

**SPECIAL GRANT PROVISIONS
FOR
JOBS FOR VETERANS
STATE GRANT**

October 1, 2014 - September 30, 2019

JOBS FOR VETERANS STATE GRANT SPECIAL GRANT PROVISIONS

1. GRANT AMOUNT:

A. The total amount of funds approved for each fiscal year may be found on the Notice of Grant Award and on each approved grant modification.

B. The funds available to grantees each fiscal year are subject to:

(1) An approved Jobs for Veterans Grant State Plan; and

(2) Congressional action on the United States Department of Labor's (DOL) appropriation.

C. Grantees may charge only up to the amount on the current Notice of Obligation Authority (NOA) issued by their Regional Administrator for Veterans' Employment and Training (RAVET); authorized funds may be drawn down from the Health and Human Services Payment Management System (HHS-PMS Smartlink) to meet grantees' immediate cash needs. Any costs in excess of the grant amounts made available annually will be borne by the grantee.

D. Funds not obligated in accordance with the State Plan and Annual Budget Plan may result in a reallocation of funding or an adjustment to the Grantee's current Fiscal Year (FY) allocation or the following FY's allocation.

E. Grantees must obligate all awarded funding before December 31st following each Federal FY and liquidate all obligations by the following March 31st (unless specified otherwise in the annual appropriation). When funds remain available after September 30th, Grantees will provide a fifth quarter spending plan through their respective Director for Veterans' Employment and Training (DVET) for approval by their RAVET.

F. Amounts designated for Incentive Awards may be distributed only as described in the State Plan and approved by the Grant Officer. Grantees must adhere to this approved plan to avoid recapture of any Incentive Award funds.

G. Funds for postage associated with this grant will be provided once annually and are included in each States initial allocation. Supplemental funds will not be made available. Unused annual postage funds will not be reclaimed and may be used for other Jobs for Veterans State Grant purposes, not prohibited by law or regulation, and amounts do not require separate tracking or reporting.

H. Costs attributable to a specific grant activity (Disabled Veterans' Outreach Program (DVOP), Local Veterans' Employment Representative (LVER), Special Initiatives and Performance Incentive Awards) may be charged only up to the funds available for that respective grant activity. Except to correct erroneous charges, neither costs nor funds may be moved between the grant activities unless a grant modification request is submitted and approved.

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2. SCOPE:

A. The grantee will provide employment and training-related placement services to eligible veterans and eligible persons in accordance with statutory and program priority through:

(1) The employment service delivery system, affiliated American Job Centers and its partners, and through coordination with other service providers.

(2) DVOP specialists and LVER staff in accordance with:

(a) Title 38 United States Code (38 U.S.C), Chapters 41 and 42;

(b) The Workforce Investment Act (WIA) of 1998, as amended;

(c) Title 20, Code of Federal Regulations (CFR), Part 1001 and Part 1010;

(d) Policy guidance issued by the U.S. DOL;

(e) An approved Jobs for Veterans Grant State Plan; and

(f) All terms, provisions, and assurances of this grant.

B. The number of DVOP and LVER positions that can be supported by grant funds must:

(1) Be separately identified; and

(2) Charged to the appropriate project and activity code; and

(3) Represent the most efficient use of funds awarded to maximize available staff resources.

C. DVOP and LVER staff should be assigned to full-time positions at every location with sufficient resources to support the assignment.

D. The grantee must develop and apply standards for statewide services to veterans in accordance with the respective duties for each program position as described in VPL 03-14 or the most current Veterans' Program Letter (VPL) on this subject.

E. DVOP specialists and LVER staff are appointed, assigned, and terminated in accordance with a State's merit staffing system:

(1) As full-time or half time employees; and

(2) At salaries commensurate with their assigned duties.

F. Under 38 U.S.C. 4103A(a), a DVOP Specialist provides intensive services and facilitates placement to meet the employment needs of eligible veterans and eligible persons, prioritizing

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service to special disabled veterans, other disabled veterans, and other veterans in accordance with priorities determined by the Secretary of Labor (Secretary). This will be accomplished through;

(1) DVOP Specialists will provide services only to eligible veterans and eligible persons who meet the definition of an individual with an SBE as defined in VPL 03-14 or the most current VPL on the subject and to any other categories of veterans and eligible persons set forth in VPL 04-14 or a more current VPL. In providing services to these veterans and eligible persons, DVOP Specialists will focus on providing intensive services, which will be accomplished through the Case Management approach as taught by the National Veterans' Training Institute (NVTI) in the delivery of intensive services.

(2) Coordination with other area service providers to assist eligible veterans and eligible persons to overcome Significant Barriers to Employment (SBEs).

