

General Provisions for Administering Temporary Full Federal Funding of the First Week of Compensable Regular Unemployment for States with No Waiting Week

CERTIFICATIONS AND ASSURANCES

- 1. Compliance with Federal Requirements.** States must comply with the provisions contained in the states' Agreements with the Department to administer section 2105 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136) and all applicable section 2105 funding instruments. States must perform such duties and functions in accordance with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200 and 2 C.F.R. Part 2900 applicable to all grants and cooperative agreements. Additionally, the Department's administrative requirements for grants and cooperative agreements at 29 C.F.R. Parts 31, 32, 38, 96, and 98 apply to grant funds provided for these activities.
- 2. Prohibition on Subsidization of Forced or Indentured Child Labor.** Consistent with section 103 of the Further Consolidated Appropriations Act, 2020, Pub. L. 116- 94 and in accordance with Executive Order No. 13126, states must not obligate or expend funds made available to administer section 2105 of the CARES Act for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the Department prior to enactment of the Department's 2008 appropriation.
- 3. Salary and Bonus Pay Limitations.** States, in compliance with section 101 of the Further Consolidated Appropriations Act, 2020, PUB. L. 116- 94, must not use funds provided for section 2105 of the CARES Act administration to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for under section 101 of Public Law 109-149. This limitation shall not apply to vendors providing goods and services as defined in 2 CFR 200, Subpart F – Audit Requirements. Where states are recipients of such funds, states may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from sub-recipients of such funds, taking into account section 2105 of the CARES Act, including the relative cost-of-living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including ETA programs. *See* TEGL No. 5-06 for further clarification. The incurrence of costs and the receipt of reimbursement for these costs under this award certifies that the Grantee has read the above condition and is in compliance.
- 4. Veterans' Priority Provisions.** This program, funded by the Department, is subject to the provisions of the "Jobs for Veterans Act" (JVA), Pub. L. 107-288 (38 U.S.C. § 4215). The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. The veterans' priority is implemented by 20 C.F.R. Part 1010 (73 Fed. Reg. 78132, Sept. 19, 2008). Please note that to obtain priority service a veteran must meet the program's eligibility requirements. TEGL No. 10-

09 (November 10, 2009) provided general guidance on the scope of the veterans' priority statute and its effect on current employment and training programs. In addition to TEGL 10-09, a series of questions and answers related to priority of service is posted at: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816 for fifteen (15) programs administered by ETA.

The Workforce Innovation and Opportunity Act (WIOA) State Plan requires states to describe the policies and strategies in place to ensure, pursuant to the JVA, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the Department and administered by ETA. *See* Required Elements for Submission of the Unified or Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act, OMB Control No. 1205-0522. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority Provisions established by the JVA. States must adhere to JVA requirements, as interpreted by the Department, in administering section 2105 of the CARES Act.

5. Certifications and Assurances. In administering section 2105 of the CARES Act, states must fully comply with the State Quality Service Plan (SQSP) assurances. These SQSP assurances are detailed in Chapter 1, Part VIII of the "Unemployment Insurance State Quality Service Plan (SQSP) Assurances," ET Handbook No. 336 (18th Edition, Change 4).

- A.** Assurance of Equal Opportunity (EO).
- B.** Assurance of Administrative Requirements and Allowable Cost Standards.
- C.** Assurance of Management Systems, Reporting, and Recordkeeping.
- D.** Assurance of Program Quality.
- E.** Assurance on Use of Unobligated Funds.
- F.** Assurance of Prohibition of Lobbying Costs.
- G.** Drug-Free Workplace.
- H.** Assurance of Contingency Planning.
- I.** Assurance of Conformity and Compliance.
- J.** Assurance of Automated Information Systems Security.
- K.** Assurance of Confidentiality.

The Office of Management and Budget (OMB), SF 424 B Assurances-Non- Construction Programs, signed and submitted by each state with its State Quality Service Plan annual submission, also apply.