

# Washington State Workforce Innovation and Opportunity Act Title I-B Policy

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**Policy Number:** 5624

**Policy Title:** State Guidance and Instructions for the QUEST National Dislocated Worker Grant

**Effective Date:** November 9, 2022

## 1. **Purpose:**

To provide state guidance and instructions for implementation of the QUEST National Dislocated Worker Grant (NDWG).

## 2. **Background:**

The COVID-19 pandemic resulted in substantial effects on the health and prosperity of the nation, its people, and its businesses. While these impacts were widespread and varied, they were not evenly distributed across populations. Women, immigrants, lower-wage workers, people of color, people with disabilities, individuals who were formerly incarcerated, and other workers from historically marginalized communities were more likely to face unsafe working conditions, be laid off, or forced to leave the workforce to protect the health and safety of themselves or care for family members.

Many of the workers most negatively impacted by the pandemic continue to face persistent challenges with finding quality jobs amidst the ongoing economic effects of the COVID-19 crisis. Historically marginalized individuals, including African Americans, Native Americans, Asian Americans, Native Hawaiians and Pacific Islanders, Latinos or Hispanics, and people with disabilities, as well as young adults aged 20 to 24 years, part-time workers, and people without high school diplomas, experienced the most significant employment hardships during the first year of the pandemic. Nearly all of these groups have not regained their pre-pandemic employment rates and continue to experience the most significant employment barriers.

The QUEST DWGs supports these individuals who have suffered the most as a result of the pandemic have equitable access to work at safe, well-paying employment, which further builds their own and the community's resilience to any continued economic impacts of the pandemic.

## 3. **Policy:**

### a. **Eligibility**

Individuals receiving services through this contract must be enrolled in the "QUEST NDWG" Program of Enrollment in ETO and receive a qualifying WIOA service to trigger participation.

To be eligible for enrollment in the QUEST NDWG, an individual must be determined eligible based on one of the following criteria, per Section 4.b.iii of [TEGL 2-22](#):

1. temporarily or permanently laid off as a consequence of the COVID-19 pandemic disaster<sup>1</sup>;
2. a long-term unemployed individual<sup>2</sup>;
3. a dislocated worker as defined at 29 U.S.C. 3102(3)(15),
4. a self-employed individual who became unemployed or significantly underemployed as a result of the COVID-19 pandemic disaster.<sup>3</sup>

<sup>1</sup> For the QUEST NDWG, the State defines individuals “temporarily or permanently laid off as a consequence of the COVID-19 pandemic disaster” as individuals who were working prior to the COVID-19 pandemic but who became unemployed. For example, an individual who was fired for failing to report to work in order to stay home and care for a family member might be, for the purposes of this grant, “laid off as a consequence of the declared disaster.” As would an individual who quit in order to stay home and care for a family member.

<sup>2</sup> For the QUEST NDWG, the State defines “long-term unemployed” as individuals legally entitled to work in the U.S. and of legal working age, who are looking for a job, available for work, and:

- a. Have never been employed (i.e., no prior attachment to either an employer or self-employment);
- b. Have dropped out of the labor force, but desire to return (e.g., discouraged workers – who were not actively looking for work because they did not think they could find work; individuals who took time off to raise a child or care for another family member; individuals who took time off to further their education;
- c. Have regular or frequent spells of unemployment (i.e., seasonal or sporadic attachment to work);
- d. Are determined ineligible for WIOA Title I Dislocated Worker programs but unemployed for 13 or more weeks;
- e. Are under-employed (i.e., working part-time out of necessity but desirous of full-time work; working full-time but wages or working conditions are unsuitable);
- f. Are ex-offenders who are unemployed after incarceration;
- g. Are currently incarcerated offenders within one year of release;
- h. Are individuals who suffered an on-the-job injury, non-work-related injury or illness, were institutionalized, or were victims of a crime and have been out of work as a result; or
- i. Are active-duty service members (or spouses) who face involuntary, other than dishonorable, discharge from the military.

<sup>3</sup> For the QUEST NDWG, the State defines “significantly underemployed” as an individual who meets the definition of “under-employed worker” reflected in state policy at Section 4.3.1 of the [Eligibility Policy Handbook](#) affiliated with [WorkSource System Policy 1019, Revision 9](#).

## **b. Minimum Requirements for Documenting Eligibility**

Documentation for participants determined eligible under the Dislocated Worker criterion above, as defined at 29 U.S.C. 3102(3)(15), requires the same documentation for WIOA Title 1 Dislocated Worker as described in ESD Policy 1019, Eligibility Policy and Handbook.

