-skilled and disabled workers, and are working to ensure that the workforce system, educators and others receiving ARRA training dollars, focus on projects that will provide an opportunity for these workers to obtain the skills needed for the recovery.

Question I.E. What is the Governor's vision for ensuring that every youth has the opportunity for developing and achieving career goals through education and workforce training, including the youth most in need of assistance, such as out-of-school youth, homeless youth, youth in foster care, youth aging out of foster care, youth offenders, children of incarcerated parents, migrant and seasonal farmworker youth, youth with disabilities, and other youth at risk? (§112(b)(18)(A.)

In responding to this question, the state should review ETA's vision for implementing the Recovery Act in Section 16 of this TEGL to reconnect disconnected youth through multiple pathways to education and training that enable them to enter and advance in the workforce. The state should describe its strategy for serving youth with funds from the Recovery Act, as well as how its strategies will be adjusted to respond to the economic downturn. What activities will be state focus on (i.e. primarily focus on summer employment opportunities, the full range of WIA youth services, or a combination)? Describe how plans for the Recovery Act youth activities will complement the state's overall vision for serving youth under WIA.

Colorado began planning and laying the groundwork for new and innovative services to youth in underserved populations, inner cities and rural parts of the state shortly after the availability of ARRA youth funds was announced, and will expand existing local and pilot projects to serve youth with disabilities and other youth with barriers. These efforts support the Governor's "Colorado Promise," which calls for reducing drop out rates, increasing graduation rates and providing career pathways for youth.

CDLE and the local workforce regions, working in partnership with the Division of Rehabilitation (DVR) and other agencies, will use ARRA youth funds to provide a ARRA Summer Youth program, and expand existing programs such as the Transitioning Youth Initiative, Personal Independence Project (PIP), YOUTHNET and the Governor's Summer Job Hunt (GJSH). ARRA youth funds will also be used to help implement new health career and renewable energy projects and assist with replicating local programs such as the Weatherization project, the Expert Technician Academy and Jobs for America's Graduates in additional areas of the state.

The Colorado Workforce Development Council has partnered with trade associations and Chambers to help develop summer work experiences for youth, and is using the organized labor and business leaders on the state council and local WIBs to craft a more expansive partnership with the Apprenticeship program, beyond the current Summer Job Hunt led collaboration. The state is also engaged in planning STEM centered youth activities at Science-oriented museums, and is providing support for the Colorado STEM Network's efforts to expand math and science education throughout the state.

Question II. Identify the Governor's key workforce investment system priorities for the state's workforce investment system and how each will lead to actualizing the Governor's vision for workforce and economic development. (§§111(d) and 112(a).)

In responding to this question, states should reflect on shifting priorities necessitated by the economic downturn and areas of focus for economic recovery. States should identify the Governor's key workforce investment priorities for the use of the Recovery Act funds infused into the state's workforce investment system and how each will lead to actualizing the Governor's new vision.

There are several key components of the Governor's economic agenda that have a direct bearing on the workforce system, CDLE and CWDC:

- Focus on the "New Energy Economy" and the need to provide the necessary professional and technical talent required to meet the demand for skilled workers in emerging green industries.
- Identification of Green Collar jobs, Gold Collar jobs and career pathways for all citizens to acquire the skills needed for these careers.
- Eliminate the "Colorado Paradox that requires the import of high skilled workers from other states and countries to fill high wage, high skill jobs because the products of Colorado's educational systems lack the requisite training, skills and knowledge to meet employers' needs.
- Ensure that all graduates of our state are equipped with 21st century skills and are prepared to work.

These priorities helped shape Colorado's response to the infusion of ARRA funds in several ways. State agencies, including CDLE, are part of the state's ARRA oversight team to ensure collaboration and alignment. State agencies and their contractors and partners are encouraged to list jobs created as a result of ARRA on the state job web site. Local agents of these agencies and local workforce leaders meet with state representatives to explore ways to align funds and target them to produce transparent, rapid results. Several interagency partnerships have been developed that are currently planning multi-agency projects, including expanded interagency services that target older workers and offenders, as well as expanded cooperation between WIA and TANF. The Colorado Department of Transportation has emerged as a new partner for the workforce system to help hire and train workers for infrastructure projects.

Overarching State Strategies

Question V.B. What strategies are in place to address the national strategic direction discussed in [Section 4] of this guidance, the Governor's priorities, and the workforce development issues identified through the analysis of the State's economy and labor market? (§112(b(4)(D) and 112(a).)

The state's response to this question should describe the state's key, actionable strategies it is deploying to achieve the Governor's vision for the use of Recovery Act and regular formula funds. ETA is interested in how the state is connecting and integrating recovery activities to on-going workforce investments. The responses should provide actionable direction to local areas.

- *How workforce investment system resources, both stimulus and regular formula funds, can be deployed to serve increased numbers of workers in need.*

  In response to the Governor's priorities, CWDC and CDLE have implemented several strategies to allocate and track ARRA funds and move them quickly thru the system, and to help the local regions gear up to expand the number of clients served. First, the state completed its allocation of Recovery Act funds to local workforce regions prior to the March 17, 2009 deadline. It has also issued guidance to local regions that encourages use of less than 10% of allocations for administration and requires an higher percentage of ARRA funds to be used for training than that of regular WIA funds. It has also deployed a PY09 allocation of state funds that can be utilized for WIA training services as well as a supplement to Wagner-Peyser core and intensive services. In addition, a portion of ARRA statewide funds will be allocated to the regions to serve additional dislocated workers.

- *How adults and dislocated workers, including low-income adults, who need to acquire new skills will have increased access to education and training opportunities.*

  One of the Governor's priorities is to ensure that Colorado has expanded access to education and training opportunities that will address the needs of workers impacted by the economic downturn, and expand talent development for business sectors that will need skilled workers as the economy recovers. To this end, CDLE has created a special web page to provide information on the Recovery Act for businesses, claimants, job seekers; and is using its e-Colorado.org learning portal to provide detailed guidance for workforce professionals and partners on the ARRA and its implementation.

  CWDC and CDLE are also working on several innovative strategies to increase training opportunities, such as providing support for the preparation of nursing faculty to ensure that openings in nursing school programs are expanded and can offer more chances for people in underserved communities to access healthcare career ladders. The state is also developing entrepreneur orientation courses for dislocated workers and other skilled workers and is working to create funding collaboratives that will support worker preparation for targeted industry sectors.

- *How the state will address a dual-customer approach, meeting the skill needs of existing and emerging employers and high-growth occupations as well as the needs of under-skilled adults*; ***and***

- *How workforce activities (e.g., adult education, job training, postsecondary education, registered apprenticeship, career advancement, needs based payments, and supportive service activities) will be aligned in career pathways both now and in implementing the Recovery Act and in the transformed workforce system of the future.*

Colorado has taken the next step in implementing its long term sector strategy approach to system transformation by awarding statewide sector planning grants to focus the workforce regions on the key industries that drive their local and regional economies and provide the spark for increasing economic vitality. The LWIBs will convene local decision makers and respond to the legitimate recruitment and retention issues of these industries. Successful completion of sector planning activities will result in implementation grants that are expected to focus on Career Pathways strategies aligned with those of the Colorado Community College System, and designed to address the skill upgrade needs of low-skilled adults.

The state is also engaged in planning STEM-centered youth activities at science-oriented museums, and provides support for the Colorado Stem Network as it continues the work started under the Governor's STEM Center grant. Colorado is expanding partnerships with business, community colleges, NREL and others to provide Solar, Wind and new energy training curriculum and classroom seats to prepare a larger number of citizens for jobs created by the anticipated economic recovery.

- *How the state will partner to develop workforce solution with community colleges, business and labor organizations, registered apprenticeship program sponsors, civic groups, and community organizations to align workforce development strategies and align workforce strategies with strategies for regional development and shared prosperity.*

  CWDC, CDLE and the Community College System have instituted regular meetings between Community College Presidents and Workforce Directors to enrich the response to ARRA opportunities and expand training opportunities with funding from both systems. The state is also working with the University of Colorado at Denver (UCD) to design a Community College and Talent Development Leadership Institute. CWDC is working with trade associations and Chambers to engage them in responses to ARRA opportunities, and is engaging organized labor and business leaders on the state Council and Local WIBS to craft a more expansive partnership with apprenticeship programs. To further support this latter effort, CDLE is creating a webpage that will catalog apprenticeship opportunities across the state and is expected to increase participation in these training programs by workforce center customers.

Service Delivery Strategies, Support for Training

Question IX.G. Describe innovative service delivery strategies the state has or is planning to undertake to maximize resources, increase service levels, improve service quality, achieve better integration or meet other key state goals. (§112(b) (17) (A).)

In answering this question, the state should describe innovative state strategies to accomplish the state's vision and achieve the goals of the Recovery Act, including how the state will:

- *Increase services to workers in need.*

  Colorado has entered into a multistate distance learning project in partnership with Penn State University, USDOL, and the Sloan Foundation. The project will provide training and assessments for dislocated workers in all those states with each participating state making its distance learning curriculum available to participants in other states. This partnership will increase the variety and number of training programs available, and will be of particular benefit to workers in rural parts of the states where services may be more limited.

  CDLE will also institute and support multi-regional cooperation among workforce regions with a focus on incumbent worker training (within limits specified by USDOL), transferable skills and skills acquisition and training for new workers. These broad regional economies shall be defined by extensive data mining and research into industry sectors and the resulting sector initiatives shall include partnerships with universities, local community colleges, economic developers and other community leaders.

- *Support the full range of One-Stop Career Center customers in acquiring the skills needed to attain jobs in high-growth, high-wage industries and occupations, including such supports as needs-based payments, basic skills remediation, English as a second language, and supportive services.*

  The state will continue to ensure that the workforce system provides customers with the full range of services that they need to become, and remain, economically self-sufficient, and that the necessary partnerships with education, economic development, and human services are sustained at both the state and local levels to address service gaps, meet customer needs, and develop the educated and skilled workforce necessary to meet current and future needs of Colorado businesses.

  Colorado's workforce centers will utilize ARRA funding to build upon the already extensive basic skills remediation, ESL, and supportive services that have been offered to WIA customers of the one-stop system. In addition, some regions will utilize state funding to provide ESL in conjunction with Wagner-Peyser work search workshops. At the same time CDLE has provided technical assistance that encourages local regions to review local supportive services policies for purposes of raising caps and assessing the feasibility of needs-based payments.

