

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



September 29, 2026

The Honorable Ron DeSantis
Governor of Florida
400 S Monroe St.
Tallahassee, FL 32399

Dear Governor DeSantis:

Thank you for your waiver request submission to the U.S. Department of Labor regarding certain statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA). The waiver request was received on July 2, 2026. This letter provides the Employment and Training Administration's (ETA) official response to your request and memorializes that Florida will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Florida and ETA. This action is taken under the Secretary of Labor's authority to waive certain requirements of WIOA Title I, Subtitles A, B, and E, and Sections 8–10 of the Wagner-Peyser Act in WIOA Section 189(i).

Requested Waiver: Waiver of WIOA Section 134(d)(2) and 20 CFR 680.910 to allow the use of supportive services for participants within 12 months of exit for employment retention.

ETA Response: ETA approves, through June 30, 2028, the State's request to waive the requirement that prohibits the use of Adult and Dislocated Worker funds for provision of supportive services during the 12 months following participant exit and entry into employment. With this waiver, the State can provide targeted supportive services to participants who have exited from the program and entered employment, including recipients of public assistance, to ease temporary barriers that may impede job retention.

Requested Waiver: Waiver for WIOA Section 134(c)(3)(F)(i) and (G) and 20 CFR 680.320(a) and 680.340(a) to allow for all training services to be provided through training contracts.

ETA Response: ETA approves, through June 30, 2028, the State's request to allow training contracts to be used instead of Individual Training Accounts (ITAs). ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of the State to implement its plan to improve the workforce development system.

Requested Waiver: Waiver associated with the requirement at WIOA Section 121(e) and 20 CFR 678.300(c) to establish and maintain a comprehensive American Job Center (AJC) in each of the State's local workforce development areas.

ETA Response: ETA approves, through June 30, 2028, the State's request to waive the requirement of WIOA Section 121(e), as described in 20 CFR 678.300(c), that a comprehensive

AJC be established in each of the State's local workforce development areas. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of the State to implement its plan to improve the workforce development system. Before implementing this waiver, the State must provide ETA with the following information:

- Specify which local areas will have a comprehensive center; and
- Explain the reasoning and benefits behind using alternative models in comparison to the current approach.

Requested Waiver: Waiver of the requirement that local youth programs make available each of the 14 youth program elements required under WIOA Section 129(c)(2).

ETA Response: ETA approves, for Program Years (PYs) 2026 and 2027, the State's request to waive the requirement that local youth programs make available each of the 14 youth program elements listed in WIOA Section 129(c)(2) and 20 CFR 681.460. Under this approval, local areas are not required to make available all 14 program elements. ETA reviewed the State's request and plan and determined that the requirements requested to be waived impede the State's ability to implement its plan to improve youth workforce development service delivery.

Requested Waiver: Waiver of 20 CFR 681.550 to allow WIOA ITAs for in-school youth (ISY).

ETA Response: ETA approves, for PYs 2026 and 2027, the State's request to waive the requirement limiting ITAs to only out-of-school youth (OSY), ages 16–24. In addition to these OSY, the State may use ITAs for ISY, ages 14–21. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Florida to implement its plan to improve the workforce development system.

Requested Waiver: Waiver of WIOA Section 129(c)(4) and 20 CFR 681.590(b) to allow local workforce development areas to count both WIOA local youth formula funds and Temporary Assistance for Needy Families (TANF) funds toward the minimum 20 percent expenditure requirement for paid or unpaid work experience.

ETA Response: ETA approves, for PYs 2026 and 2027, which includes the entire time period for which states are authorized to spend each of those PY fund allotments, the State's request to allow local areas in the State to count both WIOA youth and TANF expenditures toward the 20 percent expenditure requirement for paid or unpaid work experience for youth co-enrolled in those programs. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Florida to implement its plan to improve the workforce development system. In addition to WIOA local youth program funds spent on paid and unpaid work experiences, including wages and staff costs for development and management of work experiences, local areas in Florida may include TANF work experience expenditures in both the numerator and denominator to calculate the 20 percent work experience expenditure requirement.

Requested Waiver: Waiver associated with the requirement at WIOA Section 129(a)(4)(A) and 20 CFR 681.410 that the State and local areas expend 75 percent of Governor's reserve youth funds and local formula youth funds on out-of-school youth (OSY).

ETA Response: ETA approves, for PYs 2026 and 2027, which includes the entire time period for which states are authorized to spend each of those PY fund allotments, the State's request to waive the state requirement to expend 75 percent of Governor's reserve youth funds on OSY. ETA reviewed the State's waiver request and plan and has determined that this requirement impedes the ability of the State to implement its plan to improve the workforce development system. The State may lower the expenditure requirement of Governor's reserve funds to 50 percent for OSY.

In addition, ETA approves, for PYs 2026 and 2027, which includes the entire time period for which states are authorized to spend each of those PY fund allotments, the State's request to waive the requirement that local areas expend 75 percent of local youth formula funds on OSY. The State may lower the local youth funds expenditure requirement to 50 percent for OSY.

Additionally, the State's waiver request indicated a potential gap in waiver coverage between PYs 2025 and 2026. However, ETA previously approved the waiver for PYs 2024 and 2025. Under this determination, the State is approved for PYs 2026 and 2027; therefore, there is no need for retroactive approval as there is no lapse in waiver coverage.

Requested Waiver: Waiver of WIOA Section 116(b)(3)(A)(v)(II)(bb) and 20 CFR 677.170(c)(2), to remove race, ethnicity, and sex as participant characteristics in the statistical adjustment model (SAM) established by the Secretaries of Labor and Education.

ETA Response: ETA appreciates the State's request and is making changes so this waiver is not necessary. The U.S. Department of Labor and the U.S. Department of Education plan to remove race, ethnicity, and sex data elements from the SAM beginning in PY 2028, when the next iteration of the statistical adjustment model will be used for performance target negotiations at the beginning of the next two-year performance cycle. To align current policy to this change, ETA will treat race, ethnicity, and sex as non-sanctionable factors for PY 2026 to 2027. This means that if Florida does not meet the passing thresholds but would have met them under a model that excludes these characteristics, ETA will not issue a financial sanction. This approach maintains the stability of the current performance framework until the updates to the SAM are made. ETA will also provide this information to all states in a forthcoming notice. Additionally, ETA affirms that Florida has the flexibility to not include these characteristics in its own local area SAM under current ETA policy.

The State is reminded that WIOA Title I waivers may not be used for any discriminatory purposes. All activities and waiver plan provisions must comply with Section 188 of WIOA, the implementing regulations at 29 CFR Part 38, and all applicable federal nondiscrimination laws.

The State must report its waiver outcomes and implementation of the approved waivers in the WIOA Annual Report. ETA will use this information to assess continued waiver approval and to identify promising practices that may be adopted more widely. ETA is available to provide technical assistance to you in support of your goals. If you have questions, feel free to contact my office at (202) 693-2772.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M Laco', with a stylized, flowing script.

Marek Laco
Acting Assistant Secretary

Enclosures

cc: Warren Davis, Senior Policy Development Manager, Career Source Florida
Renata Adjibodou, Regional Administrator, ETA
Latanya Lowery, Federal Project Officer, ETA