

WISCONSIN'S STATEWIDE EMPLOYMENT RECOVERY DISLOCATED WORKER GRANT PROJECT IMPLEMENTATION PLAN

I. Background

Since the beginning of the COVID-19 public health emergency, Wisconsin experienced a significant increase in worker layoffs across sectors and industries due to workforce reductions and business closures. To address the surge in layoff activity resulting from the public health emergency, the Wisconsin Department of Workforce Development, Division of Employment and Training (DWD-DET) submitted an Employment Recovery Dislocated Worker Grant (DWG) application to the U.S. Department of Labor (DOL) on August 27, 2020. In its application, DWD-DET requested \$15 million in funding to serve 3,000 planned participants across the state. The requested funding would be used to supplement the local workforce development boards' (WDBs) dislocated worker program formula allocations. On September 16, 2020, DOL issued an award for \$4,995,000. DWD-DET submitted a modification to DOL aligning its scope of work with the amount awarded.

II. Purpose of Grant

To provide supplemental funding to local WDBs serving as project operators under this grant, expanding their capacity to offer Dislocated Worker Program services to eligible individuals.

III. Period of Performance

September 15, 2020 to September 30, 2022

IV. Purpose of Project Implementation Plan

The Project Implementation Plan (PIP) identifies and briefly describes the activities associated with the major tasks and/or actions that must be followed or developed to carry out the project. The PIP is intended to ensure that appropriate planning has taken place to carry out the objectives and meet the goals of the grant.

This PIP outlines consistent policies and procedures¹ for the Statewide Employment Recovery DWG that all project operators must adhere to when implementing this grant. DWD-DET consulted with local Workforce Development Board (WDB) directors to develop this PIP.

V. Subawards

Consistent with the approved application, DWD-DET will provide incremental funding to project operators.

a. Initial Requests

DWD-DET will reserve \$3,025,000 until September 30, 2021 for initial subawards. DWD-DET reserves the right to adjust this date. Each local WDB may request up to a total of \$275,000² for its initial subaward, which includes costs for administration.

¹ [TEGL 12-19, Attachment I, p. 18.](#)

² \$275,000 is \$3,025,000 divided by the 11 WDBs.

The initial subaward request, including administration, cannot exceed the total amount of planned participants multiplied by \$5,000. After September 30, 2021, any remaining funds from the \$3,025,000 reservation will be available for subsequent requests.

To receive an initial subaward, local WDBs must complete and submit the Subaward Request Form found in the "Resources" box on the [Statewide Employment Recovery Dislocated Worker Grant policy page](#). Completed forms must be submitted via email to DETWIOAnalysts@dwd.wisconsin.gov.

b. Subsequent Requests

DWD-DET will reserve the remaining funds of \$1,720,250³ for subsequent requests. Project operators may ask for up to \$250,000 per subsequent request once they have:

1. expended and/or obligated 75 percent of previously awarded funds;
and
2. served at least 75 percent of the total planned participants.⁴

DWD-DET may decide to adjust the cap for subsequent requests, if needed and in consultation with the existing project operators.

A subsequent request cannot exceed the total amount of actual and planned participants multiplied by \$5,000. There is no limit to how many subsequent requests a project operator may ask for; however, modifications to increase subawards are contingent on funding availability. Funding for subsequent requests is available on a first come, first served basis.

To receive subsequent funding, project operators must complete and submit a Subsequent Request Form found in the "Resources" box on the [Statewide Employment Recovery Dislocated Worker Grant policy page](#). Completed forms must be submitted via email to DETWIOAnalysts@dwd.wisconsin.gov.

c. Reasonableness Standard

To promote the effective use of funding, local WDBs are strongly encouraged to request amounts that reasonably reflect anticipated costs. DWD-DET will examine all initial requests and modification requests for reasonableness and reserves the right to award less than the amount requested.

VI. Deobligation and Reallocation of Funds

DWD-DET reserves the right to deobligate and reallocate funds after the first six months of a subaward's period of performance, as it deems appropriate. DWD-DET will evaluate whether deobligation of funds is appropriate when a project operator's lack of progress is:

- 1) jeopardizing DWD-DET's ability to meet the grant's participant enrollment and expenditure goals;
and/or
- 2) preventing DWD-DET from meeting DOL's required threshold for requesting additional funds.⁵

³ The remaining funds exclude \$249,750 set aside for state administration costs.

⁴ DWD-DET will use ASSET to verify the number of participants served by the project operator.

⁵ [TEGL 12-19, Attachment I, p. 15](#) indicates that generally, DOL expects grantees to expend 70 percent of awarded funds prior to requesting additional funds.

DWD-DET may use the following factors in determining whether to deobligate subaward funds:

- Project operator's reported subaward expenditures and obligations;
- Participant enrollments, specifically compared to the number of planned enrollments as identified in the Subaward Request Form and any approved modification requests;
- The types of services participants are receiving or will receive;
- Local layoff activity, including upcoming layoffs;
- The amount of time remaining in the grant's period of performance; and
- The total amount of grant expenditures.