- *Ensure education and training delivered through the workforce system results in education and workforce skills of demonstrated value, and focus assessments and certifications towards the next level of education and employment.*

Colorado has launched a WorkKeys-based Colorado Career Readiness Certificate (CCRC) program to provide an assessment of basic job skills and provide clarity between businesses' hiring needs, job seekers' skills, and the workforce staff that fill those needs. The CRCC offers job seekers an objective appraisal of their skills and affords them the opportunity to receive assistance upgrading skills if required.

As previously mentioned, Colorado is engaged in a multi-state distance learning project in partnership with Penn State University, USDOL, and the Sloan Foundation. The project will provide training and assessments for dislocated workers in all those states with distance learning curriculum made available by each state. The state also provides support for the STEM education effort of the Colorado STEM network and other institutions sponsoring development of science and math teachers and expansion of STEM subjects throughout the state. It is also participating in educational reform efforts fostered by the P- 20 Council and supporting the establishment of new content standards for all grades in K-12 as well as new graduations guidelines.

- *Strategically use youth, dislocated worker and adult statewide funds to quickly deliver innovative services.*

  CDLE and CWDC have developed a statewide activities budget that will provide multiple opportunities for service providers to design and deliver innovative service strategies. These include sector based initiatives, layoff aversion and incumbent worker training (within limits specified by USDOL), distance learning and other technology based training approaches.

- *Provide targeted work experiences in order to prepare individuals for job opportunities in new industries or occupations, particularly using registered apprenticeship and one-the-job training for all jobseekers, and summer work experience for youth.*

  The CWDC is working with trade associations and Chambers to help develop summer work experiences for youth, and is using the organized labor and business leaders on the state council and local WIBs to craft a more expansive partnership with the Apprenticeship program. It is also encouraging local WIBs to replicate these efforts at the local level. CDLE is encouraging local workforce regions to expand the use of apprenticeships and on-the-job training as part of their WIA programs, and is developing a database on apprenticeship opportunities including those for green jobs.

- *Align workforce activities with education strategies and economic and community development strategies to meet skill needs of jobs and industries important to the local and regional economies and meet the needs of under-skilled adults.*

  Colorado has implemented a sector strategy initiative that focuses the state's workforce regions on key industries that drive their economy and provide expanded training

opportunities to low-skilled adults. Additionally, this initiative aligns with the Career Pathways strategy in the state's Community College system. CDLE is also in the process of developing new training partnerships within the New Energy Economy and healthcare industries that will further develop the worker pipeline needed for high demand well paying jobs that impact all levels of the workforce.

Section II. Service Delivery

State Governance and Collaboration

Question III.A.2. Describe how the agencies involved in the workforce investment system interrelate on workforce, economic development, and education issues and the respective lines of authority. (§112(b)(8)(A).)

In responding to this question, the state should describe how the Governor is ensuring cross-agency collaboration so that workforce investments are fully tied to other investments funded by the Recovery Act outside of workforce development.

In support of his "Colorado Promise" the Governor convened a Colorado Jobs Cabinet to review and make recommendations that would more effectively bring together economic development, education and workforce. The workforce system led by the CDLE and CWDC is essential to implementing the recommendations that result from this extensive analysis. The workforce and community college systems already partner on a regular basis, and a great deal of WIA training dollars are directed towards the community college system, both at the state and local levels. Many local regions have strong working relationships with the apprenticeship program. Both state and local and state agencies work with career and technical educators, and are looking for ways to extend those partnerships beyond one-time projects. In addition, the New Energy Economy has created opportunities for the workforce system to partner with universities and associations in Photonics, Nanotechnology, Wind, Solar and other high technology organizations to plan projects that can use regular program dollars and ARRA funds through the state Sector Strategy project.

The state also plans to assess LWIB membership, board certification criteria and provide enhanced support to better enable them to meet the challenges of recovery and to implement the Governor's vision. Central to this will be the development of projects by state and locals WIBs to more strongly align the workforce system with K-12, economic developers and the research universities.

Question III.C.1. Describe the steps the state will take to improve operational collaboration of the workforce investment activities and other related activities and programs outlined in section 112(b)(8)(A) of WIA, at both the state and local level (e.g., joint activities, memoranda of understanding, planned mergers, coordinated policies, etc.). How will the State Board and agencies eliminate any existing state-level barriers to coordination? (§§111(d)(2) and 112(b)(8)(A).)

In responding to this question, states should describe how collaboration will be supported and sustained between state agencies, particularly between the organizational entities responsible for WIA, Wagner-Peyser Act, Unemployment Insurance, Trade Act services, and Registered Apprenticeship.

The Governor has convened the Colorado Jobs Cabinet, bringing together representatives from business, economic development, workforce and education to review the state's existing systems and develop more effective strategies to address the issue of talent development and a skilled workforce. The State Workforce Council (CWDC) and Department of Labor and Employment (CDLE), with the lead role in increasing collaboration within the state's workforce system, have expanded their outreach to, and partnerships with, all agencies involved with training, education and economic development in Colorado, including providers of apprenticeship opportunities. CDLE is already responsible for the administration and oversight of Colorado's WIA, Wagner-Peyser Act, Unemployment Insurance, and Trade Act programs, and as a Wagner-Peyser demonstration state, continues to align policies and support the full integration of these programs within its statewide system of one-stop centers. CDLE also has interagency agreements and partnerships with USDOL's Registered Apprenticeship office, the Colorado Department of Human Services (TANF, Food Stamps, Aging and Adult Services, Vocational Rehabilitation), Higher Education, and economic development agencies. The state encourages similar collaboration and partnership at the local level among workforce regions, county departments of human services and local community colleges.

Reemployment Services and Wagner-Peyser Act Services

Question IX.C.4.b. Describe the reemployment services the state provides to Unemployment Insurance claimants and the worker profiling services provided to claimants identified as most like to exhaust their Unemployment Insurance benefits in accordance with section 3(c)(3) of the Wagner-Peyser Act. (§112(b)(17)(A)(iv).)

- *The Governor's vision for Reemployment Services (RES), including how they differ from Wagner-Peyser core services.*

  The Colorado Governor's vision for Reemployment Services is to provide UI claimants with more intensive services than those generally available through Wagner-Peyser core programs. These services will be designed to help UI claimants either return to work more quickly or identify the need for training assistance and referrals earlier in the unemployment and job searching cycles. RES services offered at the local level may include intensive job searches and individual employment development plans. These intensive services may include, but are not limited to testing, counseling, career guidance and assessments of educational needs and occupational interests, workshops, access to LMI tools and resources, and individual job development.

- *How RES will be coordinated with other services provided at the One-Stop Career Center under WIA.*

  Colorado has stood at the forefront of service integration within its one-stop system due to our status as a Wagner-Peyser demonstration state. The RES integration requirements articulated in TEGL 14-08 serve as an additional opportunity for the one-stop centers to

fine tune the WIA/Wagner-Peyser linkages that are already in place. To underscore this, CDLE is requiring the regions to address RES coordination as part of their local plan modifications for PY09, and expect them to describe how they will fully integrate RES into their current continuum of services.

- *How UI claimants will be identified quickly and RES provided as early as possible following initial receipt of UI benefits or referrals through UI profiling systems.*

  In Colorado, individuals file for UI benefits either online or by calling the UI Customer Service Center. In either instance, they are informed immediately of the need to register for work, either online through the "Connecting Colorado" self-service website or by visiting their local workforce center. On a daily basis, the UI claims system sends preliminary work registrations for new claimants to the workforce centers, which then have the option to contact these individuals via e-mail, an IVR call, or regular mail.

  Local regions have the ability to utilize the UI profiling system to identify claimants who are most likely to exhaust their claims because of education level, low demand occupational category, or length of time on a claim. Claimants who are selected through the UI profiling system are required to participate in an orientation that explains the purpose of the profiling program and the availability of Reemployment and other workforce services, with profiled veterans given priority of service. If a profiled claimant does not attend the orientation, their information will be electronically transmitted to the UI system, where an issue is established that must be resolved before further benefits can be paid. Once the profiled claimants have attended the orientation, they may either accept or decline additional services, such as Reemployment Services or the dislocated workers programs without penalty. Claimants who elect to receive services following orientation will have access to the full range of Reemployment, core, intensive, and training services available to dislocated workers, subject to the normal WIA requirements and restrictions.

  Since Colorado operates One Stop services through a local control system, the local regions are encouraged to develop additional ways to notify new claimants regarding the availability of Reemployment Services, such as special mailings, emails, IVR calls, posting information on their local websites, and allowing the claimants the option of self-referral. As an alternative to using the UI profiling system, local regions may also conduct a customized automated search to identify new UI claimants by characteristics such as education, wage requirements or occupation, along with other indicators and trends predictive of long term unemployment.

  The Workforce Centers, UI Department and Community Colleges have initiated discussions on processes to inform claimants of the PELL Grant opportunities that may be available, pursuant to TEGL-21-08. This initiative may be integrated with the RES notification process to become part of a model for customers to learn of both the PELL grant and the additional RES services and programs at the same time.

- *The services that will be provided under RES, including in-depth services such as skill assessment, career guidance, individual service plans, and labor market information.*

  RES services offered at the local level may include intensive job searches and individual employment development plans. These intensive services may also include, but are not limited to, facilitated networking groups or job clubs, testing, counseling, career guidance, assessments of educational needs and occupational interests, workshops, appropriate referrals to employers, apprenticeship program referrals, and access to LMI tools and resources. Local regions have purchased various skills assessment, interest inventories and other assessment tools to provide to customers (e.g. WorkKeys, CHOICES, COSIS, SPHERE, ProveIt, etc.). These tools are available online through the one-stop resources centers. LMI resources are made available online and in handouts; through workshops; and via staff-assisted services.

  At the State level, CDLE is exploring the feasibility of creating a "virtual job club" that would provide additional resource to participants and staff. It would allow the local regions to dedicate more time with the clients since the basic components of the job club curriculum would be made available through various technological resources. It will potentially be most beneficial for satellite offices and those smaller offices in the rural areas of the State of Colorado.

- *The specific population among UI claimants (e.g. those most likely to exhaust benefits) that the state intends to target with Recovery Act funds for RES.*

  Given the current economic conditions, it is anticipated that most UI claimants have the potential to exhaust their initial claims and should have access to the RES program. This is evidenced by the activation of additional extended unemployment benefits in Colorado. With this in mind, local regions will be given the flexibility to determine targeted groups based on increases in demand for services resulting from recent mass layoffs, and an analysis of currently registered UI claimants, in addition to those identified by the UI profiling system, which selects by education, occupational, and length of claim.

