



COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES



WORKFORCE DEVELOPMENT PROGRAMS DIRECTIVE

DATE: January 13, 2021

NUMBER: WDP D20-09 (REVISION II)

LA COUNTY HUMANITARIAN JOBS PROJECT POLICY AND PROCEDURES (REVISION II)

EXECUTIVE SUMMARY

This directive provides guidance regarding the Workforce Innovation and Opportunity Act (WIOA) COVID-19 Disaster Recovery National Dislocated Worker Grant (NDWG) program, branded as LA County Humanitarian Jobs Project. The LA County Humanitarian Jobs Project provides funding to create temporary employment opportunities to provide humanitarian assistance designed to save lives, alleviate suffering, and maintain human dignity during, and in the aftermath of, the COVID-19 pandemic, as well as career and training services to assist those laid off because of a pandemic.

This revision to *WDP D20-09 (REVISED) LA County Humanitarian Jobs Project Policy and Procedures* is effective upon release.

REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128) Sections 3(5), 3(15), 3(36), 3(50), and 134
- Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109-461), Jobs for Veterans Act (JVA) of 2002 (Public Law 107-288), Title 38 United States Code (U.S.C.) Sections 101(2), 4213, and 4215(a), and Chapters 11, 13, 15, 30-31, 33, and 35-36
- Title 20 Code of Federal Regulations (CFR) Part 1010: "Priority of Service for Covered Persons" Sections 680.600, 680.650, and 683.230, Definition of Dislocated Worker (section 680.130), Priority of service for Veterans and Eligible Spouses (section 680.650), Prohibition against worker displacement (section 683.270), National Dislocated Worker Grants (section 687.180)
- DOL Training and Employment Guidance Letter (TEGL) 12-19 Change 1, National Dislocated Worker Grant Program Guidance
- CA EDD Workforce Services Directive WSD18-08, Disaster National Dislocated Worker Grant Guidance
- LA County WDACS Workforce Development Programs (WDP) Directive WDP D19-16 – Supportive Services

- LA County WDACS WIOA D17-01, Selective Service Registration
- LA County WDACS WDP D19-25 – Veteran Priority
- LA County WDACS WDP D19-35 – Grievance and Complaint
- LA County WDACS WDP D19-36 – DW Program Eligibility
- LA County WDACS WDP D19-37 – CalJOBS Activity Codes
- LA County WDACS WDP D18-13 – CalJOBS Document Imaging and Scanning

BACKGROUND

On March 13, 2020, the White House declared a nationwide emergency pursuant to Sec. 501(b) of the Stafford Act. On March 15, 2020, Mayor Eric Garcetti ordered the closure of all gyms, bars and restaurants, and entertainment locations. On March 19, 2020, Los Angeles County Board of Supervisors announced the Safer at Home Order, later revised to the Safer at Work Order, widening the impact on these industries leading to unprecedented layoffs in the County. LA County has the largest COVID-related work impact in the nation apart from the New York City metro area. Subsequently, the State of California was approved by FEMA for a major disaster declaration to assist with additional needs identified under the nationwide emergency declaration for COVID-19 and the U.S. Secretary of Labor, under Section 170 of WIOA, awarded this discretionary grant.

POLICY AND PROCEDURES

The LA County Humanitarian Jobs Project places individuals into temporary humanitarian assistance employment roles, in addition to providing career and training services to assist with securing permanent unsubsidized positions as the economy starts recovering from the disaster. The assignments may include assisting with housing the homeless, providing food to the elderly, contact tracing and other humanitarian efforts. The Supportive Services will be provided to the participants to ensure their success throughout program participation.

Participant Eligibility Criteria

Individuals eligible for this program must meet the requirements defined in WIOA Sec. 107(d)(2), as follows:

- eighteen (18) years of age or older;
- legally entitled to work in the United States;
- if male, registered with the U.S. Selective Service, as described in WIOA D17-01. Due to the COVID-19 pandemic Selective Service has placed requests for a Status Information Letter on hold until further notice and will not be required for the waiver process during this time. Please use Selective Service Failure to Register Self Attestation Form (Attachment I), along with any support documentation, if available, to process any selective service waivers.