G. LVER staff will fulfill their duties as described in law, regulation and policy guidance exclusively for the benefit of all veterans and eligible persons. Under 38 U.S.C. 4104(b), each LVER's principal duties are to:

(1) Conduct outreach to employers in the area to assist veterans in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups.

(a) The purpose of conducting outreach to employers in the area is to develop relationships, jobs, training, or training opportunities for veterans and eligible persons.

(b) The purpose of conducting seminars and establishing self-directed job search work groups is to ensure a greater number of eligible veterans and eligible persons have the skills needed to find employment.

(2) Facilitate employment, training, and placement services furnished to veterans in a state under the applicable state employment service delivery systems.

(a) VETS defines this facilitation duty as capacity building within the state's employment service delivery system to ensure easier access to the appropriate employment and training services for eligible job seeking veterans and eligible persons.

H. The VOW to Hire Heroes Act of 2011 (VOW Act) builds upon the statutory duties established in Title 38 and specifically prohibits DVOP Specialists and LVER staff from performing non-veteran related duties that detract from their ability to perform their statutory duties or Roles and Responsibilities related to meeting the employment needs of eligible veterans and eligible persons.

I. Additionally, Section 241 of the VOW Act requires the Secretary to conduct regular audits to ensure compliance with the statutory duties of DVOP Specialists and LVERs, and allows the Secretary to reduce funding to any state determined to not be in compliance. These audits will be conducted on a schedule developed through coordination efforts between the DVET and the State Workforce Agency; or individuals responsible for the administration of the JVSG for the State.

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J. DVOP specialists and LVER staff are assigned to supplement, not supplant, the duties of other staff in the employment service delivery point and do not relieve other State Agency staff of the requirement to provide priority services to veterans in all programs funded in whole or in part by the U.S. DOL.

K. All communications between Veterans' Employment and Training Service (VETS) and employment service delivery points will be made through appropriate State channels.

L. The National Veterans' Training Institute (NVTI) will provide specialized training for all grant-funded staff (including travel expenses and per diem). Each DVOP specialist and LVER staff member assigned will have eighteen months to complete specialized training provided by NVTI. DVETs will coordinate scheduling newly appointed staff through the appropriate State channels.

3. STATUTORY REQUIREMENTS FOR SERVICE PRIORITIES:

A. Grantees will maintain compliance with all applicable statutory and regulatory and grant provisions to include:

- (1) 38 U.S.C, Chapters 41 and 42, as amended;
- (2) Title 20, CFR, Chapter IX, Part 1001 and 1010 et. seq.;
- (3) Title 20, CFR, Chapter V, Parts 658 - 667; and

(4) Special and general grant provisions, U.S. DOL policies and applicable Federal directives.

B. Grantees will, as prescribed by law and determined in regulations, ensure adherence with guidance regarding the provision of priority of services for veterans.

4. PAYMENTS UNDER THE GRANT:

A. Approved funds will be transferred to the State's financial institution using the State's SMARTLINK system through the Department of Health and Human Services' Payment Management System (HHS/PMS); and,

B. Grantees will provide quarterly financial reports as indicated in the most recent VPL on this subject and in Section 5, below.

5. REPORTING REQUIREMENTS:

As per Chapter 20, CFR Section 658.601 (7)(d), each State Administrator authorized to enter into this grant agreement must ensure to the maximum extent feasible: (1) the accuracy of data entered by the State Agency into required management information systems; and (2) the establishment and maintenance of a data validation system that accurately reflects the accomplished activities and provides actual expenditure data, in accordance with Office of

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Management and Budget (OMB) Circulars and applicable regulations to include Title 20, CFR, Sections 1001.122(b), 1001.140 and 1010.320.

A. Reports and correspondence must be identified by Grantee, applicable Federal grant number (if assigned), fiscal year, and date prepared. All reports must be prepared and submitted in the manner, with the frequency and by due dates prescribed in the applicable solicitation or directive from VETS.

B. As a condition of accepting funding, grantees must produce: 1) quarterly and final fiscal reports; 2) quarterly activity and performance reports; and 3) quarterly staff utilization reports as prescribed in the most current VPL on the subject.

(1) Grantees will be accountable for negotiated performance outcomes for veterans served by both the Public Labor Exchange and grant-funded staff in accordance with the most recent VPL on this subject or on the subject.