DWD-DET will communicate with any project operator that may be subject to deobligation to discuss circumstances and its plan to improve performance. If funds will be deobligated, DWD-DET will provide advance notice to the project operator.

VII. Administrative Costs

DWD-DET will retain five percent of the award amount for state administrative costs; project operators may use up to 10 percent of their allocation (aka subaward) towards administrative costs.⁶

The amount of allowable administrative costs a project operator may charge to its award is determined by actual program expenditures at the end of the grant. Therefore, project operators may only charge administrative costs proportional to the amount of program costs charged to the subaward. Administrative costs include both direct and indirect costs.

Project operators may use administrative funds to cover the following functions and activities:

1. accounting, budgeting, financial and cash management functions;
2. procurement and purchasing functions;
3. property management functions;
4. personnel management functions;
5. payroll functions;
6. coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;
7. audit functions;
8. general legal services functions;
9. developing systems and procedures, including information systems, required for carrying out administrative functions;
10. fiscal agent responsibilities;
11. performing oversight and monitoring responsibilities related to WIOA administrative functions;
12. costs of goods and services required for administrative functions of the program, including rental or purchase of equipment, utilities, office supplies, postage, and rental and maintenance of office space;
13. travel costs incurred for official business in carrying out administrative activities or the overall management of the WIOA system; and
14. costs of information systems related to administrative functions (for example, personnel, procurement, purchasing, property management, accounting and payroll systems) including the purchase, systems development and operating costs of such systems.⁷

⁶ Notice of Award, p. 8. DWD-DET calculates a subaward's administrative costs by taking 10 percent of the amount awarded for program costs.

⁷ [20 CFR § 683.215](#)

Awards to subrecipients or contractors that are solely for the performance of administrative functions are classified as administrative costs; otherwise, all costs incurred for the functions and activities of subrecipients and contractors are program costs. Personnel and related non-personnel costs of staff who perform both administrative functions and programmatic services or activities must be allocated appropriately as program or administrative based on documented distributions of actual time worked or other equitable cost allocation methods. Specific costs charged to an overhead or indirect cost pool that can be identified directly as program costs are to be charged as program costs. Documentation of such charges must be maintained.⁸

VIII. Subaward Period of Performance

The subaward start date will be the first day of the month in which the local WDB emails the Subaward Request Form to DWD-DET. The end date will be September 30, 2022.

IX. Prohibition of Local Policies

Project operators are prohibited from creating their own local policies and procedures for the Statewide Economic Recovery DWG that are inconsistent with any policy or procedure outlined in this PIP.

X. Eligible Participants

Individuals are eligible for the Statewide Employment Recovery DWG program if they are a "dislocated worker" as defined in the [Dislocated Worker Program Eligibility](#) policy in the WIOA Titles I-A and I-B Policy & Procedure Manual.

Project operators are not permitted to add additional eligibility requirements, nor are they permitted to implement priority of service to groups beyond [veterans and eligible spouses](#).⁹

XI. Eligibility Documentation

Documentation requirements are the same as those outlined in [Chapter 12](#) of the WIOA Title I-A and I-B Policy & Procedure Manual. Reasonable attempts should be made to collect eligibility documentation. If, because of the emergency, documentation cannot be obtained, DWD-DET allows project operators to use self-attestation.¹⁰ However, project operators must collect all required eligibility documentation prior to the end of their subaward period of performance.¹¹

XII. Participant Outreach and Recruitment

Proactive outreach efforts may include:

- using worker lists (from qualifying employers, UI scans, or dislocated worker survey results) to reach out to potentially eligible individuals by email, mail, or phone;

⁸ [20 CFR § 683.215\(c\)\(4\)](#)

⁹ [20 CFR § 680.650](#); [TEGL 3-15, p. 7](#); [TEGL 19-16, p. 10](#); [DWD-DET WIOA Titles 1-A and 1-B Policy & Procedure Manual, Section 8.3.2 20](#)

¹⁰ Self-attestation means that the participant identifies his or her status and then signs and dates a form attesting to this self-identification. See [TEGL 07-18, Attachment I](#).

¹¹ [21 TEGL 12-19, Attachment I, p. 3](#)

- issuing local press releases to seek media coverage for the project operator's subaward;
- posting information about the subaward on social media or within job centers, libraries, or other physical locations; and
- reaching out to partners that may be serving potentially eligible individuals.¹²

DWD-DET may assist project operators with their outreach and recruitment strategies, if requested. Assistance may include requesting UI scans of recent claimants to identify potentially eligible individuals; assisting with mailing information to potentially eligible individuals; and/or assisting with the development of standardized outreach materials such as informational flyers, explainer videos, and/or customizable outreach templates for project operators' use.

