

# ETA Coronavirus (COVID-19) FAQs

*The Employment and Training Administration (ETA) has developed a Frequently Answered Questions (FAQs) to address questions related to Coronavirus (COVID-19) to help state and local workforce leaders, and other stakeholders and partners to assist the public workforce system during this crisis.*

## WIOA Dislocated Worker Program

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*Updated as of 5/15/20*

**Q: Are individuals or small businesses eligible for Dislocated Worker Grants for financial assistance related to COVID-19?**

**Response:** States, outlying areas, and Indian Tribal Governments are eligible to apply for Dislocated Worker Grants to help address the workforce-related impacts of the COVID-19 public health emergency. These entities may serve eligible participants, which may include dislocated workers, workers who were laid off as a result of the disaster, self-employed individuals who are unemployed or underemployed as a result of the disaster, and long-term unemployed individuals. For more information, please see the U.S. Department of Labor's press release about the availability of Dislocated Worker Grants in response to COVID-19: <https://www.dol.gov/newsroom/releases/eta/eta20200318>.

**Q: Can organizations that primarily serve low-wage workers receive Dislocated Worker Grants?**

**Response:** States, outlying areas, and Indian Tribal Governments, as defined by the Stafford Act, 42 U.S.C. 5122(6), are eligible to apply for Dislocated Worker Grants to help address the workforce-related impacts of the COVID-19 public health emergency. DWG grantees may work with public, private and nonprofit entities to carry out grant activities as appropriate. In addition, any layoffs caused by the virus' spread, or other economic causes, could be eligible for Employment Recovery DWGs. In addition to states, outlying areas, and Indian tribal governments, eligible applicants for Economic Recovery DWGs also include entities determined appropriate or capable by the governor or Secretary of Labor, as specified in [TEGL 12-19](#), Attachment I, pp. 8-9. WIOA limits Employment Recovery DWGs to providing only employment and training activities.

**Q: Is there a \$25 million limit for the COVID-19 disaster DWG funding?**

**Response:** No, the \$25 million award ceiling listed at Grants.gov is merely required numerical formatting for the site but does not apply to rolling solicitations for DWG funding.

**Q: Can ETA clarify how the National Health Emergency (NHE) Opioid DWG funding might be used during this national COVID-19 emergency? Could a state amend its NHE Opioid grant to also address the COVID-19 emergency?**

**Response:** No, a state, outlying area, or Indian Tribal Government may not use or divert funds from an existing NHE Opioid Grant to pay disaster-relief workers to address the cleanup or humanitarian needs of the COVID-19 public health emergency. ETA recommends that grantees requiring additional funding to address the COVID-19 public health emergency consider submitting new applications for DWG funds. For additional information on the DWG process, please visit the following link:  
<https://www.grants.gov/web/grants/view-opportunity.html?oppld=325616>.

**Q. Does the COVID-19 situation allow laid-off employees to obtain services offered under existing Dislocated Worker Grants? Is this an allowable scope of work change?**

**Response:** WIOA and implementing regulations permit Disaster Recovery DWG funds previously awarded from the current program year to be repurposed for use by workers affected by COVID-19 in states directly affected by the disaster and in states where affected workers relocated (WIOA sec. 170(d)(4) and [20 CFR 687.200\(b\)\(2\)](#)). The approval to repurpose such funds requires a grant modification request and determination by the Secretary or the Secretary's designee. This flexibility does not apply to demonstration grants or DWGs awarded under specific appropriations. ETA can advise states if their DWG was awarded under a specific appropriation.

**Q: Can a state, outlying area, or Indian Tribal Government amend its grant application or Statement of Work if changes/new projections have occurred since initial submission?**

**Response:** An applicant for a Disaster Recovery DWG should work with their Federal Project Officer to discuss any amendments to its application prior to award.

**Q: If the estimated cost-per-participant increases between the time the initial application is submitted and the full application is submitted, what should a state, outlying area, or Indian Tribal Government do?**

**Response:** Emergency applications are designed to facilitate the timely delivery of DWG assistance in response to a disaster event. In many cases, emergency applications are submitted before complete information is available. The full application, which must be submitted within 60 business days of the initial award, should contain all relevant information that ETA expects will be available at that time including a complete budget, implementation plan, and a list of worksites where the disaster relief work will be performed. ETA may also require the grantee to submit additional information per the special conditions of the initial DWG award. Therefore, there may be changes to the information submitted in the emergency application, including anticipated cost-per-participant.

