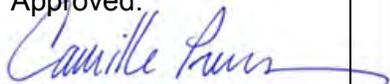


Department of Community Colleges and Workforce Development	Number: 589-30.13
	Effective Date: 08/09/12
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SUBJECT: Workforce Investment Act Title IB Policy Implementation of National Emergency Grant and Additional Assistance Project/Gap Fill	Approved: 

Purpose: To provide State guidelines for implementation of National Emergency Grants and Additional Assistance Project/Gap Fill to establish criteria Sub-grantees shall use to develop local policies for the implementation of National Emergency Grants. This policy applies to programs funded by the Workforce Investment Act (WIA) Title IB dislocated worker National Emergency Grants.

References: Workforce Investment Act (WIA), Section 173
WIA Final Rules, 20 CFR Part 652, Section § 671.130
2 CFR 230 Appendix A, A.3 (Non Profits)
2 CFR 225 Appendix A, C.1.f. (State and Local Gov.).
Department of Labor (DOL) Training and Employment Guidance TEGL Letter 10-02
DOL TEGL 16-03
DOL TEGL 16-03, Change 1
DOL TEGL 16-03, Change 2
DOL TEGL 16-03, Change 3
DOL TEGL 16-03, Change 4
DOL TEGL 16-03, Change 5
DOL TEGL 19-08
CCWD Policy 589-20.10 Distribution of WIA Rapid Response and Additional Assistance.

Definitions: Dislocated Worker Unit (DWU) of the Department of Community Colleges and Workforce Development (CCWD): an identifiable unit within the CCWD with the capabilities and functions identified in Section 112(b)(17)(ii) and 134(a)(2)(A) of the WIA.

Individual Employment Plan (IEP): an ongoing strategy jointly developed by the participant and the work source staff to identify the participant's employment goals, the related achievement objectives, and the combination of services required for the participant to attain the employment goal(s). It does not guarantee that the participant will follow through with their responsibility. The IEP is not a financial contract and does not guarantee services or payments. Provision of services identified in the IEP is dependent upon the receipt of federal and/or state funds.

NEG Enrolled Participant: for the purpose of this policy a "participant" means someone who has completed the WorkSource Oregon registration process and has been determined eligible for, and has received a staff assisted service funded by, the WIA Title IB Dislocated Worker Program. Further, a participant in a NEG must be eligible under specific conditions of the grant and/or from the approved target population of the NEG.

Grantee: in the case of NEG's the grantee is CCWD, which enters into the NEG agreement with DOL.

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Sub-Grantee: in the case of NEG's the sub-grantee is the local area applying for the NEG grant.

Peer Support Advocate: a worker, selected from the affected workforce and by a process that includes worker input and a transition team, to provide clear and accurate program information and act as a liaison between program service professionals and the affected workforce.

Supportive Services: includes but not limited to, transportation, child and dependent daycare, housing and Needs Related Payments (NRP) that are necessary to enable an individual to participate in activities authorized under WIA Title IB.

Enter Employment at Exit: to be counted in the performance measure Enter Employment at Exit in an NEG, the local program must enter complete employment information into the WIA data system. Unlike formula funds that pull performance data from Wage records, Enter Employment at Exit needs to be entered at the local program level.

Total Enrolled/Participants: this reported number should be non-duplicated individuals enrolled in the NEG. To reach a true non-duplicated number, individuals cannot be enrolled in a single grant more than once.

Policy: Sub-grantees' local policy must comply with this policy and state-issued guidance to implement National Emergency Grants for participants who are registered WIA Title IB dislocated workers and eligible under specific conditions of the grant.

