



U.S. DEPARTMENT OF LABOR Veterans Employment and Training Service (DOL/VETS)	NOTICE OF AWARD (NOA)
<p>Under the authority of the <i>Title 38 of United States Code Sections 4103A and 4104</i>, this grant or agreement is entered into between the above named <i>Grantor Agency</i> and the following named <i>Awardee</i>, for a project entitled - <i>Jobs for Veterans State Grants (JVSG)</i></p>	

Name of Awardee:
FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY
107 EAST MADISON STREET
TALLAHASSEE, FLORIDA 32399-6545

Federal Award Id. No. (FAIN): DV-37868-22-55-5-12
CFDA #: 17.801 - Jobs for Veterans State Grants
Amount: \$2,111,090.00
EIN: 364706134
DUNS #: 968930664

Accounting Code: 1653-2022-2901642222BD202201640005225NGRNT500005VET005GRNT3-590911-410010---

Payment Management System DOC#: DV37868SG2

The Period of Performance shall be from **October 01, 2021 thru December 31, 2023**.
 Total Government's Financial Obligation is **\$2,111,090.00** (unless other wise amended).

Payments will be made under the Payments Management System, and can be automatically drawn down by the awardee on an as needed basis covering a forty-eight (48) hour period.
 In performing its responsibilities under this grant agreement, the awardee hereby certifies and assures that it will fully comply with all applicable Statute(s), and the following regulations and cost principles, including any subsequent amendments:

Uniform Administrative Requirements, Cost Principles, and Audit Requirements:
 2 CFR Part 200; Uniform Administrative Requirements, Cost Principles, and Audit Requirements; Final Rule
 2 CFR Part 2900; DOL Exceptions to 2 CFR Part 200;

Other Requirements (Included within this NOA):

Condition(s) of Award (if applicable)
 Federal Award Terms, including attachments

Contact Information
 The Grant Officer Technical Representative (GOTR) assigned to this grant is Bernadette Walsh. Bernadette Walsh will serve as your first line point of contact and can be contacted via e-mail- walsh.bernadette@dol.gov. If your GOTR is not available, please call your Regional Office at 404-302-5300 for assistance.

The awardee's signature below certifies full compliance with all terms and conditions as well as all applicable Statues(s), grant regulations, guidance, and certifications.

Signature of Approving Official - **AWARDEE**

Signature of Approving Official - **DOL / VETS**

See SF-424 for Signature

No Additional Signature Required



Kia Mason, November 23, 2021
 Grant Officer

Close

Print

JOBS FOR VETERANS STATE GRANTS
TERMS AND CONDITIONS
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1. Order of Precedence

In the event of any inconsistency between the terms and conditions of this Notice of Award (NOA) and other requirements, the following order of precedence shall apply:

- I. 38 U.S.C. Chapter 41.
- II. Other applicable Federal statutes.
- III. Consolidated Appropriations Act 2021 (Public Law 116-260) dated December 27, 2020.
- IV. Implementing Regulations.
- V. Executive Orders and Presidential Memoranda.
- VI. The Office of Management and Budget (OMB) Guidance, including the Uniform Guidance at 2 CFR 200 and 2900.
- VII. JVSG Special Grant Provisions
- VIII. The U.S. Department of Labor (DOL)/ Veterans' Employment and Training Service (VETS) Directives.
- IX. Terms and conditions of this award.

2. Notice of Award

The funds that are provided under this NOA must be expended according to all applicable Federal statutes, regulations and policies, and the applicable provisions in the appropriations act(s).

The funds shall be obligated and allocated via a NOA grant modification. These obligations and expenditures may not exceed the amount awarded by the NOA modification unless otherwise modified by the Grant Officer.

3. Grant Officer Technical Representative

The DOL/VETS Grant Officer Technical Representative (GOTR) for this award is:

Name: Bernadette Walsh
Telephone: 850-717-0768
E-mail: walsh.bernadette@dol.gov

The GOTR is not authorized to change any of the terms or conditions of the award, or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award modification process.

4. Indirect Cost Rate and Cost Allocation Plan

Indirect (facilities & administrative (F&A)) costs means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Direct costs, by contrast, can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally

funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Identification with the Federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect (F&A) costs of Federal awards.

If the DOL serves as the Federal Cognizant Agency (FCA) for the grant award recipient, then the grant recipient must work with DOL's Cost & Price Determination Division (CPDD), which has delegated authority to negotiate and issue a Negotiated Indirect Cost Rate Agreement (NICRA) or Cost Allocation Plan (CAP) on behalf of the Federal Government. More information about the DOL's CPDD is available at <https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>. This website has guidelines to develop indirect cost rates, links to the applicable cost principles, and contact information. The CPDD also has Frequently Asked Questions to provide general information about the indirect cost rate approval process and due dates for provisional and final indirect cost rate proposals at <https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division/faq>.

If a new NICRA is issued during the grant's period of performance, it must be provided to DOL within 30 days of issuance. Funds may be re-budgeted as necessary between direct cost categories as long as it is consistent with the Budget Flexibility term within this agreement, grant requirements, and DOL regulations on prior approval. However, the total amount of the grant award will not be increased.

 X A. A federally approved NICRA or federally approved CAP covering a portion of the grant period of performance is attached.

Regarding only the NICRA:

(1) Indirect Rate approved: See Attached

(2) Type of Indirect Cost Rate: See Attached (i.e. Provisional/Predetermined/Fixed)

(3) Allocation Distribution Base: _____

(4) Current beginning and ending period applicable to rate: _____

Estimated Indirect Costs are shown on the SF-424A budget form.

 N/A B. (1) _____ The provided NICRA or CAP approved by the FCA does not cover a portion of the period of performance, or

(2) _____ Indirect costs are being claimed on the SF-424A, however an indirect cost rate proposal or CAP has not yet been submitted for approval to the FCA.

URGENT NOTICE: Estimated indirect costs have been specified on the SF-424A, Section B, Object Class Category "j", however only \$[N/A] will be released to support the indirect costs in the absence of a NICRA or CAP approved by the FCA. The remaining funds which have been awarded for Indirect Costs are restricted and may not be used for any purpose until the recipient provides a

signed copy of the NICRA or CAP and receive documentation stating that the restriction is lifted by the Grant Officer. Upon receipt of the NICRA or CAP, the Grant Officer will issue a grant modification to the award to remove the restriction on those funds.

As the grant award recipient, the grant recipient must submit an indirect cost rate proposal or CAP. If the FCA for indirect costs is DOL, these documents should be submitted to the DOL's Cost & Price Determination Division (CPDD) (see <https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>). Otherwise, they should be submitted to the grant award recipient's FCA. Alternatively, the grant recipient may request the de minimis rate if eligible (see section D. below). In addition, the recipient must notify the GOTR that the documents have been submitted to the appropriate FCA.

If the grant recipient does not submit a NICRA proposal within 90 days of award, they will be limited to the de minimis rate of 10% of Modified Total Direct Costs (MTDC). See section D. below for more details and definitions.

N/A C. The grant award recipient elected to exclude indirect costs from the proposed budget. Please be aware that incurred indirect costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) must not be classified as direct costs; these types of costs are indirect costs. Only direct costs, as defined by the applicable cost principles, will be charged. According to 2 CFR 200.412, if indirect costs are misclassified as direct costs, such costs may become disallowed through an audit.

N/A D. The grant award recipient does not have a current negotiated (including provisional) rate and may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. A governmental department or agency unit that receives more than \$35 million in direct Federal funding must submit its indirect cost rate proposal to its cognizant agency for indirect costs and cannot request a de minimis rate. This methodology must be used consistently for all Federal grant awards until such time as the grant award recipient chooses to negotiate for an indirect cost rate, which the grant recipient may apply to do at any time. See 2 CFR 200.414(f) for more information on use of the de minimis rate. Please be aware that incurred indirect type costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) must not be classified as direct costs; these types of costs are recovered as part of charging the de minimis rate.

All grant recipients with an approved NICRA or de minimis rate must report indirect costs on their **FINAL** SF-425 Federal Financial Report. If a grant recipient has a NICRA and a CAP, only the indirect costs tied to the NICRA are reported on the SF-425 Report.

5. **Approved Budget**

The grant award recipient's budget documents are attached in this NOA. The documents are: 1) the SF-424M, included as Attachment B; and 2) the VETS-401 Budget Information Summary, included as Attachment C. The grant award recipient must confirm that all costs are allowable, reasonable, necessary, and allocable before charging any expense. Pursuant to 2 CFR 2900.1, the approval of the budget as awarded does not constitute prior approval of those items specified in 2 CFR part 200 or as a part of the grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

Any changes to the budget that impact the JVSG State Plan and agreed upon outcomes or deliverables will require a request for modification and prior approval from the Grant Officer.

6. **Return of Funds**

DOL/VETS does not accept paper checks for any type of returned funds. For active grants, all returns of funds are to be submitted electronically through the PMS operated by the U.S. Department of Health and Human Services (HHS) via the same method as a drawdown. For grants that have been cancelled or are expired (typically older than five years), incoming payments, including returns and recoveries to DOL, must be made via the Pay.gov website (<https://www.pay.gov/public/form/start/177233981>).

7. **Evaluation, Data, and Implementation**

As the grant award recipient, the grant recipient must cooperate during the implementation of a third-party evaluation. This means providing DOL or its authorized contractor with the appropriate data and access to program operating personnel and participants in a timely manner.

8. **Cost Limitation Restrictions**

a. **Single Audit Submission Deadline Extension Related to COVID-19**

In [OMB Memorandum M-20-17](#), OMB offered an extension of Single Audit submission deadlines for fiscal years ending June 30, 2020 to allow recipients and subrecipients a responsible transition to normal operations. This flexibility was extended through December 31, 2020 by [OMB Memorandum 20-26](#).

In [OMB Memorandum M-21-20](#), Appendix 3, Item IX, OMB has offered an additional extension of Single Audit submission deadlines for fiscal years ending June 30, 2021. Award recipients and subrecipients that have not yet filed their single audits with the Federal Audit Clearinghouse as of March 19, 2021 that have fiscal year-ends through June 30, 2021 may delay the completion and submission of the Single Audit reporting package, as required under 2 CFR 200.501 (Audit Requirements), to six (6) months beyond the normal due date. This extension does not require individual recipients and subrecipients to seek approval for the extension by the cognizant or oversight agency for

audit; however, recipients and subrecipients should maintain documentation of the reason for the delayed filing.

b. Budget Flexibility

Grant recipients are not permitted to make transfers that would cause any funds to be used for purposes other than those consistent with this Federal program. Any budget changes that impact the SOW and agreed upon outcomes or deliverables require a request for modification and approval from the Grant Officer.

As directed in 2 CFR 200.308(e), for programs where the Federal share is over the Simplified Acquisition Threshold (SAT) (currently \$250,000), the transfer of funds among direct cost categories or programs, functions, and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10% of the total budget as last approved by the Federal awarding agency, the recipient must receive prior approval from the Grant Officer. Any changes within a specific cost category on the VETS-401 do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of total budget. It is recommended that the assigned GOCR review any within-line changes to the grant award recipient's budget prior to implementation to ensure they do not require a modification.

For programs where the Federal share of the project is below the SAT of \$250,000, recipients are not required to obtain the Grant Officer's approval when transferring funds among direct cost categories.

c. Consultants

For the purposes of this grant award, the Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to \$750.00 a day (representing an eight-hour workday). Such costs must be reasonable, allocable and allowable to the program. Any fees paid in excess of this amount cannot be paid without prior approval from the Grant Officer.

d. Non-Federal Share (Match or Cost Share)

This grant award does not include a match requirement.

e. Travel

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.475. For domestic travel to be an allowable cost, it must be necessary, allowable, reasonable, allocable and conform to the non-Federal entity's written policies and procedures. All travel must also comply with Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

f. Travel – Foreign

Foreign travel is not allowable except with prior written approval from the Grant Officer through the process described in 2 CFR 200.407 and 2 CFR 2900.16. All travel, both domestic and Grant Officer approved foreign travel, must comply with the Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

g. Travel – Mileage Reimbursement Rates

Pursuant to 2 CFR 200.475(a), all award recipients must have policies and procedures in place related to travel costs; however, for reimbursement on a mileage basis, this Federal grant award cannot be charged more than the maximum allowable mileage reimbursement rates for Federal employees. Mileage rates must be checked annually at www.gsa.gov/mileage to ensure compliance.

h. WIOA Infrastructure

WIOA, Section 121(b)(1)(B) and 20 CFR 678.400 require the following programs to be One-Stop partners:

- A. WIOA, Title I programs: Adult, Dislocated Worker, and Youth formula programs, Job Corps, YouthBuild, Native American programs, National Dislocated Worker Grants (DWG), and NFJP;
- B. Wagner-Peyser Act Employment Service (ES) program authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as amended by WIOA, Title III;
- C. SCSEP authorized under Title V of the Older Americans Act of 1965;
- D. Trade Adjustment Assistance (TAA) activities authorized under Chapter 2 of Title II of the Trade Act of 1974;
- E. Unemployment Compensation (UC) programs;
- F. Jobs for Veterans State Grants (JVSG) programs authorized under Chapter 41 of Title 38, U.S.C.; and
- G. Reentry Employment Opportunities (REO) programs (formerly known as the Reintegration of Ex-Offenders Program (RExO) awarded prior to January 1, 2019 which were authorized under Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

With the exception of Native American programs established under WIOA, Section 166 all One-Stop partner programs, including all programs that are funded under Title I of WIOA, are required to contribute to the infrastructure costs and certain additional costs of the One-Stop delivery system in proportion to their use and relative benefits received, per 20 CFR 678.700 and 678.760. While Native American programs are not required to contribute to infrastructure costs per WIOA Section 121(h)(2)(D)(iv), they are strongly encouraged to contribute as stated in TEGL No. 17-16. The sharing and allocation of infrastructure costs between One-Stop partners is governed by WIOA Section 121(h), WIOA's implementing regulations, and the Federal Cost Principles contained in the Uniform Guidance at 2 CFR part 200 and DOL's exceptions at 2 CFR part 2900.