- *How the state intends to integrate information technology into its RES program to better identify and serve UI claimants, including the percentage of funds that will be used for integrating ES and UI technology requirements to identify and serve the needs of UI claimants.*

  In general CDLE will utilize technology that is currently available to better identify and serve UI claimants. Additional IT enhancements needed to support RES activities and UI claimant identification systems will be funded by resources other than RES dollars, which were formula-allocated to the workforce regions for additional RES services. Dialogue has been initiated to better integrate the UI and Workforce Development Programs database systems and to improve the channels of communication at the state and local levels. At the same time UI has invested in website enhancements that will allow claimants easier access to make appropriate adjustments to their claims; and UI has trained workforce center staff to assist claimants in using these new on-line capabilities.

- *Any labor market information tools that will be funded and integrated into RES.*

  Workforce Development Programs (WDP) works closely with LMI to provide the most up-to-date and relevant tools for job seekers and employers. The LMI department regularly provides workshops and training to local and state workforce development center staff to better utilize the tools available. In the last few months, WDP has been collaborating with LMI and the local regions to introduce a new data resource (EMSI) that helps forecast trends within the labor market. This software is being used and analyzed at the state and local levels to better identify the main industry sectors within a region and support planning for future sector strategy initiatives. The data from EMSI will also help identify areas of labor shortages that could be integrated with methodologies for identifying which claimants would most benefit from RES and WIA training services and help fill gaps in the worker pipeline.

Question IX.C.1.b. Describe how the State will ensure the three-tiered service delivery strategy for labor exchange services for job seekers and employers authorized by the Wagner-Peyser Act includes: (1) self-service, (2) facilitated self-help service, and (3) staff-assisted service, and is accessible and available to all customers at the local level. (§112(b)(17)(a)(i).)

Customer choice and universal access are two of the basic principles used in the design of Colorado's workforce development system. The Wagner-Peyser program adheres to these principles by offering a three-tiered approach to service delivery.

The first tier of services that customers can choose is self-service. Through the Internet and PC based software, job seekers and employers can access a variety of core services. All workforce regions have websites that provide information on their services with links to the LMI Gateway, ConnectingColorado, and other resources. Resource Centers within local workforce centers have computers, Internet, resume and self-assessment software, faxes, phones, and copiers to assist with self-directed job search. When a customer utilizes any of the self-service options at the workforce Center, s/he will be able to request facilitated self-help, the second of the three-tiered service delivery choices.

Staff-assisted service is available at all local workforce centers, and includes both group and one-on-one activities. Services include workshops on a wide variety of topics such as resume preparation, interviewing and networking; testing and assessment, including the WorkKeys-based Colorado Career Readiness Certificate; vocational guidance; labor market information; job referrals; job fairs and hiring events; and, referrals to supportive services or training. Customers who cannot use self-service or need help in making career or job search decisions will be able to meet with workforce staff and receive personal assistance until they are able to take advantage of the self-service options. If staff-assisted services are not sufficient to achieve a job placement outcome, customers requesting additional help will be referred to intensive or training services, the third tier of services.

- *In order to ensure that jobs generated through the Recovery Act are accessible and available to all customers, describe how the state will facilitate the listing of such jobs on the State Job Bank.*

  Additional fields to identify jobs generated through the Recovery Act will be added to the Joblink/ConnectingColorado job order data base. Employers will be asked each time they post a new job order, either by ConnectingColorado or local workforce center staff, whether the positions are related to ARRA so the information can be entered into the system. ConnectingColorado will automatically display this information when job seekers use the system to search for and refer themselves to jobs. In addition, the Governor has requested that state agencies use ConnectingColorado to post any jobs created as a result of ARRA funding.

Adult and Dislocated Worker Services

Question IX.C.1.a. Describe state strategies and policies to ensure adults and dislocated workers have universal access to the minimum required core services as described in §134(d)(2).

In its response, the state should address core services for adults, dislocated workers, and target populations, especially those given preference in the WIA Adult program in the Recovery Act – recipients of public assistance and other low-income individuals.

Each local workforce region has established a priority of service policy that targets low income individuals, and has been instructed apply this policy to their ARRA WIA Adult program. Many regions already serve TANF and Food Stamp clients through contracts or agreements with the county human services agencies within their region, and will strengthen these partnerships to increase access to Recovery Act training and placement services, and to leverage resources between the programs. In addition, regions will expand their outreach efforts to community based organizations that serve low-income populations.

Regions are encouraged to develop strategies that address the issues of low income customers, including Food Stamp and TANF recipients, that:

- Focus on the Governor's priorities for creating training and job opportunities in the new energy, aerospace, information technology bioscience, hospitality and tourism sectors
- Develop partnerships with other recipients of stimulus funds to insure their jobs and training opportunities are accessible to workforce system customers
- Engage industry and employer groups in an effort to market workforce customers and services under the Recovery Act
- Streamline local policies to insure rapid and efficient implementation of Recovery Act funds

Question IX.C.1.c. Describe how the state will integrate resources provided under the Wagner-Peyser Act and WIA Title I for adults and dislocated workers, as well as resources provided by required One-Stop partner programs, to deliver core services. (§112(b)(17)(a)(i).)

In its response, the state should address how it will integrate resources provided under the Recovery Act, the Wagner-Peyser Act, and WIA Title I for adults and dislocated workers, as well as resources provided by required One-Stop partner programs. For example, how will the state use these resources to provide significant funding for low-income and low-skilled workers that help them access the services and training needed to pursue family-supporting jobs.

Colorado has integrated its partner programs throughout its statewide workforce system, and provides an integrated database and reporting system that covers job seekers, employers, and job orders for Wagner-Peyser, WIA, TAA, Veterans, local programs, and discretionary grants. CDLE, with the support of the Governor's Jobs Cabinet, has launched sector strategies throughout the state. At the same time CDLE is enhancing its e-Colorado learning portal and will initiate an on-learning learning academy later this year to expand training opportunities within the state. Colorado has launched a WorkKeys-based statewide career readiness certificate. Recovery Act funds will be utilized to further enhance and expand all of these initiatives, including support for increased training opportunities in high growth targeted industries. The state workforce council is assuming the lead in a more extensive data mining project to enhance the ability of workforce centers to analyze the current results of job placement and training in the state.

CDLE is currently in discussions with the Colorado Department of Transportation, Governor's Energy Office, Colorado Community College System, Department of Local Affairs, Department of Human Services, and the Colorado Office of Economic Development and International Trade; and will meet with other agencies such as the Mile Hi Youth Corps (regarding weatherization, community service, and construction projects) to involve them in the planning process and ensure that the jobs and training opportunities created with ARRA funding are accessible to its customers and employers. In addition, CDLE has contacted the Colorado chapter of the Society for Human Resource Management to link employers to the workforce system's ARRA efforts; as part of this effort, Colorado is encouraging all state agencies to list their ARRA related jobs in Connecting Colorado, CDLE's statewide on-line job matching database.

CDLE is researching needs-related payments and how to assist the locals in implementing this possibility efficiently and in compliance with the provisions of WIA. In addition, each local region has a fully executed policy on supportive services and incorporates these services extensively in their current programs. Regions will also be looking at the possibility of expanding supportive service options and increasing local caps with Recovery Act funds to support low income and low skilled participants while they are in training.

Question IX.C.3.a. Describe the Governor's vision for increasing training access and opportunities for individuals including the investment of WIA Title I funds and the leveraging of other funds and resources. (§1129b)(17)(a)(i).)

In its response, the state should describe how the state will increase training assess and opportunities for individuals, including the investment of WIA Title I and Recovery Act funds, and the leveraging of other funds and resources. How will the state use contracts with institutions of higher education and other training providers to maximize funds to the greatest benefit?

CDLE is working with the President of the Community College System to coordinate activities throughout the state; CDLE and CCS convened a meeting in April to take this discussion down to the local level with the local workforce directors and community college corporate directors.

CDLE has initiated meetings and trainings with state and local partners, including higher education, to convey the intent of the Recovery Act funding and to identify priorities and strategies for its implementation. Key priorities and strategies related to increased training access and opportunities for individuals include:

- Focus on the Governor's priorities for creating training and job opportunities in the new energy, aerospace, information technology bioscience, hospitality and tourism sectors
- Develop partnerships with other recipients of ARRA funds to insure their jobs and training opportunities are accessible to workforce system customers
- Use sector strategy data mining and planning to identify additional regional industry priorities for use of ARRA funding
- Use information portal technology and e-learning to disseminate stimulus policy guidance, provide technical assistance, and offer training opportunities to workforce professionals and customers
- Engagement of industry and employer groups in an effort to market workforce customers and services under the Recovery Act

Question IX.A.5. What models/templates/approaches does the state recommend and/or mandate for service delivery in the One-Stop Career Centers? For example, do all One-Stop Career Centers have a uniform method of organizing their service delivery to business customers? Is there a common individual assessment process utilized in every One-Stop Career Center? Are all One-Stop Career Centers required to have a resource center that is open to anyone? (§§112(b)(2) and 111(d)(2).)

In its response, the state should describe its models/templates/approaches for service delivery in the One-Stop Career Centers, particularly whether the state is adjusting its approach to deliver increased levels of services with funds received under the Recovery Act.

- *Do all One-Stop Career Centers have a uniform method of organizing their service delivery to business customers?*

  Colorado has a locally driven system that gives local workforce regions the ability to tailor programs and services to better meet the needs of their business customers. The design and delivery of programs and services also takes local infrastructure and resources constraints into consideration. As a result, regions have different methods of organizing their service delivery to business customers, although many regions use the same or similar processes.

  A statewide business services committee has been convened to develop a more consistent message and methods of service delivery so business customers will receive the same types of services regardless of which region they use. In July 2009, the one-stop directors will build on the work of the committee by hosting a statewide Business Services Summit to encourage sector based strategies and other innovative approaches to the business community.

- *Is there a common individual assessment process utilized in every One-Stop Career Center?*

  Colorado delivers most programs and activities at the local level and provides local workforce regions with as much flexibility and decision-making authority as permitted under federal law and as consistent with minimum service delivery. Although there are many similarities, the actual mix and delivery of services varies between regions based upon local policies, community needs, available resources and infrastructure. This also holds true for the individual assessment process that will be provided with Recovery Act funds. However, CDLE expects to expand its Career Ready Certificate initiative statewide beginning July 1, 2009. This certificate is currently based on a WorkKeys assessment model, and all regions have been provided with discretionary funding to purchase copies of WorkKeys assessments.

