



Missouri
Division
of

DWD Issuance 14-2018

Release Number—Program Year

Release Date:
May 30, 2019

Effective Date:
May 30, 2019

Expiration Date:
Continuous, until further
notice

SUBJECT:

Transfer Amount Allowable between Workforce Innovation and Opportunity Act Adult Program and Dislocated Worker Program Funding Streams Policy

ATTACHMENTS:

None.

This Issuance is Official Policy of the Missouri Division of Workforce Development

ISSUING AUTHORITY:

Mardy Leathers, Director
Missouri Division of Workforce
Development

THIS ISSUANCE DOES NOT REQUIRE CREATION OR ALTERATION OF A CORRESPONDING LOCAL POLICY

KEYWORDS:

Transfers; Local Plan
Modifications;
WIOA Adult Program; WIOA
Dislocated Worker Program;
Workforce Innovation
and Opportunity Act (WIOA)

THIS ISSUANCE AFFECTS:

WIOA Title I Local Areas/Local Boards/Local Plans
WIOA Title I In-State Funding
WIOA Adult Employment/Training
WIOA Dislocated Worker
Employment/Training
WIOA Fiscal/Administrative Procedures
State of Missouri Workforce System
Procedures

FOR THE ATTENTION OF:

Chief Elected Officials
Local Fiscal Agents
Local WDB Chairpersons
Local WDB Directors
Local WDB Members

RESCISSIONS:

DWD Issuance 24-2017, “Transfer Amount Allowable between WIOA Adult and Dislocated Worker Programs Funding Streams,” May 14, 2018.

REFERENCES:

WIOA, Pub. L. 113-128 ([29 U.S.C. 3101 et seq.](#)).

WIOA sec. 133(b)(4) [[29 U.S.C. 3173\(b\)\(4\)](#)], “Transfer Authority.”

[20 CFR 679.550](#), “What are the requirements for the development of the local plan?”

[20 CFR 679.570](#), “What are the requirements for approval of a local plan?”

[20 CFR 683.130](#), “Does a Local Workforce Development Board have the authority to transfer funds between the Adult Employment and Training Activities allocation and the Dislocated Worker Employment and Training Activities allocation?”

SUMMARY:

This Issuance updates procedures for Local Workforce Development Board (WDB) transfers of formula allocations between the WIOA¹ Title I Adult program and Dislocated Worker program. All transfer requests, of any amount, must be submitted for State approval through the Division of Workforce Development (DWD) electronic Financial Reporting System (FRS). Additionally, the State reinstates the requirement that a Local Plan Modification must be submitted for any such transfer

¹ Pub. L. 113-128 [[29 U.S.C. 3101 et seq.](#)].

exceeding twenty percent (20%) of the original annual allocation or re-allotted formula allocation. Previous guidance² on these transfer amount procedures and related Plan Modification requirements is herein rescinded.

BACKGROUND:

WIOA Section 133 maximizes (to 100 percent (100%)) the amount of Adult program and Dislocated Worker program funds that may be transferred between those funds from each annual allocation by the State (including both the Program Year (PY) and the Fiscal Year (FY) totals).³

WIOA and the implementing regulations⁴ for such transfers require written approval from the State *before* such transfers are made. State policy also requires submission of all transfer requests through the electronic FRS.

An additional State requirement for transfer requests, where the total exceeds twenty percent (20%) of the original allocated or re-allocated formula allocation, is to prepare an accompanying Local Plan Modification disclosing the funds transfer. This proposed modification, once approved by the Local WDB Chair, Executive Director, and Chief Elected Official (CEO), must be made available to the public through electronic and other means, such as public hearings and local news media.⁵ This public comment period must be for no less than thirty (30) days, and proof of this posting and any negative public comments received during that comment period must be forwarded when submitting the request to the State for approval. (Positive public comments also may be submitted but are not required.)

Previous guidance⁶ relaxing Plan Modification requirements is hereby rescinded with immediate effect.

SUBSTANCE:

The maximum amount of Adult program and Dislocated Worker program funds that can be transferred per annual allocation [includes both the PY and FY allocations] is one hundred percent (100%). All transfer requests must be submitted through the FRS. When the total exceeds twenty percent (20%) of the original allocated or re-allotted formula allocation, the request must be submitted through the Local Plan Modification process as described in the previous section. The submission must include a print document (as an electronic file) formally requesting the transfer and presenting the justifications for the request as specified below.

NOTE: Transfers from administrative funds to program funds within the same program’s funding stream (i.e., Adult FY administrative funds to Adult FY program funds) do not require a Plan Modification. They *do*, nevertheless, require filing a notification of the change in the FRS.

Before submitting a transfer request, the Local WDB should analyze the changing economic conditions in its Local Workforce Development Area (LWDA) to identify the need(s) for additional funding flexibility.

The printed transfer request submitted through the FRS must include the following information:

- The percent and dollar amount of the LWDA’s Adult or Dislocated Worker formula funds to be transferred.
- The justification for this transfer between the Adult program and the Dislocated Worker program, must include the following information:
 1. The general purpose or reason for the transfer between Adult program and Dislocated Worker program;
 2. An explanation of the need for the transfer between Adult program and Dislocated Worker program (examples: “to address an increase in the number of welfare recipients in the LWDA,” or “because of a decrease in the number of plant closings and mass layoffs”);
 3. A projection as to how the transfer will affect the program from which the funds are being transferred; and

² DWD Issuance 24-2017, “Transfer Amount Allowable between WIOA Adult and Dislocated Worker Programs Funding Streams,” May 14, 2018 [*herein rescinded*].

³ WIOA sec. 133(b)(4) [[29 U.S.C. 3173\(b\)\(4\)](#)].

⁴ [20 CFR 683.130](#).

⁵ [20 CFR 679.550\(b\)](#).

⁶ DWD Issuance 24-2017, “Transfer Amount Allowable between WIOA Adult and Dislocated Worker Programs Funding Streams,” May 14, 2018 [*herein rescinded*].

4. A narrative explanation of how the transferred funds will be used (examples: “to increase staffing at the Missouri Job Center in the LWDA,” or “to provide tuition assistance for Dislocated Workers”).
- Local WDBs still must continue to operate both the Adult program and the Dislocated Worker program. They also are expected to meet their agreed-upon performance numbers, notwithstanding the funding transfer.
 - Once the transfer is approved, DWD will monitor the affected LWDA for performance outcomes from these programs.

DWD will endeavor to respond to all transfer requests as soon as possible with the ninety (90)-day default-approval period for review mandated by WIOA⁷ and the regulations.⁸

ROLES, RESPONSIBILITIES, and REQUIRED ACTIONS:

This Issuance is to be distributed to all CEOs, Local WDB Chairs, Local WDB Directors, and all appropriate workforce system staff. Local WDBs and staff should assess their funding needs and review their public-comment procedures to allow sufficient time for the process of transfer request preparation, local approval, public comment, and State review and approval.

TIMELINE:

All Local WDBs and workforce system staff—Implementation of these rules and procedures.....**Effective immediately**

INQUIRIES:

Please direct all questions or comments regarding this Issuance to dwdpolicy@ded.mo.gov. All active DWD Issuances are available at jobs.mo.gov/dwdissuances. Expired/rescinded Issuances are available on request.

For information about [Missouri Division of Workforce Development](#) services, contact a [Missouri Job Center](#) near you. Locations and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627). Missouri Division of Workforce Development is an [equal opportunity](#) employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.

⁷ Pub. L. 113-128, sec. 108(e) [[29 U.S.C. 3123\(e\)](#)].

⁸ [20 CFR 679.570](#).