If not deemed a required one-stop partner, it is strongly recommended that the grant recipient partner with the local WIOA one-stop delivery system in its service area(s). The one-stop system can assist with referrals, labor market information, and many other services that will directly benefit the management and performance of your grant. The one-stop system also provides access to a wide range of publicly- and privately-funded education, employment, training, and supportive services while also providing high-quality customer service to job seekers, workers, and businesses.

9. Administrative Requirements

a. SF-424M, Application for Federal Assistance-Mandatory, and SF-424B, Assurances and Certifications

The signed SF-424M, Application for Federal Assistance-Mandatory, has been included as an attachment to this grant award. The individual that signed the SF-424M on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 18 of the SF-424M form, the signature of the Authorized Representative on the SF-424 certifies that the grant award recipient is in compliance with the Assurances and Certifications form SF-424B (available at <http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>). The grant award recipient does not need to submit the SF-424B form separately.

b. Audits

Organization-wide or program-specific audits must be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance. DOL awards recipients that expend \$750,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501.

c. Revisions to the Uniform Guidance

The Office of Management and Budget issued revisions to 2 CFR parts 25, 170, 183, and 200 (the Uniform Guidance) on August 13, 2020 and February 22, 2021 (technical correction). These revisions became effective November 12, 2020, except for the amendments to §§ 200.216 and 200.340, which were immediately effective on August 13, 2020. The grant award recipient must operate in compliance with these revised regulations. Please note that the section numbering in the Uniform Guidance has changed in some instances, and this Terms & Conditions document has been updated accordingly.

d. Closeout/Final Year Requirements

At the end of the grant period, the award recipient will be required to close the grant with the VETS. The grant recipient will be notified approximately 7 days prior to the end of the period of performance that the closeout process will begin when the period of performance ends. See <https://www.dol.gov/agencies/eta/grants/management/closeout> for further information on the closeout process. The recipient's responsibilities at closeout may be found at 2 CFR 200.344. During the closeout process, the grant recipient must be able to provide documentation for all direct and indirect costs that are incurred.

For instance, if an organization is claiming indirect costs, the required documentation is a NICRA or CAP issued by the grant recipient's FCA. For those approved to utilize a de minimis rate for indirect costs, the grant agreement is sufficient documentation. Not having documentation for direct or indirect costs will result in costs being disallowed and subject to debt collection.

The only liquidation that can occur during closeout is the liquidation of accrued expenditures (NOT obligations) for goods and/or services received during the grant period (2 CFR 2900.15).

e. Equipment

The grant award recipient(s) must receive **prior approval** from the Grant Officer to purchase any equipment as defined in the Uniform Guidance at 2 CFR 200.1. Prior approval is required only when the acquisition cost is \$5,000 or more regardless of the non-Federal entity's capitalization threshold. Equipment purchases must be made in accordance with 2 CFR 200.313 or 2 CFR 200.439.

Being awarded this grant **does not** automatically mean that the equipment specified in the approved budget or SOW is approved by the Grant Officer. If not specified above, the recipient must submit a detailed list describing the purchase to the GOTR for review within 90 days of the NOA date. The recipients are strongly encouraged to submit requests for equipment purchase as early as possible in the grant's period of performance with as many planned pieces of equipment as possible.

Recipients may not purchase equipment during the last year of the period of performance or the last year of full program service delivery (not follow up activities), whichever comes first. If any approved acquisition has not occurred prior to the last funded year of performance, approval for that item is rescinded.

f. Federal Funding Accountability and Transparency Act (FFATA)

1. Reporting of first-tier subawards.

I. *Applicability.* Unless the grant award recipient is exempt as provided in paragraph [4.] of this award term, the grant recipient must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph [5.] of this award term).

II. *Where and when to report.*

I. The Federal entity or Federal agency must report each obligating action described in paragraph [1.i.] of this award term to <https://www.frs.gov>.

II. For subaward information, the recipient must report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

- III. *What to report.* The grant award recipient must report the information about each obligating action that the submission instructions posted at <https://www.fsr.gov> specify.
2. Reporting total compensation of recipient executives for non-Federal entities.
 - I. *Applicability and what to report.* The grant award recipient must report total compensation for each of their five most highly compensated executives for the preceding completed fiscal year, if—
 - I. the total Federal funding authorized to date under this Federal award is equals or exceeds \$30,000 as defined in 2 CFR 170.320;
 - II. in the preceding fiscal year, the grant recipient received—
 - (A) 80% or more of the annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - III. The public does not have access to information on the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission (SEC) total compensation filings at <https://www.sec.gov/answers/execomp.htm>.)
 - II. *Where and when to report.* The grant award recipient must report executive total compensation described in paragraph [2.a.] of this award term:
 - a. As part of your registration profile at <http://www.sam.gov>.
 - b. By the end of the month following the month in which this award is made, and annually thereafter.
3. Reporting of Total Compensation of Subrecipient Executives.
 - I. *Applicability and what to report.* Unless the grant recipient is exempt as provided in paragraph [4.]of this award term, for each first-tier non-Federal entity subrecipient under this award, the grant award recipient shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
 - I. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80% or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

- II. The public does not have access to information on the compensation of the executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the SEC total compensation filings at <https://www.sec.gov/answers/execomp.htm>.)
 - II. *Where and when to report.* The grant award recipient must report subrecipient executive total compensation described in paragraph [3.a] of this award term:
 - I. To the recipient.
 - II. By the end of the month following the month during which the grant recipient make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), the grant recipient must report any required compensation information of the subrecipient by November 30 of that year.
4. Exemptions.
- If, in the previous tax year, the grant award recipient had gross income, from all sources, under \$300,000, the grant recipient is exempt from the requirements to report:
- a. Subawards, and
 - b. The total compensation of the five most highly compensated executives of any subrecipient.
5. Definitions.
- For purposes of this award term:
- a. *Federal Agency* means a Federal agency as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).
 - b. *Non-Federal Entity* means all of the following, as defined in 2 CFR part 25:
 - I. A Governmental organization, which is a State, local government, or Indian tribe;
 - II. A foreign public entity;
 - III. A domestic or foreign nonprofit organization; and
 - IV. A domestic or foreign for-profit organization.
 - c. *Executive* means officers, managing partners, or any other employees in management positions.
 - d. *Subaward*:
 - I. This term is used as a legal instrument to provide support for the performance of any portion of the substantive project or program for which the grant recipient received this award and that the grant recipient as the recipient award to an eligible subrecipient.
 - II. The term does not include the grant award recipient procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.330]).
 - III. A subaward may be provided through any legal agreement, including an agreement that the grant recipient or a subrecipient considers a contract.
 - e. *Subrecipient* means a non-Federal entity or Federal agency that:

- I. Receives a subaward from the grant award recipient under this award; and
 - II. Is accountable to the grant recipient for the use of the Federal funds provided by the subaward.
- f. *Total* compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- I. *Salary and bonus.*
 - II. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - III. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - IV. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
 - V. *Above-market earnings on deferred compensation which is not tax-qualified.*
 - VI. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

g. Monitoring, Technical Assistance, and Additional Specific Conditions of Award

All grant recipients, including states and territories managing the Unemployment Insurance programs, are subject to 2 CFR 200.208, *Specific conditions*, which indicates that the Federal awarding agency may adjust specific award conditions as needed. A specific condition is based on an analysis of the following factors:

- (1) Based on the criteria in §200.206, *Federal awarding agency review of risk posed by applicants*;
- (2) The applicant or recipient's history of compliance with the general or specific terms and conditions of a Federal award;
- (3) The applicant or recipient's ability to meet expected performance goals as described in §200.211; or
- (4) A responsibility determination of an applicant or recipient.

Additional Federal award conditions may include items such as the following:

- (1) Requiring payments as reimbursements rather than advance payments;
- (2) Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given performance period;
- (3) Requiring additional, more detailed financial reports;
- (4) Requiring additional project monitoring;

(5) Requiring the non-Federal entity to obtain technical or management assistance; or

(6) Establishing additional prior approvals.

Grant recipients may be required to obtain technical or management assistance through an established provider/contractor that has been selected or hired by DOL that may include in-person or remote assistance.

h. Personally Identifiable Information

The grant award recipient(s) must recognize and safeguard Personally Identifiable Information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Award recipients must meet the requirements in TEGL No. 39-11, Guidance on the Handling and Protection of PII, can be found at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872.

i. Pre-Award

All costs incurred by the award recipient prior to the start date specified in the grant award issued by the Department are *incurred at the recipient's own expense*.

j. Procurement

The Uniform Guidance (2 CFR 200.317) require States (as defined at 2 CFR 200.1) to follow the same procurement policies and procedures it uses for non-Federal funds. The state must comply with 2 CFR 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. The grant award recipient(s) must also follow the requirements regarding the competitive selection of One-Stop Operators at WIOA Sections 121(d) and 123.

k. Program Income

The Addition method as described in 2 CFR 200.307 must be used in allocating any program income generated for this grant award. The grant award recipient must expend all program income prior to drawing down any additional funds as required at 2 CFR 200.305(b)(5) and 2 CFR 200.307(e). Any program income found remaining at the end of period of performance must be returned to VETS. Program income must be reported on the SF-425 form.

l. Recipient Integrity and Performance Matters

1. If the total value of the currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the grant award recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in Paragraph 2 of this award term and condition. This is a statutory requirement under Section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by Section 3010 of Public Law 111-

212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings about which the grant recipient must report. Submit the information required about each proceeding that:
 - a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
 - b. Reached its final disposition during the most recent 5-year period; and
 - c. Is one of the following:
 - I. A criminal proceeding that resulted in a conviction, as defined in Paragraph 5. of this award term;
 - II. A civil proceeding that resulted in a finding of fault and liability and paying a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - III. An administrative proceeding, as defined in Paragraph 5. of this award term, that resulted in a finding of fault and liability and grant recipient payment of either monetary fine or penalty of \$5,000 or more or a reimbursement, restitution, or damages in excess of \$100,000; or
 - IV. Any other criminal, civil, or administrative proceeding if:
 - (A) It could have led to an outcome described in Paragraph 2.c.I, II, or III of this award term;
 - (B) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the grant recipient's part; and
 - (C) The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.
3. Reporting procedures. Enter in SAM, Entity Management area (formerly CCR), or any successor system, the FAPIIS information that SAM requires about each proceeding described in Paragraph 2. of this award term. The grant award recipient does not need to submit the information a second time under assistance awards that were received if the recipient already provided the information through SAM (formerly CCR) because the recipient was required to do so under Federal procurement contracts that the recipient was awarded.
4. Reporting frequency. During any period of time when the grant award recipient is a subject to the requirement in paragraph 1. of this award term, the grant recipient must report FAPIIS information through SAM no less frequently than semiannually following the initial report of any proceedings for the most recent 5-year period, either to report new information about any proceeding(s) that the grant recipient has not reported previously or affirm that there is no new information to report.
5. Definitions. For purposes of this award term:
 - a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., SEC

Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level. It does not include audits, site visits, corrective plans, or inspection of deliverables.

- b. Conviction, for purposes of this award term, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes —
 - i. Only the Federal share of the funding under any award with a recipient cost share or match; and
 - ii. The value of all options, even if not yet exercised.

m. Reports

All VETS grant award recipients are required to submit quarterly financial and narrative progress reports for each grant award. See Attachment A: JVSG Special Grant Provisions, Section V.

n. Requirements for Conference and Conference Space

Conferences sponsored in whole or in part by the grant award recipient are allowable if the conference is necessary and reasonable for the successful performance of the Federal Award. The grant award recipients are urged to use discretion and good judgment to ensure that all conference costs charged to the grant are appropriate and allowable. For more information on the requirements and the allowability of costs associated with conferences, refer to 2 CFR 200.432. Recipients will be held accountable to the requirements in 2 CFR 200.432. Therefore, costs that do not comply with 2 CFR 200.432 will be questioned and may be disallowed.

o. Subawards

A *subaward* means an award provided by a *Pass-Through Entity* (PTE) to a subrecipient for the subrecipient to carry out part of a Federal award received by the PTE. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the PTE considers a contract.

The provisions of the Terms and Conditions of this award will be applied to any subrecipient under this award. The recipient is responsible for monitoring the subrecipient, ensuring that the Terms and Conditions are in all subaward packages and that the subrecipient complies with all applicable regulations and the Terms and Conditions of this award (2 CFR 200.101(b)).

p. Supportive Services & Participant Support Costs

Supportive services and participant support costs are not allowable under this grant.

q. System for Award Management (SAM)

SAM is the official federal system that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of contract awards, grants, and electronic payment processes. A SAM registration is required for an entity to be able to apply for federal grants, to request modifications to existing grants, and to enable them to closeout expiring grants. See Training and Employment Notice (TEGL) 18-17 for additional guidance.

Unless the grant award recipient is exempt from this requirement under 2 CFR 25.110, the grant recipient must maintain current its information in the SAM. This includes information on the recipient's immediate and highest level owner and subsidiaries, as well as on all of the recipient's predecessors that have been awarded a Federal contract or Federal financial assistance within the last three years, if applicable, until the grant recipient submits the final financial report required under this Federal award or receive the final payment, whichever is later. This requires that the grant recipient review and update the information at least annually after the initial registration, and more frequently if required by changes in its information or another Federal award term.

1. Unique Entity Identifier Requirements

If the grant award recipient is authorized to make subawards under this award, then the grant recipient:

- i. Must notify potential subrecipients that no entity (see definitions below) may receive a subaward from the grant award recipient until the entity has provided its unique entity identifier to the grant recipient.
- ii. May not make a subaward to an entity unless the entity has provided its Unique Entity Identifier to the grant recipient. Subrecipients are not required to obtain an active SAM registration, but must obtain a Unique Entity Identifier.

NOTE: At some point, the DUNS Number will be replaced by a new, non-proprietary identifier requested in and assigned by SAM.gov. This new identifier is being called the Unique Entity Identifier (UEI), or the Entity ID. Users should continue using the DUNS Number in UEI fields until further notice. To learn more about SAM's rollout of the UEI, please visit gsa.gov/entityid.

