



LOS ANGELES COUNTY

WIA Adult and Dislocated Worker Programs

DIRECTIVE

NUMBER: LACOD-WIAD08-23

**SUBJECT: National Emergency Grant -
Firestorms 2007 – Eligibility**

ISSUE DATE: March 13, 2008

EFFECTIVE DATE: December 4, 2007

**TO: ALL WORKFORCE INVESTMENT ACT (WIA) NATIONAL EMERGENCY
GRANT CONTRACTORS**

PURPOSE

This directive provides information and guidance to County contractors on participant eligibility under the provisions of the Firestorms 2007 WIA National Emergency Grant (NEG) and the policies and procedures of the Local Workforce Investment Area (LWIA). As part of a comprehensive workforce development strategy, the Los Angeles County LWIA provides emergency services under the NEG to public entities, employers and workers that have been affected by the declared disaster, as described within the Workforce Investment Act (WIA).

BACKGROUND

Wildfires burned throughout Southern California in October 2007. In Los Angeles County, a total of 104,186 acres burned. The burn areas include: the Canyon Fire and later the Corral Fire in the Malibu area, the Meadow Ridge Fire in Santa Clarita, the Buckweed Fire in the Agua Dulce/Canyon Country area near Mint Canyon Rd/Sierra Hwy; the Magic Fire in Stevenson Ranch and the Ranch Fire near Castaic in the Angeles National Forrest. Huge areas suffered damage, which included areas of population density and business density that have a material impact on the local Los Angeles County economy. The Governor declared a state of emergency. The Department of Labor facilitated a NEG in response to the disaster. The County of Los Angeles received funding to provide emergency services and to remediate the burn area.

ELIGIBILITY REQUIREMENTS FOR FIRESTORMS 2007 NEG PARTICIPANTS

Persons eligible for these temporary jobs, in priority order, are:

- (1) Workers who have been temporarily or permanently dislocated due to the wildfires (these will be accorded priority),
- (2) Dislocated workers as defined in WIA Section 101(9) is:

- a. An individual who:
 - (1) Has been terminated or laid off, OR has received a notice of termination or layoff, from employment;
 - (2) Is eligible for or has exhausted entitlement to unemployment compensation, OR has been employed for a duration sufficient to demonstrate to appropriate staff of the One-Stop Center attachment to the workforce but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer not covered under the State's unemployment compensation law; AND,
 - (3) Is unlikely to return to a previous industry or occupation.
- b. An individual who was self-employed but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters, as defined by a state.
- c. A displaced homemaker.

(3) Individuals who are long-term unemployed (five out of the last 26 weeks) and have registered with the Employment Development Department (EDD) CalJOBS in order to actively seek employment. For Disaster Projects, an individual who is long-term unemployed, as defined by the State (WIA Section 173(d)(2)).

ADDITIONAL INFORMATION CONCERNING PARTICIPANTS

NEG-funded temporary employees may be paid up to \$12,000 (excluding the cost of fringe benefits) for their term of employment and may work up to six months or 1,040 hours. Temporary workers will be employees of the designated local entities or their subcontractors. The cost per participant shall not exceed \$17,000. Fringe benefits should be paid in accordance with the policies of the employer of record for temporarily employed workers. The wage cap does not assume that the individual is employed for the full six months, or 1,040 hours, whichever is longer.

A higher hourly wage may be paid, as appropriate, for higher skilled positions as long as the wage limit is not exceeded on an individual participant basis. If a higher wage level limit for some participants is critical to the success of project clean-up efforts and cannot be accommodated within the above provision, the Contractor may request a higher limit for the applicable positions from the County.

The temporary jobs will be concentrated in those areas experiencing the most severe damage to public facilities and infrastructure. The jobs may be designed to assist in clean-up, repair and reconstruction of public and private non-profit property in order to enable the resumption of regular business activities and employment disrupted by the disaster event. The jobs may also provide needed temporary public services (augmenting the capacity of existing public employees wherever needed) and humanitarian assistance caused by the disaster event, consistent with the Department of Labor Employment and Training Administration (DOLETA) guidelines and limitations.

Scope:

This directive supplements federal and State guidance and applies to County-funded service providers who are specifically contracted to provide NEG services and activities.

Effective Date:

This directive is effective on December 4, 2007.

