EXHIBIT 4

Department of Labor

Notice of Award

Award# UI382372255A55-01-00
FAIN# UI382372255A55
Federal Award Date: 04/15/2022

Recipient Information

1. Recipient Name
Wisconsin Department of Workforce Development
201 E. WASHINGTON AVENUE
MADISON, WI 53703-2866
(608) 267-7196

2. Congressional District of Recipient
90

3. Payment System Identifier (ID)
1396006449A6

4. Employer Identification Number (EIN)
396006449

5. Data Universal Numbering System (DUNS)
809448012

6. Recipient's Unique Entity Identifier (UEI)
DCPVMWRT3DR4

7. Project Director or Principal Investigator
MR. JIM CLEMSON
JIM.CLEMSON@DWD.WISCONSIN.GOV
(608) 707-6609

8. Authorized Official
MR. ROBERT CHERRY
DEPUTY SECRETARY
ROBERT.CHERRY@DWD.WISCONSIN.GOV
(608) 267-3200

Federal Agency Information
ETA Office of Grants Management

9. Awarding Agency Contact Information
CHANTA FERRELL
ferrell.chanta@dol.gov
202-693-3622

10.Program Official Contact Information
JEAN GROCHOWSKI
Program Official

Federal Award Information

11. Award Number
UI382372255A55-01-00

12. Unique Federal Award Identification Number (FAIN)
UI382372255A55

13. Statutory Authority
American Rescue Plan Act (ARPA), P.L. 117-2

14. Federal Award Project Title
AMERICAN RESCUE PLAN-UI TIGER TEAM GRANT

15. Assistance Listing Number
17.225

16. Assistance Listing Program Title
Unemployment Insurance

17. Award Action Type
New

18. Is the Award R&D?
No

Summary Federal Award Financial Information

19.	**Budget Period Start Date** 01/01/2022 **- End Date** 09/30/2023	
20.	**Total Amount of Federal Funds Obligated by this Action**	$2,384,239.00
	20a. Direct Cost Amount	$2,384,239.00
	20b. Indirect Cost Amount	$0.00
21.	Authorized Carryover	$0.00
22.	Offset	$0.00
23.	Total Amount of Federal Funds Obligated this budget period	$0.00
24.	**Total Approved Cost Sharing or Matching, where applicable**	$0.00
25.	**Total Federal and Non-Federal Approved this Budget Period**	$2,384,239.00
26.	**Period of Perfomance Start Date** 01/01/2022 **- End Date** 09/30/2023	
27.	Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance	$2,384,239.00

28. Authorized Treatment of Program Income

29. Grants Management Officer – Signature
SERENA BOYD

30. Remarks

NOT THE OFFICIAL AWARD DOCUMENT Administrative copy ONLY. Contact the Financial Assistance Awarding Officer for the official signed agreement and any subsequent modifications.

Department of Labor

Notice of Award

Award# UI382372255A55-01-00
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Wisconsin Department of Workforce Development
201 E. WASHINGTON AVENUE
MADISON, WI 53703-2866
(608) 267-7196

Congressional District of Recipient
90

Payment Account Number and Type
1396006449A6

Employer Identification Number (EIN) Data
396006449

Universal Numbering System (DUNS)
809448012

Recipient's Unique Entity Identifier (UEI)
DCPVMWRT3DR4

31. Assistance Type
Formula Grant

32. Type of Award
Other

33. Approved Budget
(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only
II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	$0.00
b. Fringe Benefits	$0.00
c. Total Personnel Costs	$0.00
d. Equipment	$0.00
e. Supplies	$0.00
f. Travel	$0.00
g. Construction	$0.00
h. Other	$2,384,239.00
i. Contractual	$0.00
j. TOTAL DIRECT COSTS	$2,384,239.00
k. INDIRECT COSTS	$0.00
l. TOTAL APPROVED BUDGET	$2,384,239.00
m. Federal Share	$2,384,239.00
n. Non-Federal Share	$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
050179830X1D20220179001622ARP002A0000AOWS00AOWS00	UI38237MO0	ETA	410010	17.225	$2,384,239.00	0179830X1D

Fiscal Year (FY) 2022 Tiger Teams American Rescue Plan Act (ARPA) Unemployment Insurance Grant Program

TERMS AND CONDITIONS

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Attachment B: Project Synopsis

1. Order of Precedence

In the event of any inconsistency between the terms and conditions of this Notice of Award (NOA) and other requirements, the following order of precedence shall apply:

I. American Rescue Plan Act of 2021 (ARPA)
II. Title II, Subtitle A, the Coronavirus Aid Relief, and Economic Security (CARES) Act
III. H.R. 2471, the Consolidated Appropriations Act, 2022
IV. Title III of the Social Security Act.
V. Other Federal applicable Federal statutes
VI. Implementing Regulations.
VII. Executive Orders and Presidential Memoranda.
VIII. The Office of Management and Budget (OMB) Guidance, including the Uniform Guidance at 2 CFR 200 and 2900.
IX. The U.S. Department of Labor (DOL)/Employment and Training Administration (ETA) Directives.
X. Terms and conditions of this award.

2. Federal-State Agreements/State Plans

As a condition for receipt of funds under this Grant Funding Agreement, the Grantee agrees to comply with the approved State Quality Service Plan (SQSP) and/or any other agreements/plans required for the receipt of funds.

3. Grant Expenditure Period

4. The expenditure period for these administrative funds is without fiscal year limitations for American Rescue Plan Act of 2021 under Sections 2118 of the CARES Act. These UI Tiger Teams grant funds must be obligated by states by **September 30, 2023,** and liquidated within 90 days thereafter. Funds may be used for improving UC systems and processes that achieve: preventing, detecting, and recovering funds from fraud; promoting equitable access; and ensuring the timely payment of benefits as well as activities to reduce workload backlogs, for all UC programs.

American Rescue Plan Act of 2021 (ARPA)(Section 2118). This program provides funds that promote equitable access to UC programs, which include eliminating administrative barriers to benefit applications, reducing state workload backlogs, improving the timeliness of UC payments to eligible individuals, and ensuring equity in fraud prevention, detection, and recovery activities.

4. Federal Project Officer

The DOL/ETA Federal Project Officer (FPO) for this award is:

Name: Jean Grochowski
Telephone: grochowski.jean@dol.gov
E-mail: 312-596-5521

The FPO is not authorized to change any of the terms or conditions of the award, or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award modification process.

5. Approved UI Project Synopsis

The approved UI Project Synopsis has been included as Attachment B. If there is any inconsistency between the project narrative and the program statute, appropriation, regulations, Executive Orders, Uniform Guidance, and DOL/ETA directives, the order of precedence (as described in Section 1. above) will prevail.

6. Approved Budget

The grant award recipient's budget document is attached in this NOA. The document is the SF-424, included as Attachment A. The grant award recipient must confirm that all costs are allowable, reasonable, necessary, and allocable before charging any expense. Pursuant to 2 CFR 2900.1, the approval of the budget as awarded does not constitute prior approval of those items specified in 2 CFR part 200 or as a part of the grant award as requiring prior approval. **The Grant Officer is the only official with the authority to provide such approval.**

Any changes to the budget that impact the Statement of Work (SOW) and agreed upon outcomes or deliverables will require a request for modification and prior approval from the Grant Officer.

If the period of performance will include multiple budget periods, subsequent budget periods are subject to the availability of funds, program authority, satisfactory performance, and compliance terms and conditions of the Federal award.

7. Return of Funds

DOL/ETA does not accept paper checks for any type of returned funds. For active grants, all returns of funds are to be submitted electronically through the PMS operated by the U.S. Department of Health and Human Services (HHS) via the same method as a drawdown. For grants that have been cancelled or are expired (typically older than five years), incoming payments, including returns and recoveries to DOL, must be made via the Pay.gov website (https://www.pay.gov/public/form/start/177233981).

If there are questions regarding the return of funds or your organization no longer has

access to PMS, contact the DOL, ETA, Office of Financial Administration via email at: ETA-ARteam@dol.gov for further assistance.

8. Evaluation, Data, and Implementation

As the grant award recipient, the grant recipient must cooperate during the implementation of a third-party evaluation. This means providing DOL or its authorized contractor with the appropriate data and access to program operating personnel and participants in a timely manner.

9. Cost Limitation Restrictions

a. Single Audit Submission Deadline Extension Related to COVID-19

In OMB Memorandum M-20-17, OMB offered an extension of Single Audit submission deadlines for fiscal years ending June 30, 2020 to allow recipients and subrecipients a responsible transition to normal operations. This flexibility was extended through December 31, 2020 by OMB Memorandum 20-26.

In OMB Memorandum M-21-20, Appendix 3, Item IX, OMB has offered an additional extension of Single Audit submission deadlines for fiscal years ending June 30, 2021. Award recipients and subrecipients that have not yet filed their single audits with the Federal Audit Clearinghouse as of March 19, 2021 that have fiscal year-ends through June 30, 2021 may delay the completion and submission of the Single Audit reporting package, as required under 2 CFR 200.501 (Audit Requirements), to six (6) months beyond the normal due date. This extension does not require individual recipients and subrecipients to seek approval for the extension by the cognizant or oversight agency foraudit; however, recipients and subrecipients should maintain documentation of the reason for the delayed filing.

b. Budget Flexibility

Grant recipients are not permitted to make transfers that would cause any funds to be used for purposes other than those consistent with this Federal program. Any budget changes that impact the SOW and agreed upon outcomes or deliverables require a request for modification and approval from the Grant Officer.

As directed in 2 CFR 200.308(e), for programs where the Federal share is over the Simplified Acquisition Threshold (SAT) (currently $250,000), the transfer of funds among direct cost categories or programs, functions, and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10% of the total budget as last approved by the Federal awarding agency, the recipient must receive prior approval from the Grant Officer. Any changes within a specific cost category on the SF424(a) do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of total budget. It is recommended that the assigned FPO review any within-line changes to the grant award recipient's budget prior to implementation to ensure they do not require a modification.

For programs where the Federal share of the project is below the SAT of $250,000, recipients are not required to obtain the Grant Officer's approval when transferring funds among direct cost categories.

c. Consultants

For the purposes of this grant award, the ETA's Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to $750.00 a day (representing an eight-hour workday). Such costs must be reasonable, allocable and allowable to the program. Any fees paid in excess of this amount cannot be paid without prior approval from the Grant Officer.

d. Non-Federal Share (Match or Cost Share)

This grant award does not include a match requirement.

e. Travel

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.475. For domestic travel to be an allowable cost, it must be necessary, allowable, reasonable, allocable and conform to the non-Federal entity's written policies and procedures. All travel must also comply with Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

f. Travel – Foreign

Foreign travel is not allowable except with prior written approval from the Grant Officer through the process described in 2 CFR 200.407 and 2 CFR 2900.16. All travel, both domestic and Grant Officer approved foreign travel, must comply with the Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

g. Travel – Mileage Reimbursement Rates

Pursuant to 2 CFR 200.475(a), all award recipients must have policies and procedures in place related to travel costs; however, for reimbursement on a mileage basis, this Federal grant award cannot be charged more than the maximum allowable mileage reimbursement rates for Federal employees. Mileage rates must be checked annually at www.gsa.gov/mileage to ensure compliance.

10. Administrative Requirements

a. SF-424, Application for Federal Assistance, and SF-424B, Assurances and Certifications

The signed SF-424, Application for Federal Assistance, has been included as an attachment to this grant award. The individual that signed the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the grant award recipient is in compliance with the Assurances and

Certifications form SF-424B (available at http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf). The grant award recipient does not need to submit the SF-424B form separately.

b. Audits

Organization-wide or program-specific audits must be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance. DOL awards recipients that expend $750,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501. OMB's approved exception at 2 CFR 2900.2 expands the definition of 'non-Federal entity' to include for-profit entities and foreign entities. As such, for-profit and foreign entities that are recipients/subrecipients of a DOL award must adhere to the Uniform Guidance at 2 CFR 200, including Subpart F. Audits of direct award recipients that are for-profit and foreign entities must be submitted directly to: USDOL ETA-OGM, Attn: Audit Resolution, 200 Constitution Ave NW, Room N4716, Washington, DC 20210. All other audit reports are submitted through the Federal Audit Clearinghouse.

c. Revisions to the Uniform Guidance

The Office of Management and Budget issued revisions to 2 CFR parts 25, 170, 183, and 200 (the Uniform Guidance) on August 13, 2020 and February 22, 2021 (technical correction). These revisions became effective November 12, 2020, except for the amendments to §§ 200.216 and 200.340, which were immediately effective on August 13, 2020. The grant award recipient must operate in compliance with these revised regulations. Please note that the section numbering in the Uniform Guidance has changed in some instances, and this Terms & Conditions document has been updated accordingly.

d. Closeout/Final Year Requirements

At the end of the grant period, the award recipient will be required to close the grant with the ETA. The grant recipient will be notified approximately 15 days prior to the end of the period of performance that the closeout process will begin when the period of performance ends. See https://www.dol.gov/agencies/eta/grants/management/closeout for further information on the closeout process. The recipient's responsibilities at closeout may be found at 2 CFR 200.344. During the closeout process, the grant recipient must be able to provide documentation for all direct and indirect costs that are incurred. For instance, if an organization is claiming indirect costs, the required documentation is a NICRA or CAP issued by the grant recipient's FCA. For those approved to utilize a de minimis rate for indirect costs, the grant agreement is sufficient documentation. Not having documentation for direct or indirect costs will result in costs being disallowed and subject to debt collection.

The only liquidation that can occur during closeout is the liquidation of accrued expenditures (NOT obligations) for goods and/or services received during the grant period (2 CFR 2900.15).

e. Required Disclosure to DOL-OIG

As discussed in UIPL No. 04-17, Change 1, states must refer allegations which they reasonably believe constitute UC fraud, waste, abuse, mismanagement, or misconduct to the DOL-OIG. Additionally, states are required to disclose confidential UC information related to the CARES Act, as amended, to the DOL-OIG for the purpose of UC fraud investigations and audits for the entire pandemic relief period, which for most states will be weeks of unemployment beginning after January 27, 2020 through weeks of unemployment ending before September 6, 2021. States may use funds awarded under this UIPL, UI administrative grant under Section 302(a), SSA, or another source of funding to pay for this disclosure. See 20 C.F.R. 603.8(b).

f. Equipment

The requirement that grant recipients obtain prior approval from the Federal Grantor agency for all purchases of equipment (as described in 2 CFR 200.439) is waived in accordance with 2 CFR 200.308(c)(4) and 20 CFR Part 683.200, and approval authority is delegated to the Governor. Notwithstanding this waiver, the Grantor reserves the right to reimpose the requirement of prior approval by the Grantor, after providing advance notice to the State (Grantee).

g. Federal Funding Accountability and Transparency Act (FFATA)

1. Reporting of first-tier subawards.
    I. *Applicability*. Unless the grant award recipient is exempt as provided in paragraph [4.] of this award term, the grant recipient must report each action that equals or exceeds $30,000 in Federal funds for a subaward to an non-Federal entity or Federal agency (see definitions in paragraph [5.] of this award term).
    II. *Where and when to report.*
        I. The Federal entity or Federal agency must report each obligating action described in paragraph [1.i.] of this award term to https://www.fsrs.gov.
        II. For subaward information, the recipient must report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
    III. *What to report.* The grant award recipient must report the information about each obligating action that the submission instructions posted at https://www.fsrs.gov specify.
2. Reporting total compensation of recipient executives for non-Federal entities.
    I. *Applicability and what to report*. The grant award recipient must report total compensation for each of their five most highly compensated executives for the preceding completed fiscal year, if—
        I. the total Federal funding authorized to date under this Federal award is equals or exceeds $30,000 as defined in 2 CFR 170.320;
        II. in the preceding fiscal year, the grant recipient received—
            (A) 80% or more of the annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject

to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

III. The public does not have access to information on the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission (SEC) total compensation filings at https://www.sec.gov/answers/execomp.htm.)