2. Definitions

For purposes of this term:

- i. SAM is the Federal repository where the grant award recipients must provide information required for the conduct of business as recipients. Additional information about registration procedures may be found at the SAM website (<http://www.sam.gov>).
- ii. *Unique entity identifier* means the identifier assigned by SAM to uniquely identify business entities.
- iii. *Entity*, as it is used in this grant award term, includes all of the following, as defined at 2 CFR Part 25, Appendix A:
 - a. A non-Federal entity as defined at 2 CFR 200.1 (A State, local government, Indian Tribe, Institute of Higher Education (IHE), or

nonprofit organization that carries out a Federal award as a recipient or subrecipient);

- b. A foreign organization;
- c. A foreign public entity;
- d. A domestic for-profit organization; and
- e. A Federal agency.

iv. *Subaward* means:

An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

v. *Subrecipient* means:

An entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

3. Existing SAM Registrants

VETS advises grant recipients registered in SAM to review their registration information, particularly their financial information and points of contact. Assistance is available by contacting the Federal Service Desk at www.fsd.gov.

VETS further encourages grant recipients to review the expiration date of their SAM registration and begin the renewal process well in advance, to ensure that their registration remains valid. If the grant recipient has not logged in and updated its entity registration record within at least the past 365 days, its record will expire and go into inactive status. Timely renewal will ensure that the grant recipient can continue to request and receive modifications to their existing grants, as well as apply for new funding opportunities. Further, the DUNS and EIN numbers must remain active until the grant award closeout process is fully completed.

4. Validation

VETS routinely checks the validity of a grant recipient's SAM registration and verifies that the recipient isn't included on the excluded parties list before making a grant award, or approving a modification to an existing award. Failure to have an active SAM registration can delay grant recipients from receiving their initial award or requested modifications to their existing awards.

r. Vendor/Contractor

The term "contractor," sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required to implement a

Federal program (see 2 CFR 200.1). These goods or services may be for an organization's own use or for the use of the beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.331. When procuring contractors for goods and services, DOL/VETS recipients and subrecipients, must follow the procurement requirements found at 2 CFR 200.319, except states, pursuant to 2 CFR 200.317, which calls for free and open competition.

s. Whistleblower Protection

This grant award and employees working on this grant award are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712. The grant award recipient shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation (48 CFR 3.908; note that for the purpose of this term and condition, use of the term "contract," "contractor," "subcontract," or "subcontractor" in section 3.908 should be read as "grant," "grantee," "subgrant," or "subgrantee"). The recipient shall insert the substance of this clause in all subgrants and contracts over the Simplified Acquisition Threshold.

t. Telecommunications

Grant recipients must adhere to 2 CFR 200.216 - Prohibition on certain telecommunications and video surveillance services or equipment. (Effective August 13, 2020)

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to: (1) Procure or obtain; (2) Extend or renew a contract to procure or obtain; or (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). (ii) Telecommunications or video surveillance services provided by such entities or using such equipment. (iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country. (b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations

as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained. (c) See Public Law 115-232, section 889 for additional information. (d) See also §200.471.

u. Intellectual Property Rights

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grant award recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise.

Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the DOL/VETS has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping.

If revenues are generated by selling products developed with grant funds, including intellectual property, these revenues are considered as program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

The following language must be on all workforce products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor (DOL)’s Veterans’ Employment and Training Service (VETS). The product was created by the recipient and does not necessarily reflect the official position of DOL/VETS. DOL/VETS makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”

v. Domestic Preferences for Procurements

As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured

products). The requirements of 2 CFR Part 200.322 must be included in all subawards including all contracts and purchase orders for work or products under this award.

10. Program Requirements

The program requirements for this award are described in 38 U.S. Code, chapters 41 and 42, and in 20 CFR Part 1001.

11. FY 2022 Federal Appropriations Requirements

a. Requirement to Provide Certain Information in Public Communications

Pursuant to P.L. 116-260, Division H, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state:

1. The percentage of the total costs of the program or project which will be financed with Federal money;
2. The dollar amount of Federal funds for the project or program; and
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this term are separate from those in 2 CFR Part 200 and, when applicable, both must be complied with.

b. Fair Labor Standards Act Amendment for Major Disasters

Pursuant to P.L. 116-260, Division H, Title I, Section 108, the Fair Labor Standards Act of 1938 (FLSA) will apply as if the following language was added to Section 7 (the Maximum Hours Worked Section). This language specifically relates to occurrences of a major disaster (as declared or designated by the state or federal government) and are applied for a period of two years afterwards. The language is as follows:

- “(s)(1) The provisions of this section [maximum hours worked] shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—
- (A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;
- (B) who receives from such employer on average weekly compensation of not less than \$591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and (C) whose duties include any of the following:
- (i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;
- (ii) inspecting property damage or reviewing factual information to prepare damage estimates;

- (iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;
 - (iv) negotiating settlements; or
 - (v) making recommendations regarding litigation.
- (2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1) [of the FLSA].
- (3) For purposes of this subsection—
- (A) the term ‘major disaster’ means any disaster or catastrophe declared or designated by any State or Federal agency or department;
 - (B) the term ‘employee employed to adjust or evaluate claims resulting from or relating to such major disaster’ means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and
 - (C) the term ‘affiliate’ means a company that, by reason of ownership or control of 25% or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company.”

c. Health Benefits Coverage for Contraceptives

Federal funds may not be used to enter into or renew a contract which includes a provision for prescription drug coverage unless the contract also includes a provision for contraceptive coverage. This requirement does not apply to contracts with 1) the religious plans Personal Care’s HMO and OSF HealthPlans, Inc. and 2) any existing or future plan if the carrier for the plan objects to such coverage on the basis of religious beliefs.

In implementing this section, any plan that enters into or renews a contract may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individuals’ religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion related services.

d. Privacy Act

No funds can be used in contravention of 5 U.S.C. 552a (the Privacy Act) or regulations implementing the Privacy Act.

e. Prohibition on Contracting with Corporations with Felony Criminal Convictions

The recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

f. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

The grant award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

g. Prohibition on Procuring Goods Obtained Through Child Labor

Pursuant to P.L. 116-260, Division H, Title I, Section 103, no funds may be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries identified by the DOL prior to December 20, 2019. DOL has identified these goods and services here: <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-products>.

h. Prohibition on Providing Federal Funds to Association of Community Organizations for Reform Now (ACORN)

Pursuant to P.L. 116-260, Division H, Title V, Section 521, these funds may not be provided to the ACORN, or any of its affiliates, subsidiaries, allied organizations or successors.

i. Reporting of Waste, Fraud and Abuse

No entity receiving federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

j. Requirement for Blocking Pornography

Pursuant to P.L. 116-260, Division H, Title V, Section 520, no Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

k. Restriction on Health Benefits Coverage for Abortions

Pursuant to P.L. 116-260, Division H, Title V, Section 506 and 507, Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the pregnancy is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself that would, as certified by a physician, place the women in danger of death unless an abortion is performed. This restriction does not prohibit any non-Federal entity from providing health benefits

coverage for abortions when all funds for that specific benefit do not come from a Federal source. Additionally, no funds made available through this grant award may be provided to a State or local government if such government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

l. Restriction on Lobbying/Advocacy

Pursuant to P.L. 116-260, Division H, Title V, Section 503, no federal funds may be used to pay the salary or expenses of any grant recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or executive order proposed or pending before the Congress or any state government, state legislature or local legislature or legislative body, other than for normal and recognized executive–legislative relationships or participation by an agency or officer of a state, local or tribal government in policymaking and administrative processes within the executive branch of that government.

m. Publicity

Pursuant to P.L. 116-260, Division H, Title V, Section 503, the grant award recipient is not authorized to use any funds provided under this grant award—other than for normal and recognized executive–legislative relationships—for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation, designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government, except in presentation to the executive branch of any state or local government itself.

n. Restriction on the Promotion of Drug Legalization

Pursuant to P.L. 116-260, Division H, Title V, Section 509, no Federal funds shall be used for any activity that promotes the legalization of any drug or other substance included in Schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications or where there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

o. Restriction on Purchase of Sterile Needles or Syringes

Pursuant to P.L. 116-260, Division H, Title V, Section 527, no Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug.

p. Salary and Bonus Limitations

Pursuant to P.L. 116-260, Division H, Title I, Section 105, recipients and subrecipients shall not use funds to pay the salary and bonuses of an individual, either as direct costs or as indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>). The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.331. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including VETS programs.

12. Public Policy

a. Architectural Barriers

The Architectural Barriers Act of 1968, 42 U.S.C. 4151 et seq., as amended, the Federal Property Management Regulations (see 41 CFR 102-76), and the Uniform Federal Accessibility Standards issued by the U.S. General Services Administration (GSA) (see 36 CFR 1191, Appendixes C and D) set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.

b. Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR 182 require that all award recipients receiving grants from any Federal agency maintain a drug-free workplace. The award recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment.

c. Executive Orders

12928: Pursuant to Executive Order (EO) 12928, the grant award recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals.

13043: Pursuant to EO 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the grant award recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

13166: As clarified by EO 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance,

national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency [05/29/2003] Volume 68, Number 103, pages 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grant award recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>.

13513: Pursuant to EO 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, the grant award recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or government-owned vehicles (GOV), or while driving privately-owned vehicles (POV) when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

14005: Pursuant to EO 14005, Ensuring the Future Is Made in All of America by All of America's Workers, the grant award recipient agrees to comply with all applicable Made in America Laws (as defined in the EO), including the Buy American Act at 41 USC sections 8301-8305. For the purposes of this award, the grant recipient is required to maximize the use of goods, products, and materials produced in, and services offered in, the United States, in accordance with the Made in America Laws. No funds may be made available to any person or entity (including as a contractor or subrecipient of the grant recipient) that has been found to be in violation of any Made in America Laws. "Made in America Laws" means all statutes, regulations, rules, and Executive Orders relating to Federal financial assistance awards or Federal procurement, including those that refer to "Buy America" or "Buy American," that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States, including iron, steel, and manufactured goods offered in the United States. Made in America Laws include laws requiring domestic preference for maritime transport, including the Merchant Marine Act of 1920 (Public Law 66-261), also known as the Jones Act.

d. Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et seq.*, provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in communities in the United States identified as flood-prone, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for the DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

e. Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences, and, conventions or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <https://apps.usfa.fema.gov/hotel/> to see if a property is in compliance, or to find other information about the Act.

f. Prohibition on Trafficking in Persons

1. Trafficking in persons.

a. *Provisions applicable to a recipient that is a private entity.*

I. The grant recipient as the recipient, the grantee's employees, subrecipients under this award, and subrecipients' employees may not—

(A). Engage in severe forms of trafficking in persons during the period of time that the grant award is in effect;

(B). Procure a commercial sex act during the period of time that the award is in effect; or

(C). Use forced labor in the performance of the award or subawards under the award.

II. DOL/VETS as the Federal awarding agency may unilaterally terminate this grant award, without penalty, if the grant recipient or a subrecipient that is a private entity —

(A). Is determined to have violated a prohibition in paragraph a.1 of this award term; or

(B). Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

i. Associated with performance under this award; or

ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 2998.

b. *Provision applicable to a recipient other than a private entity.* DOL/VETS as the Federal awarding agency may unilaterally terminate this grant award, without penalty, if a subrecipient that is a private entity—

I. Is determined to have violated an applicable prohibition in paragraph a.1 of this grant award term; or

II. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this grant award term through conduct that is either—

(A). Associated with performance under this award; or

(B). Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are

provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 29 CFR Part 98.

c. *Provisions applicable to any recipient.*

I. The grant award recipient must inform DOL/VETS immediately of any information the grant recipient receive from any source alleging a violation of a prohibition in paragraph a.1 of this grant award term.

II. DOL/VETS right to terminate unilaterally that is described in paragraph a.2 or b of this section:

(A). Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

(B). Is in addition to all other remedies for noncompliance that are available to DOL/VETS under this grant award.

III. The grant award recipient must include the requirements of paragraph a.1 of this grant award term in any subaward the grant recipient make to a private entity.

d. *Definitions.* For purposes of this award term:

I. “Employee” means either:

(A). An individual employed by the grant award recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

(B). Another person engaged in the performance of the project or program under this grant award and not compensated by the grant recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

II. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

III. “Private entity”:

(A). Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

(B). Includes:

i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

ii. A for-profit organization.

IV. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

g. Veterans' Priority Provisions

The Jobs for Veterans Act (Public Law 107-288) requires grant award recipients to provide priority service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the DOL. The regulations implementing this priority of service can be found at 20 CFR Part 1010. In circumstances where a grant award recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant award recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Recipients must comply with the DOL guidance on veterans' priority. Veterans' Program Letter (VPL) 07-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. VPL 07-09 is available at <https://www.dol.gov/sites/dolgov/files/VETS/legacy/files/VPL-07-09.pdf>.

h. Promoting Equitable Delivery of Government Benefits and Equal Opportunity

The Department of Labor (Labor) seeks to affirmatively advance equity, civil rights and equal opportunity in the policies, programs and services it provides. Therefore, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, grant recipients must execute the terms and conditions of their grant in a manner that advances equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. This extends to all grant activities including, but not limited to, service delivery, selection of subrecipients and contractors, and procurement of goods and services. Government programs are designed to serve all eligible individuals, and Labor's grantees should make services the goods and services they provide pursuant to their grants widely available with the goals of effectively serving a diverse population of eligible individuals; fairly, justly, and impartially administering the grant evaluation and award processes. Grantees are encouraged to engage in contracting and subcontracting for goods and services related to performing the terms and conditions of their grants in such a way to achieve equity. The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. The term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of "equity."

13. Technical Assistance, Resources, and Information

Additional resources, training, and information to assist the grant award recipient are located on the DOL Employment and Training Administration (ETA) website at <https://www.dol.gov/agencies/eta/grants/resources> and on the Grants Application and Management collection page on WorkforceGPS.org at <https://grantsapplicationandmanagement.workforcegps.org/>. **SMART** training is a technical assistance initiative sponsored by DOL-ETA to assist its grant recipients and subrecipients in improving its program/project operations through effective grants management. Please take some time to review the training modules which are focused on:

Strategies for sound grant management that include:

Monitoring,

Accountability,

Risk mitigation and

Transparency.

