

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA - DWG
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 09-24

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
LABOR COMMISSIONERS
AMERICAN JOB CENTERS
WIOA SECTION 166(c) INDIAN AND NATIVE AMERICAN PROGRAM
GRANTEES
RAPID RESPONSE COORDINATORS
TRADE ADJUSTMENT ASSISTANCE LEADS

FROM: JOSÉ JAVIER RODRÍGUEZ /s/
Assistant Secretary

SUBJECT: Updated National Dislocated Worker Grant Program Guidance and Application Information

1. **Purpose.** To inform the state and local workforce development system of the policies and priorities that govern the award and use of National Dislocated Worker Grant (DWG) funds, pursuant to the Workforce Innovation and Opportunity Act (WIOA), Title I, Section 170.
2. **Action Requested.** Please share with all staff who administer DWGs. The workforce development system and all DWG recipients should review and update applicable policies and procedures to comply with this TEGL.
3. **Summary and Background.**
 - a. Summary – This TEGL describes the policies and priorities that govern the DWG program, including the types of DWGs; grant funding approach; period of performance and period of expenditure; cost limitations; administrative policies; application requirements; performance targets and reporting; and post-award policies. The TEGL also highlights the importance and value of DWGs in the broader context of good jobs, economic recovery, community resilience, and equitable workforce development activities.

This TEGL rescinds and replaces TEGL No. 16-21, *Updated National Dislocated Worker Grant Program Guidance*, dated June 16, 2022, and TEGL No. 04-18, *National Health Emergency Phase Two: Disaster Recovery National Dislocated Worker Grants to*

RESCISSIONS TEGL 16-21 TEGL 04-18	EXPIRATION DATE Continuing
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Address the Opioid Crisis, dated September 14, 2018. As the opioid grants are also disaster recovery DWGs, this change better aligns the guidance for DWGs addressing the opioid public health emergency with all other Disaster Recovery DWGs. It ensures that current guidelines and practices are applicable to all Disaster Recovery DWG applicants, to include opioid-related requests made while the public health emergency declaration remains in effect. As a result, all eligible applicants will follow this guidance and any subsequent DWG program guidance.

- b. Background – DWGs are discretionary grants awarded by the Secretary of Labor under Section 170 of WIOA to provide employment-related services for dislocated workers and other eligible individuals.

DWGs provide supplemental funding in response to major economic dislocations or other events that cause or contribute to a shortage of existing WIOA Dislocated Worker formula funds and other relevant resources in states and local areas, creating challenges in their ability to provide workforce services to eligible participants. DWGs enable states and communities to respond to and recover from large, often unexpected dislocation events and their associated impacts.

The WIOA statute allows the Employment and Training Administration (ETA) to fund two types of DWGs: Disaster Recovery and Employment Recovery. 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 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, including public health emergencies. Employment Recovery DWGs expand capacity to serve dislocated workers and to meet the increased demand for employment and training services following a qualifying dislocation event such as a mass layoff, plant closure, or higher-than-average demand for employment and training activities for dislocated members of the Armed Forces and their spouses. While the two DWG types serve different purposes, both play an important role in helping communities, individuals, and businesses recover from large-scale economic events.

Disaster Recovery DWGs are awarded to help communities address and recover from the impacts of a disaster or emergency including public health emergencies, and to help develop a workforce better equipped for resiliency to disaster events in the future. ETA expects that the State Workforce Agency (or DWG grant recipient or subrecipient) is an active participant in connecting the activities of the Disaster Recovery DWG to overall disaster relief efforts led by FEMA or state emergency officials and bring a workforce development perspective to disaster response. Disaster Recovery DWG applicants must identify a point of contact within the state emergency management structure and describe any coordination that has occurred by the time of the application, or any plans for coordination post-award, between the grant recipient and the relevant emergency management agency or individuals (see Attachment 1, Section 2A, Demonstrating Coordination with Emergency Management Agencies). This planning will position the DWG to be better coordinated with existing or developing emergency response efforts. ETA will also use this information to facilitate any necessary communication with

FEMA. To best prepare for operating a Disaster Recovery DWG when one is needed, states and other entities eligible to apply for Disaster Recovery DWGs are encouraged to maintain readiness and play a role in disaster preparedness by actively:

- Supporting and participating in disaster preparedness planning activities carried out by state emergency management agencies or others; and
- Planning in advance for the types of disaster-relief employment positions that pay competitive wages and are with employers with a demonstrated commitment to worker safety and health. (Note that such positions must abide by employment laws and certain standards described in Attachment I).

Employment Recovery DWGs are a powerful tool for supporting economic and employment-related recovery after mass layoffs or other instances of large-scale job loss and the associated employment impacts that these losses may generate. When such events occur, the economic and other impacts can be widespread and negatively affect workers, businesses, and communities, as well as the ability of the public workforce system to effectively serve dislocated workers. Employment Recovery DWGs enable the delivery of critical career, training, and other resources to support reemployment efforts, assist strategic efforts to develop or enhance job quality, address the unique needs of historically marginalized individuals and communities affected by layoffs, and more.

