
POLICY: NDWG-TORNADO RELIEF

EFFECTIVE DATE: JANUARY 13, 2022

POLICY NUMBER: 2022-31

SUBJECT: National Dislocated Worker Grant-Tornado Relief

PURPOSE:

The purpose of this policy is to provide guidance on the National Dislocated Worker Grant-Tornado Relief to be provided to eligible National dislocated workers. This policy applies to all eligible individuals served with National Dislocated Worker Grant -Tornado relief funds.

ACTION REQUIRED:

Within 15 days of the receipt of this policy, it is the recipient's (e.g., vendors, contractors and partners when applicable) responsibility to ensure all staff are informed of the policy and to create an internal process to ensure accountability.

BACKGROUND:

Disaster Recovery grants are awarded under the WIOA National Dislocated Worker Grant (DWG) Program. DWGs are discretionary grants awarded by the Secretary of Labor under Section 170 of the WIOA to provide employment-related services for dislocated workers. The Department funds two types of DWGs: Disaster Recovery and Employment Recovery. Disaster Recovery DWGs provide funding to create temporary employment opportunities to assist with clean-up and recovery efforts when an area impacted by an emergency or a major disaster is declared eligible for public assistance by the Federal Emergency Management Agency (FEMA), or is declared, or otherwise recognized, as an emergency or disaster of national significance by a federal agency with authority or jurisdiction over Federal response to the disaster or emergency.

POLICY: NATIONAL DISLOCATED WORKER GRANT-TORNADO RELIEF

Eligibility

An individual eligible to received services through the National Dislocated Worker Grant-Tornado Relief must be:

- Eligible to work in the United States
- Registered with Selective Service (if applicable):

AND

- Meets the requirements for at least one of the following, per 20CFR 687.170 (b):
 - Temporarily or permanently laid off as a consequence of the disaster
 - A dislocated worker as defined at 29 U.S.C. 3102(3)(15)
 - A long-term unemployed worker; (defined as unemployed for at least 27 weeks)
 - A self-employed individual who became unemployed or significantly underemployed as a result of the disaster or emergency.

Note: The U.S. Department of Labor may waive certain eligibility requirements.

Eligibility Documentation

Self-attestation is an acceptable form of documentation for the NDWG-Tornado relief eligibility categories 1, 3, and 4 (see above). Email or virtual signatures are acceptable for self-attestation for this grant. NDWG-Tornado relief eligibility category 2, documentation requirements are the same as those outlined in the WIOA -I & WIOA 2 Reference Guide. Reasonable attempts should be made to collect eligibility documentation. If, because of the disaster, documentation cannot be obtained, the grant allows WIOA case managers to use self-attestation. However, the WIOA case managers must collect eligibility documentation before any additional services are rendered.

NDWG-Tornado Relief Service Programs

1. Training Services

- Training under this grant will focus on short-term training programs in a high demand sector and in high demand occupations to assist individuals in obtaining employment in the local area, returning to available employment in their home area, or an area in which they plan to relocate upon finding suitable employment. These trainings will support the return of NDWG eligible participants to employment as quickly as possible. Refer to SCWDB Individual Training Accounts Policy number 2016-06 for additional ITA requirements. Training services for NDWG Tornado relief should not exceed \$5,000 unless otherwise waived by the SCWDB CEO/President

2. Disaster Relief Employment/Temporary Relief Employment (Humanitarian Assistance)

- Disaster-relief employment is temporary employment for eligible individuals for the purposes described in WIOA Section 170(b)(1)(B) and (d), as well as 20 CFR 687.180(b) and (c). Service provider must demonstrate that disaster-relief employment created under the NDWG Tornado Relief aligns with the category of humanitarian assistance.
- Disaster relief employment/Humanitarian assistance provided to disaster-relief participants generally includes actions intended to alleviate hardships and maintain human dignity in disaster recovery efforts. Assistance includes activities such as the provision of food, clothing, and shelter. The humanitarian assistance provided by disaster-relief workers must relate directly to needs created by the tornado recovery efforts. For example, funding could be used to support food delivery workers at food shelters but not the food itself.
- Disaster relief employment for the tornado can include but is not limited to assistance at city, county, state, federal agencies, Red Cross, Salvation Army, food banks, state parks, food delivery for impacted groups, assistance with tree removal, debris clean-up, shelter assistance, infrastructure repair at water and sewer or internet and electricity providers, assistance with educational deliveries, or other agencies and businesses helping with disaster relief as needed.
- Disaster relief employment participant wages should be comparable to other employees in the South Central region and who are in similar occupations by the same employer and who have similar training, experience, and skills. NDWG tornado relief funds will support 100% of the wages and provide certificate of liability for eligible participants.
- Duration of Employment. Participants in disaster-relief positions may be employed for a maximum of 12 months or 2,080 hours, whichever is longer and, in the amount not to exceed \$20,000 without a signed waiver from the SCWDB CEO/President. Both part-time and full-time work schedules are allowed however, participants may not work or be paid overtime (more than 40 hours per week). If there

remain humanitarian needs after participants reach the limits on employment duration, WIOA staff should attempt to employ new eligible individuals to continue the work.

