

GOBIERNO DE PUERTO RICO  
ÁREA LOCAL DE DESARROLLO LABORAL/PONCE  
LEY DE INNOVACIÓN Y OPORTUNIDAD  
DE LA FUERZA TRABAJADORA – WIOA

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PROCEDIMIENTO :

NUMERO: WDB-18-014

PARA ESTABLECER POLÍTICA PÚBLICA SOBRE  
ELEGIBILIDAD PARTICIPANTES EN LAS ACTIVIDADES DE  
EMPLEO BAJO LOS FONDOS DE DESASTRES “NDWG”.

FECHA EFECTIVIDAD:

29 DE AGOSTO DE 2018

APROBADO POR:



JAIME L. SANTIAGO CANET, PH.D.  
PRESIDENTE JUNTA LOCAL

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I. PROPÓSITO

Establecer la Política Pública sobre cuáles serán los criterios adoptados por la Junta Local De Desarrollo Laboral (WDB) en la determinación de la elegibilidad de los participantes como parte de las actividades que son provistos por el Área Local bajo el Título I de la Ley de Innovación y Oportunidades De La Fuerza Trabajadora (WIOA) con los fondos de desastre “NDWG”.

II. BASE LEGAL

Ley de Innovación y Oportunidades De La Fuerza Laboral (WIOA), sección 170 (2) (d) (4).

Reglamentación de la Ley WIOA Sección 678.170 (b) y (c) .

“Training and Employment Guidance Letter” (TEGL 2-15 del 1 de julio de 2015) emitido por el Programa de Adiestramiento y Empleo del Departamento del Trabajo Federal.

III. POLÍTICA PÚBLICA

Los fondos de desastres son fondos discrecionales otorgados por el Secretario del Trabajo, bajo la sección 170 de WIOA. Los fondos de desastres proveen fondos para crear empleos temporeros para asistir con la limpieza y los esfuerzos de recuperación, cuando un área es impactada por un desastre y es declarada elegible para asistencia pública de el “Federal Emergency Management Agency”(FEMA).

Los fondos para proyectos de desastre crean empleos temporeros para individuos elegibles para asistir en la limpieza, recuperación y esfuerzos humanitarios en áreas impactadas por desastres o situaciones de emergencia según descrita en la sección 170 (d) (4).

Eventos cualificados: Los fondos de desastres estarán disponibles para asistir con la limpieza y otras actividades bajo las siguientes circunstancias.

1. Emergencias y desastres mayores según definidos en los párrafos (1) y (2) de sección 102 de "Robert T. Stafford Disaster Relief and Emergency Assistance Act", la cual declara la elegibilidad para asistencia pública por "FEMA". El término asistencia pública es usado por "FEMA" en la designación de áreas de desastres.
2. Declaraciones de una Agencia Federal son elegibles para fondos de desastres. Éstas deben estar de acuerdo a la definición de emergencia o situaciones de desastre de importancia nacional que pudiera resultar en una potencial pérdida de empleos, según declarada o reconocida por una agencia federal. Declaraciones Federales del Departamento de Comercio o de la Administración de Pequeños Negocios son ejemplos de declaraciones federales elegibles.
3. Circunstancias donde un sustancial número de individuos, definido como 50 o más, se relocalizan a otra área fuera del área de desastre.

Participantes elegibles: Los participantes deben ser determinados elegibles según la sección 170 (d) (2). Los siguientes requisitos de elegibilidad aplican para los individuos residentes dentro del área declarada zona de desastre o que fueron forzados a relocalizarse debido a un evento de emergencia o desastre;

1. Individuos que fueron despedidos temporera o permanentemente de empleo como consecuencia del desastre.
2. Otros trabajadores desplazados elegibles según definido en WIOA sección 3 (15).
3. Trabajadores con un periodo largo de desempleo (6 meses o más).
4. Individuos auto empleados que quedaron desempleados o significativamente subempleados a consecuencia del desastre o la emergencia.

Se deben hacer los esfuerzos por conseguir a esas personas que quedaron desempleadas como resultado del desastre. Además, permanece la preferencia a los veteranos dentro de estos grupos elegibles.

Actividades permitidas: Empleos temporeros en la limpieza y esfuerzos de recuperación incluyendo demolición, reparación y reconstrucción de estructuras dañadas o destruidas, facilidades y terrenos dentro del área de desastre y en áreas costa afuera relacionadas con la emergencia o el desastre.

