

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA-NFJP
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	DATE May 17, 2022

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 10-21

TO: NATIONAL FARMWORKER JOBS PROGRAM GRANTEES

FROM: ANGELA HANKS /s/
Acting Assistant Secretary

SUBJECT: Program Year 2022 Planning Guidance for National Farmworker Jobs Program Career Services and Training Grantees and Housing Grantees

1. **Purpose.** To convey grant allotments for Program Year (PY) 2022 and provide information related to submission instructions for required funding documents and performance targets.
2. **Action Requested.** National Farmworker Jobs Program (NFJP) grantees must submit the required documents through Grants.gov by within 14 calendar days from the date this Training and Employment Guidance Letter (TEGL) is published. See section 4 of this TEGL for additional information on required documents. Grantees that do not submit complete documentation by the deadline risk delaying the timely allotment of funds. Additionally, if a grantee wishes to negotiate their performance targets, please notify your assigned Federal Project Officer and copy NFJP@dol.gov within 7 calendar days from the date this TEGL is published and include your proposed targets in your modified four-year program plan.
3. **Summary and Background.**
 - a. Summary – In accordance with the Workforce Innovation and Opportunity Act (WIOA), the new four-year NFJP grant cycle went into effect on July 1, 2020. The Employment and Training Administration (ETA) is issuing this TEGL to notify NFJP grantees of PY 2022 grant allocations and to provide instructions for submitting required documents. Grantees must submit required documents, including program plans and budget documents, to receive funding.
 - b. Background – NFJP allotments are based on the funds appropriated in the Consolidated Appropriations Act, 2022 (from this point forward, referred to as “the Act”). Funds to implement NFJP are appropriated in the Act. Congress provided \$88,283,000 for formula grants (of which \$88,160,000 was allotted after \$123,000 was set aside for program integrity), \$6,456,000 for migrant and seasonal farmworker housing (of which \$6,447,000 was allotted after \$9,000 was set aside for program integrity and of which not less than 70 percent shall be for permanent housing), and \$657,000 for discretionary

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purposes. The Department will issue individual Housing grant awards based on the results of the 2020 grant competition. In distributing funds, ETA calculates allotments for Career Services and Training grantees through an administrative formula. The formula's original methodology is described in a notice published in the Federal Register notice, [64 FR 27390](#), May 19, 1999, subsequently updated in the [Federal Register notice, 86 FR 32063](#) on June 16, 2021.

As explained in ETA's PY 2021 notice, the allotments provided in this TEGL for Career Services and Training grantees reflect hold-harmless provisions that provide for a stop loss/stop gain limit to facilitate grantees' transition to the updated formula results established in the June 2021 Federal Register notice. For PY 2021, each state service area received an amount equal to at least 95 percent of their PY 2020 allotment percentage, as applied to the PY 2021 formula funds available. For PY 2022, each state services area will receive an amount equal to at least 90 percent of their PY 2021 allotment percentage, as applied to the PY 2022 formula funds available.

MSFW Youth Awards

Per WIOA section 127 (a)(1) State Allotments, for each fiscal year for which the amount appropriated under section 136(a) exceeds \$925,000,000, the Secretary will reserve 4 percent of the excess amount to provide youth workforce investment activities under section 167 (relating to migrant and seasonal farmworkers). Based on this year's appropriated amount of \$933,130,000 under WIOA section 136(a), ETA plans to distribute a separate set of awards totaling \$325,200 to serve MSFW Youth. ETA will follow up in subsequent communication with the approach to award these additional MSFW youth funds.

4. Details.

Submission Requirements and Reporting.

