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| <b>EMPLOYMENT AND TRAINING ADMINISTRATION</b><br><b>ADVISORY SYSTEM</b><br><b>U.S. DEPARTMENT OF LABOR</b><br><b>Washington, D.C. 20210</b> | <b>CLASSIFICATION</b><br>WIOA-NFJP  |
|   | <b>CORRESPONDENCE SYMBOL</b><br>OWI |
|   | <b>DATE</b><br>May 15, 2023         |

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 17-22**

**TO:** NATIONAL FARMWORKER JOBS PROGRAM GRANTEES

**FROM:** BRENT PARTON /s/  
Acting Assistant Secretary

**SUBJECT:** Program Year 2023 Planning Guidance for National Farmworker Jobs Program Career Services and Training Grantees and Housing Grantees, and Opportunity to Apply for National Farmworker Jobs Program Youth Grants

1. **Purpose.** To convey National Farmworker Jobs Program (NFJP) grant allotments for Program Year (PY) 2023 and provide instructions for submission of required documents for grant application and performance negotiations for NFJP Career Services and Training grants and Housing grants. Additionally, this guidance includes application instructions for grantees that wish to apply for additional PY 2023 NFJP Youth Grant Funding.
2. **Action Requested.** National Farmworker Jobs Program (NFJP) grantees must submit the required documents through Grants.gov by June 16, 2023. See section 4 of this Training and Employment Guidance Letter (TEGL) for additional information on required documents. Grantees that do not submit complete documentation by the deadline risk delaying the timely allotment of funds. Additionally, if a grantee wishes to negotiate their performance targets, please email your assigned Federal Project Officer (FPO) and copy [NFJP@dol.gov](mailto:NFJP@dol.gov) within 7 calendar days from the date this TEGL is published.
3. **Summary and Background.**
  - i. Summary – In accordance with the Workforce Innovation and Opportunity Act (WIOA), the new four-year NFJP grant cycle went into effect on July 1, 2020. The Employment and Training Administration (ETA) is issuing this TEGL to notify NFJP grantees of PY 2023 grant allotments and to provide instructions for submitting required documents. Grantees must submit required documents, including program plans and budget documents. NFJP grantees approved to serve youth in PY 2022 and who met their youth enrollment goals may also apply for additional youth funding via this TEGL. Please see the summary provided in section 3(c).
  - ii. Background – NFJP allotments are based on the funds appropriated in the Consolidated Appropriations Act, 2023 (from this point forward, referred to as “the Act”). Funds to

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| <b>RESCISSIONS</b><br>None | <b>EXPIRATION DATE</b><br>Continuing |
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implement NFJP are appropriated in the Act. Congress provided \$90,134,000 for formula grants (of which \$90,032,000 was allotted after \$102,000 was set aside for program integrity), \$6,591,000 for migrant and seasonal farmworker (MSFW) housing (of which \$6,584,000 was allotted after \$7,000 was set aside for program integrity and of which not less than 70 percent shall be for permanent housing), and \$671,000 for discretionary purposes. The Department will issue individual Housing grant awards based on the results of the 2020 grant competition. In distributing funds, ETA calculates allotments for Career Services and Training grantees through an administrative formula. The formula's original methodology is described in a notice published in the Federal Register notice, [64 FR 27390](#), May 19, 1999, subsequently updated in the [Federal Register notice, 86 FR 32063](#) on June 16, 2021.

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 established in the June 2021 Federal Register notice. For PY 2021, each state service area received an amount equal to at least 95 percent of their PY 2020 allotment percentage, as applied to the PY 2021 formula funds available. For PY 2022, each state service area received an amount equal to at least 90 percent of their PY 2021 allotment percentage, as applied to the PY 2022 formula funds available. For PY 2023, each state service area will receive an amount equal to at least 85 percent of their PY 2022 allotment percentage, as applied to the PY 2023 formula funds available. For additional information, refer to the Federal Register notice posted at <https://www.federalregister.gov/d/2023-10370>.