These four themes are woven throughout the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, also known as the Uniform Guidance (2 CFR Part 200 and 2 CFR Part 2900). The 508-compliant PowerPoints of the modules may be found on WorkforceGPS.org at the [Resource](#) page.

14. Attachments

Attachment A: JVSG Special Grant Provisions

Attachment B: SF-424M

Attachment C: VETS-401 Budget Information Summary

Attachment D: PYs 2020-2023 JVSG State Plan

Attachment E: Negotiated Indirect Cost Rate Agreement or Cost Allocation Plan

Attachment A: JVSG Special Grant Provisions

**SPECIAL GRANT PROVISIONS
FOR
JOBS FOR VETERANS
STATE GRANT**

Revised October 2021

**JOBS FOR VETERANS STATE GRANT
SPECIAL GRANT PROVISIONS**

I. SCOPE

- A. The grantee will provide employment and training-related placement services to eligible veterans with Significant Barriers to Employment (SBE) and eligible persons in accordance with statutory and program priority through:
- 1) The employment service delivery system, affiliated American Job Centers and its partners, and through coordination with other service providers.
 - 2) Disabled Veterans' Outreach Program (DVOP) specialists, Local Veterans' Employment Representative (LVER) staff and Consolidated DVOP/LVER staff in accordance with:
 - (a) Title 38 United States Code (38 U.S.C), Chapters 41 and 42;
 - (b) The Workforce Innovation and Opportunity Act (WIOA);
 - (c) Title 20, Code of Federal Regulations (CFR), Part 1001 and Part 1010;
 - (d) 2 CFR Part 200 and 2 CFR Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
 - (e) Policy guidance and Grant Officer memorandums issued by the U.S. DOL;
 - (f) An approved Jobs for Veterans Grant State Plan or approved WIOA Combined State Plan which incorporates JVSG; and
 - (g) All grant documents including terms, provisions, and assurances of this grant.
- B. The number of DVOP, LVER, and Consolidated DVOP/LVER positions that can be supported by grant funds must:
- 1) Be separately identified; and
 - 2) Represent the most efficient use of funds awarded to maximize available staff resources.
- C. Under 38. U.S.C. 4103A(a) and 4104(a), DVOP, LVER and Consolidated DVOP/LVER positions should be assigned as the state determines appropriate and efficient.
- D. The grantee must develop and apply standards for statewide services to veterans in accordance with the respective duties for each program position as described in Veterans' Program Letter (VPL) 03-14, as amended, or the most current VPL/guidance on this subject.

**JOBS FOR VETERANS STATE GRANT
SPECIAL GRANT PROVISIONS**

- E. DVOP specialists, LVER staff, and Consolidated DVOP/LVER staff are appointed, assigned, and terminated in accordance with a State’s hiring practices:
- 1) As full-time or part-time employees; and
 - 2) At salaries commensurate with their assigned duties.
- F. Under 38 U.S.C. 4103A(c) and 4104(d), part-time DVOP specialists and LVER staff perform duties on a half-time basis. Staff performing duties for less than 50 percent of the time in a given period may not be charged to the grant.
- G. Under 38 U.S.C. 4103A(a), a DVOP specialist provides intensive services (identified as “individualized career services” under the WIOA regulations at 20 CFR 678.430(b)) and facilitates placement to meet the employment needs of eligible veterans and eligible persons, prioritizing service to special disabled veterans, other disabled veterans, and other veterans in accordance with priorities determined by the Secretary of Labor (Secretary). This will be accomplished through:
- 1) DVOP specialists will provide services only to eligible veterans and eligible persons who meet the definition of an individual with a Significant Barrier to Employment (SBE) as defined in VPL 03-14, as amended, or the most current VPL/guidance on the subject, and to any other categories of veterans and eligible persons set forth in VPL 03-19 and/or current VPLs/guidance on these or related subjects or as otherwise required by federal law. In providing services to these veterans and eligible persons, DVOP specialists will focus on providing individualized career services, accomplished through the case management approach as taught by the National Veterans’ Training Institute (NVTI) in the delivery of individualized career services.
 - 2) Coordination with other area service providers to assist eligible veterans and eligible persons.
- H. LVER staff will fulfill their duties as described in law, regulation, and policy guidance exclusively for the benefit of all veterans and eligible persons. When employer outreach is primarily accomplished by a “business service team” or like entity, the LVER must be included as an active member of that team. Under 38 U.S.C. 4104(b), each LVER’s principal duties are to:
- 1) Conduct outreach to employers in the area to assist veterans in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups.
 - (a) The purpose of conducting outreach to employers in the area is to develop relationships, jobs, training, or training opportunities for veterans and eligible persons.

**JOBS FOR VETERANS STATE GRANT
SPECIAL GRANT PROVISIONS**

- (b) The purpose of conducting seminars and establishing self-directed job search work groups is to ensure a greater number of eligible veterans and eligible persons have the skills needed to find employment.
- 2) Facilitate employment, training, and placement services furnished to veterans in a state under the applicable state employment service delivery systems. VETS defines this facilitation duty as capacity building within the state's employment service delivery system to ensure easier access to the appropriate employment and training services for eligible job seeking veterans and eligible persons.
- I. Consolidated DVOP/LVER staff perform both the prescribed legislated duties of a DVOP specialist and a LVER staff person as described in VPL 01-20 or the current VPL/guidance on this subject.
- J. 38 U.S.C. 4103A(d)(1) and 4104(e)(1) specifically prohibit full-time DVOP specialists and LVER staff from performing non-veteran related duties that detract from their ability to perform their statutory duties or roles and responsibilities related to meeting the employment needs of eligible veterans and eligible persons.
- K. Additionally, 38 U.S.C. 4103A(d)(2) and 4104(e)(2) require the Secretary to conduct regular audits to ensure compliance with the statutory duties of DVOP specialists and LVERs. These audits will be conducted on a schedule developed through coordination efforts between VETS' Director for Veterans' Employment and Training (DVET) and the State Workforce Agency; or individuals responsible for the administration of the JVSG program for the state.
- L. DVOP, LVER and Consolidated DVOP/LVER staff are assigned to supplement, not supplant, the duties of other staff in the employment service delivery point and do not relieve other State Agency staff of the requirement to provide priority services to veterans in all programs funded in whole or in part by the U.S. DOL (see 38 U.S.C. 4215 and 20 CFR Part 1010).
- M. The National Veterans' Training Institute (NVTI) will provide specialized training for all grant-funded staff (including travel expenses and per diem), including program managers. In accordance with 38 U.S.C. 4102A(c)(8)(A), each DVOP, LVER and Consolidated DVOP/LVER staff will have eighteen months from the date of assignment to successfully complete the specialized training courses appropriate to each position provided by NVTI. DVETs will coordinate scheduling newly appointed staff through the appropriate State channels.

II. STATUTORY REQUIREMENTS FOR SERVICE PRIORITIES

- A. Grantees will maintain compliance with all applicable statutory, regulatory, and grant provisions to include:
- 1) 38 U.S.C, Chapters 41 and 42, as amended;

**JOBS FOR VETERANS STATE GRANT
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- 2) Title 20, CFR, Chapter IX, Part 1001 and 1010 et. seq.; (3) Title 20, CFR, 680.650; and 20 CFR 652.100;
 - 3) Title 2 CFR, Part 200; and 2 CFR Part 2900; and
 - 4) Special and general grant provisions, U.S. DOL policies and applicable Federal directives.
- B. Grantees will, as prescribed by law and determined in regulations, ensure adherence with guidance regarding the provision of priority of services for veterans (see 38 U.S.C. 4215; 20 CFR Part 1010).

III. GRANT AMOUNT

- A. The total amount of funds approved for each fiscal year may be found on the Notice of Award for each approved initial annual grant award or interim modification requested.
- B. The funds available to grantees each fiscal year are subject to:
- 1) An approved Jobs for Veterans Grant State Plan; and
 - 2) Congressional action on the United States Department of Labor's (DOL) appropriation.
- C. Grantees may only charge up to the annual allocated funding amount identified in the most recently approved Notice of Award. The official Notice of Award will be approved and executed by the Grant Officer. Authorized funds may be drawn down from the Health and Human Services Payment Management System (HHS-PMS Smartlink) to meet grantees' immediate cash needs. Any costs in excess of the annual allocated funds will be borne by the grantee.
- D. Grantees must obligate all awarded funding by the end of the Period of Performance (PoP) specified on the Notice of Award.
- E. Grantees may choose to return unobligated funds at any time throughout the fiscal year in which the award was made. Returned funds will not affect the execution of the JVSG formula in the following year.
- F. Funding amounts designated for Incentive Awards may be distributed only as described in the most recently approved State Plan. Grantees must adhere to the approved plan. Any incentive award funding that is not obligated within the first year of the PoP must remain unspent. It will not be available for other purposes, including carry-over spending, and will be deobligated during grant closeout.

IV. PAYMENTS UNDER THE GRANT

- A. Approved funds will be transferred to the State's financial institution using the State's

JOBS FOR VETERANS STATE GRANT SPECIAL GRANT PROVISIONS

SMARTLINK system through HHS/PMS;

- B. Grantees will provide quarterly financial reports as indicated in the most recent VPL/guidance on this subject and in Section V Reporting Requirements below; and
- C. Except for the expenditure of incentive award funding, recipients must expend funds on a first-in, first-out basis, charging to the grant award with the shortest period of availability first.

V. REPORTING REQUIREMENTS

- A. As per Title 20, CFR Section 658.601(a)(7)(iv) each State Administrator authorized to enter into this grant agreement must ensure to the maximum extent feasible: (1) the accuracy of data entered by the State Agency into required management information systems; and (2) the establishment and maintenance of a data validation system that accurately reflects the accomplished activities and provides actual expenditure data, in accordance with Office of Management and Budget (OMB) Circulars and applicable regulations to include Title 20 CFR, Sections 1001.122(b), 1001.140 and 1010.320.
- B. Reports and correspondence must be identified by Grantee, applicable Federal grant number assigned, fiscal year, and date prepared. All reports must be prepared and submitted in the manner, with the frequency and by due dates prescribed by the Grant Officer or in the applicable directive from VETS.
- C. As a condition of accepting funding, Grantees must produce: 1) quarterly and final fiscal reports; 2) quarterly activity and performance reports; and 3) quarterly staff utilization reports as prescribed in the most current VPL on the subject.
 - 1) Grantees will be accountable for performance outcomes for veterans served by both the Public Labor Exchange and grant-funded staff in accordance with the most recent VPL/guidance on this or a related subject.
 - 2) Fiscal reports consisting of the SF-425 Federal Financial Report (FFR) and the VETS-402 Expenditure Detail Report will be submitted within 30 days after the end of each Federal fiscal year quarter. Grantees will submit fiscal reports quarterly until all available funds have been expended, or until the end of the Period of Performance (PoP) is reached, whichever is first. “Available funds” are funds that are allowable, and thus excludes incentive award funds that were not obligated by the end of the first fiscal year (September 30) of the PoP (see Section III.F). In addition:
 - (a) **Accrual Basis of Accounting:** All reported financial data must be based on the accrual basis of accounting and be cumulative by fiscal year of appropriation through the entire PoP. Recipients are not required to convert their accounting system if it is not on an accrual basis. In these instances, recipients must develop and report accrual information through best estimates based on an analysis of the documentation on hand.

**JOBS FOR VETERANS STATE GRANT
SPECIAL GRANT PROVISIONS**

- (b) **Final Fiscal Report:** The last fiscal report that is submitted must be marked “final” so that a closeout report can be generated. Each field in item 11 of the final SF-425 FFR must be completed if indirect costs were charged to the award during the PoP.
- (c) **Closeout Report:**
- i. *Liquidation.* Per 2 CFR 200.344 “Closeout” (b), “Unless the Federal awarding agency or pass-through entity authorizes an extension, a non-Federal entity must liquidate all obligations incurred under the Federal award not later than 120 calendar days after the end date of the PoP as specified in the terms and conditions of the Federal award.” Therefore, unless the DOL VETS Grant Officer has granted an extension, all obligated funds must be liquidated within the 120-day liquidation period (also known as “closeout” period). Per 2 CFR 2900.15, “the only liquidation that can occur during closeout is the liquidation of accrued expenditures (NOT financial obligations) for goods and/or services received during the grant period.”
 - ii. *Closeout FFR.* The closeout SF-425 FFR must be submitted no later than 120 days after the PoP end date.
 - iii. *Closeout package.* DOL will contact the authorized representative and the point of contact, identified in the latest SF-424M, of the grant within 7 days of the end of the PoP with instructions for submitting the remainder of the closeout report.
- (d) **Overlapping awards:** A new grant award is made to states every fiscal year. A separate quarterly financial report is required for each separate grant award, if applicable. Since states have up to three years to expend each year’s award, this means that a state may need to submit two (or more, in rare cases) financial reports during some quarters until the previous year’s funding is depleted and the final and closeout reports are submitted.
- 3) Performance and narrative progress reports will be submitted within 45 days of the end of each Federal fiscal year quarter in the manner prescribed in the policy by the Department.
 - 4) The State Agency Administrator or a designated person must attest to the accuracy and completeness of the Quarterly Report in a signed Technical Performance Narrative. An electronic or typed signature is acceptable.
 - 5) The Manager's Report on Services to Veterans in accordance with 38 U.S.C. 4104(f) and the latest VPL on this subject.
 - 6) If incentive award funds were requested, a stand-alone Incentive Award Report is submitted with the fourth quarter report in accordance with VPL 04-19 or the most recent guidance on this subject.

**JOBS FOR VETERANS STATE GRANT
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- D. Failure to comply with the above reporting requirements and/or other statutory or regulatory requirements may result in sanctions described at Title 20, CFR, Part 658, Subpart H or 20 CFR Part 1001.

