

<b>EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> NFJP
	<b>CORRESPONDENCE SYMBOL</b> OWI-DNPTTA
	<b>DATE</b> May 17, 2019

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 19-18**

**TO:** NATIONAL FARMWORKER JOBS PROGRAM GRANTEES

**FROM:** MOLLY E. CONWAY /s/  
Acting Assistant Secretary

**SUBJECT:** Program Year 2019 Planning Guidance for National Farmworker Jobs Program  
Career Services and Training Grantees and Housing Grantees

1. **Purpose.** To provide preparation and submission instructions and convey grant allotments for Program Year (PY) 2019.
2. **Action Requested.** All National Farmworker Jobs Program (NFJP) grantees will have to submit the required documents through Grants.gov by May 31, 2019. See Section 4 for additional information on required documents. Grantees that submit complete and proper documentation by May 31, 2019 will be funded. Grantees that do not submit complete and proper documentation by the deadline will not be funded until they do so.
3. **Summary and Background.**

Summary - In accordance with the Workforce Innovation and Opportunity Act (WIOA), new four-year NFJP grants went into effect on July 1, 2016. The Employment and Training Administration (ETA) is issuing the attached PY 2019 grant allocations for NFJP grantee planning purposes to submit program plans for PY 2019. Grantees must submit the requested program plan and budget documents and receive approval from ETA to receive PY 2019 funding. This Training and Employment Guidance Letter (TEGL) provides preparation and submission instructions to current NFJP grantees for PY 2019.

Background - For NFJP, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, and Continuing Appropriations Act, 2019, Public Law 115-245, enacted September 28, 2018, (from this point forward, referred to as "the Act"), provides \$82,447,000 for formula grants and another \$5,922,000 for migrant and seasonal farmworker housing (of which not less than 70 percent shall be for permanent housing). Also, \$527,000 will be set aside for discretionary purposes. In addition, the hold-harmless provision changed from 95 percent in PY 2018 to 90 percent in PY 2019, as described in the July 11, 2018 *Federal Register* notice. In PY 2019, state

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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service areas will receive an amount equal to at least 90 percent of their PY 2018 allotment percentage share, as applied to the PY 2019 formula funds available.

#### **4. Preparation and Submission Instructions**

**Required Documents for PY 2019 Funding.** To receive PY 2019 funding, NFJP grantees must submit all requested documents (as applicable to their grant) detailed in subsections *a* through *e* below through Grants.gov. Once ETA approves the grantee's submission, the documents will be incorporated into the funded grant agreement. If corrections are necessary, specific conditions will be added to the grant agreement and/or the grantee's Federal Project Officer will notify the grantee and provide assistance with resubmitting documents as necessary. If grantees fail to submit documents by the submission deadline, those individual grant awards will not be funded until proper and complete documentation is submitted. In response to the TEGL, the following documents are required:

- a. SF-424, Application for Federal Assistance. The SF-424 must clearly identify the grantee organization and state served and must be signed by the individual with authority to enter into a grant agreement. **IMPORTANT:** To ensure that your grant is funded, please make sure that the full address, Data Universal Numbering System (DUNS) Number and Employer Identification Number (EIN) listed on the SF-424 mirrors the same information listed for your organization in Sam.gov. Please review the SF-424 instructions document included on Grants.gov to ensure correct completion of the SF-424. The total funding amount entered must match the allotment amount in the attached allotment table.
- b. SF-424A, Budget Information – Non Construction Programs Form. Please review the SF-424A instructions document included on Grants.gov to ensure correct completion of the SF-424A. The total funding amount entered must match the allotment amount in the attached allotment table.
- c. Budget Narrative. The Budget Narrative must follow the detailed instructions provided in Attachment I. Each line item/category amount on the Budget Narrative must also exactly match the line item/category amount totals listed on the SF-424A.
- d. Negotiated Indirect Cost Rate Agreement (NICRA). Grantees that use a NICRA or Cost Allocation Plan (CAP) must submit a current or recent copy of the NICRA or CAP as part of this application. If a new NICRA has been requested but not finalized, the grantee must include a copy of the request letter showing the date it was submitted. Note: If a grantee includes indirect charges on line 6.j of the SF-424A, the grantee must submit a NICRA or CAP unless the grantee elects to charge a de minimis rate. If a grantee elects not to charge indirect costs, there is no need to include a NICRA or CAP.
- e. Program Plan.

#### **All Grantees**

- All grantees must submit a revised program plan, which includes a planning service/enrollment breakdown chart for each grant, for PY 2019.

- If there are any programmatic changes from the PY 2018 approved plan and planning service/enrollment breakdown chart, grantees must highlight those changes within the PY 2019 document.
- If there are no substantive changes to the program plan from the previous year, grantees must still amend applicable dates and amounts to reflect PY 2019. For grantees stating no changes to their approved PY 2018 planning service/enrollment breakdown chart, grantees must still amend the chart with the applicable dates to reflect PY 2019.
- Although grantees' program results must be aligned with WIOA performance measures, NFJP grantees may develop additional performance indicators and include them in the program plan.
- Grantees must communicate proposed performance targets for PY 2019 in the Program Plan.