- iii. NFJP Youth Grants – In addition to applying for annual allotments for Housing and Career Services and Training Grants, this TEGL also provides an opportunity for NFJP recipients to apply for additional funding to serve MSFW youth, as explained below.

WIOA section 127 requires that when the amount appropriated for WIOA Youth exceeds \$925,000,000, the Secretary shall reserve four percent of the excess amount to provide youth workforce investment activities under the NFJP. The PY 2023 WIOA Youth appropriation was \$948,130,000. Using the calculation for the set-aside designated in WIOA, \$925,200 is available for PY 2023 NFJP Youth grants. Attachment I of this guidance explains how current NFJP grantees can apply for such funds, and how those funds can be used.

ETA is using a streamlined application process for these funds and limiting the competition to existing NFJP grantees who were both approved to serve youth in PY 2022 and met 100 percent of their youth enrollment goals. To confirm if a grantee met their youth enrollment targets, ETA will use the rolling four quarters performance report for the cohort period 1/1/2022 – 12/31/2022. These additional funds will enable successful applicants to enhance the delivery of youth workforce investment activities described in the NFJP regulations at 20 CFR 685.310 to eligible MSFW youth, which include the activities described for the WIOA Youth program in WIOA section 129 and 20 CFR 681.460. This funding provides additional resources so that selected NFJP grantees can increase access to education and provide career services and training that result in good quality jobs for MSFW youth, which advances the Department's youth strategy called Youth Employment Works. Additional information about the Department's Good Jobs

Principles are available at <https://www.dol.gov/general/good-jobs/principles>, and information about Youth Employment Works is available at <https://www.dol.gov/general/topic/youth-employment-works-call-to-action>. The Youth Employment Works strategy focuses on efforts that offer a “no wrong door” approach to youth, investing in high-quality career pathways for youth, and offering paid work experience wherever feasible.

**4. Details**

**a. Submission Requirements**

i. Separate Application Packages

NFJP grantees may apply for Career Services and Training allotments, Housing allotments, and Supplemental Youth funding under this TEGL; however, a separate application package must be submitted for each grant type under the associated funding opportunity numbers in Grants.gov. Please see the table below for this information. Grantees should also name each application submission according to the table below. The naming protocol identifies the application package type and includes the name of the applicant organization and the state service area.

| <b>Application Type</b>      | <b>Submit Application Under this Funding Opportunity Number in Grants.gov</b> | <b>Use this Application Naming Convention</b>        |
|------------------------------|---|--|
| Career Services and Training | TEGL-ETA-17-22-AC   | ABC Applicant - State - Career Services and Training |
| Migrant Housing              | TEGL-ETA-17-22-MH   | ABC Applicant - State - Housing                      |
| Migrant Youth                | TEGL-ETA-17-22-MY   | ABC Applicant - State - Youth                        |

Grantees will receive each of their awards under a separate grant number.

ii. Grants.gov Submission Process

Applicants must submit the application package through Grants.gov. Applicants who need to register with Grants.gov may do so at the following hyperlink: <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Registration is a one-time process: applicants with a Grants.gov account do not need to register again.

To submit the required application package, applicants must:

- Select the SEARCH GRANTS tab on the Grants.gov homepage.
- Under the section, BASIC SEARCH CRITERIA, applicants enter the Funding Opportunity Number for the applicable grant type for which they are applying TEGL-ETA-XX-XX-XX.
- Select the link to the applicable Opportunity Number provided in the search results.

- Select the PACKAGE tab.
- Under the ACTIONS column, select APPLY.

This submission process may, at times, be complicated and time-consuming. As such, the Department strongly encourages applicants to initiate the process as soon as possible to allow time to resolve unanticipated technical problems.

Applicants are required to supply a Unique Entity Identifier (UEI) on the SF-424. If your entity is registered with the System for Award Management (SAM) SAM.gov, your UEI has already been assigned and is viewable under your entity record. Organizations not registered with SAM.gov can obtain more information about a UEI at [www.sam.gov](http://www.sam.gov). Before submitting, applicants must also ensure their registration with SAM.gov. Applicants may find instructions for registering with SAM at <https://www.sam.gov>. An awardee must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the SAM database after the initial registration, entities must review and update the registration at least every 12 months from the date of initial registration. Failure to register with SAM and maintain an active account will result in Grants.gov rejecting the application submission.

