

**Department of Economic Opportunity
Disaster Recovery Dislocated Worker Grants – Consultation Review**

<u>Policy Section</u>	<u>Concerns</u>	<u>Submitted by</u>	<u>Policy Language Change</u>	<u>DEO Comments</u>	<u>Authority</u>
IV.A. Funding of Disaster Recovery DWGs	<p>DEO will utilize this process to release the maximum amount of funding for planning large scale projects rather than hold back funds that could impact largest and most efficient projects in the recovery efforts.</p> <p>Page 4, part C, I think she should be a bit more open about this. We can only do training if the NFA allows it.</p>	LWDB 13	No	<p>DEO needs to ensure that disaster recovery DWG funds are used in the most efficient way and are responsive to the different needs created by each disaster.</p> <p>Absent a clause in the NFA limiting the use of funds, all allowable activities described in TEGL 12-19 Change 1 are available.</p>	TEGL 12-19 Change 1
	NFA and worksheets seems to be process, but request that templates for worksites and funding requests be attachments to policy so it's in one place	LWDB 12	No	NFAs and worksheets may be adapted to different circumstances and are distributed through other means.	N/A
IV.B. Participant Eligibility	On page 3, regarding documentation of dislocated worker status allows self-attestation but states that it “must not be used as a regular method of determining eligibility.” After Michael people lost employment because businesses were physically destroyed or so severely damaged that they would not be reopening. In some of these cases, the business owners simply relocated to collect their insurance payout elsewhere. How are we to prove the destruction of the business to meet the expectation of not using client SA?	LWDB 4	Yes	The policy language has been updated.	TEGL 12-19 Change 1

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IV.B. Participant Eligibility	Page 3 of 11: B. Participant Eligibility - An individual is considered unemployed if they were not employed during the week in question, were available for work (except for temporary illness) and made specific active efforts to find a job during the week in question (or were temporarily laid off and expecting to be recalled to their job). What documentation will be acceptable to verify “made specific active efforts to find a job during the week in question”?	LWDB 19	No	If an individual is temporarily laid off due to the disaster, this is the eligibility factor that should be used.	TEGL 12-19 Change 1
	Page 3 of 11: B. Participant Eligibility - Citizenship or right to work; A copy of the completed I-9 must be maintained in the file of a participant placed into a temporary disaster-relief position. Will it be sufficient to collect the actual I-9 documentation for citizenship /right to work and maintain that in the customer file, rather than the completed I-9 form?	LWDB 19	No	USDOL expects the (copy of) I-9 to be in participant file.	TEGL 12-19 Change 1
	Bob Knippel - Does the person have to be currently unemployed? A person could have been LTU but started a survival job in the past week or two.	LWDB 13	No	For long-term unemployed, the person must be currently unemployed.	TEGL 12-19 Change 1, Final Guidance AWI-FG 065
	Page 3, Paragraph 2, What does this mean – during the week in question? Maybe she meant weeks not week?	LWDB 13	Yes	The policy language has been updated.	N/A
	Suggest it reads they’ve been unemployed and have made specific efforts to find a job (period). What if a person has been unemployed for more than 6 weeks, but now just started looking for work in the past couple of weeks? As worded, we’d have to wait for 6 weeks of job searching before enrolling them under DWG.	LWDB 13	Yes	The policy language has been updated.	TEGL 12-19 Change 1, Final Guidance AWI-FG 065