Procedure: Early Intervention

As per DOL Federal Register Vol. 69, No. 81 Part V states all NEG applications are expected to reflect the results of an early intervention process activated through the state's rapid response system as per CCWD policy 589-20.10 Distribution of Workforce Investment Act (WIA) Rapid Response and Additional Assistance Funds. Note that Policy 589-20.10 describes actions to take when pre-layoff services are not feasible and/or when the employer is uncooperative. The results of these activities are to be clearly documented in the request for NEG funds. CCWD requires that Rapid Response activities and surveys be implemented and documented. If these activities and surveys do not occur there needs to be an explanation to the CCWD before applying to an NEG.

Participant Enrollment

NEGs are intended to provide time-limited funding assistance to a state or local area. NEG funds cannot be used to provide assistance to any individual who is not eligible as a Dislocated Worker.

Since workers will be eligible for services (upon receipt of layoff notice or company announcement) when an application is submitted, all projects must enroll/register all participants within six months of a grant award. If additional participants need to be enrolled in the NEG beyond the six month limitation, the project operator must contact CCWD in order to request approval for delayed enrollment. This will require a modification of the NEG and approval by DOL prior to the enrollment of additional participants into the grant.

Project Operating Plan

A Project Operating Plan (POP) which reflects the approved project design and funding parameters is due within 90 days following the grant award date. The grant award date is the date of the grant officer's signature. Disaster Grant POPs will be due within 60 days following the date the full application was submitted. Project Operating Plans should include the following information:

- Updated information that was not included in the original application
- Layoff schedule with dates and total numbers affected
- Status and results of Rapid Response activities
- Completed 9103 NEG planning form
- Line item budget
- Staffing Plan
- List of all sites and organizations that will be providing services
- Summary profile of re-employment barriers
- Description of re-employment strategies
- Copy of local area's polices, training, supportive services, NRP's
- Description of the role of the WIB
- Description of the monitoring responsibilities

Grant Modifications

Project operators will notify CCWD when modifications to the grant may be necessary, and will assist in the modification process. Circumstances that require requesting a grant modification include:

- To request an increase in the area's commitment of funding in order to continue providing services.
- To include additional layoff events occurring within the scope of the approved award.
- To change the project performance period.
- To add, remove, or revise project operator information.
- To reflect variances that result in more than a 10% increase in cost per participant.
- To report changes to the organization's approved indirect cost rate
- To alter the approved amount for supportive services, Needs Related Payments (NRPs) or administration of NRPs.
- To adjust project performance goals, such as number of participants enrolled; or, lower expenditures.
- to request to change line items to lower expenditure expectations

CCWD will evaluate and request information for a modification any time performance or spending is not on target. Request for extension of the project period must be applied for prior to the last 60 days of the grant.

Grant modifications can be a lengthy process and will not be accepted past the last 60 days of the grant.

Peer Support Advocate

Peers should be individuals hired directly from the workforce that was impacted by job loss, and should be individuals who can positively affect assessment and enrollment efforts during the start-up phase of an NEG. Peers are responsible for outreach, information dissemination, and referral activities during the start-up phase of a response.

- Peer Support Program advocates are not professional service providers or employment specialists, they are paraprofessional support staff. Peer Advocates make services more accessible for people who need them and help professional staff work more effectively. Peers should not have the same responsibility as a Workforce staff.
- The Peer Support Program is temporary and the peer advocate should have an Individual Employment/Training Plan (IEP). The Peer's re-employment plan should not be impeded by their current employment as a peer in the grant. . The Peer Advocate's employment is not meant to be long term or to derail further movement in their IEP towards long term employment. Peers should be considered incumbent workers while employed through the Title 1B/NEG provider they should be enrolled in the grant with an IEP that states long term goals. Peers are not eligible to receive Supportive Services during the period of time they are employed as a Peer.
- The contracts should be of limited duration, one to three months, depending on the number of workers affected by the layoff. To establish a rate of pay, project operators should take into account the following factors:
 - Regulations or policy that may establish the wage
 - Equity relative to others working for the WIB or service provider.
 - Comparability with wages earned prior to layoff;.
 - Consideration should be given to the cost of continuing funding the peer's health coverage as part of wages and benefits.

