



## TechHire Partnership Grants

### Key Policy Clarification

### July 2018

This document provides answers to frequently asked questions (FAQs) regarding key policy guidance for TechHire grantees only. This FAQ document should be viewed as a supplement to the TechHire Federal Opportunity Announcement (FOA) and as additional technical assistance (TA).

#### Eligible Target Populations

*Grantees should serve participants consistent with the target populations identified in their grant Statement of Work (SOW).*

*For TechHire Grantees Serving Youth and Young Adults, ages 17-29, as their Primary Target Population:*

- ✓ **Youth and young adults with barriers to training and employment**
  - Individuals who are **out-of-secondary** school and between the ages of 17 and 29 who lack the educational attainment, work experiences, and/or skill-level necessary to secure full-time employment in middle or high-skill jobs. Out of secondary school means that these potential participants should not be enrolled in high school or equivalent.
  - Additionally, TechHire participants should be those who are **unemployed** or **underemployed** where access to training, education, and supportive services is essential to acquire the skills necessary for better paying and higher skilled jobs.
  - At least 75 percent of participants served by the project must be youth and young adults with barriers to training and employment opportunities. The remaining 25 percent may be above the age of 29, unemployed, dislocated, underemployed, and incumbent workers, particularly incumbent workers in lower-skill, lower-wage, and front-line jobs in need of upskilling.

*For TechHire Grantees Serving Special Populations – Individuals with Disabilities, Individuals with Limited English Proficiency, or Individuals with a Criminal Record - as their Primary Target Population:*

✓ **Special populations with barriers to training and employment**

- An individual with barriers to training and employment is defined as an individual with disabilities, an individual with Limited English Proficiency (LME), or an individual with a criminal record.
- At least 50 percent of participants served by the project must be individuals with barriers to training and employment opportunities (as identified in their grant SOW). The remaining 50 percent served may be unemployed, underemployed, and incumbent workers, particularly incumbent workers in lower-skill, lower-wage, and front-line jobs in need of upskilling.

*Within the target populations of Youth and Young Adults and special populations, individuals must also meet the definitions of unemployed worker, incumbent worker, or an underemployed worker to be eligible.*

*The TechHire FOA defines these types of workers as follows:*

<i>Unemployed Workers</i>	An individual who is without a job and who wants to work and is available to work.
<i>Dislocated Workers</i>	Individuals who were terminated or laid off or have received a notice of termination or layoff from employment, or were self-employed but are now unemployed.
<i>Incumbent Workers</i>	Individuals who are employed, particularly in lower-skill, lower-wage, and front-line jobs, but need training to upgrade their skills to secure full-time employment, advance in their careers, or retain their current occupations in an H-1B occupation or industry.
<i>Underemployed Workers*</i>	Individuals <b>seeking full-time employment</b> who are not currently connected to a full-time job commensurate with the individual’s level of education, skills, training, or wage and/or salary earned previously, or who have obtained only episodic, short-term, or part-time employment.
<b>*Note that this definition reflects updates in alignment with the amended FOA definition</b>	

## \*Amended FOA Definition of Underemployed Workers

Effective as of July 2, 2018, the definition of **underemployed** workers has been modified to exclude the criteria that an individual must have lost a job to qualify as an underemployed worker.

Grantees may determine that an individual meets one of two criteria that define underemployed workers. An individual may:

- **have not** yet (re)connected with a full-time job commensurate with the individual's level of education, skills, and wage or salary earned before the individual's loss of permanent employment; **or**
- **have** obtained only episodic, short-term, or part-time employment.

### Examples of underemployed worker:

Criteria #1: An individual may currently be working in a position that is not commensurate with any of the categories noted below:

1. **Level of education:** An individual received a Bachelor's of Science (BS) degree in engineering technology, but is currently working in a position that does not require a BS degree.
2. **Level of skill:** An individual is currently employed in a position that requires a skill level less than the skill level the individual has earned or previously used in a job.
3. **Level of wage or salary:** An individual is working in a position that pays a wage or salary that is less than or not equal to the wage or salary that the individual received in previous jobs.