VI. GRANT MODIFICATIONS

The Grant Officer approves, signs, and modifies these grants and can authorize changes in scope (staff utilization and funding levels), cost and grant conditions. Modification requests including an SF-424M and transmittal letter, both signed by the Authorized Representative, must be submitted with any other documentation as described in VPL 04-18 or the most recent guidance related to this subject.

VII. GRANT MANAGEMENT AND MONITORING

- A. The grantee, in accordance with 20 CFR 1001.121, will provide adequate and appropriate facilities and administrative support for VETS staff assigned to that state as a condition of receiving grant funds. Adequate and appropriate facilities and administrative support is considered space, furniture, telephone, equipment and supplies that would be made available to State employees of equal status in terms of position level rather than compensation.
- B. VETS is required by law to "monitor and supervise on a continuing basis the distribution and use of funds provided for use in the States..." (38 U.S.C. 4102A(b)(6)).
- C. Each DVET or their designee serves as the GOTR. The GOTR is authorized to:
 - 1) Review narrative reports and records;
 - 2) Monitor the progress of the grant, including the use of staff and grant funds;
 - 3) Negotiate remedial/corrective action regarding potential compliance issues;
 - 4) Communicate directly with DVOP specialists and LVER staff, when necessary, as negotiated with State officials;
 - 5) Recommend approval or disapproval of technical matters not involving a change in the scope, cost or conditions of the Jobs for Veterans State Grant; and
 - 6) Have access to all applicable hard copy or automated reports and records and make recommendations to the Grant Officer on all grant matters and requests.
- D. Requests for additional funds may be approved only if like amounts are available or from funds returned by or identified for reallocation from other grantees.
- E. Fiscal year funds cannot be obligated by the grantor agency to grantees after September 30th; therefore, to be considered for approval, all requests for additional funding or

JOBS FOR VETERANS STATE GRANT SPECIAL GRANT PROVISIONS

deobligation of funding must be submitted to the respective DVET by the close of business of the second Friday in August or the date specified in the most recent VPL/guidance on this subject.

VIII. INFORMATION ACCESS

Access to all hard copy or automated grant reports, grantee records relative to the provision of employment, education and training-related services to veterans, transitioning service members, their spouses, and other eligible persons must be provided to the Grant Officer, the GOTR and/or the GOTR's designee (see Grant Management and Monitoring) upon request.

IX. PRINTING AND DUPLICATING

- A. The grantee must comply with the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, including the regulation at 2 CFR 200.461. The term "duplicating" as used herein means material produced on single unit duplicating equipment not larger than 11 x 17 inches and which have a maximum image of 10 3/4 x 14 1/4 inches using direct image plates not requiring the use of negatives. The term "printing" as used herein will be construed to include and apply to the processes of composition, plate making, presswork, binding, and microform.
- B. Under this grant agreement, the grantee may duplicate up to a maximum of 5,000 copies of one page or 25,000 copies in the aggregate of multiple pages. Additional copies require GOTR approval prior to duplicating printing.
- C. Direct use of grant funds for public relations materials for advertising or marketing the State Governor or offices of the State Agency is prohibited to the extent described in 2 CFR 200.421.
- D. Nothing in this clause will preclude the procurement of writing, editing, preparation of manuscript copy, or the preparation of related illustrative material. As described in 2 CFR 200.405(d), however, costs for program outreach materials must be allocated appropriately between funding sources.

X. AMENDMENTS

The Grant Officer, in consultation with the Assistant Secretary for Veterans' Employment and Training has the right to amend these provisions with due notice to grantees of at least 45 days.

Attachment B: SF-424M

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY			
1.a. Type of Submission: <input checked="" type="radio"/> Application <input type="radio"/> Plan <input type="radio"/> Funding Request <input type="radio"/> Other Other (Specify Type of Submission): <div style="border: 1px solid gray; height: 60px; width: 100%;"></div>		1.b. Frequency: <input checked="" type="radio"/> Annual <input type="radio"/> Quarterly <input type="radio"/> Other Other (Specify Frequency): <div style="border: 1px solid gray; height: 60px; width: 100%;"></div>	
1.c. Consolidate Application/Plan/Funding Request? <input type="radio"/> Yes <input checked="" type="radio"/> No Explanation (Consolidated Request Explanation) <div style="border: 1px solid gray; height: 60px; width: 100%;"></div>		1.d. Version: <input checked="" type="radio"/> Initial <input type="radio"/> Resubmission <input type="radio"/> Revision <input type="radio"/> Update 2. Date Received: 07/16/2021 3. Applicant Identifier: 4a. Federal Entity Identifier: 4b. Federal Award Identifier: STATE USE ONLY: 5. Date Received by State: 6. State Application Identifier: 	
7. APPLICANT INFORMATION:			
a. Legal Name: Florida Department of Economic Opportunity			
b. Employer/Taxpayer Identification Number (EIN/TIN): 36-4706134		c. Organizational DUNS: 9689306640000	
d. Address:			
Street1: 107 East Madison Street		Street2: MSC 120	
City: Tallahassee		County / Parish: Leon	
State: FLORIDA		Province:	
Country: UNITED STATES		Zip / Postal Code: 32399-6545	
e. Organizational Unit:			
Department Name: Dept. of Economic Opportunity		Division Name: Bureau of One Stop and Program Support	
f. Name and contact information of person to be contacted on matters involving this submission:			
Prefix: First Name: Mr. Casey		Middle Name: B.	
Last Name: Penn		Suffix:	
Title: Chief, Bureau Of One Stop & Program Support			
Organizational Affiliation:			
Telephone Number: 850-245-7466		Fax Number:	
Email: casey.penn@deo.myflorida.com			
APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY			

8a. TYPE OF APPLICANT:
State Government
 Other (Specify Application Type):

b. Additional Description:

9. Name of Federal Agency:
 United States Department of Labor, VETS

10. Catalog of Federal Domestic Assistance Number:

- Chief Evaluation Office (CEO)
- Jobs for Veterans State Grants
- Veterans' Employment Program
- Uniformed Services Employment and Reemployment Rights
- Local Veterans' Employment Representative Program (LVER)
- Homeless Veterans Reintegration Program
- Veteran's Preference in Federal Employment
- Transition Assistance Program

11. Descriptive Title of Applicant's Project:
 Disabled Veterans' Outreach Program (DVOP)/Local Veterans' Employment Representative (LVER)

12. Areas Affected by Funding:
 State of Florida

13. CONGRESSIONAL DISTRICTS OF:

a. Applicant: FL-02	b. Program/Project: FL-all
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Attach an additional list of Program/Project Congressional Districts if needed

14. Funding Period:

a. Start Date: 10/01/2021	b. End Date: 12/31/2022
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15. ESTIMATED FUNDING:

a. Federal (\$): \$10,735,878.00	b. Match (\$):
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16. IS SUBMISSION TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?

a. This submission was made available to the State under the Executive Order 12372 Process for review on:
 State Review Date

b. Program is subject to E.O. 12372 but has not been selected by State for review.

c. Program is not covered by E.O. 12372.

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY

17. Is The Applicant Delinquent On Any Federal Debt?

Yes No

18. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I Agree

** This list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.	First Name: Dane
Middle Name: B.	
Last Name: Eagle	
Suffix:	Title: Secretary, Department of Economic Opportunity
Organizational Affiliation:	
Telephone Number: 850-245-7174	
Fax Number:	
Email: dane.eagle@deo.myflorida.com	
Signature of Authorized Representative: Dane Eagle	
Date Signed:	
Attach supporting documents as specified in agency instructions.	

Attachment C: VETS-401 Budget Information Summary



**JOBS FOR VETERANS STATE GRANTS (JVSG)
BUDGET INFORMATION SUMMARY**

OMB Control Number
1293-0009
Expiration Date: 10/31/2022

SECTION A - GRANTEE IDENTIFICATION INFORMATION

Grant Number: _____ State: FLORIDA

Date Prepared: 07/27/2021

**SECTION B - BUDGET SUMMARY BY CATEGORY
U.S. DEPARTMENT OF LABOR FUNDS**

Object Class Categories	DVOP Activities		Consolidated DVOP/LVER Activities		LVER Activities		Incentive Awards	Total JVSG	
	Funded FTE	85	Funded FTE	4	Funded FTE	58		Funded FTE:	147
1. Personnel	\$2,679,719.00	40.37%	\$137,325.00	47.59%	\$1,503,714.00	40.62%		\$4,320,758.00	40.25%
2. Fringe Benefits	\$1,289,612.00	19.43%	\$33,571.00	11.63%	\$728,222.00	19.67%		\$2,051,405.00	19.11%
3. Travel	\$17,000.00	0.26%	\$4,000.00	1.39%	\$29,000.00	0.78%		\$50,000.00	0.47%
4. Equipment	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%
5 Supplies.	\$5,000.00	0.08%	\$2,000.00	0.69%	\$5,500.00	0.15%		\$12,500.00	0.12%
6. Other	\$2,379,323.00	35.85%	\$100,000.00	34.66%	\$1,285,776.00	34.73%		\$3,765,099.00	35.07%
7. Total Direct Costs (Lines 1-6)	\$6,370,654.00	95.98%	\$276,896.00	95.96%	\$3,552,212.00	95.95%	\$107,359.00	\$10,307,121.00	
8. Indirect Costs	\$266,984.00	4.02%	\$11,649.00	4.04%	\$150,124.00	4.05%		\$428,757.00	3.99%
9. Total Program Costs (Lines 7 + 8)	\$6,637,638.00		\$288,545.00		\$3,702,336.00		\$107,359.00	\$10,735,878.00	
PS+PB Ratio (Lines 1 + 2 / Line 9)		59.80%		59.23%		60.28%			59.95%
Cost Per Position (Line 9 / Funded FTE)		\$78,090.00		\$72,136.00		\$63,833.00			\$73,033.00

SECTION C - FORECAST FEDERAL FUNDING NEEDS

Program Activity	(1) 1 st Quarter	(2) 2 nd Quarter	(3) 3 rd Quarter	(4) 4 th Quarter	(5) Total
a. DVOP Activities	\$1,327,528.00	\$1,659,410.00	\$1,659,410.00	\$1,991,290.00	\$6,637,638.00
b. Consolidated DVOP/LVER Activities	\$57,709.00	\$72,136.00	\$72,136.00	\$86,564.00	\$288,545.00
c. LVER Activities	\$740,467.00	\$925,584.00	\$925,584.00	\$1,110,701.00	\$3,702,336.00
d. Incentive Awards	\$0.00	\$0.00	\$0.00	\$107,359.00	\$107,359.00
e. Total Funds	\$2,125,704.00	\$2,657,130.00	\$2,657,130.00	\$3,295,914.00	\$10,735,878.00

VETS-401
(Revised 01/2016)

Attachment D: PYs 2020-2023 JVSG State Plan

JOBS FOR VETERANS' STATE GRANT

The Jobs for Veterans' State Grant (JVSG) is a mandatory, formula-based grant that supports the hiring of dedicated staff to provide individualized career and training-related services to veterans and eligible persons with Significant Barriers to Employment (SBE) and to assist employers fill their workforce needs with job-seeking veterans and eligible spouses. The JVSG is funded annually in accordance with 38 U.S.C. 4102A (c) (2) (B) and operates on a fiscal year basis. JVSG performance metrics are collected and reported (ETA-9173 Report) quarterly (using four rolling quarters) on a Program Year (PY) basis. Currently, VETS JVSG operates on a three-year (PY 2020-2023), multi-year grant award cycle modified and funded annually.

In accordance with 38 U.S.C. § 4102A(b)(5) and § 4102A(c), the Assistant Secretary for Veterans' Employment and Training (ASVET) makes grant funds available for use in each state to support Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) staff. As a condition to receive funding, 38 U.S.C. § 4102A(c)(2) requires states to submit a grant application that contains a State Plan narrative describing how the state intends to provide employment, training and job placement services to veterans and other eligible persons under the JVSG.

EMPLOYMENT OUTLOOK FOR VETERANS

Florida has the third largest population of veterans in the nation with more than 1.5 million veterans (9 percent of the State's adult population) according to the 2014 population survey conducted by the United States Census Bureau. According to the U.S. Bureau of Labor Statistic (BLS), veterans comprise 43.8 percent of Florida's 2019 annual average of employed civilian labor force. Nationally, veteran unemployment rates (non-seasonally adjusted) have trended lower than that of civilians. In 2019, the national veteran unemployment rate for veterans was 3.1 percent (the lowest annual rate in 19 years). The employment outlook for Florida's veterans is expected to be above that of their civilian counterparts.

The post 9/11 GI Bill, Vocational Rehabilitation & Education Chapter 31 educational programs and the Transition Assistance Program, coupled with proposed state legislative action which permits the use of military training/schooling to be used in lieu of in-state of instruction, provide veterans additional opportunities, which improves and enhances the accreditation process for recently separated veterans in a variety of career fields. The inherent skills veterans develop during their military service, including leadership, a strong work ethic, teamwork, integrity, problem solving, technical skills, loyalty as well as a desire to succeed, make them desirable to employers of any industry.

(A) HOW THE STATE INTENDS TO PROVIDE EMPLOYMENT, TRAINING AND JOB PLACEMENT SERVICES TO VETERANS AND ELIGIBLE PERSONS UNDER THE JVSG PROGRAM

The Florida Department of Economic Opportunity (DEO) shares in the delivery of services with Florida's 24 Local Workforce Development Boards (LWDBs) through the CareerSource Florida network. Florida has established a fully integrated workforce services delivery system with DEO as the designated entity responsible for the administration of all workforce services programs, including JVSG. The Department provides services through the state's 24 chartered local workforce development boards and their network of local career centers.

The CareerSource Florida State Workforce Development Board is the principal workforce policy organization for the state. The purpose of the CareerSource Florida State Workforce Development Board is to design and implement strategies that help Floridians enter, remain in, and advance in the workplace, becoming more highly skilled and successful, benefiting these Floridians, Florida businesses, and the entire

state, and to assist in developing the state's business climate.