- *What approaches will be used to ensure funds are targeted to those most in need, including low-income, public assistance recipients, persons with disabilities, etc.?*

  CDLE is researching needs-related payments and how to assist the locals in implementing this possibility efficiently and in compliance with the provisions of WIA. In addition, each local region has a fully executed policy on supportive services and incorporates these services extensively in their current programs. Regions will also be looking at the possibility of expanding supportive service options and increasing local caps with Recovery Act funds.

  Regions have also been instructed to use existing local WIA Adult policies that give preference to public assistance recipients and low income individuals when implementing their ARRA Adult programs, and have been asked to give priority to programs that specifically target persons with disabilities.

- *How will states streamline the sequence of service to facilitate individual access to needed services and training?*

  Colorado workforce centers have already streamlined the sequence of service process to facilitate access to needed services and training. In most cases, all levels of service can be accessed in a matter of days or at most a couple of weeks, depending on how long it takes a customer to provide appropriate justification for an ITA award. Local regions have been encouraged to further streamline local policies as appropriate to insure the rapid and efficient implementation of Recovery Act funds and to remove unnecessary barriers that might impede or discourage enrollment and participation in WIA.

Youth Services

Question IX.E.1. Describe the state's strategy for providing comprehensive, integrated services to eligible youth, including those most in need. (§112(b) (18).)

In responding to this question, the state should include the following:

- *Describe the anticipated program design for the WIA Youth funds provided under the Recovery Act. Include in this description a program design for both younger, in-school, and older or out-of-school youth (including the 22-24 year olds that can be served with Recovery Act funds).*

  CDLE has directed the local workforce regions to expend a minimum of 70% of its ARRA Youth Funds towards a summer work experience program. Because the state delivers most programs and activities at the local level and provides local workforce regions with as much flexibility and decision-making authority as permitted under federal law, the actual mix and delivery of services will vary between regions based upon local policies, community needs and available resources.

  Regions will adapt models developed under the JTPA program as a basis for their summer work experience program, but will add an emphasis on sector based strategies including access to green work experience opportunities. Locals with backgrounds in summer programs are assisting other regions through the WIA Youth Operators Network. CDLE and the State Youth Council also co-sponsored the bi-annual Think Big Youth Forum in May, 2009, to focus on sector based strategies to support summer youth work experiences and the year round youth program. The CDLE's Governor's Summer Job Hunt (GSJH), which offers unsubsidized jobs for youth, will be expanded to include information and resources to support the implementation of the Recovery Act youth employment programs.

  Local regions will have the flexibility to determine the type of assessment instruments they will use in general and to evaluate work readiness, as well as the depth and scope of the Individual Service Strategy (ISS). Work readiness assessment tools will be consistent pre and post, and may include worksite supervision evaluations, work readiness skill checklists administered by program staff, portfolio assessments, and any other relevant forms of assessing work readiness. Regions may choose to use different tools for various

age groups or other targeted groups of youth customers. In addition:

- Youth participating in a work experience must be paid at least the State minimum wage but local regions also have the discretion of paying participants the prevailing wage for their work.

- Local regions will not be required to assess basic skill levels for out-of-school youth participating in the Recovery Act WIA Youth summer employment program.

- Local regions will be responsible for setting the standard for the work readiness skill attainment rate for the summer youth employment program between 80% and 100%, with 80% being the lowest rate accepted by the state.

- Local regions will not be required to make all 10 youth program elements available with ARRA WIA Youth funds, or to offer the requisite 12 month follow-up to summer employment program participants. Determination of the availability and duration of these elements will be left to local regions and is to be made on a case-by-case basis, depending on the needs of the participants

- *Will the state use the Recovery Act funds to fund only a 2009 summer youth program or some combination of 2009 and 2010? If using the funds over two summers, what percentage of funds does the state anticipate using for the first summer?*

  The primary focus in Colorado will be on the 2009 summer youth program. Regions must spend at least 70% of their funds by September 30, 2009, and must spend the remaining 30% by June 30, 2010.

- *If using the funds for summer employment opportunities, describe how the state will deliver summer youth employment opportunities. Will the state operate the program or allocate the funds?*

  Colorado delivers most youth programs and activities at the local level and provides local workforce regions with as much flexibility and decision-making authority as permitted under federal law and as consistent with minimum service delivery. Funds for ARRA summer youth employment opportunities have been allocated to the local workforce regions. CDLE actively supports the efforts of the local regions with training, technical assistance and marketing efforts.

- *Describe the types of worksites that will be developed for summer employment, including a mix of public and private sector work experiences, and how the state will ensure that meaningful work experiences will be developed.*

  Local regions are actively working to expand the number and types of work experience sites beyond those previously available to youth program participants. These include more opportunities with private sector businesses, energy conservation organizations and companies, hospitals and other health organizations, plus a variety of public and private entities that offer "green" jobs opportunities. In addition, regions are developing work

experiences that are part of beautification projects, fire mitigation and erosion prevention in mountain areas, and energy efficiency projects throughout local communities. The State Youth Council and the regions are also building upon partnerships with trade associations and unions to increase work experiences that may lead to paid apprenticeships in the trades.

The State is issuing guidance regarding work experiences that discusses the need to structure these activities to impart measurable communication, interpersonal, decision-making, and learning skills. The guidance also encourages regions to consider a combination of public sector, private sector, and non-profit summer employment opportunities, including project-based community service learning opportunities not conducted at an employer worksite. Regions are being directed to identify the extent and type of supervision that will be provided to work experience participants and seek sites where the participant to supervisor ratio is low. In addition, regions will be required to prepare work experience contracts, which will be signed by the work site, the case manager and the client, that will provide the basis for monitoring of sites by workforce center and state monitoring staff. Contracts will identify work experience activities, set pay and duration, and include provisions to ensure that work experience arrangements do not unfavorably impact current employees; do not impair existing contracts for services or collective bargaining agreements; and the work experience of the participants will not replace the work of employees who have experienced layoffs.

- *Describe the state's policy for developing the mix of classroom versus worksite learning time in a summer employment opportunity. Describe the state's policy for determining that summer employment opportunities are connected to academic and/or occupational learning and the types of connections that will be utilized.*

  Local regions have been given the flexibility to determine whether it is appropriate for academic learning to be directly linked to summer employment for each youth, and must develop local policies that address utilization of academic learning and classroom based components. Local regions may provide wages and/or stipends to youth in a classroom based component of a summer employment opportunity, and must establish local policy guiding the payments of such stipends and wages.

- *Describe any policies or strategies that the state is implementing to ensure that local areas implement activities that support out-of-school youth during summer and/or non-summer months, such as supportive services, needs-based payments, or day-care.*

  Colorado's recently issued program guidance letter regarding ARRA youth programs instructs the local regions to consider expanding their caps for supportive services for the ARRA Youth program during both the summer and non-summer months. The same program letter requires that a minimum of 30% of ARRA Youth funds be utilized for out-of-school youth.

- *Provide the anticipated number of youth to be served with Recovery Act funds, including the anticipated number of summer employment opportunities created with Recovery Act funds.*

Colorado regions plan to serve 3008 youth in their combined Recovery Act youth programs with 2778 planned for the 2009 Recovery Act Summer Youth Employment Program and 230 targeted for the Recovery Act year round program.

Veterans' Priority of Service

Question IX.C.5.b. What policies and strategies does the state have in place to ensure that, pursuant to the Jobs for Veterans Act (P.L.107-288)[38 USC 4215], that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the U.S. Department of Labor? *In answering this question, the state should outline the changes to state and local policies and strategies that make them sufficient to meet the requirements of 20 CFR 1010.230, published at 73 Fed. Reg. 78132 on December 9, 2008, of the Jobs for Veterans Act regulations issued on December 19, 2008 implementing priority of service for veterans and eligible spouses in Department of Labor job training programs. This includes providing the following information and/or attachments to the State Plan modification:*

- *A description of the changes to policies for the delivery of priority of service by the State Workforce Agency or Agencies, Local Workforce Investment Boards, and One-Stop Career Centers for all qualified job training programs delivered through the state's workforce system. The description must include how:*

  1. *The state policies ensure that covered persons are identified at the point of entry and given an opportunity to take full advantage of priority of service.*
  2. *The state policies ensure that covered persons are aware of:*
     - **a.** *Their entitlement to priority of service;*
     - **b.** *The full array of employment, training, and placement services available under priority of service; and*
     - **c.** *Any applicable eligibility requirements for those programs and/or services.*

- *A description or copy of the state's policy requiring Local Workforce Investment Boards to develop and include policies in their Local Plan to implement priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers.*

  In order to meet the requirements of 20 CFR 1010.230, published at 73 Fed. Reg. 78132 on December 19, 2008, of the Jobs for Veterans Act regulations issued on December 19, 2008, Colorado has put the following strategies in place regarding veterans priority of service:

  Veterans and covered person are identified and made aware of their entitlement for Priority of Service at the points of entry into Colorado's workforce system. If a veteran or covered person is making "entry" via our Connecting Colorado self-service website, priority of service information is provided on the registration page, as well as at the end of the registration process, which advises veteran or covered person of their entitlement. These advisories also provide a web link to information on the full array of employment, training,

and placement services available under priority of service, the additional eligibility requirements for these programs, and a list of workforce centers that can be directly accessed for more information. Additionally, a veteran or covered person who enters our workforce system in person at a workforce center office is made aware of their entitlement to priority of service by signage typically posted behind or near the primary reception point, and/or by the staff who conduct veterans triage. The signage also advises veterans and covered persons to speak with one-stop or workforce center staff regarding their eligibility for priority of service and what the eligibility requirements are for a particular program or service.

When job orders are entered by staff or employers into the Connecting Colorado/Joblink statewide database, they are automatically matched with qualified applicants, with veterans given priority as long as they meet the minimum qualifications of the employer. Qualified veterans selected by the job matches are always contacted prior to any qualified non-veteran, a process that was developed in conjunction with USDOL VETS staff. These contacts are made via automated phone calls and e-mails immediately after a search is completed, with non-veterans are contacted four business hours after the last veteran has been notified. Job orders are placed in a "hold" status, allowing only veteran referrals until the veterans priority of service window of opportunity has passed. When employers initiate job matching requests via Connecting Colorado, qualified veterans are listed above qualified non-veterans on the output that is generated.

