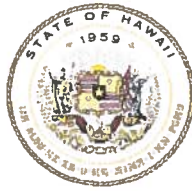


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SN – 43

**WIOA BULLETIN NO. 43-20**

**DATE:** January 19, 2021

**TO:** Hawaii County, Maui County, and Oahu Workforce Development Boards and WIOA Partners

**SUBJECT:** COVID-19 Employment Recovery Dislocated Worker Grant (DWG) Policies and Procedures

**I. Purpose**

The National Dislocated Worker Grant (DWG), “COVID-19-HI-Employment Recovery,” (Employment Recovery DWG) was awarded to the Workforce Development Council (WDC) from the U.S. Department of Labor (USDOL). The grant can be reference by Federal Award Identification Number: DW-34829-20-60-A-15. Employment Recovery DWG funds are available for the County of Hawaii, the City and County of Honolulu, and the County of Maui. This bulletin transmits Federal and State requirements for worker eligibility and allowable activities under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128, Section 170.

**II. Background**

In November 2020, the USDOL issued Training and Employment Guidance Letter (TEGL) No. 12-19, Change-1 to guide the implementation of the National Dislocated Worker Grant Program.

The Employment Recovery DWG provides resources to states to respond to major economic dislocations, such as large, unexpected layoff events that cause significant job losses. The USDOL has the discretion to award DWGs to eligible entities where the eligible entity can demonstrate the need for additional funds to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures and mass layoffs. This also could include closures and realignments of military installations. Employment Recovery DWGs provide employment and training assistance to dislocated workers and other eligible participants.

The Employment Recovery DWG is distinct from the Disaster Recovery DWG. Requirements are different in each DWG program. The Local Workforce Development Boards and WIOA Partners need to be cognizant of the differences between the two programs.

### **III. Policy**

Instructions in Attachment 1, "Policies and Procedures COVID-19 Employment Recovery DWG" are to be applied by the Hawaii County Local Workforce Development Board, the Maui Local Workforce Development Board, the Oahu Local Workforce Development Board, and the American Job Center Hawaii (AJCH) to enroll individuals in accordance with WIOA priority of service provisions.

### **IV. COVID-19 Employment Recovery DWG Contracts**

Each Local Workforce Development Board (LWDB) through its respective administrative entity shall enter into a contract with the WDC for reimbursement of expenditures associated with the implementation of the Employment Recovery DWG in the local area. Each LWDB shall designate a single point of contact who will be responsible for coordinating and communicating all activities associated with the Employment Recovery DWG. This point of contact will coordinate and communicate activities with the WDC Statewide Rapid Response Coordinator.

### **V. Procurement**

All local areas must have and use documented procurement procedures, consistent with State and local laws and regulations and the standards of 2 CFR § 200.318, for the acquisition of property or services required under the DWG. The local area's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327. Local areas must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Local areas will comply with §§ 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327.

### **VI. Inquiries**

Inquiries regarding this bulletin may be directed to David Morihara by telephone at (808) 586-9283 or by e-mail at [david.m.morihara@hawaii.gov](mailto:david.m.morihara@hawaii.gov).

### **VII. References**

- Training and Employment Guidance Letter (TEGL) No. 12-19, Change 1, *Change 1 to TEGL 12-19, National Dislocated Worker Grant Program Guidance*, November 2, 2020
- Training and Employment Guidance Letter (TEGL) No. 12-19, *National Dislocated Worker Grant Program Guidance*, March 18, 2020
- Training and Employment Guidance Letter (TEGL) No. 28-10, *Federal Financial Management and Reporting Definitions*, May 27, 2011
- Training and Employment Guidance Letter (TEGL) No. 10-09, *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (USDOL)*, November 10, 2009

- WIOA Bulletin 41-20, HireNet Hawaii National Dislocated Worker Grant Attachment procedures for case managers at the AJC, December 16, 2020
- 20 CFR § 687.110 – What are major economic dislocations or other events which may qualify for a National Dislocated Worker Grant?
- 20 CFR § 687.180 – What are the allowable activities under National Dislocated Worker Grants?
- 2 CFR § 200.317 – Procurements by States
- 2 CFR § 200.318 – General Procurement Standards
- 2 CFR § 200.327 – Financial Reporting


**VIII. Attachments**

Sample forms may be modified to meet the needs and policies of each LWDB.