ETA encourages projects funded with DWG resources to align with existing state and local strategic priorities and focus on preparing dislocated workers and other eligible individuals for good jobs that include family-supporting wages and benefits, worker voice in employment conditions, and equal opportunity.¹

WIOA considers DWGs to be part of a continuum of support for workers, businesses and communities that begins with early intervention or layoff aversion activities. The continuum of services also includes planning for large-scale layoffs, and using resources from other WIOA programs and from federal, state, and local economic development agencies or from other agencies. This coordinated support mitigates the impacts of layoffs and unemployment caused by many factors, including, for example, mass layoffs preceded by Worker Adjustment and Retraining Notification (WARN) Act notices, retaliatory terminations or retaliatory layoffs after workers reported unsafe or unlawful working conditions, a series of related layoffs in a single industry, and other layoff situations. The American Job Center (AJC) Network, which is funded on an annual basis and has physical and virtual locations across the country, provides regular assistance to people out of work. Formula-funded WIOA resources exist to support workers and job seekers under a variety of circumstances. Regardless of the cause of job loss, an affected worker accessing an AJC is likely the quickest and best route to obtaining support for finding new employment opportunities, and so coordination across resources is critical.

¹ For more detailed information on what the Department of Labor considers “good jobs,” why job quality is important, and how the workforce system should integrate good job strategies into its activities see TEGL No. 07-22.

To maximize the effectiveness of early intervention strategies for dislocated workers, and to deliver services while a DWG application is pending, states are encouraged to use the flexibility contained in the WIOA for comprehensive Rapid Response services. States and local workforce areas should always prioritize efforts designed to prevent or minimize the impacts of dislocations through layoff aversion efforts through Rapid Response before requesting supplemental funds through a DWG. More information on Rapid Response and layoff aversion activities may be found in Training and Employment Guidance Letter (TEGL) 19-16, *Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules*.

4. **DWG Program Guidance.** See Attachment I, National Dislocated Worker Grant Program Guidance for all DWG program guidance. See Attachment II, Policy Explanations and Examples to Support DWG Program Guidance, for additional supporting information.
5. **OMB Information Collection and Paperwork Reduction Act.** Applicants for DWGs submit an application, as described in Attachment I. The OMB Information Collection No for that application is 1225-0086, and expires July 31, 2025. The current approval and subsequent approvals for this information collection are tracked in <https://www.reginfo.gov/public/do/PRAMain>.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 50 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, to the attention of the Departmental Clearance Officer, 200 Constitution Avenue NW, Room N1301, Washington, D.C. 20210. Comments may also be emailed to: DOL_PRA_PUBLIC@dol.gov. (Please do not return your grant application to this address. Send only comments about the burden caused by the collection of information to this address. Send your grant application to ETA via <https://www.grants.gov> as described in Attachment I.)

This information is being collected for the purpose of awarding a grant. DOL will use the information collected through this “Funding Opportunity Announcement” to ensure that grants are awarded to the applicants best suited to perform the functions of the grant. This information is required to be considered for this grant.

6. **Inquiries.** Direct questions regarding this guidance to the appropriate ETA regional office.
7. **References.**
 - Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128) (July 22, 2014);
 - Employment and Training Administration, Workforce Innovation and Opportunity Act; Final Rule (WIOA DOL Final Rule) published at [81 FR 56071](#) (August 19, 2016), specifically 20 C.F.R. parts 680 and 687;

- [TEGL No. 07-22](#), *Increasing Employer and Workforce System Customer Access to Good Jobs*, dated January 18, 2023;
- [TEGL No. 14-18](#), *Aligning Performance Accountability Reporting, Definitions, and Policies across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL)*, dated March 25, 2019;
- [TEGL No. 8-18](#), *Workforce Innovation and Opportunity Act (WIOA) Title I and Wagner-Peyser Act Waiver Requirements and Request Process*, dated December 19, 2018;
- [TEGL No. 04-18](#), *National Health Emergency Phase Two: Disaster Recovery National Dislocated Worker Grants to Address the Opioid Crisis*, dated September 14, 2018;
- [TEGL No. 19-16](#), *Guidance on Services Provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules*, dated March 1, 2017;
- [TEGL No. 16-16](#), *One-Stop Operations Guidance for the American Job Center Network*, dated January 18, 2017, and its Change 1;
- [TEGL No. 28-10](#), *Federal Financial Management and Reporting Definitions*, dated May 27, 2011;
- [TEGL No. 10-09](#), *Implementing Priority of Service for Veterans and Eligible Spouses in All Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor (DOL)*, dated November 10, 2009; and
- Information Collection Forms and Participant Individual Record Layouts: Workforce Innovation and Opportunity Act (WIOA) Common Performance Reporting - ETA 9169 9170 (OMB Control No. 1205-0526) and DOL-only Performance Accountability, Information, and Reporting System - 9172, 9173 (OMB Control No. 1205-0521) and ETA Form 9130 (OMB).

8. Attachments.

- Attachment I – National Dislocated Worker Grant Program Guidance and Application Information
- Attachment II - Policy Explanations and Examples to Support DWG Program Guidance