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ARKANSAS WORKFORCE CONNECTIONS ISSUANCE NUMBER PY 24-06

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FROM: Cody Waits, Executive Director, Arkansas Workforce Connections Eddie Thomas, Director, Office of Employment & Training E.7.

TO: Local Workforce Development Area Administrators/Service Providers

SUBJECT: National Dislocated Worker Grant (DWG) Application Guidance

1. Purpose

The purpose of this program guidance is to provide an implementation framework for the National Dislocated Worker Grant (DWG) program, including policies, priorities, and requirements. The Employment and Training Administration (ETA) accepts DWG applications in two categories: Disaster Recovery and Employment Recovery. This issuance replaces all previous issuances for the National Dislocated Worker Grant (DWG), including PY 23-03.

Local Workforce Development Areas (LWDA) are responsible for monitoring for national disaster occurrences within their counties. Once the President of the United States has declared a National Disaster Proclamation for their county, the LWDA should reference the FEMA website at <u>FEMA.gov</u> for a declaration number. The National Disaster Declaration number is required in order to apply for a National Disaster Grant. An emergency application should be submitted to Arkansas Workforce Connections (AWC) within ten (10) business days from the date of the declaration. A full application must be submitted to AWC within 45 business days from the date of the initial DWG award. If the declaration is made 45 business days or more after the disaster date, a full application is required.

LWDAs should reference TEGL 09-24, which rescinded TEGL 16-21, and become familiar with all requirements. TEGL 09-24 made significant changes to the DWG Program. These changes include period of performance, required minimum number of jobs lost, funding limitations, and funding frequencies. All required forms are available on <u>Grants.gov</u> and that link is provided as an attachment to this issuance. A link to TEGL 09-24 is provided as an attachment as well.

2. General Information

DWGs are discretionary grants awarded by the Secretary of Labor under Section 170 of WIOA to provide employment-related services for dislocated workers. Disaster Recovery DWGs provide

funding to create temporary employment opportunities to assist with clean-up and recovery efforts when an area impacted by an emergency or major disaster is declared eligible for public assistance by the Federal Emergency Management Agency (FEMA), or is declared, or otherwise recognized, as an emergency or disaster of national significance by a Federal agency with authority or jurisdiction over Federal response to the disaster or emergency. Employment Recovery DWGs temporarily expand capacity to serve dislocated workers and to meet the increased demand for employment and training services following a qualifying event. Qualifying events include major economic dislocations, such as plant closures, mass layoffs, or higher-thanaverage demand for employment and training activities for dislocated members of the Armed Forces and their spouses.

A. Disaster Recovery DWGs

Disaster Recovery DWGs provide temporary disaster-relief employment, as well as employment and training activities, as appropriate, to minimize the employment and economic impact of declared disasters and emergency situations, in disaster-declared areas as defined in 20 CFR 687.110 (b).

Disaster Recovery DWGs are valuable resources that help communities address and recover from the impacts of an emergency or disaster, and the State Workforce Agency or DWG grant recipient plays an important role in not only connecting the DWG to larger disaster relief efforts but also bringing a workforce development perspective to disaster response. For instance, the State Workforce Agency or DWG grant recipient can raise awareness of workforce preparation needs common across recurring disasters, provide perspective on the range of talent that can fill needed disaster relief positions, and can train workers in the skills necessary to respond to the current disaster and future disasters. All grant recipients should maximize their resources by making meaningful connections with other one-stop partners and organizations to ensure a streamlined and efficient delivery of services for the participant.

It is important that Disaster Recovery DWGs should begin operating and providing benefits to participants as quickly as possible after receipt of a grant award. ETA encourages entities eligible who apply for Disaster Recovery DWGs to establish relationships with potential subrecipients as soon as possible after an award; agreements may even be established prior to grant awards to help ensure grant operations begin in a timely manner.

