



VETERANS' PROGRAM LETTER NO. 02-24

TO: ALL VETERANS' EMPLOYMENT AND TRAINING SERVICE STAFF
ALL JOBS FOR VETERANS STATE GRANT RECIPIENTS

FROM: JAMES D. RODRIGUEZ, MA
Assistant Secretary

SUBJECT: Jobs for Veterans State Grants Staff Training Timeline Exceptions

I. Purpose

To provide guidance to Jobs for Veterans State Grants (JVSG) recipients and Department of Labor (DOL) Veterans' Employment and Training Service (VETS) staff on exceptions to the 18-month training requirement for staff who perform duties under JVSG.

II. References

- A. Title 38, United States Code (U.S.C.), Chapters [41](#) and [42](#), as amended
- B. [Title 2 Code of Federal Regulations \(C.F.R.\) Part 200](#), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- C. [Special Grant Provisions for Jobs for Veterans State Grants](#), attached to each state's award
- D. [Veterans' Program Letter \(VPL\) 03-23](#), Jobs for Veterans State Grants Annual Funding Applications, dated May 15, 2023
- E. [VPL 01-22](#) and [Attachments 1-5](#), Jobs for Veterans State Grant State Plan Submission and Modification, dated February 1, 2022
- F. [VPL 01-20](#), Consolidated Disabled Veterans' Outreach Program (DVOP) Specialists and Local Veterans' Employment Representative (LVER) Staff Positions, dated January 16, 2020
- G. [VPL 01-19](#), Training Requirements and Reference Tool for Newly Hired Jobs for Veterans State Grant Staff, dated March 1, 2019
- H. [VPL 05-18](#), Redesigned National Veterans' Training Institute (NVTI) Core Courses, dated March 5, 2018

- I. [VPL 03-14](#), and [Changes 1](#) and [2](#), Jobs for Veterans State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans, dated April 10, 2014; February 11, 2015; and October 30, 2015, respectively

III. Rescissions

None.

IV. Background

- A. **Jobs for Veterans State Grants.** VETS provides JVSG funding to states and territories to support Disabled Veterans' Outreach Program (DVOP) specialists, Local Veterans' Employment Representative (LVER) staff, and consolidated DVOP/LVER positions (collectively, "JVSG staff"). JVSG staff perform duties as defined in 38 U.S.C. § 4103A, § 4104, and current VETS policy.
- B. **Required Training for JVSG Staff.** As a condition for the receipt of funds, 38 U.S.C. § 4102A(c)(8) requires states to ensure their JVSG staff satisfactorily complete training provided by the National Veterans Training Institute (NVTI) within 18 months of assignment. The work performed by JVSG staff demands high-level training, which NVTI delivers frequently, virtually or in person, at no cost to the state.
- C. **Exceptions.** Due to extended medical leave, military service, or other extenuating circumstances, VETS acknowledges that JVSG staff are, on occasion, unable to meet the statutory 18-month training requirement. The statute provides that VETS may establish reasonable exceptions as appropriate. This policy establishes guidelines for those exceptions along with the reasonable effort states must make to avoid the need for an exception. VETS will not, under any circumstances, grant an exception to the staff training requirement, only exceptions to the timeline for training completion.

V. Expectations and Definitions

- A. Although JVSG program legislation requires staff to complete all required training within 18 months of assignment, states should strive toward completion as soon after assignment as practicable.
- B. VETS will calculate the total amount of time for JVSG-funded staff position assignments as follows:
 1. *Time applies equally to full-time and part-time employees.* One day assigned as full-time staff counts the same as one day assigned as part-time staff.

2. *Time is calculated cumulatively*, meaning that VETS includes the total amount of time JVSG staff are assigned to the position. If JVSG staff are reassigned or have a break in service, VETS will not include time accrued during the reassignment (for example, a DVOP is temporarily reassigned to another division of the agency).
3. *Time in a position includes all time with a corresponding charge to the JVSG grant*, regardless of work status. VETS will include the total amount of time an individual is assigned to their position, regardless of whether that individual is, for example, on paid leave, receiving differential pay, or reporting to work. VETS excludes unpaid leave from this calculation.
4. *Definition of 18 months*. If there is difficulty determining the number of months due to multiple breaks in assignments to the position, 548 calendar days will be considered the equivalent of 18 months.

VI. Exception Criteria

- A. **Bases for Exception.** States seeking an exception to the 18-month training requirement must meet one of the following three bases for exception:
 1. *Lengthy absence.* To be considered for an exception based on a lengthy absence, the JVSG staff must have been in a paid leave status (charged to JVSG) for at least six months.
 2. *Lapse in courses.* In the event of a failure on the part of VETS to deliver NVTI courses for a period of at least three months, a blanket exception will be granted to all JVSG staff for the amount of time equal to the lapse.
 3. *Other exigent circumstances.* The state may request an exception based on other exigent circumstances. Such requests will follow this guidance to the closest extent possible. VETS' Office of National Programs (ONP) will consider such requests at its sole discretion.
- B. **Reasonable Efforts.** To qualify for an exception, a state must have made all reasonable efforts to ensure its JVSG staff satisfactorily complete NVTI training within 18 months of assignment and document its efforts. In determining whether a state has made reasonable efforts, VETS will consider, among other things, whether the state has met the timing and notification criteria described below.
- C. **Timing.** States must make every reasonable effort to train JVSG staff within the first year of assignment for VETS to consider granting an exception to the 18-month training requirement. The state must document these efforts to submit in an exception request package if one should become necessary.

