

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA - DWG
	CORRESPONDENCE SYMBOL OWI
	DATE June 16, 2022

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 16-21

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: BRENT PARTON /s/
Acting Assistant Secretary

SUBJECT: Updated National Dislocated Worker Grant Program Guidance

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. States should review their DWG policies and application procedures to comply with this TEGL.
3. **Summary and Background.**
 - a. Summary – This TEGL clarifies DWG program policies 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. This guidance rescinds and replaces TEGL 12-19, *National Dislocated Worker Grant Program Guidance*, dated March 18, 2020, and its Change 1, dated November 2, 2020.
 - 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. The Department funds 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 otherwise recognized, as an

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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-than-average demand for employment and training activities for dislocated members of the Armed Forces and their spouses.

4. **DWG Program Guidance Revisions.** See Attachment I, National Dislocated Worker Grant Program Guidance for all DWG program guidance. This guidance rescinds and replaces TEGL 12-19, *National Dislocated Worker Grant Program Guidance*, dated March 18, 2020, and its Change 1, dated November 2, 2020. Grantees should thoroughly read this guidance, and for reference, updates to this guidance include but are not limited to:

- Emphasizing importance of quickly beginning services to support post-disaster employment and economic recovery, in Disaster Recovery DWGs, and noting the role of DWGs in disaster relief workforce development;
- Clarifying the definition of long-term unemployed individuals for purposes of Disaster Recovery DWGs is developed by the applicant;
- Clarifying self-attestation as acceptable use of eligibility determination, and expectation for subsequent efforts at obtaining appropriate documentation;
- Providing additional information on allowable clean-up and recovery activities under disaster-relief employment;
- Clarifying supportive services for disaster-relief employment, in addition to its use for employment and training activities;
- Defining Project Operator, sub-recipient, disaster-relief employer, and clarifying definitions for worksite selection, health and safety standards, and requirements for unemployment insurance coverage;
- Establishing a requirement that certain disaster-relief employment pay wages of at least \$15 per hour to grant participants;
- Specifying when disaster-relief employment can begin before full application approval;
- Requiring a community needs assessment, in order to ease approval of disaster-relief employment types;
- Clarifying qualifying events for Employment Recovery DWGs;
- Clarifying eligible applicants for Employment Recovery DWGs;
- Specifying factors considered in awards; Noting DWGs for serving dislocated service members as a qualifying event for type of Economic Recovery DWG rather than a separate program;
- Explaining how ETA makes determinations for funding, additional increments, and additional funding (formerly known as “supplemental funding”);
- Clarifying grant start dates, which in certain cases may be prior to the date of grant award, allowing recipients to more quickly allocate existing resources to address a dislocation event, and removed prohibition on pre-award costs;
- Removed references to cost-per participant, noting that proposed costs should be reasonable based on the justification provided by the applicant; and
- Explaining participant enrollment targets and importance of fulfilling such targets.

5. **Inquiries.** Direct questions regarding this guidance to the appropriate ETA regional office.

6. **References.**

- Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128) (July 22, 2014);
- Trade Act of 1974, as amended. (19 USC 12 § 2271 - 2331 and § 2391 - 2397a) (June 29, 2015);
- 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 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, 2018;
- TEGL 8-18, *Workforce Innovation and Opportunity Act (WIOA) Title I and Wagner-Peyser Act Waiver Requirements and Request Process*, dated December 19, 2018;
- 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*, dated March 1, 2017;
- TEGL 17-16, *Infrastructure Funding of the One-Stop System*, dated January 18, 2017;
- TEGL 16-16, *One-Stop Operations Guidance for the American Job Center Network*, dated January 18, 2017, and its Change 1;
- TEGL 28-10, *Federal Financial Management and Reporting Definitions*, dated May 27, 2011;
- TEGL 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).

7. **Attachment.** National Dislocated Worker Grants Program Guidance