Written self-attestation is allowable for all other eligibility categories. Verbal self-attestation is allowable in some circumstances per continuing DOL Coronavirus FAQ guidance (<https://www.dol.gov/agencies/eta/coronavirus>), refer to WorkSource Information Notice (WIN) 0109 for more complete guidance.

## **c. Allowable Activities**

See Section 4.c.i.A-D of [TEGL 2-22](#) for required grant activities. Note: Disaster relief employment was not included as an activity in ESD's grant agreement with DOL.

## **d. Stevens Amendment**

Publicly distributed outreach and recruitment materials for this program must include a statement acknowledging the use of Federal funds pursuant to the Stevens Amendment (P.L. 115-141, Division H, Title V, Section 505), as reiterated in the DOL Notice of Award to ESD, Grant DW-39203-22-60-A-53 (Exhibit E in LWDB contracts), Section G.12, Public Communications – Certain Information Requirement.

- Sample policy from WDA 4, Policy 1230 (<https://www.workforcesnohomish.org/policies/>) and funding levels referenced in Policy 1230 (<https://www.workforcesnohomish.org/funding/>)
- Sample procedure and guidance from WDA 7 (see [Attachment C](#))

## **4. Definitions:**

None.

## **5. References:**

- [Training and Employment Guidance Letter \(TEGL\) 2-22 – QUEST: Disaster Recovery Dislocated Worker Grants Funding Announcement](#)
- [TEGL 16-21, Attachment 1 – Updated National Dislocated Worker Grant Program Guidance](#)

## **6. Supersedes:**

WorkSource Information Notice (WIN) 0132, State Guidance and Instructions for the QUEST National Dislocated Worker Grant, dated November 9, 2022.

## **7. Website:**

[Workforce Professionals Center](#)

## **8. Action:**

Local Workforce Development Boards and their contractors must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

**9. Attachments:**

- [Attachment A](#) – ETO procedures for enrollment, capturing services, and recording outcomes
- [Attachment B](#) – QUEST National Dislocated Worker Grant FAQ
- [Attachment C](#) – Sample Stevens Amendment Process and Guidance from WDA 2

**Direct Inquiries To:**

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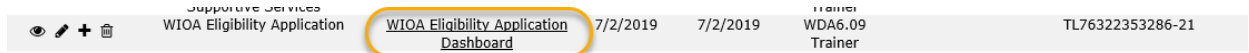
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# Attachment A – ETO procedures for enrollment, capturing services, and recording outcomes

## Procedure for Enrollment

**The process begins** by navigating to the participant’s dashboard and checking under Program Management Forms to see if they have a WIOA Eligibility Application.

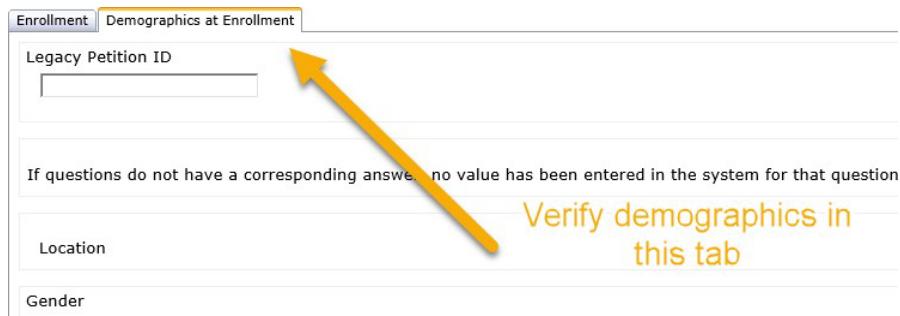


1. If a WIOA Dislocated Worker Eligibility Application exists and reflects current and accurate information, you may use that TouchPoint for eligibility purposes to enroll individuals into the QUEST NDWG if local procedures allow using applications over 30 days old. Then continue to Program Enrollment.
2. If the participant only has a Basic eligibility TouchPoint select “Take New” to add a Full WIOA Eligibility Application TouchPoint.
3. If the participant doesn’t have any WIOA Eligibility Applications you will need to add a new TouchPoint by selecting “Take New TouchPoint”