II. *Where and when to report.* The grant award recipient must report executive total compensation described in paragraph [2.a.] of this award term:

a. As part of your registration profile at http://www.sam.gov.

b. By the end of the month following the month in which this award is made, and annually thereafter.

3. Reporting of Total Compensation of Subrecipient Executives.

I. *Applicability and what to report.* Unless the grant recipient is exempt as provided in paragraph [4.]of this award term, for each first-tier non-Federal entity subrecipient under this award, the grant award recipient shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

I. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80% or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

II. The public does not have access to information on the compensation of the executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the SEC total compensation filings at https://www.sec.gov/answers/execomp.htm.)

II. *Where and when to report.* The grant award recipient must report subrecipient executive total compensation described in paragraph [3.a] of this award term:

I. To the recipient.

II. By the end of the month following the month during which the grant recipient make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), the grant recipient must report any required compensation information of the subrecipient by November 30 of that

year.

4. Exemptions.
   If, in the previous tax year, the grant award recipient had gross income, from all sources, under $300,000, the grant recipient is exempt from the requirements to report:
   a. Subawards, and
   b. The total compensation of the five most highly compensated executives of any subrecipient.
5. Definitions.
   For purposes of this award term:
   a. *Federal Agency* means a Federal agency as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).
   b. *Non-Federal Entity* means all of the following, as defined in 2 CFR part 25:
      I. A Governmental organization, which is a State, local government, or Indian tribe;
      II. A foreign public entity;
      III. A domestic or foreign nonprofit organization; and
      IV. A domestic or foreign for-profit organization.
   c. *Executive* means officers, managing partners, or any other employees in management positions.
   d. *Subaward*:
      I. This term is used as a legal instrument to provide support for the performance of any portion of the substantive project or program for which the grant recipient received this award and that the grant recipient as the recipient award to an eligible subrecipient.
      II. The term does not include the grant award recipient procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.330]).
      III. A subaward may be provided through any legal agreement, including an agreement that the grant recipient or a subrecipient considers a contract.
   e. *Subrecipient* means a non-Federal entity or Federal agency that:
      I. Receives a subaward from the grant award recipient under this award; and
      II. Is accountable to the grant recipient for the use of the Federal funds provided by the subaward.
   f. *Total* compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
      I. *Salary and bonus.*
      II. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
      III. *Earnings for services under non-equity incentive plans*. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

IV. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

V. *Above-market earnings on deferred compensation which is not tax-qualified.*

VI. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

h. Monitoring, Technical Assistance, and Additional Specific Conditions of Award

All grant recipients, including states and territories managing the Unemployment Insurance programs, are subject to 2 CFR 200.208, *Specific conditions*, which indicates that the Federal awarding agency may adjust specific award conditions as needed. A specific condition is based on an analysis of the following factors:

(1) Based on the criteria in §200.206, *Federal awarding agency review of risk posed by applicants*;

(2) The applicant or recipient's history of compliance with the general or specific terms and conditions of a Federal award;

(3) The applicant or recipient's ability to meet expected performance goals as described in §200.211; or

(4) A responsibility determination of an applicant or recipient.

Additional Federal award conditions may include items such as the following:

(1) Requiring payments as reimbursements rather than advance payments;

(2) Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given performance period;

(3) Requiring additional, more detailed financial reports;

(4) Requiring additional project monitoring;

(5) Requiring the non-Federal entity to obtain technical or management assistance; or

(6) Establishing additional prior approvals.

Grant recipients may be required to obtain technical or management assistance through an established provider/contractor that has been selected or hired by DOL that may include in-person or remote assistance.

i. Personally Identifiable Information

The grant award recipient(s) must recognize and safeguard Personally Identifiable Information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Award recipients must meet the requirements in TEGL No. 39-11, Guidance on the Handling and Protection of PII, can be found at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872.

j. Pre-Award

All costs incurred by the award recipient prior to the start date specified in the grant award issued by the Department are ***incurred at the recipient's own expense.***

k. Procurement

The Uniform Guidance (2 CFR 200.317) require States (as defined at 2 CFR 200.1) to follow the same procurement policies and procedures it uses for non-Federal funds. The state must comply with 2 CFR 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. The grant award recipient(s) must also follow the requirements regarding the competitive selection of One-Stop Operators at WIOA Sections 121(d) and 123.

l. Program Income

The "Addition" method as described in 2 CFR 200.307 must be used in allocating any program income generated for this grant award. The grant award recipient must expend all program income prior to drawing down any additional funds as required at 2 CFR 200.305(b)(5) and 2 CFR 200.307(e). Any program income found remaining at the end of period of performance must be returned to ETA. In addition, the grant award recipient(s) must report program income on the quarterly financial report using the ETA-9130 report.

m. Recipient Integrity and Performance Matters

1. If the total value of the currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the grant award recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in Paragraph 2 of this award term and condition. This is a statutory requirement under Section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by Section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings about which the grant recipient must report. Submit the information required about each proceeding that:

a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
b. Reached its final disposition during the most recent 5-year period; and
c. Is one of the following:
   I. A criminal proceeding that resulted in a conviction, as defined in Paragraph 5. of this award term;
   II. A civil proceeding that resulted in a finding of fault and liability and paying a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;
   III. An administrative proceeding, as defined in Paragraph 5. of this award term, that resulted in a finding of fault and liability and grant recipient payment of either monetary fine or penalty of $5,000 or more or a reimbursement, restitution, or damages in excess of $100,000; or
   IV. Any other criminal, civil, or administrative proceeding if:
      (A) It could have led to an outcome described in Paragraph 2.c.I, II, or III of this award term;
      (B) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the grant recipient's part; and
      (C) The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting procedures. Enter in SAM, Entity Management area (formerly CCR), or any successor system, the FAPIIS information that SAM requires about each proceeding described in Paragraph 2. of this award term. The grant award recipient does not need to submit the information a second time under assistance awards that were received if the recipient already provided the information through SAM (formerly CCR) because the recipient was required to do so under Federal procurement contracts that the recipient was awarded.

4. Reporting frequency. During any period of time when the grant award recipient is a subject to the requirement in paragraph 1. of this award term, the grant recipient must report FAPIIS information through SAM no less frequently than semiannually following the initial report of any proceedings for the most recent 5-year period, either to report new information about any proceeding(s) that the grant recipient has not reported previously or affirm that there is no new information to report.

5. Definitions. For purposes of this award term:

   a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., SEC Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level. It does not include audits, site visits, corrective plans, or inspection of deliverables.
   b. Conviction, for purposes of this award term, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
   c. Total value of currently active grants, cooperative agreements, and procurement contracts includes —

I. Only the Federal share of the funding under any award with a recipient cost share or match; and
II. The value of all options, even if not yet exercised.

n. Reports

All ETA grant award recipients are required to submit quarterly financial and narrative progress reports for each grant award.

a. **Quarterly Financial Reports.** All ETA grant award recipients are required to report financial data on the ETA-9130 Financial Report. ETA-9130 reports are due no later than 45 calendar days after the end of each specified reporting quarter. Reporting quarter end dates are March 31, June 30, September 30, and December 31. A final financial report must be submitted no later than 45 calendar days after the quarter encompassing the grant award end date ends, or 45 calendar days after the completion of the quarter in which all funds have been expended, whichever comes first. For grants awarded before November 12, 2020, a closeout ETA-9130 report must be submitted no later than 90 calendar days after the grant period of performance ends. For grants awarded after November 12, 2020, a closeout ETA-9130 report must be submitted no later than 120 calendar days after the grant period of performance ends. See 2 CFR 200.344. A closeout report will be submitted during the closeout process. For additional guidance on ETA's financial reporting, reference TEGL 20-19 and https://www.doleta.gov/grants/pdf/ETA-9130_Financial_Reporting_Resources.pdf

   The instructions for accessing both the online financial reporting system and the HHS PMS can be found in the transmittal memo accompanying this NOA.

b. **Quarterly Narrative Progress Reports**. Grant recipients must provide a narrative Quarterly Progress Report (ETA 9178-ARPA) and Quarterly Financial Report (ETA 9130) containing updates on the progress and implementation of each grant project. The form ETA 9178-ARPA is provided in Attachment V. ETA will use the ETA 9178-ARPA report to track each state's progress towards implementing the strategy/activity and achieving the identified outcome metric(s) as described in Section 4.c of this UIPL with ARPA funds, ensuring that a state's use of funds is consistent with the permissible activities outlined in Section 4.b. of this UIPL.

   States must provide ETA with an ETA 9178-ARPA narrative update that identifies the specific issue(s) a state's proposed activities will impact and report specific outcome metrics as they relate to the activities (*see* Section 4.b. of this UIPL). Refer to Attachment V for instructions for completion and the timeline of submission for the ETA 9178-ARPA.

o. Requirements for Conference and Conference Space

Conferences sponsored in whole or in part by the grant award recipient are allowable if the conference is necessary and reasonable for the successful performance of the Federal Award. The grant award recipients are urged to use discretion and good judgment to ensure that all conference costs charged to the grant are appropriate and allowable. For more information on the requirements and the allowability of costs associated with conferences, refer to 2 CFR 200.432. Recipients will be held accountable to the requirements in 2 CFR 200.432. Therefore, costs that do not comply with 2 CFR 200.432 will be questioned and may be disallowed.

p. Subawards

A *subaward* means an award provided by a *Pass-Through Entity* (PTE) to a subrecipient for the subrecipient to carry out part of a Federal award received by the PTE. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the PTE considers a contract.
The provisions of the Terms and Conditions of this award will be applied to any subrecipient under this award. The recipient is responsible for monitoring the subrecipient, ensuring that the Terms and Conditions are in all subaward packages and that the subrecipient complies with all applicable regulations and the Terms and Conditions of this award (2 CFR 200.101(b)).

q. Supportive Services & Participant Support Costs

When supportive services are expressly authorized by a program statute, regulation, or FOA, this award waives the prior approval requirement for participant support costs as described in 2 CFR 200.456. Costs must still meet the basic considerations at 2 CFR 200.402 – 200.411. Questions regarding supportive services and participant support costs should be directed to the FPO who is assigned to the grant.

r. System for Award Management (SAM)

SAM is the official federal system that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of contract awards, grants, and electronic payment processes. A SAM registration is required for an entity to be able to apply for federal grants, to request modifications to existing grants, and to enable them to closeout expiring grants. See Training and Employment Notice (TEGL) 18-17 for additional guidance.

Unless the grant award recipient is exempt from this requirement under 2 CFR 25.110, the grant recipient must maintain current its information in the SAM. This includes information on the recipient's immediate and highest level owner and subsidiaries, as well as on all of the recipient's predecessors that have been awarded a Federal contract or Federal financial assistance within the last three years, if applicable, until the grant recipient submits the final financial report required under this Federal award or receive the final payment, whichever is later. This requires that the grant recipient review and update the information at least annually after the initial registration, and more frequently if required by changes in its information or another Federal award term.

1. Unique Entity Identifier Requirements

If the grant award recipient is authorized to make subawards under this award, then the grant recipient:

i. Must notify potential subrecipients that no entity (see definitions below) may receive a subaward from the grant award recipient until the entity has provided its unique entity identifier to the grant recipient.

ii. May not make a subaward to an entity unless the entity has provided its Unique Entity Identifier to the grant recipient. Subrecipients are not required to obtain an active SAM registration, but must obtain a Unique Entity Identifier.

NOTE: At some point, the DUNS Number will be replaced by a new, non-proprietary identifier requested in and assigned by SAM.gov. This new identifier is being called the Unique Entity Identifier (UEI), or the Entity ID. Users should continue using the DUNS Number in UEI fields until further notice. To learn more about SAM's rollout of the UEI, please visit gsa.gov/entityid.

2. Definitions

For purposes of this term:

i. SAM is the Federal repository where the grant award recipients must provide information required for the conduct of business as recipients. Additional information about registration procedures may be found at the SAM website (http://www.sam.gov).

ii. *Unique entity identifier* means the identifier assigned by SAM to uniquely identify business entities.

iii. *Entity,* as it is used in this grant award term, includes all of the following, as defined at 2 CFR Part 25, Appendix A:

a. A non-Federal entity as defined at 2 CFR 200.1 (A State, local government, Indian Tribe, Institute of Higher Education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient);

b. A foreign organization;

c. A foreign public entity;

d. A domestic for-profit organization; and

e. A Federal agency.

iv. *Subaward* means*:*

An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to

an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

v. *Subrecipient* means:

An entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

3. Existing SAM Registrants

ETA advises grant recipients registered in SAM to review their registration information, particularly their financial information and points of contact. Assistance is available by contacting the Federal Service Desk at www.fsd.gov. Grant recipients should contact ETA at ETAAccountingGrants@dol.gov if they find that payments have been paid to a bank account other than their registered bank account.

ETA further encourages grant recipients to review the expiration date of their SAM registration and begin the renewal process well in advance, to ensure that their registration remains valid. If the grant recipient has not logged in and updated its entity registration record within at least the past 365 days, its record will expire and go into inactive status. Timely renewal will ensure that the grant recipient can continue to request and receive modifications to their existing grants, as well as apply for new funding opportunities. Further, the DUNS and EIN numbers must remain active until the grant award closeout process is fully completed.

4. Validation

ETA routinely checks the validity of a grant recipient's SAM registration and verifies that the recipient isn't included on the excluded parties list before making a grant award, or approving a modification to an existing award. Failure to have an active SAM registration can delay grant recipients from receiving their initial award or requested modifications to their existing awards.

s. Vendor/Contractor

The term "contractor," sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required to implement a Federal program (see 2 CFR 200.1). These goods or services may be for an organization's own use or for the use of the beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.331. When procuring contractors for goods and services, DOL/ETA recipients and subrecipients, must follow the procurement requirements found at 2 CFR 200.319, except states, pursuant to 2 CFR 200.317,which calls for free and open competition.

t. Whistleblower Protection

This grant award and employees working on this grant award are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712. The grant award

recipient shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation (48 CFR 3.908; note that for the purpose of this term and condition, use of the term "contract," "contractor," "subcontract," or "subcontractor" in section 3.908 should be read as "grant," "grantee," "subgrant," or "subgrantee"). The recipient shall insert the substance of this clause in all subgrants and contracts over the Simplified Acquisition Threshold.

u. Telecommunications

Grant recipients must adhere to 2 CFR 200.216 - Prohibition on certain telecommunications and video surveillance services or equipment. (Effective August 13, 2020)

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to: (1) Procure or obtain; (2) Extend or renew a contract to procure or obtain; or (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). (ii) Telecommunications or video surveillance services provided by such entities or using such equipment. (iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country. (b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained. (c) See Public Law 115-232, section 889 for additional information. (d) See also §200.471.

v. Intellectual Property Rights

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grant award recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise.

Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the DOL/ETA has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping.

If revenues are generated by selling products developed with grant funds, including intellectual property, these revenues are considered as program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

The following language must be on all workforce products developed in whole or in part with grant funds:

> "*This workforce product was funded by a grant awarded by the U.S. Department of Labor (DOL)'s Employment and Training Administration (ETA). The product was created by the recipient and does not necessarily reflect the official position of DOL/ETA. DOL/ETA makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.*"

w. Domestic Preferences for Procurements

As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of 2 CFR Part 200.322 must be included in all subawards including all contracts and purchase orders for work or products under this award.