También, en la distribución de alimentos, ropa y cualquier otra asistencia humanitaria a las víctimas del desastre.

Duración de la actividad de empleos temporeros: Un participante puede permanecer en el empleo temporero un periodo de 12 meses o 2,080 horas. Si el proyecto de limpieza no ha terminado, aun cuando el participante alcance el límite de participación, el ALDL puede traer un participante elegible nuevo que reemplace a los que ya alcanzaron el límite de 12 meses.

El salario a pagar será el salario mínimo del estado.

El área donde trabajaran los participantes debe ser en el área geográfica cubierta por "FEMA" según declarado para asistencia pública o dentro de un área sujeta a la declaración de otra agencia federal de declaración de emergencia o situación de desastre nacional significativo. Se le debe dar prioridad en las áreas de trabajo a empleos temporeros, para que la mayor prioridad se dé a facilidades públicas las cuales hayan sido severamente dañadas. Generalmente las áreas de trabajo estarán limitadas a facilidades públicas y sin fines de lucro.

#### IV. DEFINICIONES

Emergencia o Desastre: El término emergencia o desastre significa; una emergencia o desastre según definidos en los párrafos (1) y (2) de la sección 102 de "Robert T. Stafford Disaster Relief and Emergency Assistance Act" (42 U.S.C. 5122 (1) y (2)); o una situación de emergencia o desastre de importancia nacional que podría resultar en un gran potencial de pérdida de empleos, según declarada o reconocida por un oficial ejecutivo de una agencia Federal con la autoridad o jurisdicción para una respuesta Federal a una situación de emergencia o desastre.

Área de Desastre: El término "área de desastre" significa un área que ha sufrido o en la cual ha ocurrido una emergencia o desastre.

#### V. APROBACIÓN Y VIGENCIA

Esta política pública comenzará a regir inmediatamente después de su aprobación. El Área Local deberá distribuir esta política entre sus empleados para que se familiaricen con los mismos.

**Description**

Disaster DWG projects create temporary jobs for eligible individuals to assist with clean-up, recovery, and humanitarian efforts in areas impacted by disasters or emergency situations as outlined in Section 170(d)(4). These projects also provide funds for employment and training services where needed, to help impacted individuals return to full employment as quickly as possible.

**Qualifying Events**

DWG funds are available to assist with clean-up and other activities under three circumstances:

1. Emergencies and major disasters, as defined in paragraphs (1) and (2) of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, which are declared eligible for public assistance by the Federal Emergency Management Agency (FEMA). Public Assistance is a specific eligibility term used by FEMA in designation of disaster areas.

Applications must include a copy of the FEMA declaration, as well as amended FEMA declarations as the project is implemented, confirming that the counties targeted for DWG-funded clean-up activities are eligible for FEMA Public Assistance. States awaiting FEMA declarations may submit a Disaster DWG application if the governor of a state has formally requested such a declaration. However, final FEMA declaration determinations are required before a grant *award* is made. An emergency declaration by the governor of a state is not sufficient to receive funding assistance.

2. Federal agency declarations, other than FEMA, are eligible for DWG assistance. These must fit the definition of emergency or disaster situations of national significance that could result in a potentially large loss of employment, as declared or otherwise recognized by a Federal agency. Federal declarations from the Department of Commerce and the Small Business Administration are examples of eligible federal declarations.

Applications must include the following information: 1.) Name of the federal agency declaring the emergency event/disaster; 2.) Date of the emergency or disaster; and 3.) Other pertinent information, as defined in DWG application tools and technical assistance.

3. Circumstances where a substantial number of individuals, defined as 50 or more, relocate to another area from a disaster area.

**Eligible Applicants**

All Disaster DWG applications must be submitted by the state agency or outlying area designated by the Governor to receive WIOA Dislocated Worker formula funds or by an organization eligible for funding through the Native American Programs (WIOA Section 166(c)). This agency or organization will be the grantee, as well as the fiscal agent responsible for the appropriate allocation of funding to the affected areas.

States may subgrant funds to local boards and/or may expend such funds through public and private agencies and organizations engaged in such projects. States are expected to be able to deobligate and reobligate funds to affected areas and service providers quickly in order to ensure the funds are where they need to be in order to fulfill the purposes of this grant and to ensure that workers needing assistance are receiving it.

