

## **DISASTER NEGs**

### **I. QUALIFYING CRITERIA**

One of the first items to be determined when reviewing a NEG application is whether it meets the eligibility criteria for the type of NEG being requested. If an applicant does not meet the eligibility criteria, then the NEG application will not be considered. For Disaster NEG, the criteria to be met fall into four major eligibility categories: applicant, participant, event, and timeliness. An explanation of each follows:

#### **Applicant Eligibility**

According to information listed on page 23059 of the *Workforce Investment Act: National Emergency Grants-Application Procedures*, Disaster NEG are “**limited to states.**” Other applicant types are not eligible and the NEG will not be considered from an entity other than a state.

#### **Participant Eligibility**

The application should provide a description of the population to be served. According to pages 23061-23062 of the *Workforce Investment Act: National Emergency Grants-Application Procedures*, “the initial purpose of Disaster projects is temporary job creation to provide clean-up, restoration, and humanitarian assistance to communities that have been affected by a disaster event.” Individuals who are eligible to fill those temporary jobs are:

- a dislocated worker who meets the Workforce Investment Act (WIA) definition
- a worker who is temporarily or permanently dislocated as a result of the disaster
- long-term unemployed individuals (as defined by the state)

**Note:** Priority in filling these jobs should be given to individuals who have been temporarily or permanently dislocated due to the disaster. As with other WIA programs, veteran’s preference applies within these priority groups.

#### **Event**

In order for an applicant to be eligible to apply for a Disaster NEG, the disaster event can be either natural or man-made, but must be declared eligible for public assistance by the Federal Emergency Management Agency (FEMA).

#### **Timeliness of Submission**

According to page 23061 of the *Workforce Investment Act: National Emergency Grants-Application Procedures*, applications are expected to be submitted within 15 calendar days of the FEMA declaration. Applications that are submitted later than 15 days after the FEMA declaration must provide a reasonable justification for the late submission. See the example below:

*Example*

*State X submits an application for a Disaster NEG to its Federal Project Officer (FPO) 20 days after the FEMA declaration. The State explains that the reason the application was not submitted earlier is due to the result of impaired communication systems in the state. Computers have been inoperable for the last 19 days and the postal system is still inoperable as a result of the disaster. The reviewer determines that, given the circumstances, the late submission is reasonable, and after reviewing the rest of the application, determines the minimum requirements have been met and moves the application along.*

## **II. SF-424**

Every Federal agency requires grant applicants to complete a Standard Form (SF) 424 when applying for Federal funding. The NEG electronic application system (eSystem) will prompt NEG applicants to complete fields on the SF-424. If an applicant fails to complete the necessary fields, the NEG eSystem will not allow the applicant to submit the application.

### **Accuracy and Consistency of Information Provided**

Completing the SF-424 form is not a perfunctory exercise. It is one of the first items reviewed, so it is important that applicants complete it correctly. When reviewing an application, reviewers should verify the information to ensure that it is accurate. For example, an organization's Data Universal Numbering System (DUNS) number can be checked by going to the following website: <https://www.bpn.gov/CCRSearch/Search.aspx>.

Reviewers should also check to ensure that the Congressional districts listed are accurate, so that notification of the grant award is provided to the appropriate Members of Congress.

Congressional districts can be checked on the following website:

<http://www.nationalatlas.gov/printable/congress.html#list>. They should also ensure that the title of the applicant's project is descriptive and reflects the title of the FEMA declaration.

In addition to checking for accuracy, reviewers should also ensure that information listed on the SF-424 is consistent with information listed on other forms in the application package. For example, the SF-424 requests that applicants list the areas that will be affected by the project. This information should match the information on the FEMA declaration, as well as the Project Synopsis. Funding requests should also be consistent; the amount requested on the SF-424 should match the request shown on the Project Synopsis Form.

The above items should not be considered an all-inclusive list that reviewers should check. Reviewers are expected to verify all information listed on the form to the extent feasible to ensure the application, once officially submitted, does not contain errors that would either require that the application be returned for corrections.

### **III. PROJECT SYNOPSIS**

The Project Synopsis is the “meat” of the application. In addition to identifying key information regarding the eligible event type and planned number of participants, this form should provide a clear description of the services to be performed, along with a description of the disaster event that makes the NEG necessary.

#### **Completion of Applicable Fields/Accuracy and Consistency of Information Provided**

Reviewers should ensure that all fields on the Project Synopsis relevant to the applicant are completed and that the information is both accurate and consistent with other parts of the application package. For example, the amount of funding listed in the Project Synopsis should match the funding amount on the SF-424. Examples of other items that should be checked for consistency with other forms in the package are the FEMA declaration, the project name, and the counties included in the project service area. Reviewers should also ensure that the information provided in the Project Synopsis is consistent with information provided in the Narrative Statements and attachments submitted. This list of items should not be considered all-inclusive. Reviewers are expected to verify all information listed on the form to the extent possible, to ensure the application is complete.