3. Work Experience/Internships

- Work experience will be an option following training or to assist an eligible participant with obtaining full-time employment in a new career field. This will be a temporary placement for a limited period of time for work-based learning purposes. The employment will be based upon the individual's assessment and the participants needs. Both part-time and full-time work schedules are allowed however, participants may not work or be paid overtime (more than 40 hours per week). Wages should be comparable to other employees in the South Central region, who are in similar occupations by the same employer and who have similar training, experience, and skills. NDWG tornado relief funds will support 100% of the wages and provide certificate of liability for eligible participants. Work experiences/Internships are available for up to six months and should not exceed \$12,000 unless otherwise waived by the SCWDB CEO/President.

4. On-the-Job Training (OJT)

- On-the-job training will be an option for eligible NDWG tornado relief participants. OJT is intended to provide a participant with the knowledge and skills necessary for the full performance of the job. The term "on-the-job training" means training by an employer that is provided to a paid participant while engaged in productive work in a job that:
 - Provides knowledge or skills essential to the full and adequate performance of the job.
 - Provides reimbursement to the employer of up to 75 percent of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training.
 - Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, prior work experience of the participant, and the service strategy of the participant, as appropriate.
- On the Job Training will be available for up to six months, to assist the individual with obtaining full time employment with benefits in a new career field. The negotiated hours will be based upon the individual's assessment, skills needed for that position, and the participant's needs. The reimbursement to the employer should not exceed \$12,000 unless otherwise waived by the SCWDB CEO/President

5. Supportive Services

Supportive services for NDWG-Tornado Relief participants may only be provided when they are necessary to enable individuals to participate in training or career services to obtain or retain self-sufficient employment. These funds may only be used to provide supportive services to eligible participants for those who are unable to obtain such supportive services through other programs providing such services.

The range of supportive services available to participants includes, Transportation Assistance, Clothing Assistance, Housing Assistance, Items for Employment, Child Care, Tools/Supplies/Training Fees, and Needs Related Payments. Availability of all items is based on request, documented need and documentation attesting that no other sources of funding are available to obtain the services otherwise.

Supportive Service requests/needs and the inability to obtain the services through other resources should be case noted in the participants Kee Suites workforce case notes prior to receiving services. Any items required by the employer should be listed in a letter or email as supportive documentation of need. Approved items will be paid through traditional vendor procedures or card whenever possible.

The following generally outlines the allowable supportive services, provisions, and general duration of possible services available for request. Requested items/services should be required for employment, training or other individualized career services and requested due to need.

Any items exceeding the standard limits as listed, will be reviewed on a case-by-case basis for approval by the SCWDB CEO/President. All supportive services combined should not exceed \$5,000 unless otherwise approved by the SCWDB.

A. Assistance with transportation

- Participants may be issued a monthly bus pass or vouchers for public transportation
- Travel assistance for those attending full time training, participating in work experience/internships, Disaster Relief Employment/Humanitarian Assistance, OJT, etc. will follow the same procedures outlined in SCWDB Supportive Service Policy 2016-33 regarding mileage reimbursement. Participants can be reimbursed for each day they are in training, at work or are receiving disaster related assistance.

B. Assistance with Clothing/Work Attire

- Appropriate interview clothing (This could include haircut, shoes, outfit, under garments and limited toiletries as needed) cost generally not to exceed \$250.00.
- Post-employment work attire appropriate to the workplace for individuals who have been placed on the job. (This will include, but is not limited to, up to 5 days outfits appropriate to the workplace, including shoes, belt, under garments, necessary toiletries, cosmetics, etc. If the workplace offers a uniform service at a cost to the individual, to prevent a disadvantage to the individual, vendor payment reimbursement could be made to the individuals workplace for a limited time (not to exceed 6 months). Cost not to exceed \$750.00, unless waiver granted by SCWDB President/CEO.

C. Assistance with housing

- Individuals under a disaster NDWG who want to stay and live, work or relocate in the South Central area, to reestablish a residence for that purpose. The items paid directly to the vendors will include, but are not limited to: first month's rent, required housing deposits, utility deposits (gas, electric, water, sewer, trash, and phone). The service should not exceed \$2,500, unless waiver granted by SCWDB President/CEO.

D. Assistance with items for Employment

For individuals seeking employment in our local area. Services included are geared to assist the individual with specific barriers to employment (obtaining or retaining employment) or completion of training.