**Q: If the same DWG disaster relief employment project operator is operating in multiple counties, is it okay to have different participant wages for the same occupation?**

**Response:** [TEGL 12-19](#) indicates that wages paid to temporary disaster-relief workers must be consistent with the wages of the supervising entity's other employees—permanent or temporary—performing the same or similar work. This guidance also requires that wages must be at or above the relevant federal, state or local minimum wage. The guidance makes no distinction with regard to which locations participants are working. Rates of pay must be comparable to other employees of the worksite employer.

**Q: How should a states, outlying area, or Indian Tribal Government determine the employer of record for disaster relief employment, under DWGs?**

**Response:** Disaster Recovery DWGs authorize grantees to award funds to project operators to carry out the activities of the grant. Project operators generally contract with public, private, or nonprofit entities to serve as “worksite employers” for the participants engaged in disaster-relief employment. The grantee is not required to contract directly with worksite employers. The project operator is authorized to carry out employment and training activities as appropriate to the needs of the grant. If the project operator is a local Workforce Development Board, for example, they may provide employment and training services through an American Job Center or another mechanism as appropriate.

**Q: Can a state, outlying area, or Indian Tribal Government include apprenticeship as part of a COVID-19 DWG, and provide funds to local colleges to assist the grantee with training for National Dislocated Worker Grants?**

**Response:** Yes, work-based learning, including apprenticeships, are allowable training services under DWGs.

**Q. Can ETA broaden the definition of a dislocated worker?**

**Response:** Eligibility for the Dislocated Worker program is based on the definition in the WIOA statute at WIOA sec. 3(15), and eligibility is not waivable under WIOA. However, there is some flexibility in how this definition is applied and ETA encourages states and local areas to review their dislocated worker policies to ensure impacted individuals who may be eligible to receive the services they need.

If a state receives a [National Dislocated Worker Grant](#) (DWG), in addition to dislocated workers, the state can also serve workers laid off as a result of the disaster, including workers who are laid off because of a quarantine, because they miss work to care for a family member, or because they cannot come to their regular workplace due to social distancing requirements; this also includes workers laid off due to a business closure related to disruptions caused by the outbreak and the efforts to contain it. DWGs can also serve long-term unemployed individuals and self-employed individuals who become unemployed or underemployed as a result of a disaster. See [TEGL 12-19](#) for more information.

## WIOA National Dislocated Worker Grants (DWGs)

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**(New as of 5/15/20) Q. Is the March 18, 2020, news release “U.S. Department of Labor Announces Availability of up to \$100 Million In National Health Emergency Dislocated Worker Grants in Response to COVID-19 Outbreak” referring to a new competitive program, or referring to the National Dislocated Worker Grants authorized under WIOA and described in Training and Employment Guidance Letter No. 12-19?**

**Response:** The news release related dated March 18, 2020, announced that ETA had, at the time, \$100 million available in the National Dislocated Worker Reserve, through which ETA could award Dislocated Worker Grants (DWGs) to states under established DWG application procedures. [Training and Employment Guidance Letter No. 12-19](#) describes guidance for all DWGs, including Disaster DWGs as well as Economic Recovery DWGs. Under this guidance, and pursuant to the U.S. Department of Health and Human Services public health emergency declaration and the Federal Emergency Management Agency emergency declarations, all states, outlying areas, and Indian tribal entities as defined by the Stafford Act are eligible to apply for Disaster Recovery DWG funds or Employment Recovery DWG funds.

**(New as of 5/15/20) Q. TEGL No. 12-19 says that Disaster Recovery DWGs abbreviated emergency applications must be submitted to ETA within 15 days of the declaration of a qualifying disaster declaration by FEMA or other Federal agency having jurisdiction over the disaster, and also says that there are exceptions to this timeline. Can states still submit abbreviated emergency applications, even though more than 15 days have passed?**

**Response:** Yes. Normally [TEGL No. 12-19](#) stipulates that applicants, citing appropriate justification, may request an exception to the 15-day submission requirement for an abbreviated emergency application following a federal disaster declaration. However, for COVID-19, this policy is not applicable. ETA is currently accepting emergency applications. Should circumstances change, ETA will provide further guidance via [Grants.gov](#).

**(New as of 5/15/20) Q. What is the timeline for this Dislocated Worker Grant and the approval process?**

**Response:** Applicants requesting DWG funding for the COVID-19 response should apply under [TEGL No. 12-19](#). Applicants must submit form [SF-424](#) (Request for Federal Assistance) and are encouraged to submit the required information via the suggested form, COVID-19 DWG – Project Summary for New Grant Request, attached to the posting found at <https://www.grants.gov/web/grants/view-opportunity.html?oppld=325616>. The posting pertains to both Disaster Recovery and Employment Recovery DWGs.