## Program Enrollment:

1. You can take a new Program Enrollment (PE) TouchPoint on the participant’s dashboard by selecting “+New” under Most Recent Program Enrollments or through the Review Seeker TouchPoints Widget and click “Take New” from the Program Enrollment selection
2. Review the Demographics at Enrollment tab and ensure demographics are complete and accurate:
  - a. If demographics are incorrect, obtain permission from the participant to impersonate them in WorkSourceWA.com and update their record before saving the Program Enrollment TouchPoint



3. Create new TouchPoint
4. Select QUEST NDWG in the program of enrollment field

Pacific Opioid Disaster NDWG FY21-23  
PY 15 RRAA (WDA 4 Only)  
PY 15 Rapid Response Additional Assistance (WDA 1 Only)  
PY 15 RRAA – Concentrix (WDA 1 Only)  
PY 15 RRAA – Olympic Panel Products (WDA 2 Only)  
**QUEST NDWG**  
Rapid Response Increased Employment Initiative (RRIE)  
RRAA COVID19 (WDA 5 ONLY)  
RRAA - Ostrom's (WDA 2 only)  
SNAP Outreach

5. Complete all other data elements in program enrollment TouchPoint
6. Provide at least one allowable service that establishes or extends participation, as identified in the [Services Catalog](#), per your local process, as the initial service recorded in ETO to trigger active participation in the QUEST NDWG

### **Procedure for Capturing Services**

To record services: Take a new Individualized, Training and Supportive Services (ITSS) TouchPoint OR Basic Services TouchPoint. Select the appropriate service and attach to the QUEST NDWG program of enrollment.

### **Procedure for Recording Outcomes**

1. Create new Outcome, Program Completion TouchPoint
2. Select QUEST NDWG from active program enrollment dropdown menu
3. Complete Outcome, Program Completion TouchPoint data elements as appropriate for the participant
  - a. Identify whether they are “employed at outcome”
  - b. Enter annualized wages – multiply hourly wage X planned hours per week X 52 weeks

## **Attachment B – QUEST National Dislocated Worker Grant FAQs**

**Question:** Will ESD approval sole source procurement of subcontracts with organizations to expedite *implementation of QUEST program services? Competitive procurement would significantly delay customers receiving services. If ESD approves written requests, LWDBs will need documentation authorizing sole source procurement.*

**Answer:** *If allowable within local policies, and LWDBs provide a written request to ESD to authorize non-competitive procurement within ESD's discretion to authorize under WIOA policy [5404 Rev. 3](#). (Section 3.c.i.C.3.I.3), ESD will attach a letter with authorization to an LWDBs contract package detailing the following:*

The QUEST NDWG awarded to ESD by USDOL contained specific programmatic detail provided by LWDBs at the time of application. During the application process, LWDBs, at the Employment Security Department's (ESD) request, formed local partnerships with the enlisted partners on the application to provide specific services as part of a comprehensive service delivery strategy and with the federal WIOA Title I statewide activities funds being leveraged by other moneys to fund those activities and services.

Acknowledging the impracticality of requiring competitive procurement of locally-awarded funds when local partnerships have already been formed and those partnerships have been integral to the funded QUEST NDWG application and approval process, and in response to your written request of ESD, as the pass-through entity for the federal QUEST NDWG funds, ESD authorizes X to procure service providers by non-competitive means in accordance with 2 CFR 200.320(f)(3).



### Process and Guidance

#### What is the Stevens Amendment?

The Stevens Amendment is an appropriations provision that requires grantees of the Departments of Labor (DOL), Health and Human Services (HHS), and Education to disclose for a grant program the percent of the costs financed with federal funds, the federal dollar amount, and the percentage and dollar amount financed by nongovernmental funds.

What does the Stevens Amendment require?

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 grantees 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. percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

#### What form should the acknowledgement statement take?

- The general structure should take this form:
- This [project/publication/program/website, etc.] [is/was] supported by the [federal sub-agency] of the [federal agency] as part of an award totaling \$ [insert total amount here] with XX percentage financed from non-governmental sources.
- Alternatively (assuming no non-governmental funding):
- This Wagner-Peyser Program bid solicitation is fully supported by the Employment and Training Administration of the U.S. Department of Labor as part of an award totaling \$361,633.
- If a project or program has multiple funding sources, it is not necessary to list each award separately (assuming no non-governmental funding):
- This One-Stop bid solicitation is fully supported by the U.S. Departments of Labor, Health and Human Services, and Agriculture as part of awards totaling [applicable total award amounts].
- What if a solicitation spans multiple years?



- Should a solicitation span multiple years, only the funding currently in effect needs to be included in the acknowledgment statement.
- What amount should be used in the acknowledgment statement?