- a. Required Documents for PY 2022 Funding. To receive PY 2022 funding, NFJP grantees must submit via [Grants.gov](#), the documents listed below in subsections i-v. Submittal of this document package does not constitute automatic approval. Grantees may be asked, with the assistance of their assigned Federal Project Officer, to immediately revise and resubmit documentation prior to the allotment award. Alternatively, the Grant Officer may approve the award allotment with Special Conditions of Award, requiring the grantee to submit revised documents within 30 calendar days of the award date. If a grantee fails to submit documents by the deadline, they risk delaying the timely allotment of funds. In response to the TEGL, the following documents are required:
 - i. SF-424, Application for Federal Assistance. An electronically submitted SF-424 through Grants.gov constitutes an official signed document. The SF-424 must identify the legal name of the grantee organization, along with the organization's address, its Unique Entity Identification number (UEI) and its Employer

Identification Number (EIN), all of which must match the same information listed in the organization's current registration with the System for Award Management (SAM), found at <https://www.sam.gov>. Please review the SF-424 instructions document included on Grants.gov to ensure the correct completion of the SF-424. The total funding amount entered under the *Estimated Funding* section (item #18) must match the allotment amount in the allotment tables. The state service area must be noted under the *Areas Affected By Project* section (item #14).

- ii. SF-424A, Budget Information – Non-Construction Programs Form. Please review the SF-424A instructions document included on [Grants.gov](https://www.grants.gov) to ensure the correct completion of the SF-424A. The total funding amount entered must match the allotment amount. See Attachment III to see the Career Services and Training Grant Allotments and Attachment IV to see the Housing Grant Allotments.
- iii. Budget Narrative. The Budget Narrative must follow the detailed instructions provided in Attachments I and II. Each line item/category amount on the Budget Narrative must also exactly match the line item/category amount totals listed on the SF-424A.
- iv. Negotiated Indirect Cost Rate Agreement (NICRA). Grantees that use a NICRA or Cost Allocation Plan (CAP) must submit a current or recent copy of the NICRA or CAP as part of this application. If a new NICRA has been requested but not finalized, the grantee must include a copy of the request. Please include the letter showing the date it was submitted. Note: If a grantee includes indirect charges on line 6.j of the SF-424A, the grantee must submit a NICRA or CAP unless the grantee elects to charge a de minimis rate. If a grantee elects not to charge indirect costs, there is no need to include a NICRA or CAP.
- v. PYs 2020-2023 Program Plan. Per 20 CFR 685.410, each NFJP grantee submitted a comprehensive program plan covering PY 2020-2023 to the Department. The four-year program plan describes a grantee's plan to implement the grant project in accordance with the Funding Opportunity Announcement. For additional information on what type of information is included in the program plan, see [20 CFR 685.420](https://www.ecfr.gov/current/title-20/chapter-V/part-685/subpart-4/section-685.420). In response to this PY 2022 TEGL, grantees must follow the instructions below to determine the extent to which they must update their four-year program plan:
 - If a grantee does not need to modify their 2020-2023 program plan, they should amend the dates to be relevant and submit their four-year program plan and add a note on the top "No substantive changes were made to the four-year program plan."
 - In circumstances when there is a change in funding levels, per [20 CFR 685.430](https://www.ecfr.gov/current/title-20/chapter-V/part-685/subpart-4/section-685.430), a grantee's program plan must be modified to reflect the funding level for each year of the grant. The grantee must submit a request to add, delete, expand, or reduce any part of the program plan. In their request, grantees should describe any change(s) and provide a justification for the change. In coordination with the Federal Project Officer, the Department

will consider the cost principles, uniform administrative requirements, and terms and conditions of award when reviewing modifications.

WIOA Performance Negotiations. For PY 2022, ETA proposes to use the performance targets and annual and four-year service/enrollment levels that were established in PY 2021.¹ If a grantee wishes to negotiate their performance targets, please notify your assigned Federal Project Officer and copy NFJP@dol.gov within 7 calendar days from the date this TEGL is published and include your proposed targets in your modified four-year program plan. If a grantee does not notify their Federal Project Officer and national office within 7 calendar days from the date this TEGL is published, ETA will use the performance targets that were approved in PY 2021 for PY 2022. ETA will work with grantees to establish performance targets within 30 calendar days from the date this TEGL is published.