Priority of service in enrollment of veterans to WIA and other programs in the workforce centers is measured by comparing the percentage of veteran applicants that are accepted for each program compared to the percentage of non-veteran applicants accepted. It is expected that these programs would accept a greater percentage of veterans. It is understood that only veterans meeting the minimum requirements for a given program can be afforded preference, but we expect that approximately the same percentage of non-qualified veterans and non-veterans will apply. This standard is not applied to programs where veterans would never or very rarely qualify due to age requirements such as the ongoing WIA youth program.

As a means for ensuring that veterans receive priority and quality services in the workforce development system, LVERs in collaboration with local One-Stop managers submit a quarterly manager's report on services to veterans. These reports include information on how the region is implementing veterans' preference, how DVOPs and LVERs are integrated into the One Stop, how outreach activities to veteran populations are accomplished, and the general provision of services to veterans, local success stories, and best practices. The quarterly reports are coordinated through the state regional director and submitted to the state Veterans Coordinator and the DOL Director of Veterans Employment and Training (DVET).

Service Delivery to Targeted Populations

Question IX.C.4.a. Describe the state's strategies to ensure that the full range of employment and training programs and services delivered through the state's One-Stop delivery system are accessible to and will meet the needs of dislocated workers, displaced homemakers, low-income individuals, migrant and seasonal farm workers, women,

minorities, individuals training for nontraditional employment, veterans, public assistance recipients and individuals with multiple barriers to employment (including older individuals, limited English proficiency individuals, and people with disabilities). (§112(b)(17) (A) (iv).)

In responding to this question, the state should:

- *Describe the strategy the state will use to effectively implement the Recovery Act priority of service for low-income individuals and recipients of public assistance under the WIA Adult program.*

  Most local workforce regions have established partnerships with the county department(s) of human services within their region, and many regions already provide employment and placement services to TANF and Food Stamp recipients. Regions are also encouraged to use the Work Opportunity Tax Credit (WOTC) and Welfare-to-Work tax credit programs as hiring incentives to encourage employers to hire disadvantaged job seekers.

  Each local workforce region has established a priority of service policy that targets low income individuals, and has been encouraged to apply this policy to their ARRA WIA Adult program. In addition, regions will expand their outreach efforts to community based organizations that serve low-income populations.

  CDLE is researching needs-related payments and will assist the local regions in implementing this service in an efficient manner that complies with WIA requirements. In addition, each local region has a fully executed policy on supportive services and incorporates these services extensively in their current programs. Regions are encouraged to look at the possibility of expanding supportive service options and increasing local caps with Recovery Act funds.

- *Indicate how the state will use Wagner-Peyser resources to support individuals with disabilities, such as funding disability program navigators in One-Stop Career Centers, or assisting other targeted populations.*

  CDLE and its state and local partners have identified services to older workers and persons with disabilities as a key priority for ARRA funding. CDLE has participated on the Colorado Advisory Council for Persons with Disabilities since its inception. CDLE is also a member of the Interagency Consortium and Stakeholders Policy Forum created as a result of Project WIN, a multi-year systems change project to identify and develop strategies to remove barriers to employment for persons with disabilities. The agency provides funding to defray part of the costs of a disability program navigator position in each region. Workforce regions are required to ensure that all programs and services are fully accessible to persons with disabilities and are encouraged to include disability-related agencies as workforce partners. To this end local boards have been provided funding to purchase assistive technology that is utilized in resource centers throughout the statewide system of workforce centers.

Additionally, CDLE has convened a special taskforce, Colorado Workforce Speaks, to identify and help address the issues of job seekers with limited English proficiency (LEP). This taskforce has developed LEP materials for use in the workforce regions, promoted the expansion and enhancement of local language assistance initiatives, and facilitated workshops at statewide conferences to promote awareness of the needs of English language learners. Regions are encouraged to have a representative on this taskforce and to participate in its activities.

Colorado's local workforce centers have coordinate activities with the Senior Community Service Employment Program (SCSEP), and share best practices regarding ways to creatively provide services targeting older workers, such as specialized resource centers, staff specialists, workshops, job clubs, job fairs, etc. Several of Colorado workforce centers have initiated the older worker resource centers.

Section III. Operations

Transparency and Public Comment

Instruction from Section II of State Planning Guidance Plan Development Process: Include a description of the process the state used to make the Plan available to the public and the outcome of the state's review of the resulting public comments. (§§111(g) and 112(b)(9).)

The Recovery Act places a high priority on transparency. The state should describe:

- *State efforts to promote transparency.*
- *The process used to make the Plan modification available to the public and the outcome of the state's review of resulting public comments.*

Gov. Bill Ritter, Jr. has established an accountability and oversight board (the Colorado Economic Recovery Accountability Board) to ensure that the funds Colorado receives from the American Recovery and Reinvestment Act, signed in Denver on February 17, 2009, are spent effectively and transparently. Its purpose is to ensure that the funds are invested strategically, efficiently and wisely, and with an unprecedented level of oversight, transparency and accountability.

The board is chaired by Don Elliman, director of the Colorado Office of Economic Development, and is composed of public- and private-sector leaders from across the state, including:

- State Treasurer Cary Kennedy
- Secretary of State Bernie Buescher
- State Sen. Moe Keller, chair of the legislature's Joint Budget Committee
- State Rep. Don Marostica, member of the Joint Budget Committee
- Ray Baker, partner, Gold Crown Companies
- Reeves Brown, executive director, Club 20
- Taryn Edwards, president, Associated General Contractors of Colorado
- Robert Gibson, deputy director, Colorado WINS
- Sandy Gutierrez, president/CEO, Pueblo Latino Chamber of Commerce
- Tony Hernandez, director, Division of Local Government, Colo. Dept. of Local Affairs
- Andre Pettigrew, executive director, Denver Office of Economic Development
- Richard Truly, former director of NREL and former administrator of NASA

Gov. Ritter's budget and policy directors and several Cabinet members support the Board. In addition, CDLE's Deputy Executive Director, Gary Estenson, has been designated as the Department's lead on Recovery Act reporting to the Board, the Government Accounting Office, and the U.S. Department of Labor; and provides oversight of all projects, programs, and activities related to the Department's Recovery Act funding.

Part of the transparency and accountability oversight will be to ensure fair and equitable access to the decision making process. To this end the Board has already created a website (www.colorado.gov/recovery), modeled after the national www.recovery.gov, and an e-mail address (recovery@state.co.us). The Board also will establish other methods for the public to monitor and hold state actions accountable, including the regular publication of reports and frequent website updates with detailed and timely information about bid processes and the progress of recovery fund spending. Working with state agencies, contractors and citizens, the Board will create rules and procedures where none exist. Members of the Board will also hold meetings around the state to gather direct input from local residents and communities.

CDLE is following the example of the Board by soliciting input regarding its PY09 Plan modification from several leadership groups and the general public. Decision makers who have been provided an opportunity to comment include: Colorado's Sectors Initiative leadership group, members of the Colorado Workforce Development Council (CWDC), One-Stop Directors, and members of the local workforce investment boards. In addition, the plan modification will be posted on the CDLE, CWDC, and local workforce regional websites for two weeks of public comment. CDLE will review all comments for potential inclusion in the plan.

Increasing Services for Universal Access

Question VI.C. What state policies are in place to promote universal access and consistency of service statewide? (§112(b)(2).)

In its response, the state should explain how it will efficiently and effectively use its Wagner-Peyser Recovery Act funds to support the hiring of sufficient levels of staff in the limited time period available for state One-Stop Career Centers to provide universal access and services required to meet the needs of increased numbers of customers in the economic downturn.

Colorado is fortunate in that federally funded positions at the state and local levels have been granted exemptions from hiring freezes and furloughs put in place when last fall's revenue predictions pointed to potential budget shortfalls in various governmental jurisdictions. As a result, workforce regions have begun hiring temporary and grant-limited positions with Recovery Act funds to address the higher demand for services stemming from the economic downturn. The total increase in positions will be known as soon as the PY09 local plan modifications are submitted, which will detail plans for concurrent use of Recovery Act, PY08, and PY09 allocations.

At the same time, Colorado has undertaken several initiatives to enhance on-line access to services through CDLE's website (coworkforce.com) and e-colorado.org, our knowledge and e-learning portal. Among these are an improved self-service job matching capability; a total redesign of the Department's website to increase user friendliness; the development of Recovery Act program web pages on both sites, and the inclusion of a UI video on e-colorado to explain the basics of filing a claim, plus the requirements for work registration and work search. CDLE will soon launch a new e-colorado.org section featuring Colorado Online Courses, which will include curriculum related to the Energy, Healthcare, Information Technology and

Transportation industry sectors. This latter project is part of Colorado's Online 4 Talent Development grant from the U.S. Department of Labor.

Local Planning Process

Question VIII.D. Describe the state-mandated requirements for local areas' strategic planning, and the assistance the state provides to local areas to facilitate this process. (§112(b)(2) and 20 CFR 661.350(a)(13).)

In responding to this question, states should describe how they are facilitating the use of the local planning process to ensure that local areas are able to update their Local Plans and still quickly and efficiently deliver increased levels of services as intended under the Recovery Act.

CDLE has initiated a two-stage process to facilitate local plan modifications and expedite implementation of expanded service delivery with Recovery Act funds. On March 6, 2009, CDLE issued Notice of Fund Availability allocation letters to the workforce regions, which triggered local preparation of basic planning documents known as expenditure authorizations (EAs). These EAs include a brief statement of work and various charts identifying quarterly expenditure, activity, and performance goals for the Recovery Act period of performance. Processing and signing of EAs can take as little as two weeks, or as long as 60 days; however, regions can utilize existing funds to cover costs while signatures are being obtained, which allowed services to start, in many cases, on March 6.

The second phase of planning involves the issuance of formal local planning guidelines in a CDLE program guidance letter (PGL), which is similar to a TEGL. This PGL requires a more lengthy narrative to address the U.S. Department of Labor's transformative vision for the leveraging of Recovery Act funds with existing resources and PY09 allocations to focus on career pathways, industry/sector partnerships, and increased training opportunities for those most in need during the economic downturn. Regions are expected to answer a number of questions regarding implementation of Recovery Act mandates as well as ongoing programs funded with PY09 dollars. In addition, the same EA charts described above must be submitted for PY09 funding. Local plans are due to CDLE on June 12, 2009, and will be reviewed by the state workforce council prior to July 1, 2009.