References:

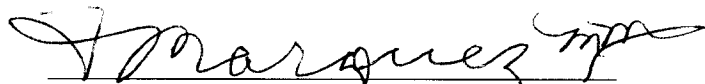
- WIA Section 101(9) – *Definitions – Dislocated Worker*
- WIA Section 134(a)(2)(A) – *Statewide Rapid Response Activities*
- WIA Section 173 (d) National Emergency Grants www.calworkforce.org
<http://www.doleta.gov/usworkforce/WIA/wialaw.txt>
http://www.doleta.gov/NEG/admin_req.cfm
- NEG Award document and modifications
- General Comments and Conditions Relating to NEG Disaster Grants
- 20 CFR 671.110(e), 671.130©, 671.150, 671.170 – Allowable activities; what dislocated workers may be served under NEG
- TEGL 16-03
- NEG Application Procedures, dated April 27, 2004
- Southern California Fires NEG Overview from the State of California EDD (December 2007)
- Electronic communication from EDD Regional Advisor, Linda Patton-Finch dated November 9, 2007, for the definition of Long Term Unemployed as unemployed five out of the last 26 weeks. (Attachment)

ACTION:

Los Angeles County WIA NEG contractors should ensure that the requirements described herein are communicated throughout the operations, management and governance structure of the contractor 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 Judy Weddle at (213) 639-6093 or jweddle@css.lacounty.gov.



**Josie Marquez, Assistant Director
Workforce and Community Services Branch**

Carmen de Arce

From: Patton-Finch, Linda@EDD [LPatton@edd.ca.gov]
Sent: Friday, November 09, 2007 8:48 AM
To: Carmen de Arce
Cc: Josephine Marquez; Magdalena Mireles; Robert Brieff
Subject: FW: SoCal 2007 Wildfire NEG Update
Attachments: SoCal Fire Reporting Template.doc

Good Morning Carmen,

I am providing a copy of the report that is due today November 9th and each Friday hereafter. If you have questions, please feel free to contact me.

Linda M. Patton-Finch

Regional Advisor, Region III
Workforce Services Branch
Program and Technical Assistance Section
Phone: (916) 654-8701
FAX: (916) 654-7921
lpatton@edd.ca.gov

Attached is the **Weekly Status Report** template that will be due COB each Friday, beginning **November 9, 2007**. This report should be e-mailed to Karl Jaensch with a courtesy copy to your assigned Regional Advisor by **COB Friday**.

Also due this Friday is the detailed plan for the first increment of funding. In reworking your plan we ask that you keep in mind the following:

- The cost per participant should not exceed \$17,000. If the cost per exceeds this amount, please provide strong justification.
- Administration costs cannot exceed 8 percent of your allotment in your initial project budget.
- All planned participants should be enrollment in the project within the first six months of the project or provide an explanation as to why this is not feasible.
- These NEG funds are to create temporary jobs for the following eligible dislocated workers. Priority for enrollment is to be given in the following order:
 1. Workers who have been temporarily or permanently dislocated as a result of the wildfires,
 2. Eligible dislocated workers as defined in the Workforce Investment Act Section 101 (9) who are unemployed and not receiving unemployment insurance compensation or other types on income support, and
 3. Individuals who are long-term unemployed.

For the third category above, the State has agreed to relax the definition of LTU for the purpose of this National Emergency Grant. The definition of LTU for this NEG will be unemployed for 5 or more of the previous 26 weeks. This relaxed definition of LTU has

2/26/2008

assisted local operators in previous NEG projects with their recruitment efforts and in meeting their enrollment goals, which in turn will boost the recovery effort.

Heavy Equipment – FEMA has extensive experience in obtaining and/or leasing heavy equipment in the aftermath of disasters, and provides such equipment for a limited period of time to permit clean-up, reconstruction and other allowable activities following a disaster. State and local governments may also lease or obtain heavy equipment for worksites where NEG Disaster Grant participants are employed. Generally, NEG funds will not be authorized for the purchase or lease of heavy equipment for disaster relief work.

Be advised that for the safety of the workers in the temporary jobs, proper equipment and supplies should be provided for use in this project. If appropriate equipment is needed, and coordination efforts with FEMA to acquire such equipment were unsuccessful, notify your State contact in writing immediately for assistance.

The State will be monitoring the activities and expenditures of this project closely to ensure the funds are being expended in accordance with NEG regulations and that participants are served as expeditiously as possible. Therefore, the State will deobligate and reobligate funds from/to service providers as needed to fulfill the purposes of this grant.

If you have any questions, please contact your Regional Advisor. Thank you