

ARIZONA TRIBAL WORKFORCE DEVELOPMENT BOARD REQUEST FOR WAIVER UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

For PY 2026 and PY 2027, Arizona requests a waiver of the following Workforce Innovation and Opportunity Act (WIOA) laws and regulations for the Arizona Tribal Workforce Development Board (ATWDB):

- The requirement to designate a One Stop Operator; and
- The requirement to establish and maintain a comprehensive one-stop center in the Arizona Tribal Workforce Development Area.

1) Regulatory Requirement to be Waived. On behalf of the ATWDB, the Arizona Department of Economic Security (ADES) and the Arizona Workforce system request a waiver from the requirements under:

- Section 121(d) and 20 CFR Part 678 Subpart D, requiring the designation of a One-Stop Operator
- Section 121(e) (2)(A) and 20 CFR 678.300(d)(1) to include at least one comprehensive, affiliated, or specialized one-stop center

The existence of the ATWDB overseeing a separate workforce development area encompasses a geographically and culturally diverse group of separate Sovereign Tribal Nations mutually dedicated to meeting the workforce and business service needs of their respective Sovereign Nations and Tribal community members. The ATWDB is unique in that it is a Local Workforce Development Area (LWDA) composed solely of sovereign Tribal Nations. The LWDA is not geographically contiguous, spanning multiple locations across the state of Arizona (see attached map). Its existence predates WIOA, as it was initially created in 1983 under the Job Training Partnership Act. The ATWDB operates under WIOA in a unique context: its 13 Chief Elected Officials (CEOs) represent Tribal Nations rather than counties or cities.

The Arizona Tribal Workforce (ATW) LWDA has operated with one designated Comprehensive One-Stop in the Gila River Indian Community and an affiliate site in each of the remaining Tribal Nations. While this structure may satisfy WIOA compliance requirements, it does not necessarily ensure adequate service delivery across all Tribal communities within the ATW LWDA. A single comprehensive site in one Tribal Nation cannot reasonably provide accessible services to individuals in Tribal Nations located hundreds of miles away. In the same manner, an affiliate site may be compliant with WIOA expectations while still lacking the capacity to meet the full scope of workforce and related service needs of the Tribal community it serves.

ATWDB has recently pursued procurement for a one-stop operator with no responses and determined that serving as its own operator is not feasible under a traditional one-stop model. This waiver would

allow the 13 Tribal Nation governments in the ATW LWDA the flexibility to deliver workforce, education, and human services through a locally designed plan and customer-focused service networks that would improve access and employment outcomes. It would allow each Tribal Nation to determine how the roles and functions of a one-stop operator are best carried out to coordinate required activities in a manner aligned with local governance and service delivery structures, often the required services are available within other existing tribal programs. This reflects the importance of the services being more regionally based to serve those within the area and provide better access to receive support. Given the geographically dispersed nature of the Tribal Nations across Arizona, a single one-stop center does not provide practical access for all communities.

Working with each tribal nation, a more individualized plan may include the option to enter into an agreement with other Local Workforce Development Boards (LWDBs) to leverage nearby one-stop centers in neighboring LWDA. This waiver will thus allow the 13 Tribal Nations to focus on providing services to their respective communities instead of focusing on complying with the requirements set forth in Section 121(d) and (e) of WIOA.

- 2) **Barriers to Requesting the Waiver.** Neither State nor local laws, regulations, or policies present any barriers to requesting the waiver. Additionally, neither State nor local laws, regulations, or policies are available to resolve the barriers that this waiver proposes to address.
- 3) **Goals and Programmatic Outcomes.** The State's strategic goal of promoting a customer-driven workforce system approach equally applies to citizens in the ATW LWDA. Each Tribal Nation maintains its own governance and traditions while collectively working to address the workforce and economic needs of their tribal communities and local businesses. Additionally, this waiver assists the State's goal of expanding access to workforce services in rural and underserved communities.

Specifically, this waiver reduces overhead costs and maximizes funding available for direct services to tribal nation citizens. Since the member nations are united by their tribal sovereignties, rather than geographic proximity, the expectation of a single comprehensive stop for all workforce services would not be customer-centric for citizens in nations located in different counties. Rather, each of the 13 Sovereign Nations will implement a unique plan to ensure workforce services are easily accessible to their citizens. Tribal nations will be responsible for tracking their own participant enrollment and referrals for services, to be reviewed and monitored by the ATW LWDB.

- 4) **Outcomes through Waiver Implementation.** The desired programmatic outcomes are to 1) increase the number of enrolled tribal members receiving services with the WIOA funding available and 2) subsequently meet or exceed performance measures for the ATW LWDA. Specifically, the ATWDB has struggled over the past to serve dislocated workers and it is anticipated that through the implementation of plans unique to each Tribal Nation the number of dislocated workers served will increase. This waiver will also further encourage collaboration between each Tribal Nation and the LWDA where they are geographically located.