### **Housing Grantees**

- In addition to the guidance listed above for all grantees, housing grantees must incorporate their performance targets for temporary housing and/or permanent housing activities in their program plan. The performance measures for permanent housing activities are: 1) eligible MSFWs served; 2) eligible MSFW families served; 3) individuals served; and 4) families served. The performance measures for temporary housing activities are: 1) eligible individuals served and 2) eligible families served.

### **Career Services and Training Grantees**

- In addition to the guidance listed above for all grantees, career services and training grantees must incorporate their negotiated performance targets for PY 2019 adult and/or youth participants. The performance measures for adult participants are: 1) Employment Rate 2nd Quarter After Exit; 2) Employment Rate 4th Quarter After Exit; 3) Median Earnings 2nd Quarter After Exit; and 4) Credential Attainment Within 4 Quarters After Exit. The performance measures for youth participants are: 1) Employment or Placement in Education or Training Rate 2nd Quarter After Exit; 2) Employment or Placement in Education or Training Rate 4th Quarter After Exit; 3) Median Earnings 2nd Quarter After Exit; and 4) Credential Attainment Within 4 Quarters After Exit.

**Career Services and Training Grantee Performance Goals.** On July 1, 2016, new performance indicators became effective under the WIOA. For PY 2016, ETA negotiated performance targets with each grantee, and these targets remained the same for PY 2017 and 2018. For PY 2019, the Department will generate baseline data for performance measures based on results produced by a regression model for grantees providing career services and training. The Department will reach agreement with individual grantees on the levels of performance for each of the primary indicators of performance, taking into account economic conditions, characteristics of individuals served, and other appropriate factors, and using, to the extent practicable, the statistical adjustment model under WIOA section 116(b)(3)(A)(viii). See 20 CFR 685.400 for additional information on performance accountability, planning, and waiver provisions.

Career Services and Training grantees that wish to negotiate their levels of performance with ETA must provide compelling data and a justification statement to NFJP@dol.gov and Cc the Federal Project Officer, no later than 30 calendar days from the issue date of the new performance targets. The justification statement needs to include grantee's proposed performance targets and explain any circumstances or challenges that create a need for the organization to propose different performance levels. Grantees that do not want to negotiate do not need to e-mail ETA or take any other action.

**Use of PY 2018 Funds.** Although the period of performance for current PY 2018 NFJP grants ends on September 30, 2019, ETA will continue to measure performance on a 12-month program year. The extra quarter in the period of performance will allow the grantees the flexibility to absorb minor fluctuations in spending within the four-year cycle without the need to request extensions from year to year. Grantees must continue to file a Federal Financial Report, ETA Form 9130 each quarter for PY 2018 funds until those funds are fully expended or the end of the grant's period of performance is reached.

**Use of PY 2019 Funds.** Grantees must expend PY 2019 funding no later than September 30, 2020.

**Paperwork Reduction Act (PRA) Statement.** The Department notes that a Federal agency may not conduct or sponsor a collection of information, nor is the public required to respond to a collection of information, unless the Office of Management and Budget (OMB), under the PRA, approves it, and it displays a currently valid OMB Control Number (44 U.S.C. 3507). Also, notwithstanding any other provision of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB Control Number (44 U.S.C. 3512). The currently valid OMB Control Numbers for this collection are:

- OMB 4040-0004, SF-424 Application for Federal Assistance, which expires December 31, 2019; and
- OMB 4040-0006, SF-424A Budget Information for Non-Construction, which expires February 28, 2022.

**Timing of Funds.** ETA will distribute executed NFJP Notices of Award as close to the beginning of July as possible, so that funds are available to support continued operations of the program. However, ETA generally does not expect PY 2019 funds to be available to grantees until approximately mid-July. ETA recognizes that this delay can create operational challenges for some grantees. As noted in TEGL 1-18, ETA expects that the September 30, 2019 end date for PY 2018 funds will allow grantees to continue operations in July of 2019 without interruption while waiting for PY 2019 grant awards to be executed.

However, ETA also recognizes that some grantees may have expended all or most of their funds by July 1, 2019, and that these grantees may be impacted in early July before PY 2019 grants are executed. Grantees in this situation should submit their full applications

as soon as possible according to the instructions in this TEGL, and send an email to [NFJP@dol.gov](mailto:NFJP@dol.gov) asking that their grant award be expedited.

5. **Inquiries.** Please address questions regarding this guidance to your regional Federal Project Officer.

6. **References.**

- Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, and Continuing Appropriations Act, 2019, Public Law 115-245, enacted September 28, 2018.
- Section 167 of WIOA.
- 20 CFR, Part 685, WIOA Final Rule.
- TEGL 18-16: *Program Eligibility and Enrollment Guidance for NFJP*.
- Federal Register Notice - ETA PY 2018 WIOA 167, NFJP Proposed Modifications to Allotment Formula, 83 FR 23937 (May 23, 2018).

7. **Attachments.**

- Attachment I. Instructions for Completing the Budget Narrative
- Attachment II. Instructions for Submitting Budget Documents via Grants.gov
- Attachment III. PY 2019 NFJP Grant Allocations with StopLoss/StopGain
- Attachment IV. PY 2019 NFJP Career Services and Training Grant Allocations
- Attachment V. PY 2019 NFJP Housing Grant Allocations
- Attachment VI. Example Planning Service Breakdown for Housing Grantees
- Attachment VII. Example Planning Enrollment Breakdown for Career Services and Training Grantees