Additionally, eligible individuals must be one of the following:

1. temporarily or permanently laid off because of the COVID-19 pandemic. To help expedite the eligibility process, self-attestation is initially acceptable when other forms of documentation cannot be easily accessed. The NDWG DW Self-Attestation Form (Attachment II) must be used. All documentation necessary to demonstrate each participant's eligibility must eventually be collected.
2. a dislocated worker as defined in WIOA 3(15)**;
3. a long-term unemployed worker defined as an individual who has been unemployed for 15 or more consecutive weeks; or
4. a self-employed individual who became unemployed or significantly underemployed because of the COVID-19 pandemic.

The above eligibility categories are listed in order of priority. Program providers must ensure applicants eligible under the first category are enrolled and served, before those in the second category are considered and so forth. Outreach efforts must reflect this order of priority.

Veterans' Priority of Service

Priority of service in compliance with 38 U.S.C. 4215 shall be applied to all applicants as such, Veterans and Eligible Spouses within the eligible groups specified above shall receive preference and priority of service.

Documentation of Eligibility

Eligibility must be established, and documentation must be collected before any program services are provided to the individual. Eligibility documentation must be uploaded to CalJOBS. Case notes must also provide information on how the documentation provided satisfies the eligibility criteria being used. Failure to properly document an individual's eligibility will result in all related expenses being disallowed.

For recommended documentation options for the eligibility criteria, please see WDACS Directive WDP 19-36: WIOA DW Program Eligibility Requirements – COVID 19 (Revised Policy).

Allowable Activities

Allowable activities under this project include Humanitarian Assistance Employment (temporary jobs), employment and training services, and supportive services. All participants must first receive Orientation (101) and Initial Assessment (102) services to determine the participant's needs and interests, which will then inform the provision of the Temporary Job, and Career, Training and Supportive services. All participants

must also be provided with resume preparation assistance and job search assistance, to ensure the goal of reaching unsubsidized employment at the conclusion of the program is attained.

Temporary Jobs

This activity must be provided to all participants, ensuring that for any given participant, the duration of work does not exceed a maximum of 12 months, or 2,080 hours, whichever is longer. Specific expectations regarding full-time/part-time assignments and the number of hours will be provided by County to subcontractor for each worksite. Adjustments to these expectations can be made to account for attrition through increased enrollments at either full-time or part-time, dependent upon fund availability and approval from County. The temporary jobs will provide needed temporary public services (augmenting the capacity of existing public employees wherever needed) and humanitarian assistance caused by the pandemic, consistent with the Department of Labor Employment and Training Administration (DOLETA) guidelines and limitations. The temporary jobs for this program may include, but are not limited to, working as a Humanitarian Service Disaster Worker to assist with Project RoomKey, LA County contact tracing efforts, and food distribution to individuals affected by the disaster.

Participants must be paid for all work performed at the higher of the Federal, state, or local minimum wage, or the comparable rate 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. For purposes of this grant, the hourly wages for the temporary position of Humanitarian Disaster Recovery Worker range from \$18.00 - \$27.00 per hour based on assignment, as directed by County.

Fringe benefits should be paid in accordance with the policies of the worksite, and at a minimum include FICA, Medicare, and Workers Compensation.

The program provider or subcontracted designee assumes the role of the Employer of Record and is responsible for all payroll related functions, including, but not limited to, collection of employment documentation, collection of timecards, daily sign in sheets, issuance of the wages and fringe benefits, calculation and tracking of weekly and cumulative hours worked. All payroll documentation must be uploaded into CalJOBS.

The Employer of Record must enter into a Temporary Job Agreement with each participant, detailing the terms of the assignment. A sample agreement is attached (Attachment VI), which must be modified to include the Employer of Record details. This document must be signed by the participants before the commencement of their temporary job assignment and uploaded into CalJOBS.