12.15.21

*The amount is the total cost of the program or project that is financed by federal funds. This will usually be the award amount. Note that the amount is not the cost or projected cost of the item to which the acknowledgment statement is attached [for example: If a solicitation is issued for one activity that is part of a larger federally-financed project; the entire amount of the federal awarded should be referenced, not the amount/cost of the specific activity].*

What is considered “describing projects or programs”?

Any communication made in furtherance of accomplishing the goals of a federal project or program for which the board has an award.

What is included in other documents?

Any communication including, but not limited to, public statements, social media, toolkits, resource guides, websites and visual presentations. An email that does not constitute one of the included subjects (e.g., a bid solicitation) does not require an acknowledgment statement.

We use social media to announce services, training programs, hiring events, etc. Is an acknowledgment statement required for social media? If so, does it need to be in the body of the item or can it be in a tag line?

Yes, an acknowledgment statement is required for social media, but can be done so by offering a link to the press release, website, etc. that has the Stevens Amendment posted. There is no requirement for the statement to be in a specific part of the communication, only that it clearly state the required information.

\* Rhode Island Governor’s Workforce Board. (2021) Stevens Amendment Guidance. Retrieved from <https://gwb.ri.gov/wp-content/uploads/2021/09/Stevens-Amendment-Guidance.pdf?1076cd>

*WorkSource and Next (Equus) will utilize the above guidance to highlight program funding with all marketing materials both print and digital. The Funding statement list (listed below) will be used accordingly and posted on SW WA WorkSource website and Next website. The website funding information will be updated as needed and utilized for social media links to funding statements as needed. The social media posts will say:*

*This product or program was funded with Federal grant funds. To learn the sources and proportions, please go to (website link).*

## **Program Funding**

In compliance with the Stevens Amendment, funding details for program year 2021-2022 are provided as follows (Note: this includes carry forward funding from prior program years, as applicable):

- *The Workforce Innovation and Opportunity Act (WIOA) Adult Program is supported by the U.S. Department of Labor as part of an award totaling \$431,290.00 with \$0 (0%) state, local and/or non-governmental funds.*
- *The Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Program is supported by the U.S. Department of Labor as part of an award totaling \$726,807.00 with \$0 (0%) state, local and/or non-governmental funds.*

12.15.21

- *The Workforce Innovation and Opportunity Act (WIOA) Youth Program is supported by the U.S. Department of Labor as part of an award totaling \$896,094.61 with \$19,627.42 DVR (0%) and \$72,034.19 (0%) of non-federal funds.*
- *The National Dislocated Worker Grant COVID-19 Disaster Relief program is supported by the U.S. Department of Labor as part of an award totaling \$341,951.00 with \$0 (0%) in state, local and/or non-governmental funds.*
- *The National Dislocated Worker COVID Employment Recovery is supported by the U.S. Department of Labor as part of an award totaling \$179,907.69 with \$0 (0%) in state, local and/or non-governmental funds.*
- *The National Dislocated Worker Opioid Recovery program (to address the Opioid Crisis) is supported by the U.S. Department of Labor as part of an award totaling \$305,200.00 with \$0 (0%) in state, local and/or non-governmental funds.*
- *The DWG Disaster Relief Employment is supported by the U.S. Department of Labor as part of an award totaling \$341,951.00 with \$0 (0%) in state, local and/or non-governmental funds.*
- *The One-Stop Workforce Information Grant is supported by the U.S. Department of Labor as part of an award totaling \$526,024.00 with \$0 (0%) in state, local and/or non-governmental funds.*
- *The Rapid Response agreement is supported by U.S Department of Labor/Employment and Training Administration as part of an award totaling \$283,141.00 with \$0 (0%) in state, local and/or non-governmental funds.*
- *The Education and Employment Training Program (EET) Grant is supported by the Clark County Juvenile Court as part of an award totaling \$43,400 with all funds coming from state funds.*
- *The Economic Security for All (Thrive) agreement is supported by U.S Department of Labor/Employment and Training Administration as part of an award totaling \$480,727 with \$0 (0%) in state, local and/or non-governmental funds.*

Basic Food and Employment Training through Department of Social and Health Services statement:

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.*

If the entire USDA Non-Discrimination Language will not fit on the printed material, the following statements can be used:

- *This institution is an equal opportunity provider.*
- *Funding provided by United States Department of Agriculture.*
- *USDA is an equal opportunity employer provider and lender.*

12.15.21