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IV.B. Participant Eligibility	Page 3, Prg. 4: Could it include a definition of employment? The labor market is ever evolving with gig jobs, etc.	LWDB 13	No	A person with a gig job will either be considered self-employed (contract not paid wages with withholdings who receives a 1099) or an employee (paid wages with withholdings and receiving a W-2).	N/A
	This list leaves out a lot of categories under WIOA section 3(15); -- displaced homemakers, military spouses. Etc.	LWDB 13	Yes	The policy language has been updated.	WIOA 3(15)
	Do the RWBs have access to wage info? UI records are a quarter behind.	LWDB 13	Yes	The policy language has been updated.	TEGL 12-19 Change 1
	Self-employed individuals – not sure what a business license would show – is there more guidance on this? Additionally, customer /client verification	LWDB 12	No	The business license can show that the individual was self-employed. If an applicant has no records, then verification from a customer that the applicant has done work for them can support their statement.	TEGL 12-19 Change 1
IV.D.1. Temporary disaster-relief jobs	Page 5, Prg 3, Individual request to DOL e.g. an ask for a specific purpose or does DOL offer the extension for the entire grant. If for the entire grant is local policy on said extension applicable. We are recommending this.	LWDB 13	No	The extension of time for a temporary disaster-worker applies to the entire grant. LWDBs may apply their local policies within the requirements and restrictions of the grant.	TEGL 12-19 Change 1
	Page 5 - Humanitarian workers whose activities are intended to “alleviate suffering and maintain human dignity in the immediate aftermath of disasters.” What does that mean? It has been our experience with Hurricane Michael that the need for the provision of food, clothing, social services and shelter continues for months and years. Is “immediate” in this case subjective?	LWDB 4	Yes	The policy language has been updated.	TEGL 12-19 Change 1
	Request definitions of Recovery and Humanitarian efforts. Emergency or disaster – request to add more context around non-clean up jobs.	LWDB 12	Yes	The policy language has been updated.	TEGL 12-19 Change 1

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IV.D.1. Temporary disaster-relief jobs	If the region has more than one disaster project at a time, a participant can be enrolled for up to 12 mos./2080 hours per grant?	LWDB 13	Yes	The policy language has been updated.	TEGL 12-19 Change 1
	Temporary Relief Jobs – guidance on overtime – last sentence in this section seems it is allowable, but do not see this in the policy (that it's not allowed)	LWDB 12	Yes	The policy language has been updated.	TEGL 12-19 Change 1
IV.D.2. Training and Career Services	Training and career services – states individuals can get training if they are unlikely to return to prior employment – how is that defined in this context? Are they unlikely to return because job is going away, fear of sickness, changing requirements?	LWDB 12	Yes	The policy language has been updated. This is a WIOA requirement for providing training to dislocated workers. Citations to WIOA statute and regulations included. Any relevant factors can be examined to make that determination: labor market trends/declining occupations, job search history, lack of skills, or, as with the pandemic, concerns about health. Local policies should address.	WIOA Section 134, 20 CFR, Part 680
IV.E.4. Use of equipment for temporary disaster-relief workers	Pg 9, Section 4, Where does this go in the budget? Supportive services?	LWDB 13	Yes	The policy language has been updated.	N/A
IV.E.3. Non-Duplication	Can the leveraging of FEMA resources and non-duplication of all federal disaster funds including private insurance requirement be added to the worksite agreement or is there an expectation that documentation of such requirement is in another document?	LWDB 12	Yes	The policy language has been updated. Changes made to sections IV.E.3. and E.6.	TEGL 12-19 Change 1
IV.E.6. Worksite Files	This makes you think the actual worksite agreement is to be signed by worksite and staffing agency. We need to get clarification form DEO.	LWDB 13	Yes	The policy language has been updated.	TEGL 12-19 Change 1

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IV.E.6. Worksite Files	p.10 – Item 6. The list of documents required for “worksite files” does not correspond to what we have been held to for USDOL monitoring. Our “worksite file” contains the signed worksite agreement and approved job descriptions – Evidence of Safety/OSHA training is in the client file along with another copy of the signed JD. We are uncertain of what “supervisor orientation” means in this context. The description of supplies and equipment needed is tracked in client files for individual needs and finance maintains invoices for equipment and payroll records.	LWDB 4	Yes	The policy language has been updated. Clarification of supervisor orientation & supplies & equipment description to be included in the worksite file.	TEGL 12-19 Change 1
	P 10 This is where we may want to point out what our definition of payroll records are. Remember everyone wants a time sheet. Time sheets are electronic these days and difficult to produce. Might want to clarify this. It only comes in play when audited or monitored	LWDB 13	Yes	The policy language has been updated. Payroll records can be electronic or paper based.	TEGL 12-19 Change 1