For technical issues encountered during application submission, applicants may call 800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or [emailsupport@grants.gov](mailto:emailsupport@grants.gov). The Contact Center is open 24 hours a day, seven days a week, but closes on federal holidays.

An electronically submitted SF-424 through Grants.gov constitutes the official, signed document and must reflect the total amount requested in item #18, Estimated Funding. Item #11 must include the Catalog of Federal Domestic Assistance Number, 17.264. ETA encourages application submission as soon as possible; however, applications must be received by 11:59 PM EST on June 16, 2023.

### iii. Required Documents for Housing and Career Services and Training Grant Applications

To receive PY 2023 funding, NFJP grantees must submit via [Grants.gov](http://Grants.gov), the documents listed below in subsections i-v. for both the Housing and the Career Services and Training allotments. Submittal of these document packages does not constitute automatic approval. Grantees may be asked, with the assistance of their assigned FPO, to immediately revise and resubmit documentation prior to the allotment award. Alternatively, the Grant Officer may approve the award allotment with Special Conditions of Award, requiring the grantee to submit revised documents within 30 calendar days of the award date. If a grantee fails to submit documents by the deadline, they risk delaying the timely allotment of funds. In response to the TEGL, the following documents are required for both the Housing application package and the Career Services and Training application package, and each must be submitted separately:

- A. SF-424, Application for Federal Assistance. An electronically submitted SF-424 through Grants.gov constitutes an official signed document. The SF-424 must

identify the legal name of the grantee organization, along with the organization's address, its Unique Entity Identification number (UEI) and its Employer Identification Number (EIN), all of which must match the same information listed in the organization's current registration with the System for Award Management (SAM), found at <https://www.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 under the *Estimated Funding* section (item #18) must match the allotment amount in the allotment tables. The state service area must be noted under the *Areas Affected By Project* section (item #14).

B. SF-424A, Budget Information – Non-Construction Programs Form. Please review the SF-424A instructions document included on [Grants.gov](https://www.grants.gov) to ensure the correct completion of the SF-424A. The total funding amount entered must match the allotment amount. See Attachment III to see the Career Services and Training Grant Allotments and Attachment IV to see the Housing Grant Allotments.

C. Budget Narrative. The Budget Narrative must follow the detailed instructions provided in Attachment II. Each line item/category amount on the Budget Narrative must also match the line item/category amount totals listed on the SF-424A.

D. Negotiated Indirect Cost Rate Agreement (NICRA) or Cost Allocation Plan. Grantees that use a NICRA or Cost Allocation Plan (CAP) must submit a current 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. Please include the 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. PYs 2020-2023 Program Plan. Per 20 CFR 685.410, each grantee submitted a comprehensive program plan covering PY 2020-2023 to the Department. The four-year program plan describes a grantee's plan to implement the grant project in accordance with the Funding Opportunity Announcement. For additional information on what type of information is included in the program plan, see [20 CFR 685.420](https://www.ecfr.gov/current/title-20/chapter-V/part-685/subpart-4/section-685.420). In response to this PY 2023 TEGP, grantees must follow the instructions below to determine the extent to which they must update their four-year program plan:

- If a grantee does not need to modify their 2020-2023 program plan, they should amend the dates to be relevant and submit their four-year program plan and add a note on the top "No substantive changes were made to the four-year program plan."
- In circumstances when there is a change in funding levels, per [20 CFR 685.430](https://www.ecfr.gov/current/title-20/chapter-V/part-685/subpart-4/section-685.430), a grantee's program plan must be modified to reflect the funding level for each year of the grant. The grantee must submit a request to add, delete, expand, or reduce any part of the program plan. In their request, grantees should describe any change(s) and provide a justification for the change. In coordination with

the FPO, the Department will consider the cost principles, uniform administrative requirements, and terms and conditions of award when reviewing modifications.

iv. Required Documents for Supplemental NFJP Youth Grant Funding

Please see Attachment I for the full set of application instructions.

b. **Additional Information**

i. WIOA Performance Negotiations.