The Department is working to make initial awards to eligible applicants as quickly as feasible. The DWG program requires the Department to make a decision to approve or disapprove a request within 45 working days of the receipt of an application meeting submission requirements. Awards are based on the availability of federal funding and are made at the Department's discretion. The Department will issue a notice of award for successful applications no later than 10 days following the Secretary's approval of the grant award.

**(New as of 5/15/20) Q. Can we use funds in the COVID-19-related DWGs to support temporary jobs in IT to help individuals sheltering in place (or quarantined) to telework, do online training, or otherwise remain connected?**

**Response:** Generally yes. ETA makes determinations of allowable humanitarian assistance under Disaster Recovery DWGs on a case-by-case basis. DWG guidance in [Training and Employment Guidance Letter No. 12-19](#) defines humanitarian assistance as follows: Humanitarian assistance generally includes actions designed to save lives, alleviate suffering, and maintain human dignity in the immediate aftermath of disasters. This assistance includes activities such as the provision of food, clothing, and shelter. The humanitarian assistance provided by disaster-relief workers must relate directly to the immediate response to the disaster situation named in the DWG application and the federal declaration. Applicants should consider this definition when proposing appropriate humanitarian assistance disaster-relief employment positions in their applications/modifications. While each disaster is different, ETA expects that most humanitarian assistance needs will resolve within 12 months of the disaster event. When providing a justification for extending employment, grantees must demonstrate that humanitarian assistance needs remain. DWGs can also support employment and training activities such as classroom and on-the-job training for IT jobs, in addition to disaster relief employment.

**(New as of 5/15/20) Q. Can Dislocated Worker Grant funds be utilized to purchase supplies needed for the humanitarian work/temporary work?**

**Response:** TEGL No. 12-19 states that humanitarian assistance generally includes actions designed to save lives, alleviate suffering, and maintain human dignity in the immediate aftermath of disasters. For DWG awards, this includes actions such as the provision of food, clothing, and shelter. While grantees can purchase supplies for workers to perform these jobs, they cannot purchase the goods, such as food, that they will deliver to people.

**Q. Which entities are eligible to apply for a Disaster Recovery DWG under HHS Secretary Azar’s public health emergency declaration for COVID-19?**

**Response:** Entities eligible to apply for Disaster Recovery DWGs are:

- ▶ States
- ▶ Outlying areas
- ▶ Indian Tribal Governments as defined in the Stafford Act (42 U.S.C. 5122(6))

Secretary Azar’s declaration is “nationwide,” so any eligible entity in any location may apply.

**Q. How does a state submit an emergency disaster recovery DWG application?**

**Response:** With the public health declaration and the FEMA emergency declaration, all states, outlying areas and Indian tribal entities under the Stafford Act are eligible to apply for Disaster Recovery DWG funds. Applicants may request Disaster Recovery DWGs through an abbreviated emergency application to facilitate timely delivery of DWG assistance in response to a disaster event. These applications should be submitted to ETA within 15 days of the declaration of a qualifying disaster declaration by FEMA or other Federal agency having jurisdiction over the disaster. With appropriate justification, applicants may request an exception to this requirement, to allow for the submission of the emergency application within a reasonable timeframe after Day 15. Applicants also have the option to submit a full application containing a budget and plan, in lieu of an emergency application. Within 60 business days following an award of Disaster Recovery DWG funds requested via an emergency application, the grantee must modify the grant to provide a full application. This includes a budget, implementation plan, and a list of worksites where the disaster relief work will be performed. ETA may also require the grantee to submit additional information per the special conditions of the initial DWG award. For additional information on the DWG application process, go to the following link:

[https://www.doleta.gov/grants/application\\_howto.cfm](https://www.doleta.gov/grants/application_howto.cfm) (This information also published in TEGl 12-19)

**Q. What activities must states carry out with Disaster Recovery DWGs under the COVID-19 public health emergency declaration?**

**Response:** WIOA sec. 170(d) generally requires that Disaster Recovery DWGs include disaster-relief employment, with the option for grantees to also conduct employment and training activities (which may include career, training, and supportive services) for workers eligible to participate in Disaster DWG activities.