Procurement

Question VIII.F.5. Describe the competitive and non-competitive processes that will be used at the state level to award grants and contracts for activities under title I of WIA, including how potential bidders are being made aware of the availability of grants and contracts. (§112(b)(16).) (Note: All procurements must comply with OMB requirements codified in 29 CFR Parts 95.40-95.48 and 97.36.)

In answering this question, the state should describe:

- *How providers of all youth services will be procured under the Recovery Act. If using funds for summer employment opportunities and the fiscal agent or the state is not operating this program element, please specifically describe procedures for procuring summer employment operational entities and job opportunities.*

Colorado's youth procurement waiver, granted by USDOL several years ago, allows our nine workforce regions to provide four of the WIA youth program elements internally without utilizing formal procurement processes. These four elements are summer youth employment opportunities, work experience, supportive services, and follow-up. Seven of the nine workforce regions have chosen to utilize the waiver, while the two remaining regions (Denver and the Rural Consortium) conduct a fully competitive RFP to subcontract youth services with community based organizations. Denver has requested that the State apply for the youth procurement waiver under the Recovery Act so that they may expand current contracts. (See Colorado's waiver plan submitted as part of this PY09 plan modification.) CDLE's Procurement and Contracts Office, on behalf of the Rural Consortium, recently completed an RFP to subcontract Recovery Act summer employment programs to local non-profits in some of the Rural sub-regions. Other sub-regions will operate the program internally. In addition, CDLE is about to complete an RFP on behalf of the same Rural sub-regions for all PY09 WIA programs, which will include Recovery Act formula programs, other than summer youth.

- *How the state will implement the Recovery Act provision that a Local Workforce Investment Board may award a contract to an institution of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, and is such a contract does not limit customer choice.*

Consistent with its local control philosophy for the State's workforce system, CDLE will delegate the decision to implement "class size" training contracts to its local workforce investment boards. However, the CDLE is encouraging implementation of this practice through its local plan modification guidance, and expects to provide written policies, and ongoing monitoring and oversight, to insure that such contracts do not limit customer choice.

Technical Assistance

Question VIII.G.2. Describe how the state helps local areas identify areas needing improvement and how technical assistance will be provided. (§112(b)(14).)

In answering this question, the state should describe its strategy for providing training and technical assistance to local areas for all programs funded by the Recovery Act, including whether Recovery Act funds will be used for technical assistance and training to local areas. The state should also address training to be provided to new staff and technical assistance on the creation of a summer employment program.

In partnership with the local One-Stop directors, CDLE participated in a day-long session on March 20, 2009, with 85 local and state staff attending, which covered USDOL TEGL 14-08 and

a variety of other topics designed to stimulate discussion around innovative approaches to Recovery Act implementation. CDLE has also taken advantage of the Recovery Act webinars offered by USDOL and utilized this model to provide its own sessions regarding administration and implementation of Recovery Act programs. The first was conducted on April 6, 2009, and covered all Federal and state requirements for use of ARRA funds. Seminars on implementing ARRA youth programs were delivered by CDLE staff at the May 2009 Think Big Youth Forum, sponsored by the State Youth Council and the Department's Workforce Development Programs office. Almost 300 youth services providers from across the state attended this biannual conference. As a follow-up to the conference, CDLE will conduct an ARRA youth program webinar to reach additional youth services staff and answer a variety of implementation questions raised at the conference.

Additional technical assistance and training strategies include:

- Establishment of a comprehensive Recovery Act resource page and electronic team room on www.e-colorado.org including a Q&A specific to Colorado ARRA implementation
- Identification of Recovery Act discretionary funds for purposes of formal training sessions throughout the ARRA period of performance
- Issuance of Recovery Act policy guidance letters by CDLE, the first of which provided comprehensive guidance on the ARRA summer youth employment program
- Support and participation in the Colorado Businesses Services Summit to be held July 16-17, 2009. This conference is targeted to the business services staff from the statewide workforce system and is intended to promote the use of sector based strategies and other transformative approaches to engage the business community in the economic recovery efforts.
- Ongoing periodic meetings with one-stop directors and staff to promote dialog on local training and technical assistance needs, and offer opportunities to present responses to those needs

Monitoring and Oversight

Question VIII.H. Describe the monitoring and oversight criteria and procedures the state utilizes to move the system toward the state's vision and achieve the goals identified above, such as the use of mystery shoppers, performance agreements. (§112(b)(14).)

In responding to this question, the state should demonstrate, through a monitoring plan or otherwise, that the state monitoring system meets the requirement of 20 CFR 667.410(b)(2) and that the state's plan includes monitoring and oversight of the additional funds provided under the Recovery Act, particularly plans to monitor reemployment services and summer employment, including summer employment worksites.

As part of its comprehensive monitoring and oversight system, CDLE has assigned State Workforce Liaison staff to each of Colorado's nine federally-recognized regions. Liaisons review program and fiscal data on a quarterly basis to monitor expenditure rates and program performance, outcomes and efficiencies, and will incorporate specific Recovery Act data into this process. All data reviewed is collected statewide and can be drilled down to the local region,

the local workforce Center or satellite office, specific program, and individual customer level. In addition, in late summer/early fall of each year, Liaisons conduct an annual, on-site, full compliance monitoring review of each local region, and will develop Recovery Act program monitoring instruments, including Summer Youth and Reemployment Services. Onsite reviews of summer employment sites will become an integral part of the Summer Youth Program monitoring methodology. Monthly reporting formats for the Recovery Act are also being designed and will be implemented no later than the June 30 reporting period. A CDLE Program Guidance Letter will be issued to provide workforce regions with information and instructions regarding all aspects of Recovery Act monthly reporting and monitoring requirements.

Accountability and Performance

Question X.C.1. Describe the state's performance accountability system, including any state-system measures and the state's performance goals established with local areas. Identify the performance indicators and goals the state has established to track its progress toward meeting its strategic goals and implementing its vision for the workforce investment system. (§§ 112(b)(3) and 136(b)(3).)

- *The Recovery Act emphasizes the importance of accountability. Describe the state's overall efforts to hold the state and local areas accountable for the results of activities funded by the Recovery Act, and how the state will measure whether it has achieved the state's goals for implementation as described in Questions I.C. and I.E. under "State Vision and Priorities."*

  For each of the common measures and Recovery Act indicators we will use a two-step process to establish the performance goals for each local area. First, a spreadsheet is designed that shows each indicator, the level the state is required to meet, and the number of people that are expected to fall into that standard. The number of people is used to show how much impact a change in a region's target would impact overall state performance. The purpose of this calculation is to allow us to determine whether the individual region's goals "add up" to the needed minimum statewide performance.

  Second, if needed, we will host a meeting that allows the regions to negotiate directly with each other. The state is not concerned with where individual regions' standards end up, as long as the net result is neutral for the state as a whole; the state simply acts as a broker among the regions as they trade numbers with each other. This lets us easily deal with regional variations. Rather than develop complex models to try to duplicate knowledge that already exists in the regions, we allow each region to determine and analyze the factors that impact performance standards.

  State and local boards can evaluate performance using monthly, quarterly and annual reports derived from the statewide Joblink database. Modifications to Joblink will allow regions and CDLE to run up-to-the-minute case management, activity, and performance reports that are specific to Recovery Act programs, or combine Recovery Act and ongoing programs. These reports can be customized to provide all data needed to track,

analyze, and evaluate program outcomes and continuous improvement at the state and local level.

Colorado provides ongoing technical assistance and training to its local workforce regions to ensure their understanding of performance measures and the impact of program strategies on performance outcomes. When performance deficiencies occur, regions may apply for statewide technical assistance funds to assist them in developing program improvement strategies. In addition, CDLE anticipates utilizing a portion of its Recovery Act discretionary funds to conduct additional program evaluations for the purpose of measuring whether it has achieved the State's goals for implementation.

- *The Recovery Act requires states to report on work readiness to assess the effectiveness of summer employment opportunities for youth. The state should identify its methodology for determining whether a measureable increase in work readiness skills has occurred, and what tools will be used for this determination.*

  Colorado allows its nine local workforce regions a considerable amount of flexibility in how they meet the needs of their individual communities. Because of this local control approach, there will not be a single acceptable methodology or tool used to measure the increase in work readiness skills. However, the CDLE monitoring and oversight process will insure that the tools and methodologies used by each region are valid and in compliance with federal guidance regarding the work readiness indicator. In addition, CDLE is reviving Joblink software previously utilized to report the WIA work readiness goal. This will allow regions to record work readiness pre and post test data, and provide the mechanism for tracking and reporting measurable increases in work readiness skills to USDOL.

SECTION IV
STATE OF COLORADO WAIVER PLAN
FOR WORKFORCE INVESTMENT ACT and RECOVERY ACT PROGRAMS
JUNE 2009

The Colorado Department of Labor and Employment (CDLE), the state administrative entity for the Workforce Investment Act (WIA), is requesting new waivers, as well as extensions of waivers of legal requirements under the Workforce Investment Act. This will address the "emergency" nature of 2009 Economic Stimulus Funding and maximize the flexibility needed to ensure speedy implementation of stimulus programs designed to impact local economic vitality. It will also assist with the transformation of the current workforce system to a demand-driven, sector based, and regionally driven talent development pipeline.

Should the waiver requests be granted, CDLE will be able to ensure the timely implementation and expenditure of grant funds in support of individuals and business in the downturned economy. This will also provide greater flexibility and encourage increased innovation to drive system transformation through regional sector strategies that create talent pipelines to meet business needs. All waiver requests are intended for implementation through June 30, 2010. In addition, all waiver requests are intended to apply to the Recovery Act and regular WIA funding, with the exception of the ARRA youth program waivers.

This waiver request follows the format identified in WIA Section 189(i)(4)(B) (29 USCA Section 2939(i)(4)(B)) and WIA Final Regulations at 20 CFR Section 661.420(c).

A. NEW WAIVERS

Waiver Relating to Procurement Requirements for Youth Summer Employment Providers – Recovery Act Funds Only

1. Statutory Provisions to be Waived: WIA Section 153, identification of eligible providers of youth activities.

Colorado is requesting a waiver of the statutory and regulatory requirements at WIA Regulations Section 153, identification of eligible providers of youth activities. The local boards, as per WIA requirements, have awarded grants or contracts on a competitive basis based upon the recommendations of the youth council and the criteria in the State plan, and conduct oversight with respect to the providers. These processes comply with OMB requirements codified in 29 CFR Parts 95.40-95.48 and 97.36.