Criteria #2: An individual has obtained only episodic, short-term, or part-time employment:

These can be individuals who work in seasonal positions, short-term temporary positions, or those that work less than 40 hours and categorized as part-time employees when they are seeking full-time and/or long-term employment.

## Percent Ratio Target Populations

H-1B funded grant program often require a minimum percentage % ratios for targeted populations to be served or identified % restrictions, these % ratios apply to (1) the target outcomes for "total participants" served identified in the grantee's Statement of Work (i.e. the % ratio must be reflected in the performance outcomes table); and (2) the actual total participants served by the grant, upon completion of the grant.

### (1) Total Participants Served Percentage Ratios

- a. If a grantee exceeds its target outcomes for total participants served and are within applicable % ratios, any additional participants served must still align within the requested ratios specified in the FOA.
  - i. Example 1: A TechHire grantee proposed to serve 1,000 participants- 750 (75%) youth and young adults and 250 (25%) unemployed workers. In year 4, the grantee has achieved 100% of their target outcomes for participants served and would like to serve additional participants with the remaining time in their grant. The grantee can serve additional participants; however, the new total

participants served must still adhere to ratio identified in the FOA, requiring that at least 75% of total participants are youth and young adults without exceeding the 25% restriction on serving other types of participants.

- ii. Example 2: TechHire grantees may serve no more than 25% incumbent workers (this 25% cap only applies to incumbent workers served who do not fall within the target population of youth and young adults 17-29 or special populations) of total participants served. If the grantee has achieved 100% of their target outcomes for total participants served, they can serve additional individuals that meet the criteria for the target population, but must still adhere to the 25% restriction on incumbent workers served, as identified in the FOA.
- iii. Example 3: Grantees who serve special populations include individuals with disabilities, individuals with Limited English Proficiency, or individuals with a criminal record. By the end of the grant, at least 50% of the total population served must be categorized in the special populations with barriers to employment. The other 50% may be unemployed, underemployed or incumbent workers, of which no more than 25% may be incumbent workers.

## **(2) Percentage Ratios Reflected at Program Completion**

- a. Percentage ratios apply to the total participants served at the end of the grant. Grantees do not need to adhere to the % ratios on a quarterly basis; however, grantees should ensure they serve participants in alignment with their targeted outcome goals and project work plan to ensure they meet the FOA requirements and target outcome goals.
  - i. Example: TechHire grantees that identified they would target youth and young adults 17-29 may be serving less than 75% at certain times within the grant period as long as by the end of the grant period, the ratio of youth and young adults reflects at least 75% of the total participants served.

### **H-1B Co-Enrollment Policy**

- The U.S. Department of Labor/ Employment and Training Administration (DOL/ETA) encourages H-1B job training program grantees to maximize the use of their resources and minimize the duplication of efforts, particularly through the leveraging of other Federal and non-Federal funding sources. The leveraging of resources may include co-enrolling H-1B job training participants in programs through the Workforce Innovation and Opportunity Act (WIOA), other Federally-funded programs, and non-Federal programs. The purpose of co-enrollment is to meet the training and employment needs of program participants and provide as many participants as possible with comprehensive services that may not otherwise be available or allowable under an individual grant or funding source.
- The intent of co-enrollment for an H-1B job training program is to leverage complementary resources to maximize the scope and scale of the funded activities throughout the grant. Therefore, it is not acceptable to leverage resources that would result in co-enrollment in other H-1B funded programs that are providing the same or similar services. Moreover, grantees should not co-enroll participants in more than one ***H-1B job training program*** (enrollment in both H-1B TechHire along with an H-1B American Apprenticeship Initiative (AAI) grant program,

for example) as a strategy to facilitate the attainment of grantee service levels and performance outcomes across multiple H-1B job training programs.