Florida's JVSG program creates opportunities for all eligible veterans and eligible spouses to obtain meaningful and successful careers through provision of resources and expertise that maximize employment opportunities and protect veterans' employment rights. Services provided by DVOP staff include, but are not limited to, comprehensive assessments, development of an Individual Employment Plan (IEP), career counseling, and referrals to veteran and community organizations as needed. The LVER is a fully-integrated member of the LWDB Business Services Team (BST). LVER staff promote the hiring veterans to employers, employer associations, and business groups; facilitate employer training; plan and participate in career fairs and conduct job development contacts on behalf of veterans with employers

Veterans determined to need occupational skills training or access to apprenticeship opportunities to enhance their marketability for employment will be referred to partners in the the Workforce Innovation and Opportunity Act (WIOA) program and/or the Florida Department of Education, respectively. Veterans determined to be job ready will be referred to the BST to ensure the veteran is promoted within the business community as available for immediate job placement.

CAREER CENTERS

Florida's career centers, operated by the LWDBs, are designed to deliver and provide access to services for employers seeking qualified workers as well as training for new and existing employees and all job seekers. Services are available to Florida's veterans and businesses through local career centers in areas strategically located throughout the state. All of Florida's career centers are easily identified using the CareerSource Florida network brand and the identifier "A proud partner of the American Job Center network."

Florida's comprehensive career centers provide expanded services and access to core and required partner programs either through colocation of partners or linkages to partner services. Programs available to veterans in comprehensive career centers include, but are not limited to:

- Workforce Investment Opportunity Act (WIOA) Adult, Youth and Dislocated Worker Programs;
- Wagner-Peyser (WP) Act Employment Service Programs;
- Trade Adjustment Assistance (TAA) Programs;
- National Dislocated Worker Grant (DWG) Programs;
- Senior Community Service Employment Programs;
- Indian and Native American Programs;
- Migrant and Seasonal Farm Worker Programs;
- Reintegration of Ex-Offenders Program;
- National Registered Apprenticeship Programs.
- Reemployment Services and Eligibility Assessment (RESEA)

While these programs and services are universally accessible to all eligible job seekers, veterans and eligible spouses who meet the program eligibility requirements receive priority of service.

IDENTIFYING VETERAN STATUS

Career center operators must enable veterans and eligible spouses to identify as veterans at the point of entry to the system or program, so that covered persons take full advantage of priority of service. Career center operators ensure that covered veterans and eligible spouses are made aware of:

- Priority of service entitlement;
- The full array of employment training and placement services available; and,
- Applicable eligibility requirements for programs and services.

VERIFYING VETERAN STATUS

To receive priority of service or individualized career services, covered persons may self-attest their veteran or eligible spouse status. It is neither necessary, nor appropriate for any staff to require verification of the status of a veteran or eligible spouse at the point of entry for priority of service or individualized career services from JVSG staff.

The only services that require eligibility verification are those cases where a decision is made to commit funding to a covered person over another non-covered individual. For all other purposes, covered persons should be enrolled and provided immediate priority before providing verification as a covered person. To receive priority for training services under WIOA, for example, veteran status must be verified. This can be done by reviewing the original or a photocopy of the veteran's Certificate of Release or Discharge from Active Duty, which is commonly known as the DD-214 Form. A Local Workforce Development Board (LWDB) director or a designee may also approve verification from another official source.

PROMOTING THE HIRING OF VETERANS

The advantage of hiring veterans is a topic that needs to be presented to employers on a consistent basis. The BST will provide an effective conduit to businesses to promote why the hiring of veterans is a sound and wise investment. LVER staff will educate employers on programs that incentivize the hiring of veterans such as the Hire Veterans Medallion Program (HVMP), Work Opportunity Tax Credit (WOTC), and Federal Bonding Program. Federal contractors and subcontractors are also targeted as companies that can benefit from the hiring of veterans and are informed of their responsibilities under the Office of Federal Contract and Compliance Programs (OFCCP) and Vietnam Era Veterans Readjustment Assistance Act (VEVRAA) guidelines.

LWDBs in coordination with DEO's Office of Communications and External Affairs provide valuable information about promoting veterans within a variety of venues including job fair participation, Chamber of Commerce meetings, Society of Human Resource Managers (SHRM) meetings, employer visits, public radio/television media promotional activities, and departmental brochures. Employers are also informed about the assistance available to them at career centers, such as the ability to conduct individualized hiring fairs and notification of job opportunities to potential candidates.

TARGETING SERVICES TO VETERANS WITH SIGNIFICANT BARRIERS TO EMPLOYMENT (SBE)

The Secretary of Labor, through the ASVET, has identified certain categories of veterans most in need of individualized career services to mitigate their barriers to employment. Within these categories, certain populations of veterans must be targeted for services:

- A special disabled or disabled veteran, as those terms are defined in 38 U.S.C § 4211(1) and (3); Special disabled and disabled veterans are those:
 - who are entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans' Affairs; or
 - were discharged or released from active duty because of a service-connected disability.

- A homeless person, as defined in Sections 103(a) and (b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. I 1302(a) and (b), as amended;
- Individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions;
- A recently-separated service member, as defined in 38 U.S.C § 4211(6), who has been unemployed for 27 or more weeks in the previous 12 months;
- An offender, as defined by WIOA Section 3 (38), who is currently incarcerated or who has been released from incarceration;
- A veteran lacking a high school diploma or equivalent certificate; or
- A low-income individual (as defined by WIOA Section 3 (36)).

Veterans with SBE(s), Vietnam-era Veterans and veterans between 18-24 years of age remain the highest priority.

Note: Veterans with an SBE, or labeled in a specified category, will have access to all appropriate career center services and are not limited to receiving services exclusively from DVOP specialists.

DVOP specialists are required to take an active role in seeking out and assisting these targeted groups by networking with other local, state, and federal government agencies. DVOPs develop partnerships with veteran service organizations, community service organizations, LWDB partners, faith-based organizations, and any other entities that are dedicated to serving veterans in need.

DEO acknowledges that homeless veterans are not likely to seek our services on their own and that initiative is to be taken by DVOPs to go where these veterans can be located. In locations where there is access to organizations such as US DOL/VETS Homeless Veterans Reintegration Program (HVRP) grantees, VA facilities, Warrior Transition Units (WTU), Military Treatment Facilities (MTF), etc., direct partnerships have been established where the DVOP will regularly visit the facility to provide services as needed.

(B) THE DUTIES ASSIGNED TO DVOP SPECIALISTS AND LVER STAFF BY THE STATE; SPECIFICALLY IMPLEMENTING DVOP AND LVER DUTIES OR ROLES AND RESPONSIBILITIES AS OUTLINED IN 38 U.S.C. § 4103A AND 4104. THESE DUTIES MUST BE CONSISTENT WITH CURRENT GUIDANCE

DEO has determined that the deliberate assignment of JVSG staffing levels to LWDBs is paramount to the success of the program. For DVOPs, careful study of state demographics and associated evidence indicates that targeted veteran subgroups are predominately located in Florida's metropolitan areas. However, all areas have sufficient veteran population that would warrant the presence of a DVOP.

DVOP specialists will be assigned to all comprehensive career centers where other supportive services are readily available. In the areas where there are additional organizations such as VA VR&E offices, Homeless Shelters, and other Community Partners, a DVOP from the local career centers in partnership with these organizations provides individualized career services to those who require additional assistance to become job ready. Services are provided to veterans who have identified themselves as having an SBE, as well as eligible spouses and other additional populations designated by the Secretary as eligible for services by a DVOP.

LVER staff will be placed throughout the state to reach out to employers and promote the benefits of hiring veterans. LVERs advocate for all veterans served by the AJC with business, industry, and other community-based organizations by participating in activities such as:

- Planning and participating in job and career fairs;
- Conducting employer outreach;
- Coordinating with unions, apprenticeship programs and business to promote and secure employment and training program for veterans;
- Informing Federal contractors of the process to recruit qualified veterans;
- Promoting credentialing and licensing opportunities for veterans; and
- Coordinating and participating with other business outreach efforts.

LVERs are also responsible for facilitating employment, training, and placement service to ensure easier access to the appropriate employment and training services for job seeking veterans.

The State Veterans' Program Coordinator (SVPC) and Assistant State Veterans' Program Coordinator (ASVPC) will ensure that DEO's Bureau of Human Resource Management is aware of the JVSG program's unique funding stream and will keep all vacancies filled by veterans as well as non-veterans, when appropriate, within the 60-day period in accordance with [Title 38, United States Code \(38 U.S.C.\)](#) and outlined in [VPL 07-19: Jobs for Veterans State Grant Recurring Report Requirements](#).

Florida has developed a statewide standardized tracking mechanism to ensure accurate reporting and monitoring of JVSG funded positions. The ASVPC, under the direction of the SVPC, monitors new hires, vacancies, and changes in JVSG-funded positions across all 24 LWDBs.

All JVSG-funded staff must attend a mandated training offered by the National Veterans Training Institute (NVTI) located in Dallas, Texas and administered by Management Concepts, Inc. This training must be completed within 18 months of their position start date as a LVER or DVOP.

DVOP SPECIALISTS

DVOP specialists are assigned to the career center for the purpose of providing individualized career services to veterans and other eligible individuals through the case management process. DVOP staff will be made available to veterans who have been identified as having an SBE and require additional enhanced services through case management consistent with VPLs: 03-14, 03-14 Ch1, 03-14 Ch. 2, and 03-19. Through integration within the career center, DVOP staff will provide individualized career services under a coordinated case management strategy to SBE veterans who have been identified by career center partner staff.

Integration of the DVOP in the career center will be accomplished by utilizing established procedures for serving veterans with SBEs and combining them with the new state administrative policies and processes that will support functional alignment within the career center. All partners will work together to support a seamless, customer-driven system.

Florida fills vacant DVOP positions at the recommendation of the LWDBs and the SVPC. All veterans that meet the published requirements are offered an opportunity to interview for open positions. Provisions under the JVSG require that the state must fill these positions with eligible veterans and give preference to those with disabilities as defined in Title 38, USC with priority given to special disabled, disabled and others who are eligible. All Florida DVOP staff are designated as full-time DVOP specialists.

PROVIDING SERVICES

Service delivery starts at the initial point of entry into the career center where the first person the veteran encounters will be a non-JVSG staff member trained in all aspects of the career center and services available

to the veteran. This staff member will conduct an initial assessment using a questionnaire that has been developed in accordance with federal guidance to determine the level and type of service needed. If the veteran, or other eligible person, is deemed to have an SBE and has a need for enhanced services, he/she will be referred to a DVOP for assistance. If the screener decides during the initial assessment that the level of service precludes the need to see a DVOP, the veteran will be referred to the next available non-JVSG staff member for assistance. Upon referral, the DVOP must, at a minimum:

- Conduct an in-depth assessment of individualized needs
- Develop a documented Individual Employment Plan (IEP)

These two activities form the core of an effective case management plan under which most individualized career services will be delivered. DVOP staff will provide individualized career services to, at a minimum, ninety percent of referred veterans.

Upon completion of the assessment, the DVOP can determine the need for additional individualized career services through the case management process to a minimum of 51 percent. These services may include:

- Providing vocational guidance and counseling as required, such as; skills assessment, career planning, communications skills, interviewing skills, punctuality, personal maintenance skills and professional conduct;
- Coordination of supportive services by:
 - Providing technical assistance to community-based organizations regarding employment and training services to veterans;
 - Developing relationships with Veteran Service Officers (VSO) and consulting with other representatives of federal, state, and local programs to provide additional services;
- Job referral for specific employment opportunities; or
- Referral to training with federal partners and other state agencies.

DVOPs will conduct outreach activities with the intent of locating veterans with SBEs and providing them with appropriate individualized career services. DVOPs will seek out potential veteran clients at locations such as:

- Veterans Administration (VA) facilities
- Vocational Rehabilitation and Employment (VR&E) offices
- Regional medical centers
- VA sponsored Vet Centers
- HVRP partner offices
- Homeless shelters
- Incarcerated Veterans Transition Program (IVTP)
- Civic and service organizations
- Local Workforce Development Board (LWDB) partners
- State Vocational Rehabilitation Agencies
- Other service providers as deemed to be a probable location for veterans with SBEs

Florida will continually collect, monitor and assess the performance data of services provided to ensure that the roles and responsibilities of the DVOP are adhered to and adjust the administration of the program, as needed. This is accomplished through the Quarterly Manager's Reports (QMRs), along with onsite office validations and desk reviews completed by the SVPC.

VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAM

The Vocational Rehabilitation and Employment (VR&E) Program, administered by the U.S. Department of Veterans Affairs (VA), assists veterans with service-connected disabilities by helping them prepare for, find, and keep suitable employment. Florida's DVOP staff will establish contact with these veterans and assists in any way possible to ensure positive outcomes are achieved by VR&E participants. Although nationally there has been a pause in the process in which VR&E program graduates are referred to the JVSG staff for job search assistance and other workforce development services, Florida will continue its efforts to engage VR&E program graduates to ensure their continued access to JVSG services.

ISC COORDINATOR

DVOP specialists will be designated as DEO Intensive Service Coordinators (ISCs) to work with VR&E program participants who have completed training and are now deemed job ready. These veterans will be referred to a local DVOP by the ISC and will receive individualized career services through the case management process and be offered access to applicable career center services.