B. Qualifying Events

The following events are eligible for Disaster Recovery DWGs:

- Emergencies and major disasters, as defined under Section 102 of the Stafford Act (42 U.S.C. 5122), declared by FEMA as eligible for Public Assistance.
- 2. Emergencies or disaster situations of national significance, natural or man-made, that could result in a potentially large loss of employment, as declared or otherwise recognized and issued in writing by the chief official of a federal agency with jurisdiction over the Federal response to the disaster or emergency. Note: Not every Federal emergency or disaster declaration will automatically meet the standard for "national significance" as required by WIOA. ETA defines "potentially large" in this context as the potential loss of at least 50 jobs within the disaster area covered by the relevant declaration within the jurisdiction of the applicant.

Where the circumstances or scope of a particular Federally declared disaster, such as nationwide public health emergencies including the opioid epidemic or the COVID-19 pandemic, or other

unforeseen events require it, ETA may issue additional guidance. Such guidance may include application instructions, allowable activities, policy interpretations, or other information specific to the declared disaster event.

WIOA does not allow declarations by a governor to qualify an applicant for Disaster Recovery DWG assistance.

3. Relocation of a substantial number of individuals from a state, tribal area, or outlying area affected by a disaster or emergency to other states, tribal areas, or outlying areas outside the disaster or emergency area. ETA will determine whether a relocation is "substantial" based on the information provided in the DWG application, which includes the number of individuals relocating.

D. Application Requirements: Disaster Recovery DWGs

There are two types of applications that may be submitted for Disaster Recovery DWGs: emergency or full applications.

 Emergency Application. Disaster Recovery DWGs may be requested by the State by submitting an abbreviated emergency application if the declaration of a qualifying disaster by FEMA or other Federal agency having jurisdiction over the disaster is made within 45 business days of the date of the disaster event. Unless the grant officer permits an extension, emergency applications must be submitted to ETA within 15 business days of the declaration of a qualifying disaster by FEMA or other Federal agency having jurisdiction over the disaster. If the declaration is issued more than 45 business days after the disaster event began, a full application will typically be submitted in lieu of an emergency application. In order to meet this requirement, eligible LWDAs must submit emergency applications to AWC within 10 business days of the date of declaration.

When submitting a request for a Disaster Recovery DWG through an emergency application, LWDAs must submit a cover letter with the following information:

- a. A brief description of the impacts of the qualifying emergency or disaster event on the communities covered by the declaration.
- b. An estimate of the total expenditures.
- c. A list of the communities to be included in the grant.
- d. If known, job titles and job descriptions for any disaster-relief employment that may begin prior to submission of the full application.
- e. Requested project start date.

ETA will award Disaster Recovery DWGs in response to emergency applications for up to \$1,000,000 to enable grant recipients to begin grant activities as quickly as possible. Upon receipt of DWG award, AWC will issue subawards to the corresponding LWDAs that applied.

ETA Department of Labor- WorkforceGPS Webinar Recordings for DWG grants training can be found at the following links:

https://www.workforcegps.org/events/2023/05/11/18/51/Disaster-Recovery-Dislocated-Worker-Grants-Preparing-Applying-and-Implementing and https://www.workforcegps.org/events/2023/05/31/02/34/Demystifying-Disaster-Recovery-DWG-Part2-Budget-Enrollment-Expenditure

LWDAs awarded Disaster Recovery DWG funding under an emergency application are

encouraged to begin grant operations as quickly as possible to support economic and employment-related recovery in the disaster area(s). Activities such as participant outreach, implementing subrecipient or project operator agreements, identifying potential worksite employers, and enrolling participants in employment and training activities may begin immediately upon approval of an emergency application. In addition, applicants may request, as part of the emergency application, approval for disaster-relief employment positions that address the impacts of the declared disaster and begin cleanup or humanitarian assistance disaster-relief employment as soon as an emergency award is approved. In some cases, applicants may be able to begin some activities prior to the approval of the emergency application. **LWDAs may request a start date that aligns with the date of the qualifying declaration rather than the date of award if requested in the grant application and approved in the grant award**. Grant recipients should work to ensure that other activities begin immediately after award so the grant can begin to provide full services as soon as possible after the full application is approved.