#### **Description of Activities to be Undertaken**

This section should identify the activities that will be performed by the individuals hired for the temporary jobs component of the NEG. Activities are limited to employment that “help provide food, clothing, shelter, and related humanitarian services and to perform demolition, cleaning, repair, renovation and reconstruction of damaged and destroyed public structures, facilities and lands, located within the designated disaster area” (*Workforce Investment Act: National Emergency Grants – Application Procedures, p. 23061*). Individuals hired for the temporary jobs component may be employed for a maximum 6 month period or 1,040 hours, whichever is longer. Generally, the maximum total wages that can be paid to each participant can not exceed \$12,000 (exclusive of fringe benefits) without prior approval from the Grant Officer. The application should demonstrate its intent to comply with these requirements.

#### *Example*

*The primary objective of this grant is to provide 70 temporary jobs in 10 of the 20 counties declared eligible by FEMA. These jobs will assist with the demolition, clean up, repair, renovation, and reconstruction of damaged and destroyed public infrastructure and facilities such as roads and bridges. Each individual hired under this project will be employed for a period of no more than six months and will be paid no more than \$12,000 during the term of their employment.*

#### **Description of the Disaster and the Resulting Dislocation Event**

This section should provide information that conveys the impact of the disaster on the area to be served under the project. The number of individuals dislocated as a result of the disaster, if applicable, should also be provided. Priority should be given to these individuals in filling the

temporary jobs that will be created under the NEG and this should be indicated in the application.

*Example*

*On May 23, 2010, FEMA issued a disaster declaration due to flooding in the southern part of the state. Three days of steady rain, which resulted in over ten inches of precipitation, resulted in significant flooding throughout the region that closed schools, washed out roads, and flooded public parks. Initial estimates indicate that over a 1,000 individuals have been dislocated due to the flooding; we will be offering these temporary jobs to these individuals to assist with the recovery efforts.*

**Reasonableness**

***Number of Temporary Jobs Created***

The number of temporary jobs to be created under the project should be commensurate with the amount of funding requested and the impact of the disaster on the area. See the example below:

*Example*

*Applicant X submits an application for a Disaster NEG due to a severe hailstorm that hit the area. A FEMA public assistance declaration has been issued. The funding request is \$1,000,000 to employ 125 workers to assist with clean-up, repair, renovation, and reconstruction. The applicant indicates that the hailstorm and the high winds that accompanied it, damaged hundreds of homes, cars, and businesses. In addition, the high winds blew down hundreds of trees in the area, which also caused damage to properties and rendered some roads impassable. Of the participants who will be hired to assist with the clean-up and repair activities, 100 were dislocated as a result of the hailstorm. The additional 25 workers, although not dislocated due to the disaster, meet the WIA definition of a dislocated worker. The FPO determines that the number of temporary jobs to be provided is commensurate with the funding requested and the impact of the disaster as described, and moves the application through.*

**IV. EMPLOYER DATA FORM**

No Employer Data Form is required.

**V. PROJECT OPERATOR DATA FORM**

No Project Operator Form is required for an initial emergency Disaster NEG application.

**VI. PLANNING FORM**

A separate Planning Form is not required for an initial emergency Disaster NEG application.

## **VII. NARRATIVE STATEMENTS**

This section is used to provide any explanations/justifications needed for entries in the above forms and to provide any additional information to support the request.

### **Accuracy, Consistency and Legibility of Information Provided**

Where the applicant has provided additional details in the Narrative Statements or uploaded additional documents, the reviewer should ensure that those details or documents support and are consistent with the information included in other parts of the application. Any uploaded documents must be accessible and legible.

**Note:** Uploaded documents are limited to PDF files, Microsoft Word documents and Microsoft Excel spreadsheets.

## **VIII. POLICY ISSUES**

Sometimes NEG applications raise policy issues in the form of questions or concerns; typically relating to the allowability of proposed activities according to established law, regulations, or policy. While answers to some policy issues are clearly provided in the law, regulations, or Employment and Training Administration (ETA) guidance and can be quickly addressed by Regional Offices, others may require further research, consultation, interpretation and resolution by program/legal specialists in the National Office. It is the role of the Office of National Response (ONR) to clarify vague or ambiguous policies in existing guidance and facilitate resolution of issues.

### *Example*

*A FPO is reviewing a Disaster NEG application. The proposed project area was impacted by heavy flooding and is requesting a NEG to provide temporary jobs to individuals to help with clean-up activities. The applicant has also identified a need for services such as financial and emotional counseling, advice on rebuilding, and the provision of guidance in connecting with other services, to be delivered to the general population impacted by the floods. WIA section 173(d)(1), states that the funds can be used to "provide food, clothing, shelter, and other humanitarian assistance for disaster victims..." The applicant would like to know if the activities proposed fall under "humanitarian assistance" and are allowable. Since WIA does not define what constitutes "other humanitarian assistance," this phrase is left to interpretation. The FPO decides to contact ONR to request guidance on whether these specific activities are allowable for temporary jobs participants under the state's Disaster NEG, and moves the application along in the meantime to ensure that the needed resources are provided quickly.*