The ATWDB has failed to meet one of the required performance measures, the median earnings for dislocated workers, for Program Year 2023 (PY23) and Program Year 2024 (PY24). In addition, they failed to meet all dislocated worker performance measures in Program Year 2024 (PY24) and Program Year 2025 (PY25) which also resulted in the failure to meet the overall measure for employment two quarters after exit. Therefore, ADES is currently providing technical assistance to the ATWDB to prevent sanctions for failure to meet performance measures.

Tribal WIOA programs rely on multiple funding streams to meet workforce needs. Each program has unique requirements, and staff must access several resources to ensure accurate eligibility determinations, proper cost allocation, and compliance with WIOA regulations. This waiver is necessary to maintain service quality, prevent delays, and support integrated service delivery across all tribal workforce programs that will increase enrollments and services.

ATW LWDA Participants Served

Program Year	Adult	Dislocated Workers (DC)	Youth
2023	313	0	162
2024	331	1	184

ATW LWDA Performance Indicators Program Years 2023 and 2024 – Adult Participants

Performance Indicator	PY23 Employed Participants	PY23 Eligible Participants	PY23 Rate	PY24 Employed Participants	PY24 Eligible Participants	PY24 Rate
Employment Rate, 2nd Quarter after Exit	56	94	59.6%	111	179	62.0%
Employment Rate, 4th Quarter after Exit	63	88	71.6%	99	149	66.4%
Credential Attainment Rate	24	39	61.5%	20	41	48.8%
Measurable Skill Gains Rate	77	97	79.4%	76	101	75.2%

ATW LWDA Performance Indicators Program Years 2023 and 2024 – Dislocated Workers

Performance Indicator	PY23 Employed Participants	PY23 Eligible Participants	PY23 Rate	PY24 Employed Participants	PY24 Eligible Participants	PY24 Rate
Employment Rate, 2nd Quarter after Exit	1	1	100%	0	0	0.0%
Employment Rate, 4th Quarter after Exit	2	3	66.7%	0	0	0.0%
Credential Attainment	1	1	100%	0	0	0.0%
Measurable Skill Gains	0	0	0.0%	0	0	0.0%

ATW LWDA Performance Indicators Program Years 2023 and 2024 – Youth Participants

Performance Indicator	PY23 Employed Participants	PY23 Eligible Participants	PY23 Rate	PY24 Employed Participants	PY24 Eligible Participants	PY24 Rate
Employment Rate, 2nd Quarter after Exit	17	38	44.7%	43	61	70.5%
Employment Rate, 4th Quarter after Exit	40	76	52.6%	18	36	50.0%
Credential Attainment	12	45	26.7%	9	21	42.9%
Measurable Skill Gains	68	113	60.2%	67	113	59.3%

ATW LWDA Median Earnings for all Exited Participants Program Years 2023 and 2024

Program Year	Adult	Dislocated Workers	Youth
2023	\$8,810	\$3,433	\$7,151
2024	\$7,667	\$0	\$8,309

5) **Individuals, groups, or populations benefitting, or otherwise impacted by the waiver.** The waiver is expected to positively impact the ATW LWDA. As a result, there would be the interest to leverage programs, services already available and in also pursuing developing new more available local one-stops in order to provide comprehensive access to the citizens of each of the geographically dispersed nations. Specifically, the 13 Tribal Nation members of the ATW are the:

- Cocopah Indian Tribe
- Colorado River Indian Tribes
- Fort Mojave Indian Tribe
- Gila River Indian Community/Ak-Chin Indian Community
- Hopi Tribe
- Hualapai Tribe
- Pascua Yaqui Tribe
- Quechan Indian Tribe
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache Tribe
- Tohono O’odham Nation
- White Mountain Apache Tribe and
- Yavapai Apache Nation



- 6) Monitoring Progress in Implementing the Waiver.** ADES and the Arizona Office of Economic Opportunity (AOEO) will monitor the progress of the ATWDB in implementing the waiver through:
- Providing technical assistance for each of the 13 Tribal Nations in developing a plan on how to provide one-stop services within their communities without a designated One-Stop Operator and Comprehensive One-Stop.
 - If a Tribal Nation negotiates an agreement for referral purposes with the LWDB in which they are geographically located, review and verify the agreements.
 - Periodic meeting with the ATWDB to review each tribal nation's implementation of the waiver and provide technical assistance, as appropriate.
 - Data collection and performance outcomes analysis for the ATW area, which will continue to be reported in the WIOA Annual Performance Report Narrative for Titles I and III.
- 7) Local Board and Public Comment on the Waiver.** The waiver request, submitted on behalf of the ATWDB, is applicable to citizens of the 13 tribal member nations. Prior to the public comment period, the State notified the leaders of the 13 Tribal Nations. The waiver was posted for comment between June 8, 2026, and June 30, 2026. In addition, notification was provided to all LWDBs in Arizona, via email to LWDB directors.