11. Program Requirements

Unemployment Insurance Program Letter (UIPL) No. 2-22 contains the program requirements for this award.

12. FY 2022 Federal Appropriations Requirements

a. Requirement to Provide Certain Information in Public Communications

Pursuant to P.L. 116-260, Division H, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state:

1. The percentage of the total costs of the program or project which will be financed with Federal money;
2. The dollar amount of Federal funds for the project or program; and
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this term are separate from those in 2 CFR Part 200 and, when applicable, both must be complied with.

b. Fair Labor Standards Act Amendment for Major Disasters

Pursuant to P.L. 116-260, Division H, Title I, Section 108, the Fair Labor Standards Act of 1938 (FLSA) will apply as if the following language was added to Section 7 (the Maximum Hours Worked Section). This language specifically relates to occurrences of a major disaster (as declared or designated by the state or federal government) and are applied for a period of two years afterwards. The language is as follows:

> "(s)(1) The provisions of this section [maximum hours worked] shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—
> (A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;
> (B) who receives from such employer on average weekly compensation of not less than $591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and (C) whose duties include any of the following:
> (i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;
> (ii) inspecting property damage or reviewing factual information to prepare damage estimates;
> (iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;
> (iv) negotiating settlements; or
> (v) making recommendations regarding litigation.
> (2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1) [of the FLSA].
> (3) For purposes of this subsection—
> (A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and (C) the term 'affiliate' means a company that, by reason of ownership or control of 25% or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company."

c. Health Benefits Coverage for Contraceptives

Federal funds may not be used to enter into or renew a contract which includes a provision for prescription drug coverage unless the contract also includes a provision for contraceptive coverage. This requirement does not apply to contracts with 1) the religious plans Personal Care's HMO and OSF HealthPlans, Inc. and 2) any existing or future plan if the carrier for the plan objects to such coverage on the basis of religious beliefs.

In implementing this section, any plan that enters into or renews a contract may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individuals' religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion related services.

d. Privacy Act

No funds can be used in contravention of 5 U.S.C. 552a (the Privacy Act) or regulations implementing the Privacy Act.

e. Prohibition on Contracting with Corporations with Felony Criminal Convictions

The recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

f. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

The grant award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

g. Prohibition on Procuring Goods Obtained Through Child Labor

Pursuant to P.L. 116-260, Division H, Title I, Section 103, no funds may be obligated or expended 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 identified by the DOL prior to December 20, 2019. DOL has identified these goods and services here: https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-products.

h. Prohibition on Providing Federal Funds to Association of Community Organizations for Reform Now (ACORN)

Pursuant to P.L. 116-260, Division H, Title V, Section 521, these funds may not be provided to the ACORN, or any of its affiliates, subsidiaries, allied organizations or successors.

i. Reporting of Waste, Fraud and Abuse

No entity receiving federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

j. Requirement for Blocking Pornography

Pursuant to P.L. 116-260, Division H, Title V, Section 520, no Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

k. Restriction on Health Benefits Coverage for Abortions

Pursuant to P.L. 116-260, Division H, Title V, Section 506 and 507, Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the pregnancy is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself that would, as certified by a physician, place the women in danger of death unless an abortion is performed. This restriction does not prohibit any non-Federal entity from providing health benefits coverage for abortions when all funds for that specific benefit do not come from a Federal source. Additionally, no funds made available through this grant award may be provided to a State or local government if such government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

l. Restriction on Lobbying/Advocacy

Pursuant to P.L. 116-260, Division H, Title V, Section 503, no federal funds may be used to pay the salary or expenses of any grant recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations,

regulation, administrative action, or executive order proposed or pending before the Congress or any state government, state legislature or local legislature or legislative body, other than for normal and recognized executive–legislative relationships or participation by an agency or officer of a state, local or tribal government in policymaking and administrative processes within the executive branch of that government.

m. Publicity

Pursuant to P.L. 116-260, Division H, Title V, Section 503, the grant award recipient is not authorized to use any funds provided under this grant award—other than for normal and recognized executive–legislative relationships—for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation, designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government, except in presentation to the executive branch of any state or local government itself.

n. Restriction on the Promotion of Drug Legalization

Pursuant to P.L. 116-260, Division H, Title V, Section 509, no Federal funds shall be used for any activity that promotes the legalization of any drug or other substance included in Schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications or where there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

o. Restriction on Purchase of Sterile Needles or Syringes

Pursuant to P.L. 116-260, Division H, Title V, Section 527, no Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug.

p. Salary and Bonus Limitations

Pursuant to P.L. 116-260, Division H, Title I, Section 105, recipients and subrecipients shall not use funds to pay the salary and bonuses of an individual, either as direct costs or as indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/). The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.331. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients, taking into account factors 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 5-06 for further clarification, available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.

13. Public Policy

a. Architectural Barriers

The Architectural Barriers Act of 1968, 42 U.S.C. 4151 et seq., as amended, the Federal Property Management Regulations (see 41 CFR 102-76), and the Uniform Federal Accessibility Standards issued by the U.S. General Services Administration (GSA) (see 36 CFR 1191, Appendixes C and D) set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.

b. Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR 182 require that all award recipients receiving grants from any Federal agency maintain a drug-free workplace. The award recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment.

c. Executive Orders

12928: Pursuant to Executive Order (EO) 12928, the grant award recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals.

13043: Pursuant to EO 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the grant award recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

13166: As clarified by EO 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency [05/29/2003] Volume 68, Number 103, pages 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grant award recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and

activities. For assistance and information regarding your LEP obligations, go to http://www.lep.gov.

13513: Pursuant to EO 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, the grant award recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or government-owned vehicles (GOV), or while driving privately-owned vehicles (POV) when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

14005: Pursuant to EO 14005, Ensuring the Future Is Made in All of America by All of America's Workers, the grant award recipient agrees to comply with all applicable Made in America Laws (as defined in the EO), including the Buy American Act at 41 USC sections 8301-8305. For the purposes of this award, the grant recipient is required to maximize the use of goods, products, and materials produced in, and services offered in, the United States, in accordance with the Made in America Laws. No funds may be made available to any person or entity (including as a contractor or subrecipient of the grant recipient) that has been found to be in violation of any Made in America Laws.

"Made in America Laws" means all statutes, regulations, rules, and Executive Orders relating to Federal financial assistance awards or Federal procurement, including those that refer to "Buy America" or "Buy American," that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States, including iron, steel, and manufactured goods offered in the United States. Made in America Laws include laws requiring domestic preference for maritime transport, including the Merchant Marine Act of 1920 (Public Law 66-261), also known as the Jones Act.

d. Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et seq*., provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in communities in the United States identified as flood-prone, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for the DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

e. Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences, and, conventions or training seminars funded in whole or in part with federal funds

complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel-Motel National Master List at https://apps.usfa.fema.gov/hotel/ to see if a property is in compliance, or to find other information about the Act.

f. Prohibition on Trafficking in Persons

1. Trafficking in persons.

a. *Provisions applicable to a recipient that is a private entity.*

I. The grant recipient as the recipient, the grantee's employees, subrecipients under this award, and subrecipients' employees may not—

(A). Engage in severe forms of trafficking in persons during the period of time that the grant award is in effect;

(B). Procure a commercial sex act during the period of time that the award is in effect; or

(C). Use forced labor in the performance of the award or subawards under the award.

II. DOL/ETA as the Federal awarding agency may unilaterally terminate this grant award, without penalty, if the grant recipient or a subrecipient that is a private entity —

(A). Is determined to have violated a prohibition in paragraph a.1 of this award term; or

(B). Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

i. Associated with performance under this award; or

ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR Part 2998.

b. *Provision applicable to a recipient other than a private entity.* DOL/ETA as the Federal awarding agency may unilaterally terminate this grant award, without penalty, if a subrecipient that is a private entity—

I. Is determined to have violated an applicable prohibition in paragraph a.1 of this grant award term; or

II. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this grant award term through conduct that is either—

(A). Associated with performance under this award; or

(B). Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 29 CFR Part 98.

c. *Provisions applicable to any recipient.*

I. The grant award recipient must inform DOL/ETA immediately of any information the grant recipient receive from any source alleging a violation

of a prohibition in paragraph a.1 of this grant award term.

II. DOL/ETA right to terminate unilaterally that is described in paragraph a.2 or b of this section:

(A). Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

(B). Is in addition to all other remedies for noncompliance that are available to DOL/ETA under this grant award.

III. The grant award recipient must include the requirements of paragraph a.1 of this grant award term in any subaward the grant recipient make to a private entity.

d. *Definitions*. For purposes of this award term:

I. "Employee" means either:

(A). An individual employed by the grant award recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

(B). Another person engaged in the performance of the project or program under this grant award and not compensated by the grant recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

II. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

III. "Private entity":

(A). Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

(B). Includes:

i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

ii. A for-profit organization.

IV. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

g. Veterans' Priority Provisions

The Jobs for Veterans Act (Public Law 107-288) requires grant award recipients to provide priority service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the DOL. The regulations implementing this priority of service can be found at 20 CFR Part 1010. In circumstances where a grant award recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant

award recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Recipients must comply with the DOL guidance on veterans' priority. ETA's TEGL No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

h. Promoting Equitable Delivery of Government Benefits and Equal Opportunity

The Department of Labor (Labor) seeks to affirmatively advance equity, civil rights and equal opportunity in the policies, programs and services it provides. Therefore, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, grant recipients must execute the terms and conditions of their grant in a manner that advances equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. This extends to all grant activities including, but not limited to, service delivery, selection of subrecipients and contractors, and procurement of goods and services. Government programs are designed to serve all eligible individuals, and Labor's grantees should make services the goods and services they provide pursuant to their grants widely available with the goals of effectively serving a diverse population of eligible individuals; fairly, justly, and impartially administering the grant evaluation and award processes. Grantees are encouraged to engage in contracting and subcontracting for goods and services related to performing the terms and conditions of their grants in such a way to achieve equity.

The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

The term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of "equity."

i. Harassment Prohibited

The grant recipient and any subrecipients are prohibited from engaging in harassment of an individual based on race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in any WIOA Title I-financially assisted program or

activity. Harassing conduct of this type is a violation of the nondiscrimination provisions of WIOA and of 29 CFR Part 38.

a) Unwelcome sexual advances, requests for sexual favors, or offensive remarks about a person's race, color, religion, sex, national origin, age, disability, political affiliation or belief, or citizenship or participation, and other unwelcome verbal or physical conduct based on one or more of these protected categories constitutes unlawful harassment on that basi(e)s when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of accessing the aid, benefit, service, or training of, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity;

(2) Submission to, or rejection of, such conduct by an individual is used as the basis for limiting that individual's access to any aid, benefit, service, training, or employment from, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's participation in a WIOA Title I-financially assisted program or activity creating an intimidating, hostile or offensive program environment.

b) Harassment because of sex includes harassment based on gender identity or sexual orientation; harassment based on failure to comport with sex stereotypes; and harassment based on pregnancy, childbirth, and related medical conditions. Sex-based harassment may include harassment that is not sexual in nature but that is because of sex or where one sex is targeted for the harassment.

14. Technical Assistance, Resources, and Information

Additional resources, training, and information to assist the grant award recipient are located on the ETA website at https://www.dol.gov/agencies/eta/grants/resources and on the Grants Application and Management collection page on WorkforceGPS.org at https://grantsapplicationandmanagement.workforcegps.org/. **SMART** training is a technical assistance initiative sponsored by DOL-ETA to assist its grant recipients and subrecipients in improving its program/project operations through effective grants management. Please take some time to review the training modules which are focused on:

Strategies for sound grant management that include:
Monitoring,
Accountability,
Risk mitigation and
Transparency.

These four themes are woven throughout the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, also known as the Uniform Guidance (2

CFR Part 200 and 2 CFR Part 2900). The 508-compliant PowerPoints of the modules may be found on WorkforceGPS.org at the Resource page.

15. Attachments

Attachment A: SF-424
Attachment B: UI Project Synopsis

Attachment A: SF-424

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☒ New	
☒ Application	☐ Continuation	* Other (Specify):
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received:	4. Applicant Identifier:
11/02/2021	

5a. Federal Entity Identifier:	5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:	Workforce Development, Wisconsin Department of

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. Organizational DUNS:
396006449	8094480120000

d. Address:

* Street1:	201 E. Washington Avenue
Street2:	
* City:	Madison
County/Parish:	Dane
* State:	WI: Wisconsin
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	53703-2866

e. Organizational Unit:

Department Name:	Division Name:
Workforce Development	Unemployment Insurance

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	Mr.	* First Name:	Jim
Middle Name:			
* Last Name:	Clemson		
Suffix:			

Title:	UI Budget Director - State Programs

Organizational Affiliation:
Wisconsin Department of Workforce Development

* Telephone Number:	608-707-6609	Fax Number:	

* Email:	jim.clemson@dwd.wisconsin.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Employment and Training Administration

11. Catalog of Federal Domestic Assistance Number:

17.225

CFDA Title:

Unemployment Insurance

*** 12. Funding Opportunity Number:**

UIPL No. 02-22

* Title:

UI Tiger Team Grant 2021

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

14. Areas Affected by Project: Wisconsin - WI

UI Tiger Team Grant 2021

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: 2nd
* b. Program/Project: WI-All

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2021
* b. End Date: 09/30/2023

18. Estimated Funding ($):

* a. Federal	2,384,239.06
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	2,384,239.06

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Ms. * First Name: Pamela

Middle Name:

* Last Name: McGillivray

Suffix:

* Title: Deputy Secretary, Wisconsin DWD

* Telephone Number: 608-267-3200 Fax Number: 608-266-1784

* Email: Pamelar.mcgillivray@dwd.wisconsin.gov

* Signature of Authorized Representative: DocuSigned by: Pamela McGillivray 29827B37EEB548... * Date Signed: 3/29/2022

Attachment B: Project Synopsis

DocuSign Envelope ID: 0B950712-43DF-4F75-98F3-1AA2CA183445

UI Tiger Team Project Synopsis

State: Wisconsin

Title: Expand Access to Claims

Statement of Need: The importance of internet access is increasing as the State of Wisconsin continues to modernize its Unemployment Insurance (UI) Benefit Systems. Currently, 95% of unemployment insurance claims in Wisconsin are submitted online. However, an estimated 370,000 Wisconsinites, or 6.6% of the state's population[1], does not have home internet access or a smartphone needed to file their UI claims. This represents a significant barrier to access for claimants who lack reliable home internet or reliable devices. Additionally, an individual with a disability can face barriers to filing online due to the accessibility limitations of the existing system.

In the interest of equity, Wisconsin can ensure that claimants are not limited by either accessibility requirements or internet access. This can be achieved through developing stronger community ties, encouraging utilization of community resources such as libraries, local government offices, job centers and additional department resources. DWD can leverage community resources to provide claimants with access to information that would otherwise be found online or that claimants with disabilities would find inaccessible. Additional staff are needed to review and report on ways to improve offline access for claimants.

An offline option for claimants to access their claim information helps to mitigate a lack of access to technology. For those who can access their claim through the internet, online resources serve as the main entrance for seeking information on Unemployment Insurance (UI). DWD should improve its current online environment that is equitable and accessible to all UI applicants by conducting a web accessibility audit to pinpoint existing issues and prevent future ones.