Career Services

Career services can be provided before, during, or after the Temporary Job. The following services must be made available to all participants, in accordance with WIOA Title I, Section 134 (c)(2). These services can be provided in any order as there is no sequence requirement for these services, except for Supportive Services which requires at least one prior and active staff-assisted career or training service:

All participants must be provided the Basic Career Services listed below and if assessment indicates need for Individualized Career Services and Training Services, those services must also be provided. Career Services for this project include:

- Orientation (activity code 101): A session providing information on services available through this and other programs through the AJCC delivery system.
- Initial Assessment (activity code 102): An initial assessment of a participant's skill level, aptitude, abilities, interests, and supportive service needs.
- Resume Preparation Assistance (activity code 115): One-on-one instruction on résumé and cover letter formats and assistance in the development of one or both.
- Job Search and Placement Assistance (activity code 125): Job search and placement assistance provided to participants and, in appropriate cases, career counseling, including the provision of information on in-demand industry sectors and occupations, and nontraditional employment.
- Individual Counseling (activity code 200): Counseling and vocational guidance provided in a one-on-one setting, to assist the participant in achieving employment goals, and to make decisions regarding employment and/or training opportunities.
- Career Guidance/Planning (activity code 202): Provision of information, materials, suggestions, and/or advice to help a participant make occupational or career decisions.
- Objective Assessment (activity code 203): A comprehensive, specialized assessment of skill levels and service needs of a participant. The assessment may include diagnostic testing or other assessment tools, and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- Development of IEP (activity code 205): An ongoing strategy, developed jointly by staff and the participant, to identify the participant's employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to be able to achieve his/her employment goals, including providing information on eligible providers of training services and career pathways to attain career objectives.

Training Services

Training services can be provided after an interview, evaluation, or assessment, and career planning, participant has been determined to be unlikely or unable to:

- a. obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through the career services described above; and
- b. need training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
- c. have the skills and qualifications to successfully participate in the selected program of Training Services.

Training services for this project include:

Skills Upgrading and Retraining (activity code 305) – A training program to upgrade the participant’s skills, and/or to retrain.

Supportive Services

Supportive services are to be provided to each participant to enable the individual to participate in activities. For this project, these services may include the following:

- Tools/Clothing (activity code 188) (Personal Protective Equipment/Gear - Gloves, Masks, Sanitizer): This Supportive Service shall be provided to all participants enrolled in the Temporary Job activity under the grant code 1195.
- Transportation (activity code 181): This Supportive Service can be provided to the participants enrolled in all other career and training services under the grant code 1196.

Supportive Services may only be provided after the participants has started receiving at least one other staff assisted service, including career services, training services and temporary jobs.

Worksite Protocols

In coordination with WDACS, the provider shall work in partnership with entities that are providing humanitarian assistance including, but not limited to, Los Angeles Homeless Services Authority (LAHSA), the Los Angeles Coordinated Entry System (CES), WDACS’ Community and Senior Centers, LA County Department of Health Services, LA County Department of Public Health, LA County Department of Public Social Services (DPSS), Red Cross of LA, and other appropriate entities at the direction of County to ensure participants are placed at appropriate worksites. Worksites for

temporary jobs must be prioritized so that the highest priority is given to economically disadvantaged areas in the disaster area. Program providers must work with WDACS to identify worksites for this project and may be public or private facilities that have been pre-approved by County and State EDD. Note that private worksites must go through a more rigorous approval process and be approved by US Department of Labor. **No work can be performed at a worksite prior to receipt of all approvals.**

The program provider shall enter into a Worksite Agreement (Attachment III) with the worksite and ensure all the provisions of the agreement are being followed throughout the duration of participants' placement at the worksite. Worksites must also adhere to the COVID-19 safety guidelines during the Safer at Work order (Attachment VI).

Worksite information must be properly entered in CalJOBS when the participant activity 227 (Temporary Job) is created.

Health and Safety Standards

For all NDWG 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.

All participants must receive appropriate safety training before starting work. Documentation of the training must be uploaded in CalJOBS. This documentation must be provided both in the form of a case note, as well as proof of training completion, such as certificate, attendance records, etc. Note that time for in-person training may be paid. Given the current situation, training that is not in-person may also be paid, if it meets the following criteria:

- The training is required for the work to be performed,
- The training provider has the approximate time each course should take to complete, and
- The training completion/sign off is retained in the participant's file.