### **Eligible Participants**

Participants must be determined eligible as defined in WIOA Sec. 170(d)(2). The following eligibility requirements apply to the following individuals residing within the declared disaster area, or who are forced to relocate due to the disaster or emergency event:

1. Individuals who are temporarily or permanently laid off as a consequence of the disaster;
2. Other eligible dislocated workers as defined in WIOA Section 3(15);
3. Long-term unemployed workers, as defined by the state; and
4. Self-employed individuals who become unemployed or significantly underemployed as a result of the emergency or disaster.

Outreach efforts should emphasize workers who lost employment as a result of the disaster. Veterans' preference applies within these eligible groups.

### **Allowable Grant Activities**

Temporary Jobs - Disaster DWGs provide funding for the creation of Disaster Relief Employment, or temporary jobs, which are restricted to the following activities:

1. Clean-up and recovery efforts including demolition, repair, renovation and reconstruction of damaged and destroyed structures, facilities and lands located within the disaster area and in offshore areas related to the emergency or disaster.
2. The distribution of food, clothing, and other humanitarian assistance for disaster victims.

DWG funds allocated for wages should cover the activities related to humanitarian work and must not cover the actual humanitarian aid itself. Humanitarian assistance includes actions designed to save lives, alleviate suffering, and maintain human dignity in the aftermath of emergencies.

Career and Training Services – DWG projects provide Career and Training services for those grant participants already enrolled in the temporary jobs component of a Disaster DWG project, who are unlikely to return to their prior employment. DWG funds may provide employment and training services concurrently with participation in the temporary jobs component. The state must have met the expenditure threshold (70 percent of the prior program year's DW formula funds) in order to request Career and Training services for a Disaster DWG. Clean-up and recovery activities take precedence when offered in conjunction with Career and Training activities.

Disaster DWGs for emergencies or disaster situations of national significance that could result in a large loss of employment, but which may not cause physical damage, are authorized to provide Career and Training services only, depending on the circumstances of the specific event.

Generally, Disaster grants serving individuals relocated from a disaster area will provide Career and Training services as the primary service, because participants are relocated outside of the disaster area. These grants may also include disaster relief employment or humanitarian assistance.

Supportive Services - For Disaster DWGs, supportive services are allowable for participants to participate in disaster relief employment and Career and Training services, including reimbursement or payment for such costs as child care and transportation to and from the job site.

### **Temporary Jobs Policies**

Limit on Temporary Job Duration – A participant may hold a temporary job for no longer than 12 months or 2,080 hours. If clean-up work remains in the project even after the participants reach their temporary employment limit, generally the state must bring in additional new eligible workers to replace those who have worked 12 months. It is possible for individuals to be cycled in and out of the project for longer than 12 months, with participants working intermittently over an extended time period that does not exceed 2,080 hours. Grantees may submit a modification request to extend an individual's disaster relief employment for up to an additional 12 months.

Participant Wages – Participants in a Disaster DWG temporary jobs project must be paid the higher of the Federal, state, or local minimum wage, or the comparable rates of pay for other individuals employed in similar occupations by the same employer. In accordance with WIOA Section 181(a)(1)(A), generally, participants shall be compensated at the same rates, including periodic increases, as employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and such rates shall be in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law. Fringe benefits should be paid in accordance with the policies of the employer of record.

Where the local project operator or another approved worksite employer hires temporary workers for positions for which wage levels have not been established and supervision of the temporary workers is performed by another agency, the agency performing the supervisory responsibilities could be considered the worksite employer for purposes of determining the appropriate wage for the temporary worker. In such a case, the temporary worker's wage could be established based on similar or same work performance by employees of the worksite employer.

Grantees must ensure that the DWG funding allocated for wages of the temporary workers is appropriately apportioned to only the entities approved as official employers of record for the Disaster DWG project. The employers of record for temporary workers are limited to public entities, not-for-profit organizations, and private for-profit entities such as outplacement or staffing agencies.

Worksite Selection – The geographic areas where the worksites are located must be located in the geographic area covered by a FEMA declaration eligible for public assistance or within the area subject to another Federal agency's declaration of an emergency or disaster situation of

national significance. Grantees must prioritize the worksites for temporary jobs so that the highest priority is given to public facilities which have been most severely damaged, consistent with the strategic plans of the community.

Generally, worksites will be limited to public and private non-profit facilities. Under certain circumstances, work on private property is authorized to the extent that it achieves a greater positive benefit for the workers and the community being assisted. Work on private property must meet the requirements outlined below.