Within 60 business days following the award of Disaster Recovery DWG funds requested via an emergency application, the grant recipient must modify the grant to provide a full and complete application, including a funding request. In order to meet this deadline, LWDAs must submit the full and complete application to AWC within 45 business days following the award of DWG funds. LWDAs who anticipate challenges with meeting this requirement should immediately notify AWC for technical assistance. Where applicable, applicants may decide to submit a full application containing a complete budget and plan in lieu of an emergency application. However, ETA recommends applicants consider the urgency of the need for funds to address the emergency or disaster situation when determining whether to submit a full application, which will be more time consuming to prepare and review.

 Full Application. The full application must be completed in accordance with TEGL 09-24 and <u>https://www.dol.gov/agencies/eta/grants/apply.</u> The full application includes: 1) a current SF-424;
 budget (SF-424A) and budget narrative; 3) Abstract; 4) One of either-suggested application form or another format that includes the same information as the suggested application form.

The full application must include the following: Emergency management Agency Coordination, Statement of Work, Project Overview, Community needs assessment, Project Enrollment Plan and Costs, and Planned number of participants. Please see TEGL 09-24 with attachments for templates and additional information.

Note: Full applications that are submitted following an initial emergency award must also address any special conditions included in their grant agreement.

3. Changes to the DWG Program

A. Period of Performance & Closeout

The period of performance for DWG funds begins at the project start date and continues through the project end date, as specified in the grant award. To help ensure that grant recipients are best able to carry out the planned grant activities, ETA will generally award DWGs with a period of performance not to exceed 36 months from the project start date, unless an applicant specifically requests a shorter period of performance. All funds must be obligated during the period of performance. The period of performance established with the initial award governs the ability to obtain incremental and additional

funding. ETA will consider a one-time extension of the period of performance by up to 12 months with appropriate justification, which includes a demonstration that the recipient will be able to complete planned grant activities within the extended period. Extensions to the period of performance will not be considered for the **sole** purpose of spending down funds or exceeding performance goals or where ETA has determined that the grant recipient to be high risk.

B. New DWG Funding Approach

TEGL 09-24 introduces a new funding approach for DWGs. Where ETA historically funded nearly all DWGs on an incremental basis, ETA will now aim to award DWGs in-full, with funding limitations as described in this section. This change in approach is driven by ETA's analysis of the DWG grants over the three-year period preceding the publication of this guidance and considering the recent history of decreased federal funding available for DWGs. If federal funding available for DWGs were to materially increase, ETA may conduct additional analysis of the DWG funding approach.

This new funding approach is not intended to affect how or when eligible applicants apply for funding. It is describing ETA's approach to determining funding levels after receiving an application and deciding to make an award. ETA will continue to evaluate each DWG application on a case-by-case basis and determine if it is appropriate to fund in full or incrementally based on a number of factors, including availability of funds, severity of qualifying event as demonstrated in the application or as determined by the Secretary, the viability of a proposed project, and an applicant's prior performance or demonstrated capacity to effectively manage a DWG.

C. DWG Funding Limitations

Availability of funds fluctuate throughout the year based upon appropriated funds and the number and severity of qualifying events affecting the workforce system. To best manage DWG resources and to ensure that DWG funds remain available throughout the year to address the needs that arise, ETA generally limits the funding amounts for both Disaster Recovery and Employment Recovery DWG awards, whether funded in full at the time of the award or funded incrementally. DWG awards will generally not exceed the following limits:

- For Disaster Recovery DWGs for FEMA-declared emergencies or disasters: \$5 million.
 (In cases where a disaster affects multiple large population centers within a state or where the applicant demonstrates the impacts of the qualifying event require higher funding levels, ETA may provide awards of up to \$10 million). Note that this \$5 or \$10 million limit is for a single grant award and does not necessarily represent a limit on how much assistance will ultimately be awarded to address the overall impacts of the disaster.
- For Disaster Recovery DWGs for emergencies or disasters of national significance, such as the public health emergency declaration for the opioid epidemic, \$1.5 million (except in extraordinary circumstances that indicate a higher award amount is appropriate).
- For Employment Recovery DWGs, \$2 million (except in specific circumstances).

