

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA-NFJP
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 23-20

TO: NATIONAL FARMWORKER JOBS PROGRAM GRANTEES

FROM: SUZAN G. LEVINE /s/
Principal Deputy Assistant Secretary

SUBJECT: Program Year 2021 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) 2021.
2. **Action Requested.** National Farmworker Jobs Program (NFJP) grantees must submit the required documents through Grants.gov by June 15, 2021. See section 4 of this Training and Employment Guidance Letter (TEGL) for additional information on required documents. Grantees should submit complete and proper documentation by June 15, 2021. Grantees that do not submit complete and proper documentation by the deadline will not be funded until they do so.
3. **Summary and Background.**
 - a. Summary – In accordance with the Workforce Innovation and Opportunity Act (WIOA), the new four-year NFJP grants went into effect on July 1, 2020. The Employment and Training Administration (ETA) is issuing this TEGL to notify NFJP grantees of PY 2021 grant allocations and to provide instructions for submitting required documents. Grantees must submit required documents, including program plans and budget documents, to receive funding.
 - b. Background – NFJP allotments are based on the funds appropriated in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021, Public Law 116-260, enacted December 27, 2020 (from this point forward, referred to as “the Act”). Funds to implement NFJP are appropriated in the Act. Congress provided \$87,083,000 for formula grants (of which \$86,946,000 was allotted after \$137,000 was set aside for program integrity), \$6,256,000 for migrant and seasonal farmworker housing (of which not less than 70 percent shall be for permanent housing), and another \$557,000 for discretionary purposes. The Department will issue individual Housing grant awards based on the results of the 2020 grant competition. Additionally, ETA is distributing funds for Housing grants according to the Act, which requires the

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Department to award at least 70 percent of the funds for permanent housing. In distributing funds, ETA calculates allotments for Career Services and Training grantees through an administrative formula. The formula's original methodology is described in the Federal Register notice 64 FR 27390, May 19, 1999, and was revised as described in the Federal Register notice 83 FR 32151, July 11, 2018.

As explained in revisions to the methodology recently published in the Federal Register, the allotments provided in this TEGL for Career Services and Training grantees reflect hold-harmless provisions that provide for a stop loss/stop gain limit to facilitate grantees' transition to the updated formula results. For PY 2021, each state service area will receive an amount equal to at least 95 percent of their PY 2020 allotment percentage share, as applied to the PY 2021 formula funds available. For additional information, refer to the Federal Register notice 86 FR 24891, May 10, 2021.

4. Submission Requirements and Reporting.

- a. Required Documents for PY 2021 Funding. To receive PY 2021 funding, NFJP grantees must submit all requested documents (as applicable to their grant) detailed in subsections *i.* through *vi.* 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:
 - i. SF-424, Application for Federal Assistance. The SF-424 must 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 the correct completion of the SF-424. The total funding amount entered must match the allotment amount in the attached allotment table.
 - ii. SF-424A, Budget Information – Non-Construction Programs Form. Please review the SF-424A instructions document included on Grants.gov to ensure the correct completion of the SF-424A. The total funding amount entered must match the allotment amount in the attached allotment table.
 - iii. 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.

- iv. 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.
- v. 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.
- vi. Program Plan. See instructions below.
 - All grantees must submit a PY 2021 program plan.
 - Career Services and Training grantees must include their enrollment goal in their PY 2021 program plan, which includes the total number of new participants that will be enrolled and the total number of participants that will be carried over from the previous PY. Career Services and Training grantees who operate in more than one state service area should include enrollment goals for each state service area.
 - Housing grantees must include their service goal in their PY 2021 program plan, which includes the total number of individuals who will receive permanent housing services and temporary housing services depending on the type of grant award. See the WIOA performance measures for housing services in section 4b of this TEGL.
 - When reviewing the program plans, ETA will consider grantees' four-year service/enrollment goals that were approved in PY 2020.
 - If there are any programmatic changes from the PY 2020 approved plan, grantees must highlight those changes within the PY 2021 program plan. 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 2021.
 - Although grantees' program results must align with WIOA performance measures, NFJP grantees may develop additional performance indicators and include them in the program plan.

b. WIOA Performance Measures and Targets

- i. Housing Grantees: Housing grantees must include PY 2021 targets for the WIOA performance measures below in their PY 2021 program plan. See section 4a of this TEGL for instructions on setting service goals.