Attachment 1: Policies and Procedures COVID-19 Employment Recovery DWG

Attachment 2: Sample - Applicant Checklist COVID-19 Employment Recovery DWG

Attachment 3: Sample - Self-employed Attestation COVID-19 Employment Recovery DWG



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Allicyn C.H. Tasaka  
Executive Director

C: ASO WIOA Unit

## **Attachment 1**

### **COVID-19 Employment Recovery Dislocated Worker Grant (DWG)** **POLICIES AND PROCEDURES**

The Employment Recovery DWG provides resources to respond to major economic dislocations, such as large, unexpected layoff events that cause significant job losses. Employment Recovery DWGs provide employment and training assistance for dislocated workers and other eligible participants as described below.

The Local Workforce Development Boards shall ensure that participants are coming from qualifying layoff events as described under 20 CFR 687.110(a), and that such qualifying layoff events were affected by the novel Coronavirus (COVID-19) pandemic.

The AJC shall properly record, maintain, and store all Employment Recovery DWG participants' information in case files both in paper and electronic formats.

#### **Eligibility Requirements for Enrollment in Employment Recovery DWG**

The Local Workforce Development Boards shall ensure that participants are eligible to receive employment and training assistance. The following individuals are eligible to receive employment and training assistance:

1. a dislocated worker as defined in WIOA Section 3(15);
2. a civilian employee of the Department of Defense or the Department of Energy employed at a military installation that is being closed, or that will undergo realignment, within the next 24 months after the date of the determination of eligibility;
3. an individual who is employed in a non-managerial position with a Department of Defense contractor, who is determined by the Secretary of Defense to be at risk of termination from employment as a result of reductions in defense expenditures, and whose employer is converting operations from defense to nondefense applications in order to prevent worker layoffs; or
4. a member of the Armed Forces who:
  - a. was on active duty or full-time National Guard duty;
  - b. is involuntarily separated (as defined in section 1141 of title 10, United States Code) from active duty or full-time National Guard duty; or is separated from active duty or full-time National Guard duty pursuant to a special separation benefits program under 10 U.S.C. 1174a, or the voluntary separation incentive program under section 1175 of that title;
  - c. is not entitled to retired or retained pay incident to the separation described in Subclause b above; and
  - d. applies for employment and training assistance within 180 days of that separation.

Trade-affected workers may be served under the Employment Recovery DWG as applicable and must be co-enrolled with the Trade Adjustment Assistance (TAA) program. The TAA program, however, will be the primary source of assistance to trade-affected workers. Trade-affected workers may receive DWG-funded training if their required training is not covered by the TAA program.

Participants are eligible for assistance upon notification of layoff (receipt of an individual layoff notice or the date of the company's layoff announcement) or the date of the layoff itself.

### **Required Documentation from Participants**

The process for enrolling participants in the Employment Recovery DWG is the same as enrolling Dislocated Worker (DW) participants. Documentation is required, including proof of layoff or termination. An Employment Recovery DWG participant must have documentation that shows that s/he was affected by a COVID-19 qualifying event. One of the following required documentation is required from each individual:

1. Letter of separation from employer due to the COVID-19 Pandemic, or
2. Verification of Pandemic Unemployment Assistance, or
3. Verification of Unemployment Insurance, or
5. Paystubs or other payroll records to validate previous employment prior to March 2020, or
6. Self -Attestation may be accepted, however, is an exception and should not be used as a regular method of determining eligibility.

The participant file must document participant's eligibility. Because of circumstances surrounding the disaster, documentation of eligibility may be difficult to obtain during the initial stages. The USDOL and WDC will accept an individual's signed certification that they meet the eligibility criteria. A self-attestation menu is accessible on HireNet. The AJC must verify eligibility once better data are available.

Self-employed individuals seeking assistance under the Employment Recovery DWG, must submit at least one of the following documents to the AJC within 45 days of their initial application:

- General Excise Tax (GET) forms; or
- Federal tax returns; or
- Federal agency declaration other than FEMA, such as Small Business Association (SBA), United States Department of Agriculture (USDA), or Department of Commerce; or
- Attachment 3, Self-Employed Attestation Form

### **Individual Enrollment into HireNet**

To enroll an eligible individual into the Employment Recovery DWG via HireNet, AJC staff shall complete the standard WIOA application for DW program, with additional steps as outlined in WIOA Bulletin 41-20, "HireNet Hawaii National Dislocated Worker Grant Attachment," issued December 16, 2020.