These funding limitations are based on ETA's analysis of DWG grant applications, awards, and the amount and rate of grant expenditures over the three-year period preceding the publication of this guidance. ETA will update DWG funding limitations as necessary to account for changing circumstances. In circumstances where the severity, scale, or other factors associated with a DWG qualifying event indicate, higher award amounts may be appropriate, and such determinations are made at the Secretary's discretion. Refer to TEGL 09-24, 3c for additional funding information.

D. Grant Awards Funded Incrementally

Though ETA will generally fund awards in full, ETA may choose to fund DWGs incrementally. Situations

where incremental funding may be appropriate include:

- When there is a limited availability of DWG funds;
- In certain cases where the Secretary has determined that a grant award should exceed the funding limitation;
- For awards to entities with limited or no prior experience operating DWGs, including those entities that are not a part of the public workforce system (for example, those applicants that meet the eligibility criteria of "other entities that demonstrate their capability to apply"); or
- When an applicant has a history of failing to meet performance or other benchmarks in previous DWGs.

Incrementally funded DWGs are generally awarded with an overall up-to amount, with funds released in up to three increments as funds are expended, as project goals are met, or on a schedule established as part of the grant Terms and Conditions. Approval of the award "up-to" ceiling does not represent obligation of funds beyond the immediate increment, and each subsequent increment up to the award ceiling is contingent upon demonstration of need to support ongoing disaster-relief employment or employment and training activities, continuing or evolving community needs, and progress made toward the enrollment goals and milestones established in the approved grant agreement.

Grant recipients that are funded incrementally may be considered for the next increment when the recipient has addressed all outstanding conditions of award:

- The recipient demonstrates that expenditures have reached, or are within 45 days of reaching, approximately 70% of the total DWG funds awarded to date. The recipient may provide evidence of obligations occurring within the 45 days to demonstrate expenditures are within 45 days of reaching 70%;
- The recipient demonstrates that program needs continue, as evidenced by enrollments, expenditures, performance measure outcomes, and other data as applicable;
- ETA reports and documentation demonstrate the grant recipient is making a reasonable effort to achieve program goals; and
- Sufficient time remains in the period of performance to complete the full complement of services for any existing or potential new participants and fully expend the next increment.

Whether DWGs are funded in full or incrementally, the approved funding amount may be lower than the amount requested by the applicant. ETA may authorize reduced awards in situations such as the following:

- For applications requesting funding that exceeds availability of funds or published funding limitations;
- For evolving qualifying events where additional time is needed to determine the full impact, such as continuing disaster events like the opioid crisis or layoff events that are spread out over time;
- Where applicants have not demonstrated experience or performance with DWGs; or
- Based on other circumstances as determined by the Secretary.

E. Grant Awards Funded in Full

When circumstances allow, ETA will generally aim to fund DWG awards in full, up to the funding limitations described above. When grants are funded in full at the time of award, the funds received will generally be the only funds the recipient will receive under that award.

F. Risk Review

At its discretion, ETA intends to fund applicants that adequately demonstrate eligibility according to the application requirements. ETA may elect to award a grant with or without discussions with the applicant. Should ETA award a grant without discussions, ETA will base the award on the applicant's signature on the SF-424, including electronic signature, which constitutes a binding offer by the applicant.

Note: ETA will determine if the applicant had any restriction on spending for any ETA grant due to adverse monitoring findings within the past three years. Depending on the severity of the findings, the Grant Officer may elect to not provide the applicant a grant award or impose conditions on the award. Similarly, AWC will perform an additional risk review of each LWDA application and may implement additional subaward conditions if warranted.

4. Action Required

Please provide this information to appropriate staff.

5. Inquiries

Eddie Thomas, AWC E&T Director, at Eddie.Thomas@arkansas.gov

6. Expiration Date

Continuing.

7. Attachments

- https://www.dol.gov/agencies/eta/advisories/tegl-09-24 TEGL 09-24
- <u>https://www.grants.gov</u> Grants.gov web site