Negotiated Recommendation Summary:

Pathway #1: A team will engage a third-party accessibility engineering firm to conduct a full, comprehensive audit of the online environment and provide an action and correction guide to bring the claimant portal into compliance with Web Content Accessibility Guidelines (WCAG). Once the claimant portal meets accessibility standards, DWD will integrate web accessibility monitoring technology into the public-facing online environment as a way to provide an ongoing accessibility score through daily or weekly monitoring of new and existing content.

Pathway #2: The second pathway is to create a “Formalized and Accessible Approach to Access UI Claims Offline.” The processes that will be identified by this project will provide claimants with additional ways to file by phone or in-person. By formalizing and reporting on alternative options (including offline access) while also successfully marketing those alternatives through use of community partners, DWD can ensure information access to segments of the population that are experiencing technological barriers (computer, internet, and smartphone).

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[1] Wisconsin Policy Forum. (2020, May). *Wisconsin's digital divide and its impacts on learning*. Wisconsin’s Digital Divide and its Impacts on Learning. Retrieved February 19, 2022, from https://wispolicyforum.org/research/wisconsins-digital-divide-and-its-impacts-on-learning/

Projected Funding Commitment: Total cost for the whole recommendation, including funding state FTEs, a vendor, and equipment is $300,493.26.

Project Implementation Order: #1

ARPA Pillar(s) Addressed: Primary Equity, Secondary Timeliness

Estimated Duration:

Pathway #1: 4 months

Pathway #2: 4 months

Outcome Metrics: Increased Recipiency Rate for Individuals with Barriers to Access. Pathway 1. Tracking accessibility score. Tracking individuals with barriers to access using the call center for assistance to apply prior to Pathway 1 completion vs after Pathway 1 completion. Pathway 2. Number of applications taken by phone and in-person. Number of community resources, by county, available for claimants to access UI information – tracking on-line, phone, and in-person capabilities at each resource.

UI Tiger Team Project Synopsis

State: Wisconsin

Title: Adjudicator Case Management Automation and Enhanced Appeals Scheduling.

Statement of Need:

A. Adjudication Case Management Automation – Currently, DWD assigns adjudication and fact-finding cases to staff manually. This process requires significant staff resources. Additionally, DWD's manual process of assigning cases to adjudicators does not account for adjudicators that have unscheduled leave or called out sick. Time spent tracking and monitoring these case assignments manually further increases the amount of staff time spent on a task which could be automated.

To increase timeliness, DWD needs a Case Management System (CMS) that automatically assigns claims for adjudication and fact-finding based on employee workload and expertise. The exact business rules associated with the auto-assignment of cases will need to be developed by DWD as part of this effort.

B. Enhanced Appeals Scheduling - Since 2015, DWD has made several enhancements to its appeals process. Specifically, we implemented a central benefits appeals scheduler, with additional enhancements in 2017 and 2018. Unfortunately, the system lacks the ability to automatically assign cases based on issue type (i.e. misconduct, work search, pandemic programs) which means that cases may not be assigned to staff with the right combination of experience. Additionally, during periods of high-volume cases must be manually assigned to Administrative Law Judges (ALJs) based on their experience.

The manual assignment of cases to ALJs represents a significant workload on supervisory staff. Upgrading the system to automatically assign appeals to the appropriate ALJ will allow DWD to more efficiently utilize our administrative support staff as well as assist in meeting DOL timeliness standards.

Negotiated Recommendation Summary:

A. Adjudication Case Management Automation - DWD will procure an automated solution for the case management of their Unemployment Insurance (UI) Benefits claims. This will require mapping of the current process to determine how to design the automated system and development of business rules to adjust for things such as employee availability (due to planned or unplanned absenteeism) and variances in an employee's overall knowledge and specific areas of expertise.

B. Enhanced Appeals Scheduling – DWD will develop an improvement to the central benefits appeals scheduler which will have the capability to assign attributes to appeals cases as well as proficiencies to individual ALJs. The system will also be able to automatically assign ALJs to appeals cases by matching their proficiencies with the specific attributes of each case.

Projected Funding Commitment:

A.	Adjudication Case Management Automation	$1,164,307.80
B.	Expedited Appeals	$251,310.00
	Project Total	$1,415,617.80

Project Implementation Order: #2

ARPA Pillar(s) Addressed: Ensuring the timely payment of benefits as well as activities to reduce workload backlogs, for all UC programs.

Estimated Duration: 6-9 months (includes procurement)

Outcome Metrics: Nonmonetary Determination Timeliness – Separations; Nonmonetary Determination Timeliness – Non-Separations; First Payment Promptness; Average Age of Pending Lower Authority Appeals; Appeals Time-lapse

UI Tiger Team Project Synopsis

State: Wisconsin

Title: ID proofing Solution/ID Authentication Solution

Statement of Need: During the height of the pandemic, DWD implemented a National Institute of Standards and Technology (NIST) compliant identity proofing solution for all claimants as an initial fraud prevention measure. This implementation was followed by incorporating an artificial intelligence solution to flag potentially compromised identities (e.g., suspicious email addresses, and foreign IP addresses). Though the identity proofing solution was suspended, and the AI solution is set to expire, these prevention and detection tools streamlined Wisconsin's Unemployment Insurance program fraud detection processes and assisted with better management of existing workload. Identity proofing as a standalone solution to prevent potential identity theft is valuable, but this tool is more effective when used in conjunction with additional fraud prevention measures throughout the identity verification process, such as identity authentication.

Identity authentication focuses on establishing a combination of inputs to assist in the authentication of a user's identity during ongoing transactions. These inputs may include, but not limited to: device identity, behavioral identity, digital identity, real world identity and phone number / audio identity.

DWD can increase trust and build confidence in the effectiveness of its identity proofing solution by implementing additional fraud prevention measures such as identity authentication to supplement its existing measures.

Negotiated Recommendation Summary: As discussed in UIPL 22-21, addressing both eligibility fraud and identity fraud remain a top priority for the Department of Labor and the entire Unemployment Compensation (UC) system. As such, Training and Employment Notice (TEN) 06-21 indicated that the American Rescue Plan Act (ARPA) set objectives for the use of the $2.0 billion appropriated to the Secretary of Labor by the Act. These objectives are to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits regarding the UC programs. In support of these objectives, the Department competitively awarded multiple Blanket Purchase Agreements (BPAs) to vendors capable of providing NIST-compliant, IAL2 and AAL2 UI applicant/claimant identity proofing services.

DWD will implement additional identity proofing measures at the start of a claim. Depending on technical feasibility, this may include an IAL2 identity proofing solution on all new claims at the initial application claimant transactions, though AAL2 at a minimum as it is less costly. Any technological option for verification must also have an accessible in-person and/or phone verification option.

A. Identity Assurance Level (IAL) indicates how robust the ID proofing process is and how the ID in question is bound between an authenticator and specific person. Level 2 or "IAL2" requires evidence that supports the real-world existence of the claimed identity and verifies that the applicant is appropriately associated with this real-world identity. IAL2 requires either remote or physically present ID proofing and includes filling out personal information (e.g., name, address, date of birth) and submitting photos of approved government-issued ID or supporting documents for remote ID proofing.

B. Authenticator Assurance Level (AAL) refers to the authentication process and indicates the confidence that the person trying to log in is the same person as the person attached to the account. An example of this is multifactor authentication (MFA). Level 2 or “AAL2” indicates the level of security behind the point of access, which requires the proof of possession and control of two distinct authentication methods. Depending on technical feasibility, AAL2 may be implemented for claims weekly certifications, reentry into the claimant portal and any changes to the claimant data elements (e.g., banking information, address, etc.) when there is other evidence of possible identity theft activity.

In further pursuit of this project's security goals, DWD will procure and utilize an identity proofing and authentication solution, commonly referred to as a device fingerprinting/reputation management solution, to assist in the virtual identity verification process for all initial and continued claims.

Identity proofing and authentication solution vendors may often provide an integrated combination of the digital fingerprinting/reputation management inputs within their solutions. The exact combination of identification attributes will vary depending on which device fingerprinting solution is used. Still, most device fingerprinting solutions use a combination of software and hardware configuration components to create one unique device identifier that allows the solution to identify each device as a unique point of origination regardless of the UI user (claimant or employer) account being accessed by the device.

DWD may need to evaluate and procure a different solution for device fingerprinting/reputation management depending on the availability of integrated solutions in the marketplace that offer functionalities covering identity proofing and authentication and device fingerprinting/reputation management. DWD will also analyze and evaluate whether the capabilities offered by NASWA Integrated Data Hub (IDH) and identity verification (IDV) can meet the requirements for verification of device fingerprinting/reputation management.
.

Projected Funding Commitment: The approx. total cost for enhancements and training is $309,260.80.

Project Implementation Order: #3

ARPA Pillar(s) Addressed: Fraud Prevention and Detection

Estimated Duration: 12 weeks

Outcome Metrics: Number of claims prevented that were identified as fraudulent versus the number of claims held that were later identified as legitimate claims. For claims identified as fraudulent the number of weeks paid erroneously compared to the number of weeks that payment was prevented.

UI Tiger Team Project Synopsis

State: Wisconsin

Title: Integrity Data Hub

Statement of Need: The Department of Labor (Department) issued guidance in Unemployment Insurance Program Letter (UIPL) No. 28-20, Change 1, indicating that the Department "strongly encourages states to utilize the tools, resources, and services of the UI Integrity Center." The UI Integrity Center has developed the Integrity Data Hub (IDH) which is a secure, robust, centralized, multi-state data system that allows participating state UI agencies to submit UI benefit claims for cross-matching, provides a national fraud alert system to states, and supports data analytics on multi-state claims. The Wisconsin Department of Workforce (DWD) has been working with National Association of State Workforce Agencies (NASWA) to integrate IDH and transition it to a web service.

The IDH web service would enable the DWD to automatically obtain suspicious activity indicators and identity verification (IDV) scores in real time on the front end of a claim. This automation would allow the agency to identify and investigate suspicious claims, prioritize staff workload and re-allocate staff as needed to combat fraud.

Currently, Wisconsin's IDH is set up as a "test environment" and not for web services, which means that the system is partially connected to DWD's existing systems. This hinders DWD from fully using many of the capabilities of the IDH system because the system has not been migrated to full use by staff.

Negotiated Recommendation Summary: As discussed in UIPL No. 22-21, addressing both eligibility fraud and identity fraud remain a top priority for the Department and the entire Unemployment Compensation (UC) system.

DWD will integrate the NASWA-developed and maintained IDH in the form of web service into the current system to assist with preventing and detecting suspicious activity in real time. Additionally, DWD will integrate IDH's web service including identity verification (IDV) scores directly into DWD's existing fraud detection/ case management solution, which can ingest IDH data into existing platforms. This type of integration will promote a centralized repository of fraud prevention and detection information for investigators and will strengthen the methodology used to assign a fraud score and prioritize claims for review.

DWD has existing relationships with IT vendors and may need to make a change request to build, maintain, and integrate a web service interface into its benefits system and IDH. DWD will need IT staff and business analysts to work with NASWA to establish and integrate IDH into DWD's IT infrastructure and operations.

DWD will also evaluate if the vendor(s) providing identity proofing, verification and authentication solution, device fingerprinting/reputation management solution can provide capabilities that are similar to IDH or IDV. DWD will decide to use the most effective combination of solution(s) to address both eligibility and identity fraud in the UC system.

Projected Funding Commitment: $358,867.20

Project Implementation Order: #4

ARPA Pillar(s) Addressed: Fraud Prevention and Detection

Estimated Duration: 12 weeks

Outcome Metrics: Number of claims prevented that were identified as fraudulent versus the number of claims held that were later identified as legitimate claims. For claims identified as fraudulent the number of weeks paid erroneously compared to the number of weeks that payment was prevented.

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Project Budgets

Priority	Project	Labor Cost
1	Expand Access to Claims	300,493.26
2	Adjudication Case Management Automation	1,415,617.80
3	ID Proofing	309,260.80
4	Identity Data Hub	358,867.20
	Project Total	**2,384,239.06**

Project Budgets

Priority	Sub-Priority	Project	FTE	Duration (Weeks)	Hours	Rate	Labor Cost
1	1	Expand Access to Claims	7.61	24	4,214.00	658.75	295,493.26
2	2A	Adjudication Case Management Automation	6.61	36	7,240.00	839.55	1,107,132.80
2	2B	Enhanced Appeals Scheduling	3.50	16	2,000.00	522.00	222,560.00
3	3	ID Proofing	3.00	12	1,440.00	768.84	239,260.80
4	4	Identity Data Hub	6.00	12	2,880.00	486.64	358,867.20
		PSPB Total					**2,223,314.06**

Priority	Sub-Priority	Project					Cost
1	1	Expand Access to Claims					5,000.00
2	2A	Adjudication Case Management Automation					57,175.00
2	2B	Expedited Appeals					28,750.00
3	3	ID Proofing					70,000.00
		NPS Total					**160,925.00**
		Project Total					**2,384,239.06**

Project Budgets - Personnel Costs

Priority	Sub-Priority	Project	Category	Affiliation	Staff Description	Resource	FTE	Duration (W	Hours	Rate	Labor Cost
1	1	Expand Access to Claims	PSPB	State	Stakeholder Group	· Stakeholder Group (Overall)	0.24	24	234	68.84	16,108.56
1	1	Expand Access to Claims	PSPB	State	3rd Party Auditor	· Perform Course Correction (Pathway #1)	0.05	24	50	175.00	8,750.00
1	1	Expand Access to Claims	PSPB	State	IT/Developers	· Integrate WCAG Monitoring Platform (Pathway #1)	0.31	4	50	70.71	3,535.50
1	1	Expand Access to Claims	PSPB	State	Inventory Group	· Resource and Organization Inventory (Pathway #2)	0.13	8	40	68.84	2,753.60
1	1	Expand Access to Claims	PSPB	State	Process Team	· Module and Process Development (Pathway #2)	0.38	8	120	68.84	8,260.80
1	1	Expand Access to Claims	PSPB	State	DWD Communications Staff	· Marketing/Communications Campaign (Pathway #2)	0.25	12	120	68.84	8,260.80
1	1	Expand Access to Claims	PSPB	State	Program Analyst	· Offline Reporting Team: (Pathway #2)	1.25	24	1200	68.84	82,608.00
1	1	Expand Access to Claims	PSPB	State	Program Analyst	· Additional staff for Offline Filing (Pathway #2)	5.00	12	2400	68.84	165,216.00
2	2A	Adjudication Case Management Aut	PSPB	Contractor	Process Improvement Specialist	· Document as-is · Document to-be · Gap analysis · Develop requirements	2.00	20	1600	$175	$280,000
2	2A	Adjudication Case Management Aut	PSPB	Contractor	IT Specialist (2 for 5 months, 1 for 9 months)	· Identify/select vendor · Convert business requirements to functionality · Test · Implement · Customer reminders/follow up phone/SMS · Generate Notices	2.11	36	3040	$175	$532,000
2	2A	Adjudication Case Management Aut	PSPB	Contractor	Project Manager	· Project plan · Status updates · Manage resource	0.25	36	360	$175	$63,000
2	2A	Adjudication Case Management Aut	PSPB	State	IT Technician	· Support Vendor selection · Support business requirements to functionality · Support setup, environment establishment · Attend Vendor Training · Change Control and state standards	1.00	20	800	$70.71	$56,568
2	2A	Adjudication Case Management Aut	PSPB	State	SME	· Process expertise · Project guidance · Approval · Assignment rules/behavior · Claimant and Employer Reminders · Testing · Training	0.50	36	720	$68.84	$49,565
2	2A	Adjudication Case Management Aut	PSPB	Contractor	Documentation Specialist	· Develop training guide · Develop DWD application documentation	0.75	24	720	$175	$126,000
2	2B	Enhanced Appeals Scheduling	PSPB	State	Project Manager	· Analyze requirements of project · Draft and confirm timeline · Coordinate with all parties involved · Ensure stakeholder satisfaction · Evaluate project performance	0.50	16	320	$175	$56,000