Individual Employment Plan

NEG participants must have a signed Individual Employment Plan that includes the following:

- Employment goal
- Training goal (if applicable)
- Appropriate services to achieve employment goal
- Reasonably expected supportive. Projected need/plan of Supportive Services needs
- Training and support activities committed to the participant by TAA or other community partner

In the rare occasion that a participant is not available for signature there needs to be a statement that the participant was an active participant in the development of the IEP, has agreed to the goals and services set out in the IEP and has received a copy of the IEP. IEP's must be noted in the customer record and stored in a retrievable location.

Supportive Services

The primary purpose of NEG is to provide funding for employment related assistance. NEG provides supplemental dislocated worker funds to respond to the needs of dislocated workers and communities affected by major economic dislocation events which cannot be met with formula allotments.

Supportive services should be administered in accordance with local and state policies pertaining to formula funds. If local policies are not appropriate to respond to the needs of the NEG special population the variations need to be identified, explained and justified in the grant application. National Emergency Grants do not allow for the use of NEG funds for Supportive Services to pay Health Insurance payments. NEG allows for a one time emergency health care assistance for a customer that has had an emergency medical issue that would hamper him/ her from being successful in his/ her planned activities.

Dual Enrolled NEGs

Dual Enrolled NEGs are coordinated between WIA and Trade Act. Trade Act funding must be utilized prior to WIA funding. No training expenses should be allocated in the Dual Enrolled NEG unless special circumstances are identified and justified in grant application. If the customer needs resources not covered by Trade Act, local policy should be followed to provide these wrap-around services. Information must be shared and coordinated between the two funding sources. Prior to NEG funds being issued by the WIA program, coordination with Trade Act should occur and be documented to avoid duplication. Oregon Trade Act has a brochure titled "Trade Act Program Handbook" that should be used as a reference guide for program and participants but contact needs to occur and be documented in the participant's record.

Veteran's Priority

NEGs are subject to priority of service to veterans and certain eligible spouses. To obtain priority of service the veteran must meet the program eligibility requirements for the NEG project and must be a dislocated worker from the approved target population.

Incremental Funding

NEG awards may be funded incrementally with a maximum award amount being approved by the Secretary of Labor. The maximum approved "up to" amount is not a commitment on the part of the U.S. Department of Labor to release the full amount of funds. The subgrantee will be required to submit at a later date to the grantee a modification request for the balance of the needed funds as supported by enrollment and expenditures. Receipt of additional funds will be based on achieving and documenting a level of project implementation that justifies the need for additional funds to complete the project.

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Monitoring

DOL will monitor each grant at least once to verify core compliance, sometime between 6 months of award and midpoint of completion. A ninety (90) day review will be conducted by the CCWD to ensure that the work sites and related activities are consistent with the Federal and State regulations and provisions. A Quarterly Progress Review will be conducted based on a desk review or on site review if necessary.

Responsibilities

Actions

This Policy is effective immediately. Each LWIB must adopt policies or procedures that meet the intent of this policy

Sub-Grantees:

1. Enter into a grant agreement with CCWD that will govern the obligations of the NEG grant.
2. Provide quarterly expenditure of NEG funded activities in accordance with established CCWD policies, procedures and contracts. These are in addition to other established ARRA reporting requirements.
3. Comply with established CCWD fiscal policies.
4. Comply with CCWD WIA IB Policy 589-10.04, regarding cash draw requirements.

CCWD:

1. Review all NEG applications and coordinate with DOL Region 6 and National offices.
2. Prepare a grant agreement and distribute to the sub-grantee.
3. Perform periodic monitoring for grant compliance throughout the NEG duration.

LWIBs:

Workforce Investment Boards – Serve individually or collectively as grant Project Operators.

DOL Region 6
Office:

Review draft applications against NEG checklists and provide feedback.

DOL National
Office:

Review final applications and releases funds to assist dislocated workers.