Note: For Housing grantees, the PY 2022 service levels may vary depending on the grant recipient's four-year work plan. For example, some Housing grantees' service levels increase during the third or fourth year of the period of performance depending on a permanent housing project.

Use of PY 2022 Funds. The period of performance for PY 2022 NFJP grants ends on September 30, 2023. Therefore, grantees have an extra quarter to expend grant funds. The extra quarter in the period of performance allows grantees to have flexibility to absorb minor fluctuations in spending within the four-year cycle without the need to request extensions from year to year. Grantees must continue to file a Federal Financial Report, ETA Form 9130, each quarter for PY 2022 funds until those funds are fully expended or the end of the grant's period of performance is reached.

Paperwork Reduction Act (PRA) Statement. The Department notes that a Federal agency may not conduct or sponsor a collection of information, nor is the public required to respond to a collection of information, unless the Office of Management and Budget (OMB), under the PRA, approves it, and it displays a currently valid OMB Control Number (44 U.S.C. 3507). Also, notwithstanding any other provision of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB Control Number (44 U.S.C. 3512). The currently valid OMB Control Numbers for this collection are:

- OMB 4040-0004, SF-424 Application for Federal Assistance, which expires

¹ Consistent with 20 CFR 685.400, ETA establishes Career Services and Training grantees' performance levels using results produced by a statistical adjustment model. The model considers the characteristics of the population served and the economic conditions of the state service area, and it makes additional adjustments to factor in economic challenges. In response to the funding opportunity announcement (FOA), FOA-ETA-20-08, FOA-ETA-20-08-A, or FOA-ETA-20-08-B, your organization submitted its quarterly and annual targets to enroll participants over 51-month period of performance. This information was used to establish your annual enrollment levels over 51-month period for Career Services and Training grant recipients (for example the total number of participants enrolled) and annual service levels for Housing grant recipients (for example, the total number of reportable individuals served). These service/enrollment levels were established in PY 2020 and in some cases renegotiated for PY 2021.

- December 31, 2022; and
- OMB 4040-0006, SF-424A Budget Information for Non-Construction, which expires February 28, 2025.

Timing of Funds. ETA will distribute executed NFJP Notices of Award as close to the beginning of July as possible so that funds are available to support continued operations of the program.

Performance Reporting Requirements. Career Services and Training grantees and Housing grantees will submit performance data through Workforce Integrated Performance System (WIPS) using the DOL-Only Participant Individual Record Layout (PIRL), Form ETA 9172 and the Joint Quarterly Narrative Performance Report (QNR), Form ETA 9179. In general, grantees use the indicators of performance that are described at [20 CFR 685.400](#) depending on their type of grant award. Per 20 CFR 685.400(e) grantees may develop additional performance indicators and include them in the program plan or in periodic performance reports. Additional information on performance indicators is available in TEGL 14-18 and Attachment 7 https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7611.

5. **Inquiries.** All NFJP Grantees should submit inquiries to their respective Federal Project Officer.
6. **References.**
 - Departments of Labor, Health and Human Services, and Education, and Related Agencies, Consolidated Appropriations Act, 2022, Public Law 117-103, enacted March 15, 2022.
 - Section 167 of WIOA (Pub. L. 113-128), Title I, enacted July 22, 2014;
 - 20 CFR, Part 685, WIOA Final Rule, effective October 18, 2016;
 - TEGL NO. 14-18, *Aligning Performance Accountability Reporting, Definition, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL)*, March 25, 2019; and
 - Federal Register Notice - *Employment and Training Administration (ETA) Program Year (PY) 2021 Workforce Innovation and Opportunity Act (WIOA) Section 167, National Farmworker Jobs Program (NFJP) Modifications to Allotment Formula*, 86 FR 24891, May 10, 2021.
7. **Attachment(s).**
 - Attachment I: Instructions for Completing the Budget Narrative
 - Attachment II: Instructions for Submitting Budget Documents via Grants.gov
 - Attachment III: PY 2022 NFJP Career Services and Training Grant Allotments
 - Attachment IV: PY 2022 NFJP Housing Grant Allotments