Project Budgets - Personnel Costs

Priority	Sub-Priority	Project	Category	Affiliation	Staff Description	Resource	FTE	Duration (W	Hours	Rate	Labor Cost
2	2B	Enhanced Appeals Scheduling	PSPB	State	Appeals Staff	· Work with IT staff to determine best approach for CRM tool: Use current software vs. sourcing new software · Create SOP, process map, and training material · Work with IT staff and contractor to develop and test software · Develop the means to launch test pilot program · Develop communication for announcement of program	1.00	16	640	$86.00	55,040.00
2	2B	Enhanced Appeals Scheduling	PSPB	State	IT Staff	· Provide consulting regarding CRM tool and how it will interface with other systems · Work with all parties during design, implementation, and testing phase	0.50	16	320	$86.00	27,520.00
2	2B	Enhanced Appeals Scheduling	PSPB	State	IT Program Specialist	· Provide guidance on desired functionality of CRM tool · Program CRM tool to function with current DWD systems · Provide troubleshooting services during implementation and testing phase	1.50	12	720	$175	$84,000
3	3	ID Proofing	PSPB	Contractor	Project Manager	· Project plan · Milestones and deliverables · Status updates	0.50	12	240	175.00	42,000.00
3	3	ID Proofing	PSPB	Contractor	Business Analyst	· Research & document current processes · Develop new process · Monitor implementation	1.00	12	480	175.00	84,000.00
3	3	ID Proofing	PSPB	Contractor	Fraud Specialist	· Optimize fraud scoring · Develop business rules · Test accuracy	0.25	12	120	175.00	21,000.00
3	3	ID Proofing	PSPB	Contractor	IT Staff	· Implement coding · Establish connection and integration · Address and correct errors	1.00	12	480	175.00	84,000.00
3	3	ID Proofing	PSPB	State	Equity & Access SME		0.25	12	120	68.84	8,260.80
4	4	Identity Data Hub	PSPB	Contractor	Business Analyst	· Conduct research and required gatherings and document current business rules. · Develop a plan for the full integration of the IDH web services with DWD system and partnering with current fraud preventative tools/vendors on leveraging the system. · Test, evaluate and adjust business rules that include low, medium, and high indicators of fraud by manually reviewing sample cases and data analysis.	1.00	12	480	175.00	84,000.00

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Project Budgets - Personnel Costs

Priority	Sub-Priority	Project	Category	Affiliation	Staff Description	Resource	FTE	Duration (W	Hours	Rate	Labor Cost
4	4	Identity Data Hub	PSPB	Contractor	IT Staff	· Understanding DWD requirements in the implementation of the IDH web service and what is needed to connect the systems along with fraud detection/case management systems. · Work with DWD current fraud preventative vendors to establish connectivity and integrations. · Test and troubleshoot any connectivity issues between DWD systems and IDH web service API.	2.00	12	960	175.00	168,000.00
4	4	Identity Data Hub	PSPB	State	Fraud Investigator	· Collaborating with the IDH representative to understand and use the fraud scoring system and how to apply it to case management. · Building out a standard operating process to incorporate IDH & prioritization and fraud detection/case management scoring. · Train, test and evaluate scoring model and the IDH stand-alone capabilities and integrating with the prioritization tool.	2.00	12	960	$86.00	82,560.00
4	4	Identity Data Hub	PSPB	State	Equity & Access SME	· Collaborate with representative from the IDH team along with vendor to understand how best to use the fraud scoring report and the impact to equity and access to mitigate risk of higher fraud scores for marginalize ethnic groups. · Assist in review and testing for accuracy of the fraud scoring model · Train fraud investigators on the IDH & vendor score card solution and its capabilities	1.00	12	480	50.64	24,307.20

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Project Budgets - Non-Personnel Costs

Priority	Project	Category	Equipment	Description	Quantity	Cost/Unit	Estimated Total
1	Expand Access to Claims	NPS	Software	Monitoring Software	1	5,000	$5,000
2A	Adjudication Case Management Aut	NPS	Software	Adjudication Case Management System Licenses	429	75	$32,175
2A	Adjudication Case Management Aut	NPS	Software	Adjudication Case Management System Software	1	25,000	$25,000
2B	Enhanced Appeals Scheduling	NPS	Software	Appeals Case Management System Licenses	50	75	$3,750
2B	Enhanced Appeals Scheduling	NPS	Software	Appeals Case Management System Software	1	25,000	$25,000
3	ID Proofing	NPS	Software	Annual cost	1	60,000	$60,000
3	ID Proofing	NPS	Software	Implementation Cost	1	10,000	$10,000

Department of Labor

Notice of Award

Award# 23A60UB000097-01-00
FAIN# 23A60UB000097
Federal Award Date: 09/15/2023

Recipient Information

1. Recipient Name
Workforce Development, Wisconsin Department Of
201 E Washington Ave
Madison, WI 53703-2866
608-267-3200

2. Congressional District of Recipient
02

3. Payment System Identifier (ID)
1396006449A6

4. Employer Identification Number (EIN)
396006449

5. Data Universal Numbering System (DUNS)
809448012

6. Recipient's Unique Entity Identifier (UEI)
DCPVMWRT3DR4

7. Project Director or Principal Investigator
MR. JIM CLEMSON
JIM.CLEMSON@DWD.WISCONSIN.GOV
(608) 707-6609

8. Authorized Official
MS. Pamela McGillivray
Pamelar.McGillivray@dwd.wisconsin.gov
608-267-7277

Federal Agency Information
ETA Office of Grants Management

9. Awarding Agency Contact Information
Mrs. Joyce Addy
Grants Management Specialist
Addy.Joyce.M@dol.gov
202-693-3337

10.Program Official Contact Information
Jean M Grochowski
UI Program Specialist
grochowski.jean@dol.gov
(312) 596-5521

Federal Award Information

11. Award Number
23A60UB000097-01-00

12. Unique Federal Award Identification Number (FAIN)
23A60UB000097

13. Statutory Authority
American Rescue Plan Act (ARPA), P.L. 117-2

14. Federal Award Project Title
FY 2023 ARPA-UI Tiger Team Grant

15. Assistance Listing Number
17.225

16. Assistance Listing Program Title
Unemployment Insurance

17. Award Action Type
New

18. Is the Award R&D?
No

Summary Federal Award Financial Information

19.	**Budget Period Start Date** 04/01/2023 **- End Date** 12/31/2025	
20.	**Total Amount of Federal Funds Obligated by this Action**	$263,413.00
	20a. Direct Cost Amount	$263,413.00
	20b. Indirect Cost Amount	$0.00
21.	Authorized Carryover	$0.00
22.	Offset	$0.00
23.	Total Amount of Federal Funds Obligated this budget period	$0.00
24.	**Total Approved Cost Sharing or Matching, where applicable**	$0.00
25.	**Total Federal and Non-Federal Approved this Budget Period**	$263,413.00
26.	**Period of Perfomance Start Date** 04/01/2023 **- End Date** 12/31/2025	
27.	Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance	$263,413.00

28. Authorized Treatment of Program Income
ADDITIONAL COSTS

29. Grants Management Officer – Signature
Ms. Janice Sheelor
Grants Management Officer

30. Remarks

In accordance with Unemployment Insurance Program Letter (UIPL) No. 11-23, this Notice of Award (NOA) provides funding for the ARPA Tiger Team grant.

See Attachment I - Special Conditions of Award

Department of Labor

Notice of Award

Award# 23A60UB000097-01-00
FAIN# 23A60UB000097
Federal Award Date: 09/15/2023

Recipient Information

Recipient Name
Workforce Development, Wisconsin Department Of
201 E Washington Ave
Madison, WI 53703-2866
608-267-3200

Congressional District of Recipient
02

Payment Account Number and Type
1396006449A6

Employer Identification Number (EIN) Data
396006449

Universal Numbering System (DUNS)
809448012

Recipient's Unique Entity Identifier (UEI)
DCPVMWRT3DR4

31. Assistance Type
Discretionary Grant

32. Type of Award
Other

33. Approved Budget
(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only
II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	$0.00
b. Fringe Benefits	$0.00
c. Total Personnel Costs	$0.00
d. Equipment	$0.00
e. Supplies	$0.00
f. Travel	$0.00
g. Construction	$0.00
h. Other	$263,413.00
i. Contractual	$0.00
j. TOTAL DIRECT COSTS	$263,413.00
k. INDIRECT COSTS	$0.00
l. TOTAL APPROVED BUDGET	$263,413.00
m. Federal Share	$263,413.00
n. Non-Federal Share	$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
050179830X1D20230179001623ARP002A0000AOWS00AOWS00	UB000097SB0	ETA	410010	17.225	$263,413.00	0179830X1D

AWARD ATTACHMENTS

Workforce Development, Wisconsin Department Of 23A60UB000097-01-00

1. Attachment I - Special Conditions of Award
2. Terms and Conditions

American Rescue Plan Act (ARPA) Tiger Teams

Special Conditions of Award

Grant Number: 23A60UB000097-01-00

Recipient: **Wisconsin Department of Workforce Development**

The application requesting FY 2023 ARPA Tiger Teams funding, received on **August 16, 2023** is conditionally approved for **$263,413**, with access to funding restricted until a Full Project Plan is submitted and approved. As a condition of this grant award, the recipient must submit an amendment to the appropriate ETA Regional Office, and the assigned Federal Project Officer (FPO), consisting of the Full Project Plan, within ***60 calendar days*** upon receipt of this Notice of Award (NOA). The amendment must incorporate all information requested below. Questions pertaining to the submission of the Full Project Plan responding to these Conditions of Award must be directed to the FPO as soon as possible.

Please review the attached Federal Award Terms, including the Program Requirements for the ARPA Tiger Teams funding.

The submission of the required documents does not constitute approval by the Department. Upon receipt of the Full Project Plan, the Department will review and work with the state to approve the proposal. Once approved by the Grant Officer, the Full Project Plan will be an official amendment to the initial NOA, and the conditions of the award that previously restricted funding access will be resolved.

Conditions of Award

States that have completed the Tiger Team consultative assessment and not yet received all funding (defined as Group 1 as stated in UIPL No. 11-23, p. 23) must submit this Full Project Amendment within 60 calendar days of receiving the NOA. States that began the Tiger Team consultative assessment by June 30, 2023, but have not yet received their negotiated recommendations (defined as Group 3 as stated in UIPL No. 11-23, p. 23), must submit within 60 calendar days of the state receiving their negotiated recommendations.

The Full Project Plan package must include:

- A copy of the completed SF-424 from the Initial Application;
- A completed SF-424A;
- A completed Budget Narrative (***as described in Attachment XII to UIPL No. 11-23***)
- If indirect cost is indicated on the SF-424A, then a Negotiated Indirect Cost Rate Agreement (NICRA) or Cost Allocation Plan (CAP);
- A completed Project Synopsis (***as described in Attachment III to UIPL No. 2-22***).

NOTICE REGARDING INDIRECT COSTS INCLUDED IN THE SUBMISSION OF THE FULL PROJECT PLAN:

Indirect Costs charged to the grant must be supported by a Negotiated Indirect Cost Rate Agreement (NICRA) or Cost Allocation Plan (CAP) approved by your Federal Cognizant Agency. It is important that grantees have documentation to justify the utilization of indirect costs for the whole period of performance upon completion of the grant. The failure to have this documentation will cause the closeout of the grant to be delayed and potentially have indirect costs disallowed. Please submit all NICRAs and CAPs to the FPO as they are approved by your Federal Cognizant Agency.

FY 2023 American Rescue Plan Act (ARPA) Unemployment Insurance (UI) Tiger Teams Grant Agreement

TERMS AND CONDITIONS

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Part A: General Award, System for Award Management and Uniform Guidance

A(1.) Compliance and the Order of Precedence

The recipient of this Federal award must assure to fully comply with the rules and requirements specified in the award document. Program requirements may be located in the Funding Opportunity Announcement (FOA), statutes, Executive Orders, government-wide regulations, agency regulations, agency policy guidance such as Unemployment Insurance Program Letter (UIPL), and the terms outlined in the award document. The list below identifies the hierarchy of authority.

The following order of precedence applies to your activities under this Federal award. In the event of any inconsistency between the terms and conditions of this Notice of Award (NOA) and other requirements, consult the below order:

1. Coronavirus Aid, Relief, and Economic Security (CARES) Act, Section 2118(a).
2. American Rescue Plan Act (ARPA), 2021 (Public Law 117-2), Section 9032.
3. Fiscal Responsibility Act (FRA), 2023 (Public Law 118-5).
4. Other applicable Federal statutes.
5. Consolidated Appropriations Act, 2023 (Public Law 117-328) dated December 29, 2022.
6. Implementing Regulations.
7. Executive Orders and Presidential Memoranda.
8. The Office of Management and Budget (OMB) Guidance, including the Uniform Guidance at 2 CFR (Code of Federal Regulations) parts 200 and 2900.
9. The U.S. Department of Labor (DOL) or Employment and Training Administration (ETA) directives.
10. Terms and conditions of this award.

By drawing down funds, your organization as the award recipient agrees to the provisions of 2 CFR 200.521, 2 CFR 2900.20, and 2 CFR 2900.21 and is subject to having its award removed as a result of an ALJ decision. As part of this process, the Grant Officer will provide instructions on transition and closeout to both the newly selected grant recipient and to the grant recipient whose positions is affected, or which is being removed.

A(2.) Unemployment Insurance Program Letter (UIPL)

The Unemployment Insurance Program Letter (UIPL) No. 11-23 and any amendments found at https://www.dol.gov/agencies/eta/advisories/uipl-11-23, are hereby incorporated into this NOA. Award recipients are bound by the authorizations, restrictions, and requirements contained in the FOA. Therefore, the expenditure of funds by the award recipient certifies that your organization has read and will comply with all the parts that are contained in the NOA.

Notice of Award The funds provided under this Notice of Award (NOA) must be expended according to all applicable Federal statutes, regulations and policies, and the applicable provisions in the appropriations act(s). The funds shall be obligated and expended via a NOA. These obligations and expenditures may not exceed the amount awarded by the NOA unless otherwise amended by the ETA.

A(3.) SF-424, Application for Federal Assistance, and SF-424B, Assurances and Certifications

The signed SF-424, Application for Federal Assistance, has been included as an attachment to this award. The individual that signed the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the award recipient is in compliance with the Assurances and Certifications form SF-424B available at Grants.gov. *The award recipient does not need to submit the SF-424B form separately.*

A(4.) Federal Project Officer

The DOL/ETA Federal Project Officer (FPO) for this award is identified on the Notice of Award (NOA), Federal Agency Information, 10. Program Official Contact Information.

The FPO named on the NOA is not authorized to change any of the terms or conditions of the award or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award amendment process.

A(5.) System for Award Management

System for Award Management (SAM) is the official Federal system that collects, validates, stores, and disseminates business information about the Federal government's trading partners in support of contract awards, grants, and electronic payment processes.

A SAM registration is required for an entity to be able to apply for Federal awards, to request amendments to existing awards, and to enable them to closeout expiring awards. See Training and Employment Notice (TEN) 18-17 for additional guidance.