(2) Fiscal reports will be submitted within 30 days of the end of each of the four Federal fiscal year quarters. States will submit fiscal reports for the fifth quarter if any fiscal year funds are carried into the next fiscal year (when VETS' Federal appropriation allows grant funds to be obligated in the first quarter of the following fiscal year). A final fiscal report for each program will be submitted within 30 days of the final quarter as determined by liquidation of all obligations (no later than May 15th of the following fiscal year) reporting *all* funds expended for the previous fiscal year. Fiscal reports will include an SF-425, Federal Financial Report for each program, i.e. DVOP and LVER, complete with grant number that will be entered into the E-Grants system.

(3) Performance and narrative progress reports will be submitted within 45 days after the end of each Federal fiscal year quarter.

(4) The State Agency Administrator or a designated person must attest to the accuracy and completeness of the Quarterly Report in a signed Technical Performance Narrative.

(5) The Manager's Report on Services to Veterans regarding the quality and character of each AJC's services provided to veterans including the extent to which veterans are receiving priority of service from all staff funded through U.S. DOL grants will be submitted to the DVET, whether or not an LVER is assigned to that AJC, as negotiated in accordance with policy guidance issued by VETS.

(6) A narrative fifth quarter projected spending plan is submitted with each State's third quarter financial report when any DVOP and/or LVER funds are anticipated to remain following the end of the fourth FY quarter, and an Annual Incentive Awards Summary Report is submitted with each States fourth quarter Technical Performance Narrative.

C. Grantees will forward the originals of all documents to the Grant Officer at:
Department of Labor
Procurement Services Center
200 Constitution Avenue, N.W., Room S4307
Washington, DC 20210

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Note: Because all mail sent to the Department of Labor in Washington D.C. through the U.S. Postal Service is irradiated, Grantees are encouraged to use FedEx, UPS, or other non-U.S. Postal Service carrier to forward reports to the Grant Officer.

D. Failure to comply with the above reporting requirements and/or other statutory or regulatory requirements may result in sanctions described at Title 20, CFR, Part 658, Sub part H or 20 CFR 1001 et seq.

6. GRANT MANAGEMENT AND MONITORING:

A. The Grant Officer approves, signs, and modifies these grants and can authorize changes in scope (staff utilization and funding levels), cost and grant conditions.

B. The grantee, in accordance with 20 CFR 1001.121, will provide adequate and appropriate facilities and administrative support for VETS staff assigned to that State as a condition of receiving grant funds. Adequate and appropriate facilities and administrative support is considered space, furniture, telephone, equipment and supplies that would be made available to State employees of equal status in terms of position level rather than compensation.

C. VETS is required by law to "monitor and supervise on a continuing basis the distribution and use of funds provided for use in the States..." (38 U.S.C. 4102A (b) (6)).

D. Each DVET or their designee serves as the Grant Officer's Technical Representative (GOTR). The GOTR is authorized to:

(1) Review narrative reports and records;

(2) Monitor the progress of the grant;

(3) Negotiate remedial/corrective action regarding potential compliance issues;

(4) Communicate directly with DVOP specialists and LVER staff when necessary as negotiated with State officials;

(5) Recommend approval or disapproval of technical matters not involving a change in the scope, cost or conditions of the Jobs for Veterans grant; and

(6) Have access to all applicable hard copy or automated reports and records and make recommendations to the Grant Officer on all grant matters and requests.

E. Requests for additional funds may be approved only if like amounts are available exigency set aside funding or from funds returned by or identified for reallocation from other grantees.

F. Fiscal year funds cannot be obligated by the grantor agency to grantees after September 30th; therefore, to be considered for approval, all requests for additional funding must be received in the National Office prior to the close of business on the first Friday in July or the date specified in the most recent VPL on this subject.

G. An inventory of Automated Data processing equipment (defined by OMB as supplies

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unless the initial cost exceeded \$5,000 per unit) purchased with grant funds must be maintained by the State with a copy provided to the appropriate DVET. The inventory must identify the following information:

- (1) Equipment locations, number of units and staff use;
- (2) Brand name, model, serial number, equipment specifications; and,
- (3) Actual unit costs (including maintenance and connectivity).

H. The grant officer will only approve requests for additional funds to procure personal computers which have Internet connectivity and for which staff training in their use has been or will be provided.

1. Adherence to the guidelines for the replacement or disposition of obsolete automated data processing equipment provided at 29 CFR, Part 97.32 is required.

7. INFORMATION ACCESS:

Access to all hard copy or automated grant reports, grantee records relative to the provision of employment, education and training-related services to veterans, transitioning service members, their spouses, and other eligible persons must be provided to the Grant Officer, the GOTR and/or the GOTR's designee (see JVSG Grant Management and Monitoring).

8. AMENDMENTS:

The Grant Officer, in consultation with the Assistant Secretary of Labor for Veterans' Employment and Training has the right to amend these provisions with due notice to grantees of at least 45 days.