1. The state must begin scheduling the employee for training within the first three months of assignment.
 2. By the end of the ninth month, if there is any reason for the state to believe that the employee will not complete NVTI training by the end of the first year of assignment, the state must provide notification as described below.
 3. If the employee unexpectedly begins extended leave after the end of the ninth month, the state must notify VETS as soon as possible.
- D. **Notification.** To be considered for an exception, the state must provide notification as instructed below.
1. *For an employee who is actively serving in the role:* The state will complete the [online application](#) to request enrollment in course(s) per the current process¹. The state must also email NVTI at studentservices@nvti.org and copy the Director for Veterans Employment and Training (DVET) to alert them of the need for priority enrollment in the required course(s). The body of the email must specify the following:
 - a. The employee's name and position,
 - b. The course(s) and date(s) for which the state is requesting priority enrollment,
 - c. The employee's cumulative length of time assigned to the position, and
 - d. The date on which the employee will reach 18 months assigned to JVSG.
 2. *For an employee who is on extended paid leave:* The state will send the email only to the DVET. The body of the email must specify the following:
 - a. The employee's name and position,
 - b. The employee's status (e.g., type of leave),
 - c. The cumulative length of time assigned to the position,
 - d. The date on which the employee will reach 18 months assigned to JVSG,

¹ As of November 2023, applications for NVTI course enrollment are submitted online at <https://www.nvti.org/Logistics/Registering-for-NVTI-Classes>.

- e. The date the employee began extended leave, and
- f. The employee's expected return date, if known.

VII. Exception Requests

As soon as the state becomes aware that a JVSG staff may not be able to complete the training within the statutory deadline, they must submit an exception request as described below.

A. **Required Documentation.** For VETS to consider an exception, the state must submit a package via email to the DVET containing the following:

1. *A transmittal letter* on state letterhead signed by the authorized representative of the grant that explains the situation that resulted in the need for an exception. The letter should make it clear that the state took reasonable steps to ensure that the employee was trained promptly. The explanation must include, as applicable:
 - a. The name, location, and type of assignment (DVOP, LVER, or consolidated, and full-time or part-time) of the employee for whom the state requests an exception.
 - b. The basis for the request as described in Section VI.A above.
 - c. All date(s) of the employee's assignment and reassignment to and from their position, such that the cumulative amount of time in the position is clear.
 - d. The start and end dates of any paid time when the employee was not available for training and the reasons (e.g., on paid leave or military absence). *Do not include any personal information such as the nature of a condition or illness that necessitated the leave.*
 - e. Dates and descriptions of any attempts to schedule the employee for courses.
 - f. The date by which the state projects that the employee will be able to complete all required training.
 - g. Any process changes they will implement to reduce the likelihood of future training delays.
2. *Evidence* that the state made every reasonable effort to secure training for the staff within the required timeline. States must include documentation of these efforts, as described in Section VI, in the exception request package in any

electronic format. This evidence must corroborate the dates and descriptions included in the transmittal letter.

- B. **Remediation.** In the absence of either a) satisfactory completion of all training or b) an approved exception from VETS ONP, the state must stop charging the employee's costs to the JVSG program by the end of the 18th month after assignment. States that do not meet these criteria may not charge any portion of the employee's expenses to JVSG under any condition. The employee may return to the JVSG program only *after* they have completed all training requirements. See [VPL 04-17 Change 1](#) or the most recent guidance regarding enrolling state employees other than JVSG staff into NVTI courses.
- C. **Exception Approval or Rejection.** VETS will notify a state that has requested an exception of ONP's approval or rejection decision via a Grant Note for the award—with the state's request package attached—in the GrantSolutions system. If approved, ONP will set a date by which the JVSG staff must successfully complete all training requirements. If the JVSG staff does not complete training by this date, the state must stop charging the employee's costs to the JVSG program.

VIII. Actions Required

- A. **Effective Immediately.** This guidance is effective immediately.
- B. **Phased Implementation.** If a state has JVSG staff who have been assigned for more than 9 months but have not completed all required training as of the date of this guidance, they must take appropriate action to notify the DVET and/or NVTI as required in Section VI Exception Criteria within 60 days of the signature date on this policy. However, there are no exceptions to Section VII.B Remediation. States without approved exceptions must immediately stop charging to JVSG any costs associated with JVSG staff who have not satisfactorily completed the required training within 18 months.
- C. **Legislative Changes.** At the time of publication, JVSG program legislation requires JVSG staff to complete training within 18 months of assignment. If legislation changes from the 18-month requirement, each instance of "18 months" in this VPL shall be immediately replaced with the new timeline.
- D. **Technical Assistance.** DVETs are available to provide technical assistance to states. DVETs will forward any notifications as described in Section VI.A Notifications to the ONP NVTI Lead, and any exception request packages as described in Section VII Exception Requests to their Regional Administrator after review. The DVET may be found on the [regional staffing directory](#).
- E. **Regional Administrators.** Regional Administrators will email exception request packages to ONP at JVSG@dol.gov along with their recommendation for approval

or disapproval. If the Regional Administrator recommends disapproval, their email will assure that they have attempted to help the state submit an approvable package.

IX. Inquiries

Recipients should direct inquiries regarding this guidance to the assigned DVET. DVETs should direct inquiries to the appropriate Regional Office. Regional Offices may send questions to JVSG@dol.gov.

X. Expiration Date

This VPL will be reviewed for relevance on or before September 30, 2026, and will remain in effect until it is rescinded or superseded.