Unless the award recipient is exempt from this requirement under 2 CFR 25.110, the grant award or cooperative agreement recipient must maintain current information in the SAM. This includes information on the recipient's immediate and highest-level owner and subsidiaries, as well as on all of the recipient's predecessors that have been awarded a Federal contract or Federal financial assistance within the last three years, if applicable, until the award recipient submits the final financial report required under this Federal award or receive the final payment, whichever is later.

DOL advises award recipients and other awardees of Federal awards such as cooperative agreements registered in SAM to review their registration information, particularly their financial information and points of contact. Assistance is available by contacting the

Federal Service Desk at FSD.gov. Grant award or cooperative agreement recipients should contact ETA at ETAAccountingGrants@dol.gov if they find that payments have been paid to a bank account other than their registered bank account.

DOL routinely checks the validity of a grant award or cooperative agreement recipient's SAM registration and verifies that the recipient is not included on the excluded parties list before making an award or approving a modification to an existing award. Failure to have an active SAM registration can delay award recipients from receiving their initial award or requested modifications to their existing awards.

DOL further encourages award recipients to review the expiration date of their SAM registration and begin the renewal process well in advance, to ensure that their registration remains valid. If the award recipient has not logged in and updated its entity registration record within at least the past 365 days, its record will expire and go into inactive status. Timely renewal will ensure that the award recipient can continue to request and receive modifications to their existing grants, as well as apply for new funding opportunities. Further, the EIN number must remain active until the award closeout process is fully completed.

A(6.) Unique Entity Identifier Requirements

Effective on April 4, 2022, the DUNS Number was replaced by a new, non-proprietary identifier requested in and assigned by SAM.gov. This new identifier is called the Unique Entity Identifier (UEI), or the Entity ID. To learn more about how to access your UEI, please visit the U.S. General Service Administration (GSA), Unique Entity Identifier Update webpage.

If the grant award or cooperative agreement recipient is authorized to make subawards (see definition below in Section A (10.)) under this award, then the recipient:

1. Must notify potential subrecipients that no entity may receive a subaward from the award recipient until the entity has provided its UEI to the recipient.
2. May not make a subaward to an entity unless the entity has provided its UEI to the grant award or cooperative agreement recipient. Subrecipients are not required to obtain an active SAM registration but must obtain a UEI.

A(7.) Uniform Guidance Revisions

The Office of Management and Budget issued revisions to 2 CFR parts 25, 170, 183, and 200 (the Uniform Guidance) on August 13, 2020, and February 22, 2021 (technical correction). These revisions became effective November 12, 2020, except for the amendments to 2 CFR 200.216 and 200.340, which were immediately effective on August 13, 2020. The award recipient must operate in compliance with these revised regulations. Please note that the section numbering in the Uniform Guidance has changed in some instances, and this terms and conditions document has been updated accordingly.

A(8.) Subawards

A *subaward* means an award provided by a *Pass-Through Entity* (PTE) to a subrecipient for the subrecipient to carry out part of a Federal award received by the PTE. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the PTE considers a contract.

The provisions of the Terms and Conditions of this award will be applied to any subrecipient under this award. The recipient is responsible for monitoring the subrecipient, ensuring that the Terms and Conditions are in all subaward packages and that the subrecipient complies with all applicable regulations and the Terms and Conditions of this award (2 CFR 200.101(b)).

A(9.) Vendor/Contractor Defined

The term "contractor," sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required to implement a Federal program (see 2 CFR 200.1). These goods or services may be for an organization's own use or for the use of the beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.331. When procuring contractors for goods and services, DOL/ETA recipients and subrecipients must follow the procurement requirements found at 2 CFR 200.320 (except states, pursuant to 2 CFR 200.317), which calls for free and open competition.

A(10.) Technical Assistance, Resources, and Information

Additional resources, training, and information to assist the award recipient are located on the ETA website, Resources webpage and on the Grants Application and Management collection page on WorkforceGPS.org. SMART training is a technical assistance initiative sponsored by DOL/ETA to assist its award recipients and subrecipients in improving its program/project operations through effective grants management. Please take some time to review the training modules which are focused on:

Strategies for sound grant management that include:
Monitoring,
Accountability,
Risk mitigation and
Transparency.

These four themes are woven throughout the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, also known as the Uniform Guidance (2 CFR Part 200 and 2 CFR Part 2900). The 508-compliant PowerPoints of the modules may be found on WorkforceGPS.org at the Resource page.

A(11.) Monitoring, Technical Assistance, and Additional Specific Conditions of Award

All award recipients, including states and territories managing the Unemployment Insurance programs, are subject to 2 CFR 200.208, *Specific conditions*, which indicates that the Federal awarding agency may adjust specific award conditions as needed. A specific condition is based on an analysis of the following factors:

1. Based on the criteria in §200.206, *Federal awarding agency review of risk posed by applicants*;
2. The applicant or recipient's history of compliance with the general or specific terms and conditions of a Federal award;
3. The applicant or recipient's ability to meet expected performance goals as described in 2 CFR 200.211; or
4. A responsibility determination of an applicant or recipient.

Additional Federal award conditions may include items such as the following:

1. Requiring payments as reimbursements rather than advance payments;
2. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given performance period;
3. Requiring additional, more detailed financial reports;
4. Requiring additional project monitoring;
5. Requiring the non-Federal entity to obtain technical or management assistance; or
6. Establishing additional prior approvals.

Award recipients may be required to obtain technical or management assistance through an established provider/contractor that has been selected or hired by DOL/ETA that may include in-person or remote assistance.

A(12.) Evaluation, Data, and Implementation

Award recipients must cooperate during the implementation of a third-party evaluation. This means providing DOL/ETA or its authorized contractor with the appropriate data and access to program operating personnel and participants in a timely manner.

A(13.) Program Requirements

UIPL No. 11-23 contains the program requirements for this award.

Part B: Indirect Costs, Budget, and Cost Share (Match)

B(1.) Indirect Cost Rate – Financial Reporting for NICRA and De Minimis

All award recipients with an approved NICRA or de minimis rate must report indirect costs on their **FINAL** ETA-9130 Financial Report. If an award recipient has a NICRA and a CAP, only the indirect costs tied to the NICRA are reported on the FINAL ETA-9130 Financial Report. The grant recipient may refer to the ETA-9130 Report for additional guidance.

B(2.) Budget - Approved

The award recipient's budget documents are attached in this NOA. The documents are: 1) the SF-424, included as Attachment A. The award recipient must confirm that all costs are allowable, reasonable, necessary, and allocable before charging any expense. Pursuant to 2 CFR 2900.1, the approval of the budget as awarded does not constitute prior approval of those items specified in 2 CFR part 200 and 2 CFR part 2900 or as a part of the grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

Any changes to the budget that impact the Statement of Work (SOW) and agreed upon outcomes or deliverables will require a request for modification and prior approval from the Grant Officer.

If the period of performance will include multiple budget periods, subsequent budget periods are subject to the availability of funds, program authority, satisfactory performance, and compliance terms and conditions of the Federal award.

Unless otherwise authorized in a grant award or cooperative agreement or subsequent modification, recipients must expend funds with the shortest period of availability first (20 CFR 683.110).

B(3.) Budget Flexibility

Award recipients are not permitted to make transfers that would cause any funds to be used for purposes other than those consistent with this Federal program. Any budget changes that impact the SOW and agreed upon outcomes or deliverables require a request for modification and approval from the Grant Officer.

Any request for a budget modification or non-competing extension of the final budget should be submitted to the Grant Officer, in writing, at least 30 days before the Period of Performance is scheduled to expire. Such requests usually are for a period of up to 12 months.

As directed in 2 CFR 200.308(f), for programs where the Federal share is over the Simplified Acquisition Threshold (SAT) (currently $250,000), the transfer of funds among direct cost categories or programs, functions, and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10% of the total budget as last approved by the Federal awarding agency, the award recipient must receive prior approval from the Grant Officer. Any changes within a specific cost category on the SF-424A do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of total budget. It is recommended that the assigned Federal Project Officer or point of contact review any within-line changes to the award recipient's budget prior to implementation to ensure they do not require a modification.

For programs where the Federal share of the project is below the SAT of $250,000, recipients are not required to obtain the Grant Officer's approval when transferring funds among direct cost categories.

B(4.) Non-Federal Cost Sharing or Matching)

This award does not include a cost sharing or matching requirement.

Part C: Funds Management

C(1.) Funds – Payment Management System (PMS)

Upon receipt of a NOA, in order to draw funds from the U.S. Department of Health and Human Services (HHS) Payment Management System (PMS), an active account must be established. To establish an account, award recipients must complete an SF-1199A and PMS Access form (shown as the PMS New User Access Request on the PMS website) (User Access). DOL is responsible for completing portions of the SF-1199A and submitting the completed SF-1199A to the Division of Payment Management, which operates PMS. Federal award recipients do not need to complete these forms if they already have an account with PMS.

C(2.) Funds - Return & Refunds

DOL does not accept paper checks for any type of returned funds. For active grants, all return of funds are to be submitted electronically through the PMS operated by the HHS via the same method as a drawdown. For grants that have been cancelled or are expired (typically older than five years), incoming payments, including returns and recoveries to DOL, must be made via the Pay.gov website.

If there are questions regarding the return of funds, or your organization no longer has access to PMS, contact the DOL/ETA, Office of Financial Administration via email at: ETA-ARteam@dol.gov for further assistance.

Part D: Costs - Limitations, Items, and Restrictions

D(1.) Consultants

For the purposes of this grant award, the Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to $815.00 a day (representing an eight-hour workday). Such costs must be reasonable, allocable, and allowable to the program. Any fees paid in excess of this amount cannot be paid without prior approval from the Grant Officer.

D(2.) Equipment

The award recipient(s) must submit a request to purchase equipment and receive **prior approval** from the Grant Officer as defined in the Uniform Guidance at 2 CFR 200.1. A request to purchase equipment will be reviewed and approved in a modification to the award. Prior approval is required only when the per unit's acquisition cost is $5,000 or more regardless of the non-Federal entity's capitalization threshold. Equipment purchases must be made in accordance with 2 CFR 200.313 or 2 CFR 200.439.

Being awarded this grant ***does not*** automatically mean that the equipment specified in the approved budget or SOW is approved by the Grant Officer. The recipient must submit a detailed list describing the planned purchases to the FPO for review within 90 days of the NOA date. Recipients are strongly encouraged to submit requests to purchase equipment as early as possible in the grant's period of performance with as many planned pieces of equipment as possible.

Recipients may not purchase equipment during the last year of the period of performance or the last year of full program service delivery (not follow-up activities), whichever comes first. If any approved acquisition has not occurred prior to the last funded year of performance, approval for that item will be rescinded.

D(3.) Pre-Award Costs

All costs incurred by the award recipient prior to the start date specified in the grant award issued by the Department are ***incurred at the recipient's own expense.***

D(4.) Program Income

The "Addition" method as described in 2 CFR 200.307 must be used in allocating any program income generated for this awards award. The award recipient must expend all program income prior to drawing down any additional funds as required at 2 CFR 200.305(b)(5) and 2 CFR 200.307(e). The DOL will require any program income remaining at the end of period of performance to be returned to DOL. In addition, award recipient(s) must report program income on the quarterly financial report using the applicable ETA-9130 or SF-425 reports.

D(5.) Supportive Services & Participant Support Costs

When supportive services are expressly authorized by a program statute, regulation, or FOA, this award waives the prior approval requirement for participant support costs as described in 2 CFR 200.456. Costs must still meet the basic considerations at 2 CFR 200.402 – 200.411. Questions regarding supportive services and participant support costs should be directed to the FPO who is assigned to the award.

D(6.) Travel

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.475. For domestic travel to be an allowable cost, it must be necessary, allowable, reasonable, allocable and conform to the non-Federal entity's written policies and procedures. All travel must also comply with Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

D(7.) Travel – Foreign

Foreign travel is not allowable except with prior written approval from the Grant Officer through the process described in 2 CFR 200.407 and 2 CFR 2900.16. All travel, both domestic and Grant Officer approved foreign travel, must comply with the Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

Travel – Mileage Reimbursement Rates
Pursuant to 2 CFR 200.475(a), all award recipients must have policies and procedures in place related to travel costs; however, for reimbursement on a mileage basis, this Federal grant award cannot be charged more than the maximum allowable mileage reimbursement rates for Federal employees. Mileage rates must be checked annually at GSA's Privately Owned Vehicle (POV) Mileage Reimbursement Rates webpage to ensure compliance.

D(8.) Conferences and Conference Space

Conferences sponsored in whole or in part by the award recipient are allowable if the conference is necessary and reasonable for the successful performance of the Federal award. Award recipients are urged to use discretion and good judgment to ensure that all conference costs charged to the grant are appropriate and allowable. For more information on the requirements and the allowability of costs associated with conferences, refer to 2 CFR 200.432. Recipients will be held accountable to the requirements in 2 CFR 200.432. Therefore, costs that do not comply with 2 CFR 200.432 will be questioned and may be disallowed.

D(9.) Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences and conventions or training seminars funded in whole or in part with Federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel-Motel National Master List to see if a property is in compliance, or to find other information about the Act.

Part E: Reporting, Audit, and Closeout

E(1.) Reports – Financial Reports

All ETA award recipients are required to submit quarterly financial and narrative progress reports for each award.

1) **Financial Reports.** All ETA award recipients are required to report financial data on the ETA-9130 Financial Report. ETA-9130 reports are due no later than 45 calendar days after the end of each specified reporting quarter. Reporting quarter end dates are March 31, June 30, September 30, and December 31. A final financial report must be submitted no later than 120 calendar days after the quarter encompassing the award end date ends, or 120 calendar days after the completion of the quarter in which all funds have been expended, whichever comes first. For additional guidance on ETA's financial reporting, reference ETA-9130 Financial Reporting Resources.

E(2.) Reports – Quarterly Narrative Progress Reports

1) **Narrative Progress Reports**. All ETA award recipients are required to submit a quarterly narrative progress report containing updates on the implementation and progress of each grant project/activity on the ETA-9178-ARPA form. The form ETA 9178-ARPA is provided as Attachment XIII to UIPL No. 11-23.

E(3.) Federal Funding Accountability and Transparency Act (FFATA or Transparency Act)

Applicable to grants and cooperative agreements:

1) Reporting of first-tier subawards.
   a) *Applicability*. Unless the award recipient is exempt as provided in paragraph [4.] of this award term, the award recipient must report each action that equals or exceeds $30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph [5.] of this award term).
   b) *Where and when to report.*
      I. The Federal entity or Federal agency must report each obligating action described in paragraph [1.a.] of this award term to FSRS.gov.

II. For subaward information, the recipient must report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

c) *What to report.* The award recipient must report the information about each obligating action that the submission instructions posted at FSRS.gov specify.

2) Exemptions.

If, in the previous tax year, the award recipient had gross income, from all sources, under $300,000, the recipient is exempt from the requirements to report:

a) Subawards; and

b) The total compensation of the five most highly compensated executives of any subrecipient.

3) Definitions.

For purposes of this award term:

a) *Federal Agency* means a Federal agency as defined in 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).

b) *Non-Federal Entity* means all of the following, as defined in 2 CFR part 25:

I. A Governmental organization, which is a State, local government, or Indian tribe;

II. A foreign public entity;

III. A domestic or foreign nonprofit organization; and

IV. A domestic or foreign for-profit organization.

c) *Executive* means officers, managing partners, or any other employees in management positions.

d) *Subaward*:

I. This term is used as a legal instrument to provide support for the performance of any portion of the substantive project or program for which the grant recipient received this award and that the grant recipient as the recipient award to an eligible subrecipient.

II. The term does not include the award recipient's payment to a contractor, as defined in 2 CFR 200.331, for property and services needed to carry out the project or program.