Given the short timeframe for startup, expedited or emergency procurement processes are needed to insure timely implementation of the summer employment program with stimulus funding. Existing procurement requirements for state and locally operated workforce regions that subcontract their youth program operations in at least one region have delayed implementation past the May 1 start date allowed with Recovery Act funds. As a result, Colorado is seeking a

waiver to expand existing competitively procured contracts by amounts sufficient to implement the 2009 summer youth employment program, and a waiver to allow conduct of an expedited, limited competition to select service providers, should this be needed. This limited competition will be among service providers with proven records of success in providing youth services; and, again, would also only apply to the summer employment program element for the summer of 2009.

2. State or Local Statutory Regulatory Barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waivers and waiver extensions. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of these waiver requests, CDLE policies will be amended to comply with the terms of the waivers.

3. Goals and Programmatic Outcomes to be Achieved by the Waiver:
The goal of the waiver is to give the local workforce investment areas greater flexibility and access to eligible youth services providers. Under this waiver, local areas would be allowed to use existing contracts to provide summer youth work experience programs funded under the Recovery Act rather than going through an entirely new procurement process. The short timeframe for 2009 summer youth implementation requires the State and local areas to begin planning immediately, to be more responsive to the customers, and to administer summer employment opportunities more expeditiously. This waiver would have a positive outcome on the ability of the State and the local areas to achieve their youth work readiness requirements. The waiver would only apply to the summer employment program and only for the summer of 2009. It would only be applicable to Recovery Act funding.

This waiver would also:

- Help insure a May 1, 2009, startup of the youth summer employment program under the Recovery Act by Colorado workforce regions
- Increase the number of summer jobs created and the number of youth served by the Recovery Act summer youth employment programs in the workforce regions subcontracting their youth programs
- Increase the number of youth in the summer employment program that achieve the work readiness goal by providing opportunities for longer work and classroom experiences
- Address public and private employer needs for additional youth workers to sustain productivity and community service levels in the economic downturn

4. Individuals Impacted by the Waiver: This waiver will benefit local Boards, One-Stop Centers, service providers, and the eligible Youth in the summer of 2009 who will receive greater assistance via Recovery Act-funded training and employment programs. In addition, this waiver will positively impact the following groups:

- Out-of-school, low-income and other hard-to-serve youth with the greatest need for paid work experiences and work readiness activities
- All eligible youth who have fewer paid summer work opportunities as the overall decrease in jobs has resulted in adults taking positions traditionally filled by youth
- Public and private employers that, because of the economic downturn, do not have the resources to provide paid summer jobs and internships for youth

- Local boards subcontracting their youth programs that need greater flexibility for timely implementation of economic stimulus funding programs and initiatives

5. Process Used to Monitor Progress in Implementing the Waivers: CDLE has a federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, State program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide databases. Should these waiver requests be granted, CDLE will ensure regular review of WIA programs and discretionary grants to monitor the outcomes and impacts of each waiver authority. CDLE will also ensure separate monitoring, tracking, reporting of all activities initiated with economic stimulus funding allocations.

6. Process for Notice of Local Boards and Opportunity to Comment: CDLE actively sought the input of local regions for this waiver request. As part of the economic stimulus planning process, CDLE met with local directors to review their program needs, and received unanimous support for the submission of this waiver. In addition, youth services staff were polled and provided strong support for inclusion of this waiver in the State's plan modification for PY09. The waiver document will be published for a period of 30 days, beginning June 15, 2009, and ending July 15, 2009, on the public web site maintained by the Colorado Department of Labor and Employment and the Colorado Workforce Development Council, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE offices, and electronic copies of the waiver will be sent via e-mail to local Boards and workforce centers. Comments received will be provided shortly after July 15, 2009.

Waiver of the Common Measures for Youth Who Participate in the Summer Youth Employment Program with Recovery Act Funds

1. Statutory Provisions to be Waived: WIA Sections 136 (b) (2) (A) (II) and 136 (c) (1) (A) (i) plus 29 CFR 666.100 (a) (3) (i) and (ii), which define the current WIA Title I performance measures. (Note: Colorado has implemented the common measures as a result of a previously granted waiver.)

Colorado is seeking to waive the Common Measures for out-of-school youth ages 18-24 served with Recovery Act funds beyond the summer months, who participate in work experience only subsequent to the Summer Employment Program. This waiver would allow Colorado to use the work readiness indicator as the only indicator of performance for these youth; and would only be applicable from October 2009 through March 2010. If the waiver is granted, Colorado would have the opportunity to target a larger disconnected and older youth population and those who need extended work readiness preparation.

2. State or Local Statutory Regulatory Barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waivers and waiver extensions. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of these waiver requests, CDLE policies will be amended to comply with the terms of the waivers.

3. Goals and Programmatic Outcomes to be Achieved by the Waiver

- Increase work experience and work readiness training opportunities for out-of-school youth ages 18-24
- Increase the number of older, out-of-school, and disconnected youth served by the WIA youth program, who are not basic skills deficient
- Increase the number of youth that achieve the work readiness goal by providing opportunities for longer work readiness activities
- Address public and private employer needs for additional youth workers to sustain productivity and community service levels in the economic downturn

4. Individuals Impacted by the Waiver

- Older, out-of-school, low-income and disconnected youth, who are not basic skills deficient, but demonstrate the need for paid work experiences and work readiness activities
- All youth eligible under the waiver who are unemployed during the economic downturn and needing increased work readiness skills to compete with adults currently taking jobs traditionally filled by youth
- Public and private employers that, because of the economic downturn, do not have the resources to provide jobs and internships for youth
- Local boards and youth councils seeking to address disconnected youth populations not adequately served by other community organizations

5. Process Used to Monitor Progress in Implementing the Waivers: CDLE has a federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, State program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide databases. Should these waiver requests be granted, CDLE will ensure regular review of WIA programs and discretionary grants to monitor the outcomes and impacts of each waiver authority. CDLE will also ensure separate monitoring, tracking, reporting of all activities initiated with economic stimulus funding allocations.

6. Process for Notice of Local Boards and Opportunity to Comment: CDLE actively sought the input of local regions regarding this waiver. As part of the economic stimulus planning process, CDLE met with local directors to review their program needs, and received unanimous support for the submission of this waiver. In addition, youth services staff were polled and provided strong support for inclusion of this waiver in the State's plan modification for PY09.

The waiver will be published for a period of 30 days, beginning June 15, 2009, and ending July 15, 2009, on the public web site maintained by the Colorado Department of Labor and Employment and the Colorado Workforce Development Council, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE offices, and electronic copies of the waiver will be sent via e-mail to local Boards and workforce centers. Comments received will be provided shortly after July 15, 2009.

B. EXTENSION OF CURRENT WAIVERS BEYOND SEPTEMBER 30, 2009

Waiver to Use Local Funds for Statewide Activities

1. Statutory Provisions to be Waived: WIA, Title I, Subtitle B, Chapter 4, §159(c) regarding use of funds for Youth activities and WIA, Title I, Subtitle B, Chapter 45, §134(d) regarding use of funds for employment and training activities, as well as implementing regulations found at 20 CFR §663.145.

This waiver allows local workforce development boards (Boards) in Colorado to use funds allocated to them under WIA §§ 157, 158, 132 and 133 in the same manner and fashion as Statewide Activity funds under WIA §§ 159 and 134 and implementing regulations found at 20 CFR §667.130. These funds are known as Local Activity Funds. Under the currently approved waiver, local regions may set aside up to 50% of formula allocated Adult or Dislocated Worker funds, and/or up to 25% of formula allocated Youth funds. However, CDLE understands that in order to receive approval for extension of this waiver past September 30, 2009, the limit on the amount of funds that are set aside is not to exceed 20% the Adult, Dislocated Worker, or Youth funds allocated to each local region. In addition, CDLE has been apprised that should this waiver be granted:

- WIA eligibility and the Common Measures cannot be waived for any local funds set aside for statewide activities beginning October 1, 2009
- Adult or Youth Local Activity Funds cannot be used for incumbent worker training
- Dislocated Worker Local Activity Funds may be used for incumbent worker training

2. State or Local Statutory Regulatory Barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waivers and waiver extensions. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of these waiver requests, CDLE policies will be amended to comply with the terms of the waivers.

3. Goals and Programmatic Outcomes to be Achieved

- Maximize the flexibility needed to ensure speedy implementation of stimulus programs
- Expand access to WIA Youth Program services to hard-to-serve, disabled, and other barriered youth
- Increase the development of program strategies and innovative models that reflect the USDOL goal of system transformation
- Increase partnerships and leveraging of funds with schools, public, and community based organizations that serve barriered and disabled youth

4. Individuals Impacted by the Waiver

- Hard-to-serve, disabled, and other barriered youth
- Schools, public and community based organizations that serve the youth identified in the previous bullet
- Local boards that need greater flexibility for timely implementation of economic stimulus funding programs and initiatives, as well as, promote transformation of the system through innovative program models

5. Process Used to Monitor Progress in Implementing the Waivers: CDLE has a federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, State program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide databases. Should these waiver requests be granted, CDLE will ensure regular review of WIA programs and discretionary grants to monitor the outcomes and impacts of each waiver authority. CDLE will also ensure separate monitoring, tracking, reporting of all activities initiated with economic stimulus funding allocations.

6. Process for Notice of Local Boards and Opportunity to Comment: CDLE actively sought the input of local regions regarding this waiver. As part of the economic stimulus planning process, CDLE met with local directors to review their program needs, and received unanimous support for the submission of this waiver. In addition, youth services staff were polled and provided strong support for inclusion of this waiver in the State's plan modification for PY09. The waiver will be published for a period of 30 days, beginning June 15, 2009, and ending July 15, 2009, on the public web site maintained by the Colorado Department of Labor and Employment and the Colorado Workforce Development Council, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE offices, and electronic copies of the waiver will be sent via e-mail to local Boards and workforce centers. Comments received will be provided shortly after July 15, 2009.

Waiver of the Reallocation Provisions for WIA Formula Funds

1. Statutory Provisions to be Waived: WIA Sections 128(c)(2) and 133(c)(2), and 20 CFR 667.160 covering the reallocation provisions for local area funds

This waiver permits the following:

- Mid-year deobligation and reallocation of local area funds
- Recapture of funds from local areas that have not expended at least 80% of their local funds in the first year
- Use of recaptured funds for statewide activities or reallocation to other eligible local areas. If recaptured funds are reserved for statewide activities, there will be no limit on their use for incumbent worker training.