Tracking and Reporting

CalJOBS must be used as the management information system for this program. Detailed instructions on entering the data can be found in CalJOBS Help Sheet #32: Entering Data for the COVID 19 National Dislocated Worker Grant (Attachment VII). All participants served by all the County's workforce programs are registered into the CalJOBS system. All participants receiving services under the LA County Humanitarian Jobs Project must have eligibility, activity tracking, case closures and case notes entered in CalJOBS, as appropriate. **All participant data must be entered on an on-going daily basis as they occur.**

Case notes are required to supplement the data in the system and documents must also be uploaded into CalJOBS in accordance with *WDP D18-13 CalJOBS Document Imaging and Scanning*.

The following are the allowable activities under this project:

- Activity Code 227- Disaster Relief Employment/Temporary Job
- Activity Code 101- Orientation
- Activity Code 102- Initial Assessment
- Activity Code 115- Resume Preparation Assistance
- Activity Code 125- Job Search and Placement Assistance
- Activity Code 200- Individual Counseling
- Activity Code 202- Career Guidance/Planning
- Activity Code 203- Objective Assessment
- Activity Code 205- Development of IEP
- Activity Code 305- Skills Upgrading and Retraining
- Activity Code 181- Supportive Services-Transportation
- Activity Code 188- Supportive Services- Tools/Clothing

NDWG Grant codes 1195 and 1196 must be utilized when recording activities in CalJOBS for this project, as follows:

- 1195 for activity codes 227 and 188
- 1196 for all the remaining activity codes listed above.

Subcontractor shall ensure that the below cumulative performance outcomes are measured, documented, and achieved by the end of the project:

OUTCOME MEASURE	OUTCOME TARGET
Received Temporary Disaster Relief Employment/Temporary Job	100%
Received Career, Training, and Supportive Services	100%
Completed (Exited) NDWG Services	100%
Employed at completion (Exit) of NDWG services	71%
Employment Rate - 2nd Quarter after Exit	74.1%
Employment Rate - 4th Quarter after Exit	75.5%
Median Earnings - 2nd Quarter after Exit	\$8,142
Credential Attainment (Through 4th Quarter after Exit)	66%
Measurable Skill Gains	50%

Each subcontractor will receive a detailed matrix with their specific performance goals in accordance with the percentages above.

Measurable Skill Gains and Credential Attainment must be recorded for all participants receiving training services.

Monthly invoices are required to be submitted through the WDACS' W.O.R.K.S. online system. These monthly invoices are expected to be submitted on the 10th of the month following the report month, or the business day preceding the 10th, when the 10th falls on a non-working day. Multiple invoices for a given reporting period may be submitted, as needed (e.g., a separate invoice for each pay period). Number of participants paid, total hours paid, and total wages will be required elements in the monthly invoice template. Payroll ledgers must also be uploaded into W.O.R.K.S. for every pay period.

Monthly Reports – In addition to the reporting carried out in CalJOBS and W.O.R.K.S, monthly narrative, worksite, and expenditure reports must be submitted to WDACS on or before the 10th of the following month on the provided template (Attachment V). This report must be submitted to ndwg@wdacs.lacounty.gov. If the 10th of the month falls on a non-working day, the business day immediately preceding the 10th will become the due date.

ACTION

AJCCs shall ensure that the requirements described herein are communicated throughout the operations, management, and governance structures of the AJCC's organization and that this directive is appropriately maintained until further notice.

INQUIRIES

Inquiries regarding this directive and the policies and procedures described herein should be directed to ndwg@wdacs.lacounty.gov.

Irene Pelayo

**Irene Pelayo, Program Manager
Workforce Development**

Attachments:

[Attachment I: NDWG Humanitarian Jobs Project Failure to Register Self Attestation Form](#)

[Attachment II: NDWG Humanitarian Jobs Project DW Self-Attestation Form](#)

[Attachment III: NDWG Humanitarian Jobs Project Worksite Agreement](#)

[Attachment IV: NDWG Humanitarian Jobs Project Worksite Guidelines during Safer at Work Order](#)

[Attachment V: NDWG Humanitarian Jobs Project Monthly Report Template](#)

[Attachment VI: NDWG Humanitarian Jobs Project Temporary Job Agreement](#)

[Attachment VII: CalJOBS Help Sheet #32: Entering Data for the COVID 19 National Dislocated Worker Grant](#)