1. Clean-up activities on private property may be performed by grant participants if workers from units of general local government are also:
  - a. authorized to conduct such work; and
  - b. perform such work.
2. As determined by the extenuating circumstances of the disaster for which Title I funds are being provided, repair and restoration activities are authorized on the private property of economically disadvantaged individuals, under the following specific conditions.
  - a. Work can only be performed on the homes of economically disadvantaged individuals who are eligible for the federally-funded Weatherization program; and
  - b. Work may be performed on private land or homes of such individuals if the non-WIOA employees of the employing unit or state or local government workers are authorized to do the same work and are in fact engaged in performing the work using non-WIOA funds; and
  - c. Work on private land or buildings is performed to remove health and safety hazards to the larger community; and
  - d. The work is limited to returning a home to a safe and habitable level -- not to make home improvements; and
  - e. Priority is given for service to the elderly and individuals with disabilities; and
  - f. WIOA funds cannot be used for the cost of materials to do repairs; and
  - g. Work must be disaster-related and not related to general home improvements authorized under the Federal Weatherization program; and
  - h. Work is coordinated with or supervised by the local agency responsible for the Federal Weatherization program.

### **General Policies: Disaster DWGs**

Emergency Application – Generally, an initial request for Disaster DWG funding is made in an abbreviated Emergency Application to facilitate timely delivery of DWG assistance in response to a disaster event. Emergency applications for Disaster DWGs should be submitted within 15 days of the qualifying Federal Agency or FEMA declaration. States submitting after the fifteenth day must provide a reasonable justification for the late submission, or submit a full application.

Full Application – Within sixty business days following an award of Disaster DWG funds requested via an Emergency Application, the grantee must submit a Full Application via the DWG electronic application system. The system will generate the applicable screens to collect additional information pertaining to the budget and implementation plan for the disaster DWG project. In addition, grantees must provide information including a list of worksites in the counties where the work will be performed, job titles of each of the temporary jobs associated with those worksites, and the amount of funds allocated to each county being served under the

projects. The grantee is required to submit additional information per conditions of the initial DWG award.

Coordination with Emergency Management Agencies – In an effort to ensure non-duplication of services and maintenance of effort requirements, the State must coordinate the activities funded under a disaster DWG with those funded by and/or performed under the auspices of FEMA. Disaster DWG grantees should also coordinate where applicable with the appropriate organizations, including state emergency management agencies and other federal response agencies, to ensure a comprehensive response and to prevent duplication of services. The website [www.disasterassistance.gov](http://www.disasterassistance.gov) provides additional resources.

Obtaining Equipment – FEMA or other federal, state, or local agencies provide assistance in obtaining equipment needed for temporary jobs participants to conduct clean up, renovation, restoration, and other allowable activities. In situations where the state is unable to obtain funding or equipment from another source, DWG funds may be used to lease or buy necessary equipment for worksites where Disaster DWG participants are employed to support clean-up and recovery activities. Purchase of equipment is subject to prior approval and disposition requirements in 2 CFR 200 and 2 CFR 2900.

A grantee must request approval for all equipment purchases with a cost of \$5,000. Equipment at 2 CFR 200.33 is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. When obtaining equipment, grantees are advised to follow the appropriate procurement procedures as defined by state procurement policies; subrecipients, unless a state government, must follow the procurement requirements in 2 CFR 200.

Grantees must summarize equipment purchases in the application and subsequent modifications. The grantee may use the following methods to request approval for equipment purchases. Each method requires that the grantee identify the type of equipment, the required quantity of each type, the estimated price per unit, and a brief justification for the type and quantity of heavy equipment requested:

1. The applicant may request the purchase in the Emergency Application;
2. The applicant may request the purchase in the Full Application; or,
3. The grantee may request the purchase in subsequent modification requests to the disaster DWG.
  - a. If the grantee finds it necessary to make an urgent modification request for equipment purchases, states may send an email directly to the Grant Officer in the Regional Office, with a copy to the associated Federal Project Officer in the Region. Note, ETA will not approve requests emailed before the initial DWG award.

Endangered Species/Habitats Protection – In order to ensure compliance with the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA) and to protect valuable habitats and endangered species, all disaster projects in which participants will be entering or impacting natural areas must ensure that activities are not negatively affecting endangered species or their habitats. NEPA and ESA require DWG projects to either affirm with the Fish and Wildlife Service (FWS) that there are no endangered species or habitats within the



project area, or to consult with FWS to mitigate negative impacts where there are endangered species or protected habitats before beginning any work in those areas. To contact a state FWS field office visit <http://www.fws.gov/offices/>.