- Use of additional factors in determining local area eligibility for a reallocation or recaptured funds, including demonstrated need and ability to use additional funds

2. State or Local Statutory Regulatory Barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waivers and waiver extensions. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of these waiver requests, CDLE policies will be amended to comply with the terms of the waivers.

Colorado seeks to extend this waiver through June 30, 2010, to insure that all sources of funding are expended in a timely manner to address the increased and critical demand for services during the economic downturn.

3. Goals and Programmatic Outcomes to be Achieved by the Waiver:

- Allow the redistribution of funds to the local areas experiencing the greatest demand for services
- Maximize usage of resources for talent development and cross-regional strategies to increase the impact of the workforce system on local economies
- Allow the state greater flexibility in redirecting funds to statewide activities having impact on the system as a whole
- Encourage a higher expenditure rate of WIA funds, which will facilitate achievement of the 70% expenditure goal for funds on hand during any given program year

4. Individuals Impacted by the Waiver: This waiver will benefit the state and local Boards, One-Stop Centers, employers, customers, and service providers. The following are expected to be additional impacts of the proposed waiver:

- Program participants will benefit because local Boards will have added flexibility and resources to design programs based on regional and cross-regional needs and priorities.
- More customers will have access to training services in the regions with greatest demonstrated need
- Businesses will benefit from sector strategies that can be initiated with the additional resources made available
- More customers will be prepared to enter high-skilled, high wage jobs in industry clusters identified by regional sector strategies for talent development

5. Process Used to Monitor Progress in Implementing the Waivers: CDLE has a federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, State program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide databases. Should these waiver requests be granted, CDLE will ensure regular review of WIA programs and discretionary grants to monitor the outcomes and impacts of each waiver authority. CDLE will

also ensure separate monitoring, tracking, reporting of all activities initiated with economic stimulus funding allocations.

6. Process for Notice of Local Boards and Opportunity to Comment: CDLE actively sought the input of local regions regarding this waiver. As part of the economic stimulus planning process, CDLE met with local directors to review their program needs, and received unanimous support for the submission of this waiver. In addition, youth services staff were polled and provided strong support for inclusion of this waiver in the State's plan modification for PY09. The waiver will be published for a period of 30 days, beginning June 15, 2009, and ending July 15, 2009, on the public web site maintained by the Colorado Department of Labor and Employment and the Colorado Workforce Development Council, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE offices, and electronic copies of the waiver will be sent via e-mail to local Boards and workforce centers. Comments received will be provided shortly after July 15, 2009.

Waiver of the Limitation on Transfer of Funds Between the Adult and Dislocated Worker Programs

1. Statutory Provisions to be Waived: WIA Section 133(b)(4) (29 USCA Section 2963(b)(4)) and WIA Final Regulations at 20 CFR Section 667.140, providing that with the approval of the governor, Local Workforce Investment Boards (LWIBs) may transfer up to 20% of a program year allocation for adult employment and training activities, and up to 20% of a program year allocation for dislocated worker employment and training activities between the two programs.

Colorado's original waiver request, to increase the 20% transfer limit to 40%, was further expanded to allow a 100% transfer of funds between the Adult and Dislocated Worker programs, provided the State continued to meet or exceed performance standards for both programs. CDLE has been apprised that in order to receive approval of this waiver beyond September 30, 2009, the transfer limit cannot exceed 50% of the local allocation for either the regular Adult or Dislocated Worker program; and cannot exceed 30% of the local allocation for either the ARRA Adult or ARRA Dislocated Worker program.

2. State or Local Statutory Regulatory Barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waivers and waiver extensions. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of these waiver requests, CDLE policies will be amended to comply with the terms of the waivers.

3. Goals and Programmatic Outcomes to be Achieved by the Waiver: The increased flexibility and control to transfer funds between the Adult and Dislocated Worker programs resulting from the current waiver, has allowed local regions to further customize service delivery, maximize use of limited funds, and redirect resources where demand for services is greatest. In particular, this waiver has allowed local regions the flexibility to serve a greater number of low income adults when the unemployment rate was low and layoffs were limited. Conversely, during the last 12 months, when the economic downturn has resulted in increased

layoffs, the transfer authority has allowed regions to redirect resources to serve the increasing numbers of dislocated workers. As the current economic swings continue, such flexibility will be critical to the rapid deployment of strategies to address worker and employer needs. This is especially relevant, given that Colorado has recently been identified as one of five states expected to be first to recover from the economic downturn. Should this waiver be granted, Colorado would expect the goals and outcomes described above to apply for the next program year and continue providing significant benefit to local and regional economies.

4. Individuals Impacted by the Waiver: This waiver will benefit local Boards, One-Stop Centers, employers, customers, and service providers. The following further describes impacts of the proposed waiver:

- Program participants will benefit because local Boards will have added flexibility to design programs based on local needs and priorities.
- More customers will have access to employment and training services that are part of Colorado's sector strategies initiative
- Employers will receive additional services to address their needs for a skilled workforce

5. Process Used to Monitor Progress in Implementing the Waivers: CDLE has a federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, State program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide databases. Should these waiver requests be granted, CDLE will ensure regular review of WIA programs and discretionary grants to monitor the outcomes and impacts of each waiver authority. CDLE will also ensure separate monitoring, tracking, reporting of all activities initiated with economic stimulus funding allocations.

6. Process for Notice of Local Boards and Opportunity to Comment: CDLE actively sought the input of local regions regarding this waiver. As part of the economic stimulus planning process, CDLE met with local directors to review their program needs, and received unanimous support for the submission of this waiver. In addition, youth services staff were polled and provided strong support for inclusion of this waiver in the State's plan modification for PY09. The waiver will be published for a period of 30 days, beginning June 15, 2009, and ending July 15, 2009, on the public web site maintained by the Colorado Department of Labor and Employment and the Colorado Workforce Development Council, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE offices, and electronic copies of the waiver will be sent via e-mail to local Boards and workforce centers. Comments received will be provided shortly after July 15, 2009.

Youth Program Element Procurement Waiver

1. Statutory Provisions to be Waived: WIA section 153 requirements to competitively select providers of youth program elements which applies to section 159(c)(2)(D),(G), and (I); and 20 CFR 664.410(a)(4), (7), and (9)

This waiver allows the competitive selection of providers for the following youth program elements:

- Paid and unpaid work experience, including internships and job shadowing
- Supportive services
- Follow-up services for not less than 15 months after the completion of participation

2. State or Local Statutory Regulatory Barriers: There are no state or local statutory or regulatory barriers to implementing the proposed waivers and waiver extensions. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of these waiver requests, CDLE policies will be amended to comply with the terms of the waivers.

3. Goals and Programmatic Outcomes to be Achieved by the Waiver: The greater flexibility resulting from this waiver has allowed workforce centers to improve the continuity of services to youth, implement a more cost-effective and integrated service delivery system, and develop stronger ties with work experience/internship host agencies and employers. In the same manner, this waiver can also promote rapid implementation of the summer youth jobs and year round youth programs mandated by the American Recovery and Reinvestment Act of 2009. Should this waiver be extended through PY09, it will allow Colorado to continue achieving efficiencies and continuity in the delivery of all youth services; keep the administrative costs of competitive procurement processes at a minimal level; and direct more funds to program activities that lead toward performance improvement.

4. Individuals Impacted by the Waiver

- Local boards needing to minimize administrative costs and redirect those funds to additional program activities that assist youth participants and lead to performance improvement
- Older, out-of-school, low-income and disconnected youth, who have demonstrated the need for additional youth program services
- Community organizations seeking to partner with workforce boards to meet the needs of disconnected youth populations that their current resources alone cannot address

5. Process Used to Monitor Progress in Implementing the Waivers: CDLE has a federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes client enrollment and service levels, program expenditures, and performance outcomes. In addition, State program monitors conduct onsite quarterly technical assistance reviews designed to assure that contract requirements are being met for all WIA programs. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide databases. Should

these waiver requests be granted, CDLE will ensure regular review of WIA programs and discretionary grants to monitor the outcomes and impacts of each waiver authority. CDLE will also ensure separate monitoring, tracking, reporting of all activities initiated with economic stimulus funding allocations.

6. Process for Notice of Local Boards and Opportunity to Comment: CDLE actively sought the input of local regions regarding this waiver. As part of the economic stimulus planning process, CDLE met with local directors to review their program needs, and received unanimous support for the submission of this waiver. In addition, youth services staff were polled and provided strong support for inclusion of this waiver in the State's plan modification for PY09. The waiver will be published for a period of 30 days, beginning June 15, 2009, and ending July 15, 2009, on the public web site maintained by the Colorado Department of Labor and Employment and the Colorado Workforce Development Council, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE offices, and electronic copies of the waiver will be sent via e-mail to local Boards and workforce centers. Comments received will be provided shortly after July 15, 2009.

Signature Page with Contact Information

Program Administration Designees and Plan Signatures

Name of WIA Title I Grant Recipient Agency: Colorado Dept. of Labor and Employment	
Address:	633 17th Street, 7th Floor, Denver, CO 80202-3660
Telephone Number:	303-318-8800
Facsimile Number:	303-318-8930
E-mail Address:	peggy.herbertson@state.co.us

Name of State WIA Title I Administrative Agency (if different from the Grant Recipient): Same

Name of WIA Title I Signatory Official: Donald J. Mares, Executive Director	
Address:	633 17th Street, 12th Floor, Denver, CO 80202-3660
Telephone Number:	303-318-8020
Facsimile Number:	303-318-8048
E-mail Address:	don.mares@state.co.us

Name of WIA Title I Liaison: Peggy Herbertson, Director, Division of Employment & Trg	
Address:	633 17th Street, 12th Floor, Denver, CO 80202-3660
Telephone Number:	303-318-8002
Facsimile Number:	303-318-8048
E-mail Address:	tom.looft@state.co.us

Name of Wagner-Peyser Act Grant Recipient/State Employment Security Agency: Same

Name and title of State Employment Security Administrator (Signatory Official): Same

As the Governor, I certify that for the State of Colorado, the agencies and officials designated above have been duly designated to represent the state/commonwealth in the capacities indicated for the Workforce Investment Act, Title I, and Wagner-Peyser Act grant programs. Subsequent changes in the designation of officials will be provided to the U.S. Department of Labor as such changes occur.

I further certify that we will operate our Workforce Investment Act and Wagner-Peyser Act programs in accordance with this Plan and the assurances herein.

Governor Bill Ritter, Jr.

Bill Ritter Jr.

Signature of Governor

June 29, 2009

Date