**Q. Who can be served by Disaster Recovery DWGs under the coronavirus public health emergency declaration?**

**Response:** Eligible Disaster DWG participants for both disaster-relief employment and employment and training activities are:

- ▶ Dislocated workers
- ▶ Workers laid-off as a result of the disaster, including:

- ▶ workers who are laid off as a result of a quarantine, because they miss work to care for a family member, or because they cannot come to their regular workplace in order to follow socially distance requirements; and
- ▶ workers laid off after a business closure related to disruptions caused by the outbreak and the efforts to contain it.
- ▶ Self-employed individuals unemployed or underemployed because of the disaster
- ▶ Long-term unemployed individuals

**Q. For coronavirus, what types of disaster-relief employment are allowable?**

**Response:** Under WIOA sec. 170, disaster-relief employment is limited to one of two categories: cleanup activities or humanitarian assistance. Under a public health emergency declaration such as the coronavirus, the types of disaster-relief employment allowable might include:

- ▶ **Humanitarian assistance activities:** WIOA’s allowance for disaster-relief employment to provide humanitarian assistance provides greatest range of potential disaster-relief employment activities for this public health emergency. Disaster-relief employees may assist in addressing many needs created by this public health emergency and the prolonged social isolation that is necessary to curb it, such as:
  - ▶ Delivering medicine, food, or other supplies to older individuals and other individuals with respiratory conditions and other chronic medical disorders, with appropriate training and precautions. Coronavirus infection has been the most harmful to these populations, and there may be heavy need for such services that traditional volunteer organizations cannot support alone.
  - ▶ Helping set up quarantine areas and providing assistance to quarantined individuals.
  - ▶ Organizing and coordinating recovery, quarantine, or other related activities.
- ▶ **Cleanup activities:** WIOA requires that cleanup activities respond to the impacts of the disaster. While this activity is more typical for tornadoes, fires, and floods, some clean-up activities are relevant to coronavirus response. For instance, cleanup activities can include cleaning schools or sanitizing quarantine or treatment areas after their use. If research determines that coronavirus is more likely to spread under certain physical conditions, Disaster Recovery DWG funds could additionally be used to help remedy these conditions.
  - ▶ By law, disaster-relief employment activities may only respond to or mitigate the impact of the disaster, which means grantees may not use DWG-funded disaster-relief employees to perform work aimed at preventing future disasters. We consider preventative measures—setting up quarantines, cleaning buildings—as mitigation activities because they avoid the further spread of the virus.

**Q. In addition to Disaster Recovery DWGs, can states apply for Employment Recovery DWGs in response to layoffs caused by cancellations or shutdowns caused by coronavirus?**

**Response:** Yes. Any layoffs caused by the virus’ spread, or other economic causes, could be eligible for Employment Recovery DWGs. WIOA limits Employment Recovery DWGs to providing only employment and training activities.

As already allowed under WIOA statute and regulations, states can apply for Employment Recovery DWGs if the following events occur:

- ▶ If there are 50 or more individuals laid off by one employer.
- ▶ If there are significant layoffs that significantly increase unemployment in a given community, even if the total layoffs are fewer than 50 individuals. For example, a cancellation of a large event may qualify because several different businesses such as hotels, caterers, area restaurants may lay off workers as a result of the event's cancellation.

**Q. Can a state use funds from a previous Disaster Recovery DWG to fund disaster relief employment for COVID-19 response activities (e.g. packing food for seniors)?**

**Response:** Generally, Disaster Recovery DWGs may be expanded to include new disaster impacts if they fall within the same program year of the award of the initial disaster (see TEGL 12-19, page 8). If an existing Disaster Recovery DWG was awarded in a prior program year, appropriations law prohibits adding new emergencies to the existing Disaster Recovery DWG project. In such cases, ETA recommends that states requiring additional funding to address the COVID-19 public health emergency consider submitting new applications for DWG funds.

**Q. Can ETA release the full amount approved for DWG awards?**

**Response:** With the public health declaration and the FEMA emergency declaration, all states, outlying areas and Indian tribal entities are eligible to apply for Disaster Recovery DWG funds. Applicants may request Disaster Recovery DWGs through an abbreviated emergency application to facilitate timely delivery of DWG assistance in response to a disaster event. These applications should be submitted to ETA within 15 days of the declaration of a qualifying disaster declaration. With appropriate justification, applicants may request an exception to this requirement, to allow for the submission of the emergency application within a reasonable timeframe after Day 15. Applicants also have the option to submit a full application containing a budget and plan, in lieu of an emergency application. Within 60 business days following an award of Disaster Recovery DWG funds requested via an emergency application, the grantee must modify the grant to provide a full application. This includes a budget, implementation plan, and a list of worksites where the disaster relief work will be performed. ETA may also require the grantee to submit additional information per the special conditions of the initial DWG award. For additional information on the DWG application process, go to the following link:

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