- The supportive items available as a part of this service can include but are not limited to:
 - Renewal or replacement of missing employment documents (Driver's License, Birth Certificate, Social Security Card, Etc.)
 - Certifications/licenses,
 - Testing/assessment costs for occupational license,
 - Books and other training related costs,
 - Required minor medical and health care services (those that may be provided include, but are not limited to: shots, TB skin tests, physical examinations required for employment/training but not paid by employer;
 - Eye and/or ear examinations and cost to replace missing prescription eyeglasses or hearing aids not covered under other program,
 - Reimbursement of up to \$100 of monthly cell phone bill for employer communication. Cell phone reimbursement assistance should not exceed 6 months unless otherwise approved with the SCWDB CEO/President.

E. Assistance with Child Care

- If participants are unable to obtain reliable childcare through other resources, they may be reimbursed for their expenses. They must certify the expenses in writing documenting the child/children names and the costs of the care and provide the name and address of the provider. Participants can be reimbursed for each day of childcare while they are in training, at work or while receiving disaster-related assistance.
- To determine an appropriate amount, case managers should use estimates of the average cost of childcare for infants and children in the state of Kentucky.

F. Minor Tools/Supplies/Training Fees

- If the tools or supplies required/needed to become employed or tools or supplies used for employment are missing or damaged as a result of the tornado, assistance can be provided up to \$1,000.00 to replace or purchase required tools to obtain or retain employment.
- Boots, helmets, gloves, safety equipment, tools or other required supplies may also be provided if necessary to participate in a training or to succeed in employment.
- Any fees/expenses that are associated with training completion.

G. Needs Related Payments

Needs-related payments (NRP's) provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for needs-related payments a participant **must be enrolled in training**. NRP's are not an entitlement for eligible participants.

Eligibility is based upon the family's financial need, as well as the participant's enrollment into training and ineligibility for Unemployment Insurance.

This two-part determination is described below.

Part 1 – Financial Need

- Individuals must have a three-month family income of less than 100% of the lower living standard income level (LLSIL).
- Determination of financial need may be determined up to 90 days prior to the start of training. This initial determination of eligibility is based on family income from the prior three (3) months. Documentation must be presented to prove income. A WIOA-2 Part A may be used as a last resort in cases where the participant is unable to obtain acceptable documentation or if they cannot provide evidence that “0” income was received.

AND

Part 2 – Training and Unemployment insurance

- Be unemployed, and:
 - Have ceased to qualify for unemployment insurance or trade readjustment allowance under Trade Adjustment Assistance (TAA)
 - Be enrolled in a training program under WIOA

OR

- Be unemployed, and
 - Did not qualify for unemployment insurance or trade readjustment allowance under Trade Adjustment Assistance (TAA)
 - Be enrolled in a training program under WIOA
 - If the participant is not initially eligible and his or her financial situation changes during the course of training, eligibility may be re-determined throughout the course of participation. However, the timeframe requirements for beginning training (if applicable) and the family income requirements must be met in order to begin issuing NRPs.

Payment levels for NDWG Tornado Relief participants cannot exceed the greater of:

- The applicable weekly level of the unemployment insurance benefit for participants who were eligible for unemployment compensation
- The federal poverty level for participants who did not qualify for unemployment compensation. The weekly payment level must be adjusted to reflect persons in family/household. Federal poverty levels can be referenced at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines/prior-hhs-poverty-guidelines-federal-register-references/2021-poverty-guidelines>

Note: The U.S. Department of Labor may waive certain eligibility requirements for Needs Related Payments for Disaster Recovery efforts.

SCWDB staff and the direct service provider staff are responsible for coordinating with appropriate agencies to avoid duplication of services, ensure maintenance of services, and to ensure that the Disaster-relief employment/Humanitarian Assistance funded by this grant appropriately responds to the affected area needs. All relief efforts should be provided through partnerships with existing organizations. These organizations have previous experience and available infrastructure to provide humanitarian assistance to meet local community needs and are already responding to disaster relief and other emergencies stemming from the tornado.

Any NDWG Tornado relief service discussed in this policy shall not be authorized to any participant who:

- does not meet NDWG Tornado Recovery eligibility criteria, or

- Is absent, entirely or in part, from his/her regularly scheduled training activity or employment for the week affecting the payment, or service in question.

NOTE 1. An ITA, WEX and/or OJT may be combined for a participant, but total cost shall not exceed the \$20K, unless otherwise approved by the SCWDB President / CEO.

Note 2: Supportive Services (to include Needs Related Payments) shall not exceed the \$5K, unless otherwise approved by the SCWDB President / CEO.

Applicable Federal Laws and WIOA Regulations:

Workforce Innovation and Opportunity Act of 2014 Section 170 relates to National Dislocated Worker Grants, Training and Employment Guidance Letter (TEGL) No. 12-19, Change 1 – National Dislocated Worker Grant Program Guidance, National Dislocated Worker Grant Regulations – Pages 56457-56460 (PDF, pages 387-390)

Approved:

Signed by:

1-11-2022
Date of Governance
Committee Approval

Melissa Mudd
Chair, Governance Committee

1-13-22
Date of Approval

John Conrad
John Conrad, SCWDB Chairman