Career Services and Training Grantees

For PY 2023, ETA proposes to use the targets for WIOA performance indicators and the annual participant enrollment levels that were established for Career Services and Training Grantees in PY 2022.<sup>1</sup>

Housing Grantees

For PY 2023, ETA suggests Housing grantees reconsider their performance levels. In PY 2021, Housing grantees began submitting their quarterly performance reports using the Workforce Integrated Performance System (WIPS). When considering their performance levels for PY 2023, Housing grantees should use their understanding of the WIPS, reporting requirements under WIOA, and their performance results for PY 2021 and 2022.<sup>2</sup>

Requests to Negotiate – All Grantees

If grantees wish to negotiate their performance levels for PY 2023, they should email their assigned FPO and copy NFJP@dol.gov within 7 calendar days from this TEGL's publication. The email must include the grantee's proposed targets and supporting justification. If a grantee does not notify their FPO and national office within 7 calendar days from the date this TEGL is published, ETA will use the established performance targets for PY 2022 for PY 2023. ETA will work with grantees to establish performance targets within 30 calendar days from the date this TEGL is published. ETA will continue to provide technical assistance to assist

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<sup>1</sup> Consistent with 20 CFR 685.400, ETA establishes Career Services and Training grantees' performance levels using results produced by a statistical adjustment model. The model considers the characteristics of the population served and the economic conditions of the state service area, and it makes additional adjustments to factor in economic challenges. In response to the funding opportunity announcement (FOA), FOA-ETA-20-08, FOA-ETA-20-08-A, or FOA-ETA-20-08-B, grantees submitted their targets to enroll a level of participants over 51-month period of performance. ETA used this information to establish annual participant enrollment levels over 51-month period for Career Services and Training grant recipients (for example, the total number of participants, including new enrollments and carry-overs, who are enrolled to receive services during a program year).

<sup>2</sup> ETA established targets for performance indicators for Housing grant recipients based on their response to the FOA (for example, the total number of eligible MSFWs receiving permanent housing). These performance levels were established in PY 2020 and in some cases may have been renegotiated in subsequent years.

grantees with establishing their performance targets and understanding reporting requirements.

- ii. Use of PY 2023 Funds. The period of performance for PY 2023 NFJP grants ends on September 30, 2024. Therefore, grantees have an extra quarter to expend grant funds. The extra quarter in the period of performance allows grantees to have 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, Form ETA-9130, each quarter for PY 2023 funds until those funds are fully expended or until the end of the grant period of performance is reached.
- iii. 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.
- iv. Risk Review. The Department will determine if the applicant had any restriction on spending for any ETA grant due to adverse monitoring findings within the past three years. Depending on the severity of the findings, the Grant Officer may elect to not provide the applicant a grant award or to impose conditions on the award. All applications deemed to be complete and responsive by the Grant Officer will go through a risk review process. Before making an award, ETA will review information available through any OMB-designated repository of government-wide eligibility qualification or federal integrity information, such as the Federal Awardee Performance and Integrity Information System (FAPIIS), and “Do Not Pay.”

Additionally, ETA will comply with the requirements of 2 CFR Part 180 (Governmentwide Debarment and Suspension (Non-Procurement)). This risk evaluation may incorporate results of the evaluation of the applicant’s eligibility (application screening), or the quality of its application (technical review). If ETA determines that an entity is responsible and an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award. Risk-related criteria evaluated include:

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in the Uniform Grant Guidance;
- History of performance. The Applicant’s record in managing awards, cooperative agreements, or procurement awards, if it is a prior recipient of such Federal awards, including timeliness of compliance with applicable reporting requirements, and if available, the extent to which any previously awarded amounts will be expended prior to future awards;
- Reports and findings from audits performed under Subpart F – Audit Requirements of the Uniform Grant Guidance (2 CFR 200.500 –2 CFR 200.521) or the reports and findings of any other available audits and monitoring reports containing finds, issues of non-compliance, or questioned costs; and
- The applicant’s ability to effectively implement statutory, regulatory, or other requirements imposed on recipients.