### **Allowable Grant Activities**

The Local Workforce Development Boards shall fulfill the Employment Recovery DWG to provide employment and training assistance to dislocated workers and other eligible participants, as described below, within the local area. The term "employment and training assistance" includes career services, training services, and supportive services, as described below.

Career Services. Career services as described in WIOA Section 134(c)(2), 20 CFR Part 680, and TEGL 16-16 Section C include services and activities to assist dislocated workers in making informed decisions on reemployment and educational needs based on area economic demand. Dislocated workers interested

in pursuing training will be referred to the apprenticeship program and WIOA Dislocated Worker program and other appropriate workforce partner programs.

Training Services. Training services as described in WIOA Section 134(c)(3)(D) include occupational training, on-the-job training (including apprenticeships), entrepreneurial training, and customized training. DWG funds may be used to reimburse up to 50 percent of the wage rate for on-the-job training. The use of DWG funds for training is subject to the limitations or requirements as applicable to the WIOA Dislocated Worker program delineated in 20 CFR part 680 and TEGL 19-16.

Supportive Services. Supportive services are allowable when they are needed to enable individuals to participate in disaster-relief employment and employment and training services and when supportive services cannot be obtained through other programs. Supportive services must align with the Workforce Development Council and local board supportive service policies and must be consistent with WIOA.

Needs-Related Payments (NRPs). NRPs are a category of supportive services and are not allowable for Employment Recovery DWG participants.

## Attachment 2

### **COVID-19 Employment Recovery Dislocated Worker Grant (DWG)** **APPLICANT CHECKLIST**

1. Legal Name:

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2. Residence Address:

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3. Mailing Address (if different):

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4. Phone Number:

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5. Email Address:

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6. Checklist of Identifying Documents

- Birth Certificate
- Social Security Card
- Driver's License, ID, or Passport
- Selective Service Registration (males check your status at: [sss.gov](https://sss.gov))
- Documentation for a Hawaii Principal Residence Address

7. Checklist of Pre-qualifying Documents (please provide at least 1 from the list):

- Verification of Pandemic Unemployment Assistance (PUA)
- Verification of Unemployment Insurance (UI)
- Letter of Separation from Employer, with the reason being the COVID-19 Pandemic
- Self-Employed Attestation

8. You should have a HireNet account from when you applied for UI or PUA, if you don't have one, then please create an account and upload your resume ([hirenethawaii.com](https://hirenethawaii.com))

9. Bring your original documents (copies are not acceptable) to your scheduled appointment at the American Job Center Hawaii.

**Attachment 3**

**COVID-19 Employment Recovery Dislocated Worker Grant (DWG)**

**SELF-EMPLOYED ATTESTATION**

Applicant Name \_\_\_\_\_

Business Name \_\_\_\_\_

Business Address \_\_\_\_\_

FEIN or SSN \_\_\_\_\_

**1. As a result of the March 2020 COVID-19 pandemic:**

- Business closed
- Loss of Business Income by \_\_\_\_\_ % Compared to one year ago (March 2019)
- Laid off \_\_\_\_\_ workers or \_\_\_\_\_ % of the workforce
- Received disaster relief from (circle all that apply):
  - SBA
  - USDA
  - PPP
  - Other \_\_\_\_\_
- I am willing and able to accept employment with a different business that is hiring dislocated workers.

**2. TO BE COMPLETED BY CUSTOMER(S) OF THE DISASTER RECOVERY DWG APPLICANT**

This letter is to confirm that (*Business Name & Owner* \_\_\_\_\_)

has been my contractor / provider / supplier of (*type of product(s)* \_\_\_\_\_)

(*since month/year*) \_\_\_\_\_)

Following the COVID-19 Pandemic, (*business name* \_\_\_\_\_)

has been unable to provide (*describe service(s)* \_\_\_\_\_)

because \_\_\_\_\_)



Name of Client / Customer \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Email \_\_\_\_\_

Signature of Customer \_\_\_\_\_

FEIN \_\_\_\_\_

Date Signed \_\_\_\_\_

**3. APPLICANT CERTIFICATION**

I certify that the information stated in this form is true and accurate to the best of my knowledge. If it has been found that any information in this form is false or misleading, I may be disqualified from participating in the Employment Recovery DWG Program, and the State of Hawaii may take legal action to recover any resources from me.

Applicant Name \_\_\_\_\_

Applicant Signature \_\_\_\_\_

Date Signed \_\_\_\_\_