LVER STAFF

The LVER will actively advocate for employment and training opportunities with business, industry, and community-based organizations on behalf of veterans consistent with VPL 03-14 and 03-19. LVERs will be assigned duties that promote to employers, employer associations, and business groups the advantages of hiring Veterans and will be fully integrated with the BST within the career center to conduct outreach activities to these entities. As part of these assigned duties, the LVER will:

- In conjunction with employers, conduct job searches and workshops and establish job search groups to facilitate the use of the State's labor exchange system ([Employ Florida](#)) to enhance their employee search activities.
- Form effective relationships with the business community and trade unions to enhance the availability of employment and training opportunities for veterans.
 - Encourage businesses to hire veterans and to provide (On-the-Job Training) OJT and apprenticeship programs geared to the veteran community.
 - Maintain current labor market information on trends and adjust strategies accordingly.
 - Work with training providers and credentialing bodies to promote opportunities for veterans.
 - Encourage employers in professions requiring licensure or certification to develop OJT and/or apprenticeship programs for veterans.
 - Promote the participation of veterans in programs leading to certification or licensure.
 - Advocate with training providers and credentialing agencies for recognition of equivalent military training.
- Plan and participate in job fairs to provide employment opportunities for veterans. The LVER will facilitate this by:
 - Initiating contact and developing relationships with employers, community leaders, labor unions, veterans' organizations, and training program representatives to develop their commitment to providing employment and training opportunities for veterans.
 - Maintaining current information regarding a full range of employment and training options available to veterans.
- Work with federal contractors to inform them of the process they can use to recruit and hire veterans within Employ Florida and discuss their responsibilities under the OFCCP and VEVRAA final rule to attain the appropriate percentage of veteran hires.

The result of LVER outreach to employers and the community will be an increased awareness of the benefits of hiring veterans and the capabilities of veterans. LVER staff will also promote the Hire Veterans Medallion Veterans Program (HVMP). The HIRE Vets Medallion Award is the only federal-level veterans' employment award program that recognizes a company or organization's commitment to veteran hiring, retention, and professional development.

EMPLOYER RELATIONS

The LVER will establish and maintain regular contact with employers to maximize the development of employment and training opportunities for the veteran community. This will be accomplished through the following:

- Development of an employer contact plan designed to encourage the employment of veterans using business and community organizations such as the Chamber of Commerce, human resource groups, and others as determined to be beneficial in the facilitation of hiring veterans. This can be accomplished by:
 - Personal Visits
 - Phone Calls
 - Email Contact
- Internet connections or other means deemed effective
- Monitoring federal contractor job listings and encouraging the hiring of veterans by federal contractors.
- Coordinating activities with DVOP specialists, along with other career center staff and partners to promote veteran job seekers who have been deemed job ready to employers looking to match the specific skill sets of individuals to their needs
- Advocating veterans as a category of job seekers who have highly transferable skills and experience. This can be accomplished by encouraging employers to develop apprenticeship programs to increase the employment opportunities for veterans.

CAPACITY BUILDING OF OTHER SERVICE PROVIDERS

It is essential that LVERs assist other workforce development providers in increasing their ability to recognize and respond to the employment and training needs of veterans. This will be accomplished through the following activities:

- Training career center staff and service delivery system partners to enhance their knowledge of veterans' employment and training issues by:
 - Providing technical assistance to LWDB staff and managers.
 - Encouraging participation by raising the awareness of veterans in employment and training programs.

Florida fills vacant LVER positions at the recommendation of the LWDBs and the SVPC. All veterans that meet the published requirements are offered an opportunity to interview for open positions. LVER positions are filled in accordance with 38 U.S. Code § 4104.

(C) THE MANNER IN WHICH DVOP SPECIALISTS AND LVER STAFF ARE INTEGRATED INTO THE STATE'S EMPLOYMENT SERVICE DELIVERY SYSTEM OR ONE-STOP DELIVERY SYSTEM or AMERICAN JOB CENTER

DVOP AND LVER INTEGRATION

DVOPs and LVERs are fully integrated into the career center to form a comprehensive team that provides services to veterans that address their employment and training needs. All career centers (except for those located in extremely rural locations) have assigned JVSG staff allocated according to veteran population and the needs of the community. DVOPs are assigned to areas with the highest concentration of veterans, including disabled, homeless, and veterans with SBEs. LVER assignments are based on the employer population and the probabilities of economic growth in their areas. Placement of veteran staff is under constant review by the SVPC to determine if changes in staffing are warranted.

DVOP staff are integrated into the career center veteran referral process. In addition, DVOPs collaborate with career center partners to assist veterans by providing appropriate referrals and supportive services. DVOPs also participate in career center workshops and community-sponsored events organized by community-based organizations and veteran resource groups to promote the JVSG program. In addition, DVOPs work closely with VA/VR&E Program and USDOL Veterans Employment and Training Service (VETS) partners to provide services to veterans who are receiving funding from the VA/VR&E Program to gain the skills and training needed to enter the workforce. The DVOP assigned to the role of Intensive Service Coordinators facilitate this process.

The DVOPs also collaborate with the HVRP grant programs, along with local shelters, food banks, and community and faith-based organizations, to connect veterans with employers and support systems. Formerly incarcerated veterans also receive DVOP provided intensive services and support to help them integrate back into society as valued members of the community.

LVER staff market veterans to local labor markets and businesses through presentations that highlight the advantages of hiring veterans and by creating job development contacts. LVERs coordinate with career center partners to promote employer participation in veteran focused job fairs, hiring events and stand downs. This collaboration serves to connect employers and job-ready veterans made available through the efforts of the career center, to include the DVOP staff. In addition, LVERs work with all career center staff and partners to identify and build capacity to increase resources for all veterans.

SERVICE PROVIDERS

DVOPs are assigned to career centers where a full range of workforce programs are accessible to veteran job seekers. In addition to the partners located within the career center (National Council on Aging, FL Department of Veterans Affairs, Vocational Rehab, etc.), the DVOP is also tasked with developing relationships with other agencies that provide services to veterans. These may include, but are not limited to:

- Homeless Veterans' Reintegration Programs
- Employer Support of the Guard and Reserve
- Other organizations dedicated to providing employment and training services to veterans.

DVOPs will actively seek to establish partnerships in providing services to veterans with other state and federal agencies, County Veteran Service Officers (CVSOs), and community service organizations. LVERs will perform outreach to businesses, training providers, and any other entities with the ability to positively impact the employability of Veterans.

IN-DEMAND CAREERS

The LVER will work with local industry leaders to identify employment opportunities and the requisite

skill sets needed for in-demand careers for their area and develop opportunities for training through programs such as OJT grants, WIOA, and other locally available programs. Additionally, the LVER will coordinate with state educational facilities to promote training programs for in-demand jobs.

PUBLIC OUTREACH TO VETERANS CONCERNING EMPLOYMENT AND TRAINING OPPORTUNITIES

In addition to the efforts of the DVOP and LVER staff, Business Service team (BST) members will promote the available services, including employment and job training opportunities, to veterans through the variety of forums in which they are involved. These can include job fairs, Chamber of Commerce meetings, Society of Human Resources Managers (SHRM) meetings, employer visits, public radio, television spots, and departmental brochures.

(D) THE INCENTIVE AWARD PROGRAM IMPLEMENTED USING A 1% GRANT ALLOCATION SET ASIDE FOR THIS PURPOSE, AS APPLICABLE

VETERANS PERFORMANCE INCENTIVE AWARD

Per [Title 38, U.S.C. Section 4102A\(c\)\(7\)](#), one percent of the JVSG allocation states receive is designated for the purposes of performance incentive awards for eligible employees and employment service offices. The incentive awards program was established to encourage the improvement and modernization of employment, training, and placement services for veterans, and recognize eligible employees and employment service offices for excellence in the provision of such services, or for having made demonstrable improvements in the provision of services to veterans.

1. Indicate the total percentage of funds designated for performance incentive awards

In accordance with VPL 04-19, the State of Florida JVSG program designates one percent of the initial grant allocation for use as performance incentive awards.

2. Address the objectives to be achieved through the state's incentive awards program

The incentive awards are intended to encourage the improvement of employment, training, and placement services for veterans and recognize workforce development partners for excellence or demonstrated improvements in the provision of services to veterans.

3. Describe the planned selection and award process

LWDBs will be asked to submit written nominations and include information that demonstrates exemplary services to veterans. The nomination and selection will be completed during the 4th quarter of the fiscal year (FY). Award recipients will be selected by a review committee that is inclusive of the full spectrum of Department of Labor employment and training-related programs and non-Federal partners. This committee will review nominations and select winners based upon the general criteria of productivity and veterans' advocacy efforts. This criterion will take into consideration both objective and subjective data including outstanding outreach on behalf of veterans who have barriers to employment, promotion of employment opportunities, program improvement, and positive feedback.

4. Describe the planned disbursement of incentive award funds

Award nominations will be organized into three size categories (small, medium, and large) based upon the LWDB staff size. The Florida Department of Economic Opportunity will administer and distribute

incentive award cash funds representing the total amount of designated funding to the winners in each category as identified by the review committee. Awards will be provided to winning LWDBs in each of the size categories as an office award. Per state legislation, cash awards will not be distributed to individuals. Incentive award funds are equal to one percent of the initial JVSG grant allocation each FY and will be split equally amongst each category's winner. Fiscal years' funds will be obligated and awarded prior to September 30 each year.

(E) THE POPULATIONS OF VETERANS TO BE SERVED, INCLUDING ANY ADDITIONAL POPULATIONS DESIGNATED BY THE SECRETARY AS ELIGIBLE FOR SERVICES, AND ANY ADDITIONAL POPULATIONS SPECIFICALLY TARGETED BY THE STATE WORKFORCE AGENCY FOR SERVICES FROM ONE-STOP DELIVERY SYSTEM PARTNERS (E.G., NATIVE AMERICAN VETERANS; VETERANS IN REMOTE RURAL COUNTIES OR PARISHES)

An eligible veteran or eligible spouse is determined to have a Significant Barrier to Employment (SBE) if he or she attests to belonging to at least one of the criteria's below:

- A special disabled or disabled veteran, as those terms are defined in 38 U.S.C § 4211(1) and (3); Special disabled and disabled veterans are those:
 - who are entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans' Affairs; or,
 - were discharged or released from active duty because of a service-connected disability
- A homeless person, as defined in Sections 103(a) and (b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. I 1302(a), which considers homeless to be any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.
- A recently-separated service member, as defined in 38 U.S.C § 4211(6), who has been unemployed for 27 or more weeks in the previous 12 months
- An offender, as defined by WIOA Section 3 (38), who is currently incarcerated or who has been released from incarceration
- A veteran lacking a high school diploma or equivalent certificate; or
- A low-income individual (as defined by WIOA Section 3 (36)).
- Veterans Ages 18 to 24
- Vietnam-era veterans

In annual appropriation bills since the Consolidated Appropriations Act of 2014, Congress authorized JVSG grants to support services as described in VPL 03-19 to:

- Eligible Transitioning members of the Armed Forces who have been identified as in need of individualized career services, per guidance issued through the most current VPL;
- Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities (MTF) or warrior transition units (WTU); and
- The spouses or other family caregivers of such wounded, ill, or injured members.

Please see question (a) that addresses the populations of Veterans to be served.

(F) HOW THE STATE IMPLEMENTS AND MONITORS THE ADMINISTRATION OF AND PRIORITY OF SERVICE TO COVERED PERSONS

Per Grant Officer Memorandum 01-20, a response to this section is not required.

(G) HOW THE STATE PROVIDES OR INTENDS TO PROVIDE AND MEASURE, THROUGH BOTH THE DVOP AND ONE-STOP DELIVERY SYSTEM PARFLERSTAFF

1. Job and job training individualized career services

Per Grant Officer Memorandum 01-20, a response to this section is not required.

2. Employment placement services

Per Grant Officer Memorandum 01-20, a response to this section is not required.

3. Job-driven training and subsequent placement service program for eligible Veterans and eligible persons.

Per Grant Officer Memorandum 01-20, a response to this section is not required.

(h.) The hire date along with mandatory training completion dates for all DVOP specialists and LVER staff.

Full Name	Position	Date Assigned	Completed All Required NVTI Training
Anderson, Andre'	LVER	11/16/2018	Y
Sanchez, Amethyste	LVER	4/15/2019	Y
Omalley, Shawn	LVER	12/29/2014	Y
Rivera Acosta, Porfirio	LVER	6/24/2019	Y
Bailey, Dana	DVOP	4/24/2017	Y
Davis, Leo	DVOP	7/1/2014	Y
Williams, Roland	DVOP	10/1/2011	Y
Raught, Russell	DVOP	6/4/2018	Y
Porter, Kenneth	DVOP	5/7/2019	Y
Richardson, Timothy	DVOP	5/20/2013	Y
Mclemore, Pricilla	DVOP	8/16/2017	Y
Bibbins, Albert	DVOP	3/28/2016	Y
Wallace, Kenneth	DVOP	6/22/2018	Y
Williams, Robert	DVOP	7/1/2016	Y
Suber, Jerrod	LVER	12/9/2019	N
Ambriz, Sarah	LVER	9/23/2019	N
Bailey, Christopher	DVOP	4/1/2014	Y
Williams, Stephen	LVER	10/1/2011	Y
Bannister, Jennifer	DVOP	8/29/2016	Y
Mercado, David	DVOP	10/28/2019	N

Dunnivant, John	LVER	9/11/2019	Y
Martinson, George	DVOP	1/23/2018	Y
Smith, Exit	DVOP	7/12/2018	Y
Sykes, Derrick	LVER	7/8/2016	Y
Cray, Selvin	DVOP	8/10/2015	Y
Shelton, Philip	DVOP	8/10/2015	Y
Nunu, Sifoa	LVER	5/13/2015	Y
Harrison, Crystal	DVOP	6/4/2018	Y
Hargrove, Brian	DVOP	6/1/2015	Y
Jones, Robert	DVOP	8/1/2014	Y
Frasier, James	LVER	3/14/2016	Y
Spratling, Al	LVER	11/1/2013	Y
Carter, Jerry	LVER	10/18/2013	Y
Upton, Janet	DVOP	6/4/2018	Y
Brock, Donnell	DVOP	4/22/2019	Y
Anzueta, Susan	LVER	2/17/2020	N
Hartman, Ana	DVOP	7/29/2013	Y
Thornton, Joseph	DVOP	7/1/2014	Y
Avery, Frederick	DVOP	10/1/2011	Y
Hamilton, Elijah	DVOP	10/1/2011	Y
Varner, Marc	DVOP	2/17/2020	Y
Mcbride, Dewayne	LVER	11/1/2019	Y
Johnson, Jeremiah	DVOP	5/17/2017	Y
Ayala, Henry	DVOP	9/9/2014	Y
Valentine, Johnny	DVOP	7/10/2019	Y
Wellence, Rebecca	DVOP	6/3/2019	Y
Roberts, Joe	LVER	VACANT	Y
Peguero, Matthew	DVOP	11/18/2019	Y
Torres, Kenneth	LVER	11/1/2013	Y
Tillman, Denis	DVOP	2/24/2020	Y
Safford, Jerel	LVER	5/1/2017	Y
Deendyal, Ken	DVOP	6/1/2018	Y
Aller, Christian	DVOP	3/1/2018	Y
Sullivan, Rebecca	DVOP	7/8/2019	N
Biggs, Marilyn	DVOP	1/13/2014	Y
Roberts, Omar	DVOP	6/1/2018	Y
Diaz, Vigie	LVER	6/3/2016	Y
Gray, Daisy	LVER	12/2/2019	N
Thompson, Thomas	DVOP	6/1/2012	Y
Wagner, Christopher	DVOP	3/11/2019	Y
Wynter, Peter	LVER	4/24/2017	Y
Santana, Raul	LVER	9/17/2012	Y
Karacsony, Maja	DVOP	2/6/2019	Y