- The purpose of H-1B job training grant programs is to provide education and job training services to participants and increase the number of individuals obtaining employment. Co-enrolling participants in two H-1B job training grant programs may lead to duplication of efforts while limiting the total number of participants served through H-1B job training grants. This guidance does not prevent grantees from leveraging tools, materials, or other resources that were developed under other H-1B job training grant programs, assuming these activities do not result in co-enrollment.

**Please also be advised that if your H-1B grant program is co-enrolling participants through WIOA, other Federally-funded programs, and non-Federal programs, please ensure the following:**

- Participants are determined eligible for each grant program, as it aligns with each program's eligibility criteria. Every program has very specific and distinct eligibility requirements;
- Participants are enrolled in allowable, non-duplicated grant activities, as it pertains to each grant program;
- The grantee adheres to cost allocation, if appropriate. For example, if a participant is enrolled in allowable, non-duplicated grant activities, as it pertains to each grant program;
- The grantee adheres to cost allocation, if appropriate. For example, if a participant is enrolled in an IT training program, of which the classroom and instructor salary are paid for which Trade Adjustment Assistance Community College and Career Training (TAACCCT) grant funds and the cost of training/tuition is covered by H-1B TechHire funds, the grantee would need to ensure that the cost of training/tuition billed to the TechHire grant did not include any costs or fees paid for the TAACCCT grant funds;
- The grantee reports on leveraged resources (both Federal and non-Federal funded) on the ETA-9130 financial report form and quarterly narrative reports (QNR), as appropriate;
- The grantee reports on performance outcomes in accordance with the performance reporting requirements for each co-enrolled program, appropriate;
- Grantees can report on all outcomes and other deliverables that result from activities and services funded with both leveraged resources and grant funds in the Quarterly Performance Report (QPR) and QNRs for each co-enrolled grant program. For example, a TechHire grant, any outcomes achieved as a result of leveraged TAACCCT grant funds, the TechHire grant funds, or a combination of both, may be reported.

#### **Requirement to Collect Social Security Numbers (SSNs)**

- As a performance-reporting requirement, H-1B grantees are required to collect participant Social Security Numbers (SSNs) and submit these to DOL/ ETA as part of the quarterly reporting process.
- DOL/ETA will use SSNs to track exit-based indicators of performance on behalf of grantees. Grantees should also ensure that when they are collecting this information from participants, that they inform the participants of the reason for requesting SSNs, in accordance with the

American Competitiveness and Workforce Improvement Act (ACWIA), which authorizes H-1B grant programs.

- ✓ **Please be advised, grantees are required to ask participants for their SSNs, but a participant that chooses not to disclose this information cannot be denied services.**

### **Individuals Served with Leveraged Resources**

- ✓ Individuals Served with BOTH Leveraged Resources and Grant Funds
  - Individuals who receive a TechHire project funded with both leveraged resources and grant funds are considered grant participants. Grantees are required to report on all outcomes and other deliverables that result from activities and services funded with both leveraged resources and grant funds in the Quarterly Performance Reporting (QPR) Form ETA No. 9173 as appropriate. Grantees would also report on leveraged resources that have been provided to support their grant in both the grant's Quarterly Narrative Report (QNR) and in their quarterly financial report Form ETA 9130.
- ✓ Individuals Served with ONLY Leveraged Resources
  - Individuals who receive services through a TechHire project funded solely with leveraged resources (i.e. no services are provided with grant funds) are not considered grant participants. Grantees must not report on outcomes for individuals funded solely with leveraged resources on their required Quarterly Performance Report (QPR).

### **Intellectual Property Rights**

H-1B TechHire grantees will need to make materials developed with the support of grant funds available and public under a Creative Commons Attribution 4.0 (CC BY) license. Work that must be licensed under the CC BY includes both new content created with the grant funds and modifications made to pre-existing, grantee-owned content using grant funds. Additional information on where products should be submitted and made available will be provided in future guidance.