III. A subaward may be provided through any legal agreement, including an agreement that the grant recipient or a subrecipient considers a contract.

e) *Subrecipient* means a non-Federal entity or Federal agency that:

I. Receives a subaward from the award recipient under this award; and

II. Is accountable to the grant recipient for the use of the Federal funds provided by the subaward.

f) *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

I. *Salary and bonus*.

II. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

III. *Earnings for services under non-equity incentive plans*. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.

IV. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

V. *Above-market earnings on deferred compensation which is not tax-qualified.*

VI. Other compensation, if the aggregate value of all such other compensation (e.g., severance, termination payments, value of life insurance paid on behalf of the employee, perquisites, or property) for the executive exceeds $10,000.

E(4.) Integrity and Performance Matters – FAPIIS

1) If the total value of the currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the award recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in Paragraph 2 of this award term and condition. This is a statutory requirement under Section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by Section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2) Proceedings about which the award recipient must report. Submit the information required about each proceeding that:
   a) Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
   b) Reached its final disposition during the most recent 5-year period; and
   c) Is one of the following:
      I. A criminal proceeding that resulted in a conviction, as defined in Paragraph 5. of this award term;
      II. A civil proceeding that resulted in a finding of fault and liability and paying a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;

III. An administrative proceeding, as defined in Paragraph 5. of this award term, that resulted in a finding of fault and liability and grant recipient payment of either monetary fine or penalty of $5,000 or more or a reimbursement, restitution, or damages in excess of $100,000; or

IV. Any other criminal, civil, or administrative proceeding if:
   a. It could have led to an outcome described in Paragraph 2.c.I, II, or III of this award term;
   b. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the grant recipient's part; and
   c. The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.

3) Reporting procedures. Enter in SAM, Entity Management area (formerly CCR), or any successor system, the FAPIIS information that SAM requires about each proceeding described in Paragraph 2 of this award term. The award recipient does not need to submit the information a second time under assistance awards that were received if the recipient already provided the information through SAM (formerly CCR) because the recipient was required to do so under Federal procurement contracts that the recipient was awarded.

4) Reporting frequency. During any period of time when the award recipient is subject to the requirement in Paragraph 1 of this award term, the award recipient must report FAPIIS information through SAM no less frequently than semiannually following the initial report of any proceedings for the most recent 5-year period, either to report new information about any proceeding(s) that the award recipient has not reported previously or to affirm that there is no new information to report.

5) Definitions. For purposes of this award term:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., SEC Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level. It does not include audits, site visits, corrective plans, or inspection of deliverables.
b. Conviction, for purposes of this award term, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
c. Total value of currently active grants, cooperative agreements, and procurement contracts includes —

I. Only the Federal share of the funding under any award with a recipient cost share or match; and
II. The value of all options, even if not yet exercised.

E(5.) Audits

Organization-wide or program-specific audits must be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance. DOL award recipients that expend $750,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501. OMB's approved DOL exception at 2 CFR 2900.2 expands the definition of 'non-Federal entity' to include for-profit entities and foreign entities. As such, for-profit and foreign entities that are recipients/subrecipients of a DOL award must adhere to the Uniform Guidance at 2 CFR 200, including Subpart F. Audits of direct award recipients that are for-profit and foreign entities must be submitted directly to: USDOL ETA-OGM, Attn: Audit Resolution, 200 Constitution Ave NW, Room N-4716, Washington, DC 20210. All other audit reports are submitted through the Federal Audit Clearinghouse.

The Federal Audit Clearinghouse (FAC) will transition from the U.S. Census Bureau (Census) to the U.S. General Services Administration (GSA) on October 1, 2023. At that time, all submissions will need to be made through the new FAC hosted by GSA. Any draft not fully submitted to the Census FAC by October 1, 2023, may need to be completely re-started at the new GSA FAC.

E(6.) Audit Submission Deadline Extension Related to Major Disaster Areas

OMB announced on the FAC website that a six-month single audit submission extension is available to non-federal entity recipients in Puerto Rico, Alaska, Florida, South Carolina, and North Carolina that have due dates between September 18, 2022, and December 31, 2022. Although the extension is due to complications created by various weather-related events, the extension is available to all recipients in each of the states and not just those located in certain areas of the states most significantly impacted. OMB encourages recipients in less affected areas to submit their reports as soon as possible.

E(7.) Closeout/Final Year Requirements

At the end of the grant period, the award recipient will be required to close the grant with the DOL. The grant award and cooperative agreement recipient will be notified approximately 15 days prior to the end of the period of performance that the closeout process will begin when the period of performance ends. See ETA's Grant Closeout webpage for further information on the closeout process. The recipient's responsibilities at closeout may be found at 2 CFR 200.344. During the closeout process, the award recipient must be able to provide documentation for all direct and indirect costs that are incurred. For instance, if an organization is claiming indirect costs, the required documentation is a NICRA or CAP issued by the award recipient's FCA. For those approved to utilize a de minimis rate for indirect costs, the grant agreement or

cooperative agreement is sufficient documentation. Not having documentation for direct or indirect costs will result in costs being disallowed and subject to debt collection.

The only liquidation that can occur during closeout is the liquidation of accrued expenditures (NOT obligations) for goods and/or services received during the period of performance specified in this award (see 2 CFR 2900.15).

Part F: National Policy and Restrictions

F(1.) Architectural Barriers

The Architectural Barriers Act of 1968, 42 U.S.C. 4151 et seq., as amended, the Federal Property Management Regulations (see 41 CFR 102-76), and the Uniform Federal Accessibility Standards issued by the U.S. General Services Administration (GSA) (see 36 CFR 1191, Appendixes C and D) set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.

F(2.) Domestic Preferences for Procurements

As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of 2 CFR 200.322 must be included in all subawards including all contracts and purchase orders for work or products under this award.

F(3.) Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR 182 require that all award recipients receiving awards from any Federal agency maintain a drug-free workplace. The award recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment.

F(4.) Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et seq*., provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in communities in the United States identified as flood-prone, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for the DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by Federal Emergency Management Agency (FEMA).

F(5.) Intellectual Property Rights

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for Federal purposes: the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and any rights of copyright to which the award recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise.

Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the DOL has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping.

If revenues are generated by selling products developed with grant funds, including intellectual property, these revenues are considered as program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

The following language must be on all workforce products developed in whole or in part with grant funds:

> **"***This workforce product was funded by a grant awarded by the U.S. Department of Labor (DOL)'s Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of DOL. DOL makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it."*

F(6.) Promoting Equitable Delivery of Government Benefits and Equal Opportunity

The Department of Labor (Labor) seeks to affirmatively advance equity, civil rights and equal opportunity in the policies, programs, and services it provides. Therefore, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,* grant award and cooperative agreement recipients must execute the terms and conditions of their award in a manner that advances equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. This extends to all award activities including, but not limited to, service delivery, selection of subrecipients and contractors, and procurement of goods and services. Government programs are designed to serve all eligible individuals. As an expectation, Labor's award recipients should make the goods and services they provide widely available with the goal of effectively serving a diverse population of eligible

individuals; fairly, justly, and impartially in administering the grant award. Award recipients are encouraged to engage in contracting and subcontracting for goods and services related to performing the terms and conditions of their grants in such a way to achieve equity.

The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

The term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of "equity."

F(7.) Personally Identifiable Information

The award recipient(s) must recognize and safeguard Personally Identifiable Information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Award recipients must meet the requirements in TEGL No. 39-11, Guidance on the Handling and Protection of PII.

F(8.) Publicity and Lobbying/Advocacy

Publicity - Pursuant to P.L. 117-328, Division H, Title V, Section 503, the award recipient is not authorized to use any funds provided under this award—other than for normal and recognized executive–legislative relationships—for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation, designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government, except in presentation to the executive branch of any state or local government itself.

Lobbying/Advocacy - Pursuant to P.L. 117-328, Division H, Title V, Section 503, no federal funds may be used to pay the salary or expenses of any grant recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or executive order proposed or pending before the Congress or any state government, state legislature or local legislature or legislative body, other than for normal and recognized executive–legislative relationships or participation by an agency or officer of a state, local or tribal government

in policymaking and administrative processes within the executive branch of that government.

F(9.) Telecommunications Prohibition

Award recipients must adhere to 2 CFR 200.216 - Prohibition on certain telecommunications and video surveillance services or equipment (effective August 13, 2020).
Grant award and cooperative agreement recipients, and subrecipients are prohibited from obligating or expending loan or grant funds to:
Procure or obtain;
Extend or renew a contract to procure or obtain; or
Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). Including telecommunications or video surveillance services provided by such entities or using such equipment and telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained. See Public Law 115-232 (section 889) and 2 CFR 200.471 for additional information.

F(10.) Veterans' Priority Provisions

The Jobs for Veterans Act (Public Law 107-288) requires award recipients to provide priority service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the DOL. The regulations implementing this priority of service can be found at 20 CFR Part 1010. In circumstances where an award recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the

veterans' priority of service provisions require that the award recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Award recipients must comply with the DOL guidance on veterans' priority. ETA's TEGL No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL.

F(11.) Waste, Fraud and Abuse

No entity receiving Federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

F(12.) Whistleblower Protection

All employees working for contractors, grantees/ grant recipients, subcontractors, subgrantees/ subrecipients, and recipients of cooperative agreements working on this Federal award are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712. The award recipient shall inform its employees and applicable contractors and subrecipients, in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation. The award recipient shall insert the substance of this clause in all subawards and contracts over the Simplified Acquisition Threshold.

F(13.) Executive Order 12928 – Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities

Pursuant to Executive Order (EO) 12928, the award recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals.

F(14.) Executive Order 13043 - Increasing Seat Belt Use

Pursuant to EO 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the award recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

F(15.) Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency

As clarified by EO 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, award recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency, 68 FR 32289 (May 29, 2003). Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Award recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding your LEP obligations, go to LEP.gov.

F(16.) Executive Order 13513 - Federal Leadership On Reducing Text Messaging While Driving

Pursuant to EO 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, award recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or government-owned vehicles (GOV), or while driving privately-owned vehicles (POV) when on official Government business or when performing any work for or on behalf of the Government. Award recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

F(17.) Public Law: The Build American, Buy America Act (BABAA)

The Build America, Buy America Act ("BABAA") was enacted on November 12, 2021, as part of the Infrastructure Investment and Jobs Act (IIJA), Public Law 117-58. With the passage of the IIJA, federal financial assistance projects for infrastructure must comply with domestic content procurement preference requirements established in BABAA Section 70914. These requirements went into effect May 14, 2022. The Buy America preference requires all iron, steel, manufactured products, and construction materials used for infrastructure projects in the United States under an award to be domestically manufactured. Covered activities include the construction, alteration, maintenance, or repair of public infrastructure, including buildings and real property (See OMB Memorandum M-22-11).

F(18.) Salary and Bonus Limitations

Pursuant to P.L. 117-328, Division H, Title I, Section 105, award recipients and subrecipients shall not use funds to pay the salary and bonuses of an individual, either as direct costs or as indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website. The salary

and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.331. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients, taking into account factors 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 DOL programs. See TEGL 5-06 for further clarification.

Part G: National Prohibitions and Other Restrictions

G(1.) Contracting with Corporations with Felony Criminal Convictions Prohibited

The award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

G(2.) Contracting with Corporations with Unpaid Tax Liabilities Prohibited

The award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

G(3.) Trafficking in Persons Prohibited

1) This part establishes a government-wide award term for grants and cooperative agreements to implement the requirement in regard to Trafficking in persons.
   a) *Provisions applicable to a recipient that is a private entity.*
      I. The award recipient, the award recipient's employees, subrecipients under this award, and subrecipients' employees may not—
         (A). Engage in severe forms of trafficking in persons during the period of time that the grant award is in effect; or
         (B). Procure a commercial sex act during the period of time that the award is in effect; or
         (C). Use forced labor in the performance of the award or subawards under the award.
      II. DOL as the Federal awarding agency may unilaterally terminate this award, without penalty, if the award recipient or a subrecipient that is a private entity —
         (A). Is determined to have violated a prohibition in paragraph a) I. of this award term; or

(B). Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a) I. of this award term through conduct that is either—

i. Associated with performance under this award; or

ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR Part 2998.

b. *Provision applicable to a recipient other than a private entity.* DOL as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

I. Is determined to have violated an applicable prohibition in paragraph a(I) of this grant award term; or

II. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a(I) of this grant award term through conduct that is either—

(A). Associated with performance under this award; or

(B). Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 29 CFR Part 98.

c. *Provisions applicable to any recipient.*

I. The award recipient must inform DOL immediately of any information the award recipient receives from any source alleging a violation of a prohibition in paragraph a.1 of this grant award term.

II. DOL's right to terminate unilaterally that is described in paragraph a.II or b of this section:

(A). Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

(B). Is in addition to all other remedies for noncompliance that are available to DOL under this grant award.

III. The award recipient must include the requirements of paragraph a) I. of this award term in any subaward the award recipient make to a private entity.

d. *Definitions.* For purposes of this award term:

I. "Employee" means either:

(A). An individual employed by the grant award recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

(B). Another person engaged in the performance of the project or program under this grant award and not compensated by the grant recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

II. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

III. "Private entity":

(A). Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

(B). Includes:

i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

ii. A for-profit organization.

IV. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

G(4.) Health Benefits Coverage for Contraceptives

Federal funds may not be used to enter in to or renew a contract which includes a provision for prescription drug coverage unless the contract also includes a provision for contraceptive coverage. This requirement does not apply to contracts with 1) the religious plans Personal Care's HMO and OSF Health Plans, Inc. and 2) any existing or future plan if the carrier for the plan objects to such coverage on the basis of religious beliefs.

In implementing this section, any plan that enters into or renews a contract may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individuals' religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion related services.

G(5.) Health Benefits Coverage for Abortions Restricted

Pursuant to P.L. 117-328, Division H, Title V, Section 506 and 507, Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the pregnancy is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself that would, as certified by a physician, place the women in danger of death unless an abortion is performed. This restriction does not prohibit any non-Federal entity from providing health benefits

coverage for abortions when all funds for that specific benefit do not come from a Federal source. Additionally, no funds made available through this grant award may be provided to a State or local government if such government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

G(6.) Fair Labor Standards Act Amendment for Major Disasters

Pursuant to P.L. 117-328, Division H, Title I, Section 108, the Fair Labor Standards Act of 1938 (FLSA) will apply as if the following language was added to Section 7 (the Maximum Hours Worked Section). This language specifically relates to occurrences of a major disaster (as declared or designated by the state or federal government) and are applied for a period of two years afterwards. The language is as follows:

"(s)(1) The provisions of this section [maximum hours worked] shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—

(B) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

(C) who receives from such employer on average weekly compensation of not less than $591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and (C) whose duties include any of the following:

(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

(ii) inspecting property damage or reviewing factual information to prepare damage estimates;

(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;

(iv) negotiating settlements; or

(v) making recommendations regarding litigation.

(2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1) [of the FLSA].

(3) For purposes of this subsection—

(A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable

Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

(C) the term 'affiliate' means a company that, by reason of ownership or control of 25% or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company."

G(7.) Blocking Pornography Required

Pursuant to P.L. 117-328, Division H, Title V, Section 520, no Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

G(8.) Privacy Act

No funds can be used in contravention of 5 U.S.C. 552a (the Privacy Act) or regulations implementing the Privacy Act.