Quiles, Wilfredo	LVER	10/29/2018	Y
Tudor, Gregory	LVER	5/2/2016	Y
Vidal, Elwick	DVOP	1/2/2018	Y
Wright, Daniel	DVOP	11/16/2016	Y
Alexander, Glen	DVOP	2/11/2019	Y
Sanaxay, John	DVOP	11/10/2014	Y
Kaun, Joshua	DVOP	5/2/2016	Y
Collins, Mary	DVOP	4/9/2018	Y
Furbay, Scott	DVOP	4/22/2019	Y
Hercules, Roxanne	LVER	1/6/2020	N
Amer, Ahmed	LVER	1/14/2019	N
Perez-Andino, Jorge	DVOP	10/1/2011	Y
Monteilh, Paul	DVOP	10/1/2011	Y
Wellington, Christopher	DVOP	10/28/2019	N
Simmons, Camellia	DVOP	12/18/2017	Y
Hernandez, Rosa	DVOP	2/1/2017	Y
Lupo, Anthony	DVOP	1/3/2018	Y
Colon, Daniel	DVOP	12/18/2017	Y
Colon, Eliseo	DVOP	10/1/2011	Y
Floyd, Hakim	LVER	7/2/2018	Y
Liebau, Jesse	LVER	5/27/2014	Y
Struys, Bernard	DVOP	10/23/2018	Y
Verge Nieves, Pedro	DVOP	1/16/2018	Y
Infante, Jose	DVOP	11/1/2018	Y
Eberle, John	LVER	8/13/2018	Y
Mascaro, Joseph	DVOP	12/1/2017	Y
Hayes, Julie	DVOP	11/5/2012	Y
Flaherty, James	LVER	12/2/2013	Y
Rumley, James	LVER	12/3/2019	N
Coy, Daniel	DVOP	3/16/2016	Y
Chesnutt, Lee	DVOP	10/30/2017	Y
Sengstaken, Bruce	LVER	11/6/2018	Y
Phelps, Deborah	LVER	10/1/2011	Y
Collazo, Wilfred	LVER	2/20/2019	Y
Conover, Arthur	LVER	4/22/2019	Y
Patterson, April	DVOP	1/6/2020	N
Lanier, Jill	DVOP	12/9/2019	N
Bray, Scott	LVER	8/22/2016	Y
Melendez, Victor	LVER	9/6/2019	Y
Campbell, Cary	DVOP	11/26/2018	Y
Madden, Bryant	DVOP	11/4/2019	N
Melton, Cody	LVER	9/12/2016	Y
Brennan, Mark	LVER	3/1/2016	Y

Carozza, Awilda	DVOP	5/6/2019	Y
Henry, Evroy	DVOP	5/11/2018	Y
Zeynalov, Kira	DVOP	4/29/2019	Y
Deant, Ernst (Dom)	LVER	6/1/2019	Y
Sweet, Sabrina	LVER	3/5/2018	Y
Gerena, Keith	LVER	6/9/2019	Y
Macphee, Sean	DVOP	6/1/2019	Y
Ocasio Nieves, Eric	DVOP	12/11/2017	Y
Hixson, Bryant	DVOP	12/5/2019	N
Thomas, Christopher	LVER	1/3/2018	Y
Rietzke, Jay	DVOP	4/25/2016	Y
Fitzgerald, Jason	DVOP	5/1/2017	Y
Bethel, Desiree	DVOP	8/6/2018	Y
Romero, Peter	LVER	3/1/2018	Y
Grussemeyer, Michael	DVOP	6/26/2019	Y
Sullivan, Glenn	LVER	6/25/2018	Y
Mcgarity, Nathan	DVOP	4/26/2019	Y
Allen, Susan	DVOP	6/29/2018	Y

(i.) Such additional information as the Secretary may require.

Per Grant Officer Memorandum 01-20, a response to this section is not required.

**Attachment E:
Negotiated Indirect Cost Rate Agreement or
Cost Allocation Plan**

**NEGOTIATED INDIRECT COST RATE AGREEMENT (NICRA)
STATE DEPARTMENT/AGENCY**

DEPARTMENT/AGENCY: EIN: 36-4706134
State of Florida Department of Economic Opportunity (DEO)
Caldwell Building, 107 East Madison Street
Tallahassee, Florida 32399-4120

DATE: October 5, 2020
FILE REF: This replaces
the agreement dated
September 27, 2019

The indirect cost rate(s) contained herein are for use on grants and contracts with the Federal Government. 2 CFR Part 200, Subpart E applies subject to the limitations contained in Section II, A, below. The rate(s) were negotiated between the State of Florida, Department of Economic Opportunity (DEO) and the U. S. Department of Labor in accordance with the authority contained in 2 CFR Part 200, Appendix VII, D.1.

SECTION I: RATES

<u>TYPE</u>	<u>EFFECTIVE PERIOD</u>		<u>RATE*</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
	<u>FROM</u>	<u>TO</u>			
Final	7/1/18	6/30/19	23.6854%	All	WIHP
Final	7/1/18	6/30/19	60.7647%	All	WBSP
Final	7/1/18	6/30/19	6.8654%	All	WJMP
Final	7/1/18	6/30/19	56.0162%	All	CDP
Final	7/1/18	6/30/19	69.5075%	All	SBDP
Final	7/1/18	6/30/19	36.3103%	All	FSP
Final	7/1/19	6/30/20	27.0219%	All	WIHP
Final	7/1/19	6/30/20	48.6198%	All	WBSP
Final	7/1/19	6/30/20	6.5104%	All	WJMP
Final	7/1/19	6/30/20	51.2757%	All	CDP
Final	7/1/19	6/30/20	28.8611%	All	SBDP
Final	7/1/19	6/30/20	32.5342%	All	FSP
Provisional	7/1/20	6/30/22	29.4961%	All	WIHP
Provisional	7/1/20	6/30/22	48.1823%	All	WBSP
Provisional	7/1/20	6/30/22	6.8163%	All	WJMP
Provisional	7/1/20	6/30/22	54.7685%	All	CDP
Provisional	7/1/20	6/30/22	50.8860%	All	SBDP
Provisional	7/1/20	6/30/22	32.9562%	All	FSP

See the Special Remarks section for abbreviation explanations and additional information.

***BASE** Total direct salaries and wages including all applicable fringe benefits.

TREATMENT OF FRINGE BENEFITS: Fringe benefits are specifically identified to each employee and are charged individually as direct costs. The directly claimed fringe benefits are listed in the Special Remarks Section of this Agreement.

TREATMENT OF PAID ABSENCES: Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal cost for salaries and wages. Separate claims for the cost of these paid absences are not made.

SECTION II: GENERAL

- A. **LIMITATIONS:** Use of the rate(s) contained in the Agreement is subject to all statutory or administrative limitations and is applicable to a given Federal award or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated upon the following conditions:
- (1) that no costs other than those incurred by the non-Federal entity or contractor were included in its indirect cost pool as finally accepted and that such incurred costs are legal obligations of the non-Federal entity and allowable under the governing cost principles,
 - (2) that the same costs that have been treated as indirect costs have not been claimed as direct costs,
 - (3) that similar types of costs have been accorded consistent treatment, and
 - (4) that the information provided by the non-Federal entity or contractor which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially inaccurate by the Federal government. In such situations, the rate(s) may be subject to renegotiation at the discretion of the Federal government.
 - (5) The rates cited in this Agreement are subject to audit.
- B. **ACCOUNTING CHANGES:** This agreement is based on the accounting system purported by the non-Federal entity or contractor to be in effect during the Agreement period. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this Agreement require prior approval of the Cost & Price Determination Division (CPDD). Such changes include, but are not limited, changes in the charging of a particular type of cost from indirect to direct. Failure to obtain approval may result in cost disallowances.
- C. **NOTIFICATION TO FEDERAL AGENCIES:** A copy of this document is to be provided by the non-Federal entity or contractor to other Federal funding sources as a means of notifying them of the Agreement contained herein.
- D. **PROVISIONAL-FINAL RATES AND ADJUSTMENTS:** When seeking initial reimbursement of indirect costs using the provisional/rate methodology, provisional rates

must be established within 90 days of receiving a Federal award (financial assistance, grants, cooperative agreements, and cost reimbursable contracts) requiring to account for actual costs incurred. The non-Federal entity or contractor must submit an indirect cost rate proposal within six (6) months after the end of their fiscal year to establish a final rate.

Once a final rate is negotiated, billings and charges to federal awards must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the non-Federal entity or contractor may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the non-Federal entity or contractor will be required to reimburse the funding agency for the excess billings.

Non-Federal entities or contractors receiving a Federal cost reimbursable contract(s) - Must adhere with FAR 52.216-7(d)(2)(v), to settle final indirect cost rates typically on annual basis:

“The contractor shall update the billings on all contracts to reflect the final settled rates and update the schedule of cumulative direct and indirect costs claimed and billed, as required in paragraph (d)(2)(iii)(I) of this sections, within 60 days after settlement of final indirect cost rates.”

In addition, the contractor shall provide to the Contracting Officer the noted cumulative costs schedule within 60 days of the execution of this agreement.

If the non-Federal entity or contractor has completed performance under any of the contracts covered by this Agreement, a final invoice or voucher must be submitted no later than 120 days from the date on which this Agreement is executed, following guidance from FAR 52.216-7(d)(5) and FAR 52.216-7(h).

Non-Federal entities receiving Federal awards (financial assistance, grants, and cooperative agreements) – Note that even if Federal awards are administratively closed prior to the settlement of final indirect cost rates, non-Federal entities still must comply with the following 2 CFR Part 200 clauses stating, in part:

§200.344 Post-closeout adjustments and continuing responsibilities

(a) The closeout of a Federal award does not affect any of the following:

(1) The right of the Federal awarding agency or pass-through entity to disallow costs and recover funds on the basis of a later audit or other review. The Federal awarding agency or pass-through entity must make any cost disallowance determination and notify the non-Federal entity within the record retention period.

(2) The obligation of the non-Federal entity to return any funds due as a

result of later refunds, corrections, or other transactions including final indirect cost rate adjustments.

§200.345 Collection of amounts due

(a) Any funds paid to the non-Federal entity in excess of the amount to which the non-Federal entity is finally determined to be entitled under the terms of the Federal award constitute a debt to the Federal Government.

(b) Except where otherwise provided by statutes or regulations, the Federal awarding agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (31 CFR parts 900 through 999). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

E. SPECIAL REMARKS:

1. Indirect costs charged to Federal grants/contracts by means other than the rate(s) cited in the Agreement should be adjusted to the applicable rate cited herein and be applied to the appropriate base to identify the proper amount of indirect costs allocable to the program.
2. Contracts/grants providing for ceilings as to the indirect cost rates(s) or amount(s) which are indicated in Section I above, will be subject to the ceilings stipulated in the contract or grant agreements. The ceiling rate or the rate(s) cited in this Agreement, whichever is lower, will be used to determine the maximum allowable indirect cost on the contract or grant agreement.
3. The indirect cost pool for 2020 final, and 2021 and 2022 provisional rates in Section I above consists of allowable, allocable expenses of the following:

Director's Office	General Counsel
Inspector General	Budget Management
Financial Management	Human Resources Management
General Services	Shared Costs
Information Technology Services	UC Benefits
Financial Monitoring & Accountability	
State-wide Cost Allocation Plan Costs	
Chief Financial Officer/Finance & Admin	

4. Fringe benefits other than paid absences consist of the following:

Retirement	Social Security
Group Health Ins	Life Ins
Senior Mgt. Disab. Ins	Pre-Tax Benefits

5. Explanations of the abbreviations used in Section I above for all rates:

- WIHP = Workforce In House Program
- WBSP = Workforce Board Services Program
- WJMP = Workforce Jointly Managed Program
- CDP = Community Development Program
- SBDP = Strategic Business Development Program
- FSP = Facilities Services Program

6. The rates in this agreement comply with the applicable ETA salary cap and Technical Employment Guidance Letter (TEGL 5-06).

ACCEPTANCE

BY THE ORGANIZATION:

State of Florida
Department of Economic
Opportunity (DEO)
Caldwell Building – MSC 120
107 East Madison Street
Tallahassee, Florida 32399

(Grantee/Contractor)



(Signature)

Damon Steffens

(Name)

Chief Financial Officer

(Title)

October 14, 2020

(Date)

**BY THE COGNIZANT AGENCY
ON BEHALF OF THE
FEDERAL GOVERNMENT:**

U.S. DEPARTMENT OF LABOR
Cost & Price Determination Division (CPDD)
224 Westbridge Place
Mount Airy, NC 27030

(Government Agency)

Damon Tomchick Digitally signed by Damon Tomchick
Date: 2020.10.14 04:01:37 -04'00'

(Signature)

Victor M. Lopez

(Name)

Chief
Cost & Price Determination Division (CPDD)

(Title)

October 5, 2020

(Date)

Negotiated By: Damon L Tomchick
Telephone No.: 202-693-4108 or 240-475-2786