

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF
THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The Alaska Department of Labor and Workforce Development proposes to adopt regulation changes in Title 8 of the Alaska Administrative Code, dealing with the State Training and Employment Program (STEP), including the following:

1. **8 AAC 87.010** regarding the establishment of the State Training and Employment Program (STEP) is proposed to be changed to clarify the appropriate use of training funds and to explain in-state training.
2. **8 AAC 87.015** is a proposed new section regarding the joint implementation of the program and establishing how the Alaska Workforce Investment Board (AWIB) and department will implement the program.
3. **8 AAC 87.020** which defined the purpose of the program, is proposed to be repealed. The intended effect is to eliminate variables that the program is not designed to affect.
4. **8 AAC 87.030** which established the program as a pilot is proposed to be repealed. The intended effect is to establish the program as permanent.
5. **8 AAC 87.040** is proposed to be changed to define the residency requirement for the program.
6. **8 AAC 87.045**, regarding program eligibility, is proposed to be changed to define the period of program eligibility and define improving the prospects of a person for employment.
7. **8 AAC 87.050** which defined the period of eligibility is proposed to be repealed. The intended effect is to eliminate arbitrary eligibility requirements.
8. **8 AAC 87.060** which required verification of displacement is proposed to be repealed. The intended effect is to eliminate excessive regulatory requirements.
9. **8 AAC 87.070** regarding the information to be available by a person is proposed to be changed to provide clear requirements on the capacity of a training provider.
10. **8 AAC 87.080** regarding participant services, is proposed to be changed to clarify the training and services to be provided under a grant from the program.
11. **8 AAC 87.085** which defines the determination of alternative resources is proposed to be repealed. The intended effect is to clarify the appropriate application of funding as described in 8 AAC 87.010.
12. **8 AAC 87.090** which defines the limitation of services is proposed to be changed to provide the department the ability to determine if the limitations should be adjusted.
13. **8 AAC 87.110** regarding targeted priorities is proposed to be repealed. The intended effect is to eliminate regulation that attempts to define AS 23.15.645 which is repealed.

14. **8 AAC 87.120** regarding participant priority is proposed to be repealed. The intended effect is to simplify the delivery of services to eligible participants.
15. **8 AAC 87.135** regarding the repayment of services by participants is proposed to be repealed. The intended effect is to discontinue activity that is no longer required in by AS 23.15.640 which is repealed.
16. **8 AAC 87.136** regarding the collection procedures is proposed to be repealed. The intended effect is to no longer have procedures in regulations that are not supported in statute. AS 23.15.640 is repealed making collection unnecessary.
17. **8 AAC 87.150** which provides direction on the requirements for proper accounting is proposed to be changed to align with 8 AAC 87.070 and to simplify the accounting procedures for employers and smaller training providers.
18. **8 AAC 87.160** which provides the department direction on the reporting requirements is proposed to be changed to align reporting requirements to AS 23.15.636(4), as well as other program performance and financial information.
19. **8 AAC 87.170** which establishes records retention and monitoring criteria is proposed to be changed to include relevant documents to be maintained by the grant recipients and instructs that the records be made available for monitoring.
20. **8 AAC 87.180** which provides the department direction on allowable administrative costs is proposed to be changed to reflect the limits established in AS 23.15.652(b).
21. **8 AAC 87.190** regarding the delivery of a report by the AWIB to the department is proposed to be repealed. The intended effect is to remove a function that the AWIB cannot perform as it lacks the information and authority.
22. **8 AAC 87.200** regarding the delivery of financial reports by the AWIB is proposed to be repealed. The intended effect is to remove a function that the AWIB cannot perform as it lacks the information and authority.
23. **8 AAC 87.210** regarding the program performance criteria is proposed to be repealed. The intended effect is to simplify reporting and reduce the amount of data collected from employers and small training providers.
24. **8 AAC 87.220** is a proposed new section to provide direction on the appeal process for persons denied award of grant.
25. **8 AAC 87.990** is proposed to be changed to define terms used in 8 AAC 87, and remove terms no longer referenced in 8 AAC 87.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Mike Shiffer at the Department of Labor and Workforce Development, Division of Business Partnerships, 1016 West 6th Avenue, Suite 205, Anchorage, AK 99501. The comments must be received no later than 5:00 p.m. on February 22, 2010.

Oral or written comments also may be submitted at a hearing to be held on February 22, 2010, in Centennial Hall, Sheffield Ballroom Three, Juneau, Alaska. The hearing will be held from 11:00 a.m. to 12:00 p.m. The hearing might be extended to accommodate those present before 11:00 a.m. who did not have an opportunity to comment.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Bejean Page, Administrative Manager at 907-269-7327 no later than 12:00 p.m. on February 16, 2010 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Mike Shiffer at the address above or by telephone at 907-269-4651.

After the public comment period ends, the Department of Labor and Workforce Development will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

Statutory Authority: AS 23.15.636; AS 23.15.654

Statutes Being Implemented, Interpreted, or Made Specific: AS 23.15.620 – 23.15.660

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation

DATE: 1/14/2010



Clark Bishop, Commissioner
Department of Labor
and Workforce Development