G(9.) Procuring Goods Obtained Through Child Labor Prohibited

Pursuant to P.L. 117-328, Division H, Title I, Section 103, no Federal funds may be obligated or expended 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 identified by the DOL prior to December 29, 2022. DOL has identified these goods and services at ILAB's List of Products Produced by Forced or Indentured Child Labor webpage.

G(10.) Promotion of Drug Legalization Restricted

Pursuant to P.L. 117-328, Division H, Title V, Section 509, no Federal funds shall be used for any activity that promotes the legalization of any drug or other substance included in Schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications or where there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

G(11.) Public Communications – Certain Information Requirement

Pursuant to P.L. 117-328, Division H, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state:

1) The percentage of the total costs of the program or project which will be financed with Federal money;
2) The dollar amount of Federal funds for the project or program; and
3) The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this term are separate from those in 2 CFR Part 200 and, when applicable, both must be complied with.

G(12.) Purchase of Sterile Needles or Syringes Restricted

Pursuant to P.L. 117-328, Division H, Title V, Section 526, no Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug. This limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

G(13.) Restrictions Against the Creation or Research of Embryos

Pursuant to P.L. 117-328, Division H, Title V, Section 508, no Federal funds shall be used for (1) the creation of a human embryo or embryos for research purposes; or (2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)). For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subjected under 45 CFR 46 as of December 29, 2022, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

Part H: Attachments

H(1.) Attachment A: SF-424

Attachment A: SF-424

OMB Number: 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received: 08/16/2023

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Workforce Development, Wisconsin Department of

* b. Employer/Taxpayer Identification Number (EIN/TIN): 396006449

* c. UEI: DCPVMWRT3DR4

d. Address:

* Street1: 201 E. Washington Ave
Street2:
* City: Madison
County/Parish:
* State: WI: Wisconsin
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 53703-2866

e. Organizational Unit:

Department Name: Workforce Development

Division Name: Unemployment Insurance

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:
* First Name: Jim
Middle Name:
* Last Name: Clemson
Suffix:

Title: UI Budget Director - State Programs

Organizational Affiliation: Wisconsin Department of Workforce Development

* Telephone Number: 608-707-6609
Fax Number:

* Email: jim.clemson@dwd.wisconsin.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Employment and Training Administration

11. Catalog of Federal Domestic Assistance Number:

17.225

CFDA Title:

Unemployment Insurance

*** 12. Funding Opportunity Number:**

ETA-UIPL-11-23-TIGER

* Title:

Announcement of Tiger Team Grants Funding Opportunity under the American Rescue Plan Act (ARPA)

13. Competition Identification Number:

ETA-UIPL-11-23-TIGER

Title:

Announcement of Tiger Team Grants Funding Opportunity under the American Rescue Plan Act (ARPA)

14. Areas Affected by Project (Cities, Counties, States, etc.):

1234-WI.docx | Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

UIPL No. 11-23 Tiger Team

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: 2nd
* b. Program/Project: Wi-All

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 04/01/2023
* b. End Date: 12/31/2025

18. Estimated Funding ($):

* a. Federal	263,413.48
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	263,413.48

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:
* First Name: Pamela
Middle Name:
* Last Name: McGillivray
Suffix:

* Title: Deputy Secretary, Wisconsin DWD

* Telephone Number: 608-267-3200 Fax Number: 608-266-1784

* Email: Pamelar.mcgillivray@dwd.wisconsin.gov

* Signature of Authorized Representative: Lorie Lange * Date Signed: 08/16/2023

WI - Wisconsin

State acknowledges and agrees that, prior to accessing any funding under this grant award and within the timeframe described in UIPL No. 11-23, State must submit the required amendments to the award, including all the components described as part of the Full Project Plan, cooperate in the resolution of any issues, and obtain final approval of the modified grant provided by the Grant Officer

State acknowledges and agrees to provide all confidential UC information to DOL-OIG for purposes of investigating fraud and performing audits through weeks of unemployment ending on or before the end of the period of performance

Department of Labor

Notice of Award

Award# 23A55UI038237-01-04
FAIN# UI382372255A55
Federal Award Date: 09/20/2024

Recipient Information

1. Recipient Name
WORKFORCE DEVELOPMENT, WISCONSIN DEPARTMENT OF
201 E Washington Ave
Madison, WI 53703-2866
(608) 707-6609

2. Congressional District of Recipient
02

3. Payment System Identifier (ID)
1396006449A6

4. Employer Identification Number (EIN)
396006449

5. Data Universal Numbering System (DUNS)
809448012

6. Recipient's Unique Entity Identifier (UEI)
DCPVMWRT3DR4

7. Project Director or Principal Investigator
Ms. Michele Carter
Michele.Carter1@dwd.wisconsin.gov
608-267-7196

8. Authorized Official
MS. Pamela McGillivray
Pamelar.McGillivray@dwd.wisconsin.gov
608-267-7277

Federal Agency Information
ETA Office of Grants Management

9. Awarding Agency Contact Information
Ms. Shawaan L Caridine
Grant Specialist
caridine.shawaan@dol.gov
312-596-5427

10.Program Official Contact Information
Jean M Grochowski
UI Program Specialist
grochowski.jean@dol.gov
(312) 596-5521

Federal Award Information

11. Award Number
23A55UI038237-01-04

12. Unique Federal Award Identification Number (FAIN)
UI382372255A55

13. Statutory Authority
American Rescue Plan Act (ARPA), P.L. 117-2

14. Federal Award Project Title
AMERICAN RESCUE PLAN-UI TIGER TEAM GRANT

15. Assistance Listing Number
17.225

16. Assistance Listing Program Title
Unemployment Insurance

17. Award Action Type
DOL - No Cost POP Extension

18. Is the Award R&D?
No

Summary Federal Award Financial Information

19.	**Budget Period Start Date** 01/01/2022 **- End Date** 09/30/2025	
20.	**Total Amount of Federal Funds Obligated by this Action**	$0.00
	20a. Direct Cost Amount	$0.00
	20b. Indirect Cost Amount	$0.00
21.	Authorized Carryover	$0.00
22.	Offset	$0.00
23.	Total Amount of Federal Funds Obligated this budget period	$4,210,136.52
24.	**Total Approved Cost Sharing or Matching, where applicable**	$0.00
25.	**Total Federal and Non-Federal Approved this Budget Period**	$4,210,136.52
26.	**Period of Performance Start Date** 01/01/2022 **- End Date** 09/30/2025	
27.	Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance	$4,210,136.52

28. Authorized Treatment of Program Income
ADDITIONAL COSTS

29. Grants Management Officer – Signature
Ms. Jane Young Yoon
Grant Officer

30. Remarks

To extend the Period of Performance to September 30, 2025 in accordance with Attachment #1 of this Amendment.

Department of Labor

Notice of Award

Award# 23A55UI038237-01-04
FAIN# UI382372255A55
Federal Award Date: 09/20/2024

Recipient Information

Recipient Name
WORKFORCE DEVELOPMENT, WISCONSIN DEPARTMENT OF
201 E Washington Ave
Madison, WI 53703-2866
(608) 707-6609

Congressional District of Recipient
02

Payment Account Number and Type
1396006449A6

Employer Identification Number (EIN) Data
396006449

Universal Numbering System (DUNS)
809448012

Recipient's Unique Entity Identifier (UEI)
DCPVMWRT3DR4

31. Assistance Type
Formula Grant

32. Type of Award
Other

33. Approved Budget
(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only
II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	$488,848.16
b. Fringe Benefits	$238,586.92
c. Total Personnel Costs	$727,435.08
d. Equipment	$0.00
e. Supplies	$0.00
f. Travel	$0.00
g. Construction	$0.00
h. Other	$377.91
i. Contractual	$3,378,583.82
j. TOTAL DIRECT COSTS	$4,106,396.81
k. INDIRECT COSTS	$103,739.71
l. TOTAL APPROVED BUDGET	$4,210,136.52
m. Federal Share	$4,210,136.52
n. Non-Federal Share	$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
050179830X1D20220179001622ARP002A0000AOWS00AOWS00	UI38237MO0	ETA	410010	17.225	$0.00	0179830X1D
050179830X1D20230179001623ARP002A0000AOWS00AOWS00	UI38237SB0	ETA	410010	17.225	$0.00	0179830X1D

AWARD ATTACHMENTS

WORKFORCE DEVELOPMENT, WISCONSIN DEPARTMENT OF 23A55UI038237-01-04

1. Request Letter

Department of Workforce Development
Unemployment Insurance Division
201 E. Washington Avenue
P.O. Box 7905
Madison, WI 53707

STATE OF WISCONSIN
DWD
Department of Workforce Development

Tony Evers, Governor
Amy Pechacek, Secretary

September 10, 2024

Ms. Jane Yoon
Grant Officer
U.S. Department of Labor
Employment and Training Administration
230 S. Dearborn, 6th Floor
Chicago, IL 60604

POP Extension Request - No Change in Total Budget - Tiger Teams Grant Award under UIPL No. 02-22, Grant UI-38237-22-55-A-55)

Dear Ms. Yoon:

The Wisconsin Department of Workforce Development's (DWD) Unemployment Insurance (UI) Division received $4,210,136.52 under the U.S. Department of Labor's ARPA UI Tiger Teams Grant, (UIPL 02-22). This grant has funded seven individual projects that will help DWD deliver UI benefits to Wisconsin residents more securely, quickly, and equitably. This grant's current period of performance is January 1, 2022, to September 30, 2024.

To date, DWD has completed the 8 projects with the following outcomes:

Expand Access to Claims

Pathway 1: Implemented Web Content Accessibility Guide (WCAG 2.1) which improves access for claimants with a variety of disabilities. These improvements ensure that Wisconsin UI claimants are able to fully access UI benefits regardless of disability.

Pathway 2: DWD published a toolkit created for non-profits and other community partners who assist claimants with the UI process. It contains:

- ideas for outreach and support– what action can the partner take to educate and assist claimants with access their UI benefits.
- a directory of resources -- Online UI resources including web pages, publications, videos and more on the UI process
- Training – an online training package that provides basic knowledge about the UI program allowing the partner to service UI claimants more effectively
- Event Flyer Template – A flyer partners can use to announce the unemployment event the partner may be hosting.

In addition, we provided claimant material the partner can provide to the claimant to help understand the UI process. They can be distributed directly with claimants, or displayed in easily accessible areas:

- Outreach brochure on how to apply for UI Benefits. It is provided in English and Spanish and can be printed.
- Desk guide which lists necessary documents for applying online available in English and Spanish

- Video which provides an overview on how to file for UI benefits and how to meet Wisconsin work search and wage reporting requirements. Available in English and Spanish.

This toolkit has been downloaded 1,992 times (as of August 2024). The tool kit can be found at: https://dwd.wisconsin.gov/ui/toolkit/training.htm

Adjudication Case Scheduler Automation

Pre-project baseline workload was 4 support staff approximately 55 hour/week to assign the work to all adjudicators.

With the scheduler it takes 1 support staff approximately 12.5 hours/week to assign the work to all adjudicators. We expect that time to continue to improve as enhancements are made.
We assign adjudicators cases 5 days a week.

Pre-project: 2,860 hours per year (1.63 FTE). Post project 650 hours per year (0.37 FTE). 77.27% reduction in staff time needed for this task. 1.26 FTE reduction is staff time.

Estimated annual staff cost savings: $88,331.67.

Enhanced Appeals Scheduling

Appeal scheduler: DWD implemented process and system improvements when performing the following tasks:

- Allowed the ability to scheduled appeals cases statewide as "first-in/first-out"
- Move cases from one day to another before scheduling
- ability to schedule cases by Issue Family, Case Units, or aging
- Remove duplicate cases or activities as a batch process
  Schedule cases Newest to Oldest

ID Proofing

Since implementation in April 2023, 34,847 instances of potential fraud were identified. These identified claims prevented payment of at least $11.9 million in potentially fraudulent benefits.

Identity Data Hub

IDH connection went live in the quarter ending September 2022. Since then, we have used this connection to scan 1076 potentially fraudulent claims. A fraud issue was identified in 129 with a total of $1,098,016 in total payments prevented.

Improved Claimant Experience

Changes were made based on focus groups conducted with UI Claimants to determine areas where DWD could clarify information requests or portal workflows.

The improved messages and instructions help claimants to submit their wage and work records properly which will reduce overpayments.

Focus group testing also showed that claimants wanted additional options for requesting help from DWD staff. New "I need Help" buttons were added where claimants can request assistance with their claim.

Claimant instructions were also clarified to be consistent with DWD's plain language initiative.

Knowledge Base Tool

DWD has created a knowledge base tool to provide staff with an easily accessible single source of information for processing UI benefits claims. Each article is a searchable, central repository or information that allows staff to access the same information across program areas. As of August 2024, DWD has released 49 articles of interest across all areas of UI operations.

Over the last year, DWD have access these articles over 65,000 times.

Year	Article subscriptions	Article views
Sep 2023	0	1140
Oct 2023	1	3129
Nov 2023	4	3592
Dec 2023	2	4076
Jan 2024	0	4973
Feb 2024	4	4716
Mar 2024	4	5578
Apr 2024	10	4967
May 2024	54	8676
Jun 2024	66	8303
Jul 2024	55	9039
Aug 2024	7	7248

Top 10 Knowledge Base Articles:

1. Adjudication Complaints
2. Adjudication Codes
3. Approved Union Waiver
4. Adjudication Questionnaire Instructions
5. Adding an Employer
6. Add an Eligibility Issue
7. Appeals (General)
8. Adjudication Complaints: Eligibility Issue Resolved
9. Incomplete Weekly Claim
10. Identity Fraud Hotline

Behavioral Insights

This project incorporated strategies, revised messaging, and changed portal design features to improve customer experience, reduce user errors, and prevent fraudulent claims.

In the quarter ending June 2024, we measured the following impacts:

- 86% of applicants fixed their reported wages after they received a message informing them that they reported less than the minimum hourly rate.
- 35% of claimants who were asked to confirm that they did not work during the benefit week returned and added wages to the weekly claim.

Both these metrics illustrate a reduction in potential fraud/overpayment from this project.

I am writing today to request a one-year extension to the period of performance for this grant. DWD needs the additional time to complete the following five projects:

Taskification for support work	We anticipate that work will in November 2024 and wrap up in mid-2025. Delays were caused by lack of programming and technical staff who were working on other DWD modernization projects.
NICE Cedars reporting	Development on this project is currently in progress. We anticipate that it will be complete by the end of 2024.

Mobile Application	Technical and logistical issues have been identified with this project. It may not be cost effective given the mobile friendliness of our current and upcoming modernized systems. We need an additional year to either resolve these issues or reprogramming to make best use of them.
Customer Relationship Manager	We are currently sourcing CRM software. We have been working with vendors to potentially integrate this with our call center cloud vendor with CRM solution involved. This procurement process has taken considerable time and has caused delays. The procurement process is in process and is expected to be completed by November 2024.
Adjustments and Special Programs Taskification	Work on this project is anticipated to start in November 2024 and wrap up in July 2025. Delays were caused by lack of programming and technical staff who were working on other DWD modernization projects.

As of today, the balance of unobligated funds is $1,103,535.42. DWD will use these funds to complete the above projects. Additionally, we will use the extended period of performance to identify which current Tiger Team projects will have a budget surplus upon completion and develop new projects to make use of those funds.

Finally, on September 15, 2023, DWD received an additional $263,413 under UIPL 11-23. These funds are currently budgeted to support the Mobile Application (Project 11).

Please contact Jim Clemson, UI budget director at jim.clemson@dwd.wisconsin.gov or 608-707-6609 for additional information.

Sincerely,

Pamela McGillivray
Deputy Secretary
Department of Workforce Development