Health and Safety Standards – In all DWG projects, Federal and state standards, otherwise applicable to working conditions of employees, apply to the working conditions of participants. Where a participant is engaged in activities not covered under the Occupational Safety and Health Act (OSHA) of 1970, as amended, the participant shall not be required or permitted to work, be trained, or receive services in buildings or surroundings or working conditions that are unsanitary, hazardous, or dangerous to the participant's health or safety. Health and safety standards must be followed as outlined in WIOA Section 181(b)(4). Additional information and local contacts can be found at OSHA's website: [www.osha.gov](http://www.osha.gov)

## Section 4

## Reporting and Post-Award

### Performance and Fiscal Reporting

Applicable Performance Measures – To satisfy reporting requirements, states must report the characteristics, services received, and outcomes of participants served with WIOA funds, including DWGs. Such information is necessary to determine the success of these investments. Performance measures as described in WIOA Section 116 apply to the DWG program.<sup>1</sup> If a grantee is not a state, ETA will work with the grantee to determine accessibility options to wage records, in order to verify outcomes.

Reporting – To ensure ETA is able to assess the success of DWGs and other WIOA programs, the collection of accurate data is a critical component of financial and performance accountability. The data collected on program activities, participants, and outcomes are used for program management, and to convey information on the performance of workforce programs to policymakers and stakeholders. The required reports for DWG grantees include quarterly reporting requirements under WIOA, a DWG quarterly report, and the quarterly ETA 9130 financial report.

- Individual record file submission (currently the Workforce Investment Act Standardized Record Data (WIASRD) Quarterly Submission). Note this requirement is described in more detail below.
- ETA 9090 – WIA Quarterly Report which is generated automatically with quarterly individual record file submission
- ETA 9130 – U.S. DOL ETA Quarterly Financial Status Report
- ETA 9104 – Quarterly Performance Report (QPR)

Individual Record Submission – The quarterly WIASRD submission is the means for calculating individual participant performance outcomes as well as performance for the DWG. Grantees will continue reporting DWG participants in the current WIASRD until new performance reporting requirements are approved and the system is revised to reflect WIOA requirements.

<sup>1</sup> Section 116 of WIOA does not go into effect until July 1, 2016. Until then, grantees will continue reporting on the WIA performance measures in the current Workforce Investment Act Performance Management System until new performance reporting requirements are approved and the system is updated

<b>EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> WIOA National Dislocated Worker Grants
	<b>CORRESPONDENCE SYMBOL</b> OWI
	<b>DATE</b> July 1, 2015

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO. 2-15  
OPERATING GUIDANCE for the WORKFORCE INNOVATION AND  
OPPORTUNITY ACT (referred to as WIOA or the Opportunity Act)**

**TO:** STATE AND LOCAL STAKEHOLDERS IN THE WORKFORCE  
INNOVATION AND OPPORTUNITY ACT  
STATE WORKFORCE AGENCIES  
STATE AND LOCAL WORKFORCE BOARDS AND CHAIRS  
INDIAN AND NATIVE AMERICAN PROGRAM GRANTEEES

**FROM:** PORTIA WU /s/  
Assistant Secretary

**SUBJECT:** Operational Guidance for National Dislocated Worker Grants, pursuant to the  
Workforce Innovation and Opportunity Act (WIOA or Opportunity Act)

- Purpose.** To provide guidance to the workforce investment system on the policies and priorities that govern the award and use of the Secretary's discretionary National Dislocated Worker Grants (DWG), under the WIOA, Title I, Section 170, which becomes effective July 1, 2015. The new program is preceded by National Emergency Grants (NEG) under Title I of the Workforce Investment Act of 1998 (WIA), and National Reserve Account grants under the Job Training Partnership Act Title III.

DWGs are discretionary grants awarded by the Secretary of Labor, under Section 170 of WIOA. DWGs provide resources to states and other eligible applicants to respond to large, unexpected layoff events causing significant job losses. This funding is intended to temporarily expand capacity to serve dislocated workers, including military service members, and meet the increased demand for WIOA employment and training services, with a purpose to reemploy laid off workers and enhance their employability and earnings. Disaster DWGs provide funding to create temporary employment opportunities to assist with clean-up and recovery efforts, when an area impacted by disaster is declared eligible for public assistance

<b>RESCISSIONS</b> TEGL 16-03 TEGL 16-03, Change 1-5	<b>EXPIRATION DATE</b> Continuing
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from the Federal Emergency Management Agency (FEMA) or otherwise recognized by a Federal agency with authority or jurisdiction over Federal response to the emergency or disaster.

WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes Titles I and II of the Workforce Investment Act of 1998 and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.

The Departments of Labor and Education published a set of regulations for implementing WIOA through the posting of five Notice of Proposed Rulemaking (NPRMs) documents. These NPRMs were open for public comment until June 15, 2015, and several hundred comments were received by both Departments. The Federal agencies will review, analyze and consider the comments received. The Final WIOA rules will be issued in 2016.

In order to continue implementation prior to the final rule, a series of WIOA Operating Guidance documents are being issued in the form of Training and Employment Guidance Letters (TEGLs). These Operating Guidance documents on WIOA will inform the workforce system on how to begin the important planning and organizational work necessary to comply with the WIOA statutory requirements. The Operating Guidance TEGLs will provide a framework for program activities until the regulations are finalized. This TEGL is one in a series of WIOA Operating Guidance.

2. **References.** See Attachment I.
3. **Background.** In 2004, the Employment and Training Administration (ETA) issued Training and Employment Guidance Letter 16-03, "National Emergency Grant (NEG) Policy Guidance" and published in the Federal Register, "Workforce Investment Act: National Emergency Grants Application Procedures". This Guidance replaces the 2004 Guidance, provides updates to DWG policy, and implements new provisions of WIOA.
4. **Operating Guidance.** New Operating Guidance for the DWG program is found in Attachment II of this TEGL.
5. **Significant Changes.** WIOA establishes DWGs, including grants for employment and training assistance and grants for disaster relief employment assistance, to supersede regular and disaster NEGs authorized under WIA. The new Operating Guidance updates a number of relevant NEG policies as they relate to the administration of DWGs, and provides guidance on new provisions under WIOA. Significant changes under WIOA include:
  - Authorizes DWGs to provide assistance to areas with a higher than average demand for employment and training services from dislocated members of the Armed Forces and military spouses.

- For disaster relief employment DWGs, WIOA:
  - Allows Federal agency emergency or disaster declarations, in addition to those made by the Federal Emergency Management Agency, to trigger an opportunity for eligible entities to apply for assistance. The newly eligible situations must fit the definition of emergency or disaster situations of national significance that could result in a potentially large loss of employment, as declared or otherwise recognized by the chief official of a Federal agency with authority for the federal response to the emergency.
  - Allows circumstances where a substantial number of individuals from a disaster area relocate to another area to trigger an opportunity for eligible entities in the relocation area to apply for assistance.
  - Affirms eligibility for the grant program for self-employed individuals who become unemployed or significantly underemployed as a result of the emergency or disaster.
  - Increases the temporary employment duration from six months (under WIA) to 12 months. The Secretary of Labor may extend the duration of disaster relief employment for up to an additional 12 months.

6. **Transition of Participants.** Most of the programmatic provisions of WIOA are effective July 1, 2015. Consistent with the transition provisions described in TEGL 38-14, all WIA NEG participants enrolled at that time must be grandfathered into the DWG program under WIOA. Grantees are not to complete eligibility redetermination for participants already determined eligible and enrolled under WIA. Grandfathered participants must be allowed to complete the WIA services, either with WIA PY 13 and 14 carry-in funds that become WIOA funds or with WIOA funds. The services authorized under WIOA become available July 1, 2015 to new and existing participants. On or after July 1, 2015, grantees must make eligibility determinations for new DWG participants under the WIOA framework. All active NEG guidance not specifically rescinded by this TEGL continues to apply to DWGs, except where that guidance is inconsistent with the new Operating Guidance in Attachment II.

7. **Submission Requirements.** ETA will accept DWG applications on a continual basis. The current process for submitting draft applications for review by Regional Offices, followed by a formal application submission, is outlined in TEN 32-10, "Revised National Emergency Grant Application Submission and Review Process". As WIOA is implemented and ETA updates the application submission process, additional information will be provided.

8. **Inquiries.** Questions may be directed to the appropriate ETA Regional Office.

9. **Attachments.** Attachment I: References  
Attachment II: National Dislocated Worker Grant Program Guidance