CareerSource FLORIDA **Administrative Policy**	**POLICY NUMBER 118**

Title:	Adult and Dislocated Worker Funds Transfer Authority
Program:	Workforce Innovation and Opportunity Act
Effective:	September 27, 2021

I.   PURPOSE AND SCOPE

The purpose of this policy is to provide Local Workforce Development Boards (LWDBs) with the requirements to transfer funds between the Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker programs.

II.   BACKGROUND

WIOA sec. 133(b)(4) provides the authority for LWDBs, with the approval of the Governor, to transfer up to and including 100 percent of the funds allocated to local areas for adult activities for expenditure on dislocated worker activities, and up to 100 percent of funds allocated to local areas for dislocated worker activities for expenditure on adult activities.

III.   AUTHORITY

Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128, Section 133(b)(4)

20 Code of Federal Regulations (CFR) 683.130

IV.   POLICIES AND PROCEDURES

Funds may be transferred between the Adult and Dislocated Worker programs when the criteria established in this policy have been met. Underspending and a lack of or limited number of participants for a particular funding stream does not automatically provide

justification to transfer funds to another program. The LWDB must make every effort to:

(1) Expend program funds appropriately in accordance with the area's WIOA local plan and the local area's economic and business environment.
(2) Expend program funds appropriately in accordance with the mandatory priority of service, for adult funds.
(3) Explore innovative ideas for outreach and marketing services to underserved populations.

When funds are transferred from one funding stream to another, LWDBs must consider how adjusted levels of performance for the primary indicators of performance will be met. If the LWDB transfers 100 percent of a certain type of funding, it would still be responsible for meeting the adjusted levels of performance for any participants that it is required to serve. When funds are transferred from one program to another, the transferred funds adopt the identity of the new funding source and are bound by all of the requirements of that source.

Funds may not be transferred to or from the WIOA Youth program.

A. Prior Approval

LWDBs may request prior approval to expend dislocated worker funds for expenditures on adult activities, or adult funds for expenditures on dislocated worker activities for up to 100% of each program year allocation. For LWDBs to use dislocated worker funds for expenditures on adult activities, and adult funds for expenditures on dislocated worker activities, LWDBs must submit the prior approval request to the Department of Economic Opportunity (DEO) as described in **Section IV.C. DEO Prior Approval Request Review** of this policy. This form can be submitted at any time during the year.

B. Criteria

If the request to transfer one program's funding for the other program's activities exceeds 25% of the program's annual allocation, the request must also include the following criteria and information:

(1) Justification for requesting to use one program's funding for the other program's activities. This justification should include, but is not limited to:
   (a) The primary reason for the transfer request (e.g. anticipated depletion of current funds, changes in labor market conditions in the local area, etc.).
   (b) A description of outreach/marketing activities conducted to ensure underserved populations were aware of available services.
   (c) Labor market conditions contributing to the need for the transfer.

(2) The number of participants originally planned to be served by the base allocation compared to the estimated number of participants expected to be served after funds are transferred.

(3) A copy of the LWDB's meeting minutes documenting the full board's approval of the request to transfer funds.

In addition, in its request the LWDB must certify the following to ensure the transfer of funds will not adversely impact the provision of services to participants:

(1) When transferring funds from adult to dislocated worker – The LWDB has sufficient adult funds to serve the WIOA adult priority populations as outlined in Administrative Policy 105 – Priority of Service.

(2) When transferring funds from dislocated worker to adult – The LWDB has sufficient dislocated worker funds to serve dislocated workers in the local area. **Note:** This certification should occur after the LWDB has assessed and determined that there are no pending layoffs that may impact the need for dislocated worker services in the local area.

(3) The transfer is consistent with broader strategies outlined in the LWDB's WIOA local plan.

C. DEO Prior Approval Request Form and Review

To request prior approval, LWDBs must complete the *Prior Approval Transfer Request Form - WIOA Adult and Dislocated Worker Programs* and submit it via email to PriorApprovalRequests@deo.myflorida.com. LWDBs are required to ensure any transfer of funds between the Adult and Dislocated Worker programs complies with federal law as well as record and document their use and application of local funds.

If the request to transfer one program's funding for the other program's activities exceeds 25% of the program's annual allocation, the form must be signed by the LWDB Chair. The form must be signed by LWDB Chair after the full board votes to approve the request to transfer funds.

DEO will evaluate each request and notify the LWDB of the decision to either approve or deny the request, or request additional information to clarify the request. The LWDB will be notified of DEO's decision within 10 calendar days of a complete request being received.

Note: While a request may be submitted to cover the entire program year, there is no established limit on the number of transfer requests a LWDB may submit in a program year.

V. RESOURCES

Prior Approval Transfer Request Form - WIOA Adult and Dislocated Worker Programs