The WIOA performance measures for permanent housing activities are:

- 1) eligible migrant and seasonal farmworkers (MSFWs) served;
- 2) eligible MSFW families served;
- 3) individuals served; and
- 4) families served.

The WIOA performance measures for temporary housing activities are:

- 1) eligible MSFWs served; and
- 2) eligible MSFW families served.

- ii. Career Services and Training Grantees: ETA will establish individual targets for the performance indicators listed below. Consistent with NFJP program regulations at 20 CFR 685.400, performance targets will be based on results produced by a statistical adjustment model. The model will take into account the characteristics of the population served and the economic conditions of the service area, and make additional adjustments to factor in the impact of current economic challenges.

The WIOA 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;
- 4) Credential Attainment Within 4 Quarters After Exit; and
- 5) Measurable Skill Gains.

The WIOA 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;
- 4) Credential Attainment Within 4 Quarters After Exit.; and
- 5) Measurable Skill Gains.

- iii. PY 2020 Performance Targets and Look-back Adjustment: In developing the PY 2020 performance targets, ETA's statistical adjustment model factored:
- 1) Demographic information for participants served by grantees as reported in the Workforce Integrated Performance System (WIPS), such as sex, race, disability, homelessness, level of education, basic skills deficient, public assistance, etc.
 - 2) Economic factors in the grantee's service area, including unemployment rate, minimum wage, median earnings, poverty rate, employment growth, urban population percentage, and employment by industry.
 - 3) Contextual variables, drawn from the Local Area Unemployment Statistics (LAUS), the Quarterly Census of Employment and Wages (QCEW), and the American Community Survey (ACS).

NFJP performance reporting data continues to be an important mechanism for accountability, and provides the basis for statistical adjustment of performance targets. As the statistical adjustment model becomes more precise, ETA will be increasingly able to set performance targets that reflect those served and the economy in which they are served.

Based on initial data from grantees in PY 2020, ETA established initial performance targets for grantees in PY 2020. After the conclusion of PY 2020, ETA will apply a “look-back” adjustment for PY 2020. ETA will use the statistical adjustment model used to establish the PY 2020 performance targets to review economic data from the program year and implement an adjustment to the targets at the end of the program year. PY 2020 performance targets were established using a predictive model; by reassessing the performance targets at the end of the program year, ETA will be able to ensure that goals are fair and reflect the actual economic conditions of the program year. For PY 2020, adjustments to performance targets will only be made downward at the end of the program year. Where the model points to an increase in performance targets, those targets will be applied to the subsequent program year.

- c. Use of PY 2020 Funds. The period of performance for PY 2020 NFJP grants ends on September 30, 2021. Although ETA measures performance on a 12-month program year, grantees have an extra quarter to expend grant funds. The extra quarter in the period of performance allows 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 2020 funds until those funds are fully expended or the end of the grant’s period of performance is reached.
- d. Use of PY 2021 Funds. Grantees must expend PY 2021 funding no later than September 30, 2022.
- e. 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, 2022; and
 - OMB 4040-0006, SF-424A Budget Information for Non-Construction, which expires February 28, 2022.

- f. **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.
- g. **Performance Reporting Requirements.** Career Services and Training grantees and Housing grantees will submit performance data through WIPS using the DOL-Only Participant Individual Record Layout (PIRL), Form ETA 9172 and the Joint Quarterly Narrative Performance Report (QNR), Form ETA 9179.
5. **Inquiries.** All NFJP Grantees should submit inquiries to their respective Federal Project Officer.
6. **References.**
- Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021, Public Law 116- 260, enacted December 27, 2020;
 - Section 167 of WIOA (Pub. L. 113-128), Title I ;
 - 20 CFR, Part 685, WIOA Final Rule;
 - TEGL NO. 18-16: *Program Eligibility and Enrollment Guidance for the National Farmworker Jobs Program*; and
 - Federal Register Notice - *Employment and Training Administration (ETA) Program Year (PY) 2021 Workforce Innovation and Opportunity Act (WIOA) Section 167, National Farmworker Jobs Program (NFJP) Modifications to Allotment Formula*, 86 FR 24891, May 10, 2021.
7. **Attachment(s).**
- Attachment I: Instructions for Completing the Budget Narrative
 - Attachment II: Instructions for Submitting Budget Documents via Grants.gov
 - Attachment III: PY 2021 NFJP Career Services and Training Grant Allocations
 - Attachment IV: PY 2021 NFJP Housing Grant Allocations