Selection of an organization as a recipient does not constitute approval of the grant application as submitted. Before the actual grant is awarded, the Department may negotiate with an applicant regarding such items as program components, staffing and funding levels, and administrative systems in place to support grant implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiations and decline to fund the application. The Department reserves the right to not fund any application related to this TEGL.

i. Reporting Requirements.

- Performance Reports: Career Services and Training grantees and Housing grantees will submit performance data through the WIPS using the DOL-Only Participant Individual Record Layout (PIRL), Form ETA-9172 and the Joint Quarterly Narrative Performance Report (QNR), Form ETA-9179. In general, grantees use the indicators of performance that are described at <https://www.ecfr.gov/current/title-20/chapter-V/part-685/subpart-D/section-685.400> depending on their type of grant award. The Department established goals for participant enrollment levels for each year over the four-year grant period of performance. Per 20 CFR 685.400(e) grantees may develop additional performance indicators and include them in the program plan or in periodic performance reports. Additional information on performance indicators is available in [TEGL 14-18](#), including Appendix III – Table C and Attachment 7.
- Financial Reports: All ETA award recipients are required to report financial data on the ETA-9130 Financial Report. ETA-9130 reports are due no later than 45 calendar days after the end of each specified reporting quarter. Reporting quarter end dates are March 31, June 30, September 30, and December 31. A final ETA-9130 for the last quarter of the period of performance must be submitted no later than 120 calendar days after the quarter ends. See 2 CFR 200.344.

Note: On April 3, 2023, ETA replaced its legacy E-Grants Grantee Reporting System (GRS) by transitioning to the Payment Management System (PMS) for grant recipient submission of the quarterly ETA-9130 financial reports. PMS is operated by the U.S. Department of Health and Human Services (HHS). Please see [Training and Employment Notice No. 16-22](#) for additional information.

- ii. 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 current OMB Control Numbers for this collection are:



- SF-424 Application for Federal Assistance separately cleared under OMB control number 4040-0004, and
- SF-424A Budget Information for Non-Construction, separately cleared under OMB 4040-0006.

5. **Inquiries.** All NFJP grantees should submit inquiries on these grant applications instructions to Grants Management Specialist Sharon Porter at [Porter.sharon.d@dol.gov](mailto:Porter.sharon.d@dol.gov). Grantees can direct other questions to their Federal Project Officer.

6. **References.**

- Departments of Labor, Health and Human Services, and Education, and Related Agencies, Consolidated Appropriations Act, 2023, [Public Law 117-328](#), enacted December 29, 2022;
- Section 167 of WIOA ([Pub. L. 113-128](#)), Title I, enacted July 22, 2014;
- 20 CFR, [Part 685](#), WIOA Final Rule, effective October 18, 2016;
- [TEGL No. 14-18](#), *Aligning Performance Accountability Reporting, Definition, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL)*, March 25, 2019;
- Federal Register Notice - *Job Training Partnership Act: Migrant and Seasonal Farmworker Programs, Final Allocation Formula*, [64 FR 27390](#), May 19, 1999;
- 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) Grantee Allotments*; [86 FR 32063](#), June 16, 2021; and
- [TEN No. 16-22](#), *The Employment and Training Administration is implementing Grant Solutions for Grant Award Processing and the Payment Management System for Financial Reporting*, January 18, 2023.

7. **Attachments.**

- Attachment I: PY 2023 Youth Grant Funding Application Instructions
- Attachment II: Instructions for Submitting the Budget Narrative for Career Services and Training Allotments, Housing Allotments, and Youth Funding
- Attachment III: PY 2023 Career Services and Training Grant Allotments
- Attachment IV: PY 2023 Housing Grant Allotments