XIII. Allowable Services

All Title I-B Dislocated Worker Program services are allowable under this project. Project operators must follow the Dislocated Worker Program service policies as outlined in the [WIOA Titles I-A and I-B Policy & Procedure Manual](#). Any Statewide Employment Recovery DWG funds spent on a participant do not count towards any caps a local WDB may have for its Title I-B programs.

XIV. Recording Services in ASSET

Services recoded in ASSET for project participants must indicate that the funding source is a "DWG Funded Grant." This is an option from the Funding Source dropdown list on the Service Details Screen. Career planners must select "Employment Recovery DWG" from the dropdown list of Qualifying Employers for all services funded under the Statewide Employment Recovery DWG, instead of the actual name of the employer of dislocation.

XV. Statewide Employment Recovery DWG Kickoff Meeting

DWD-DET will host a Statewide Employment Recovery DWG kickoff meeting (via web conference) for local WDBs interested in participating in this grant. The meeting is scheduled for Thursday, November 12, 2020, from 2:30 to 3:30 PM and will cover the policies and procedures as detailed in this PIP. Details for accessing the meeting will be sent to the local WDB directors via email.

XVI. Mandatory Monthly Technical Assistance Conference Calls

DWD-DET will host a monthly Statewide Employment Recovery DWG conference call. Project operators are required to have at least one appropriate staff member participate on these calls. DWD-DET encourages service provider staff, including career planners assigned to this project, to also participate. During these calls, DWD-DET will answer questions, discuss progress, and facilitate discussion on challenges and successful practices. The calls will be held the fourth Thursday of each month from 10:00 to 11:00 AM. DWD-DET reserves the right to cancel these calls on a case-by-case basis or entirely if they are no longer needed.

XVII. Optional Individual Technical Assistance Conference Calls

¹² WIOA requires that any print or electronic materials developed with these grant funds and disseminated to the public must acknowledge the federal funding source ([TEGL 36-11, p. 4](#)). Project operators must also use the "American Job Center" identifier or "a proud partner of the American Job Center network" logos on any printed, purchased, or electronic materials ([20 CFR § 678.900\(b\) and \(c\)](#)). Branding logos are included in Appendix C.

Project operators may request technical assistance conference calls with DWD-DET to discuss any aspect of the project at any time. Requests for individual calls are to be submitted to DETWIOAAnalysts@dwd.wisconsin.gov.

XVIII. Email Inquiries

Project operators may direct project-related questions to DETWIOAAnalysts@dwd.wisconsin.gov at any time.

XIX. Co-Enrollment

a. Current Participants

Project eligible participants who are being funded by local formula and/or Rapid Response Additional Assistance grants may be co-enrolled (i.e., co-funded) in the Statewide Employment Recovery DWG.

Career services may be transferred to the Statewide Employment Recovery DWG retroactive to the start date of the project operator's subaward. Training and similar ongoing services can be transitioned to the subaward at the first "logical break." For example, training that began before the beginning of the subaward period could be funded by the subaward at the beginning of the next semester or quarter.

b. New Participants

Statewide Employment Recovery DWG participants may be co-enrolled in other Title I-B programs, as needed, as well as the Trade Adjustment Assistance (TAA) Program, as applicable.

c. Co-enrollment and Performance

Performance outcomes for participants whose participation-causing services are funded solely through the Statewide Employment Recovery DWG will only count towards Wisconsin's DWG performance. Performance outcomes for participants who receive participation-causing services funded by both formula *and* the Statewide Employment Recovery DWG will count towards both local area formula program and Wisconsin's DWG performance.¹³

XX. General Monitoring Requirements

DWD-DET and project operators must provide regular oversight and monitoring of the subawards to ensure:

1. compliance with WIOA and its regulations, including the nondiscrimination, disability and equal opportunity requirements;
2. compliance with the terms and conditions of the subaward;
3. expenditures are appropriate and accurately reported; and
4. performance goals are on track to be achieved.¹⁴

¹³ Performance data for DWGs and the WIOA Title I Dislocated Worker Program are reported as separate data elements in the PIRL ([Data Elements 904 and DE 932](#)). Data element 932 (NDWGs) is a state-level data element only.

¹⁴ [20 CFR § 683.410\(a\)](#)

XXI. Monitoring by DWD-DET

DWD-DET will perform monthly desk monitoring of project enrollments and expenditures to evaluate if project operators are on track to meet goals; this may be reduced to quarterly monitoring later within the period of performance. DWD-DET will also monitor to ensure that participants served under the project are eligible. Monitoring will use information from ASSET and COMET. DWD-DET will take appropriate action to address any concerns (e.g., technical assistance, training, deobligation of funds, termination of subaward). Additionally, DWD-DET will perform compliance reviews of case files and fiscal files as part of its routine annual monitoring starting in PY21. After the review, DWD-DET will issue a written evaluation of the findings and description of any required corrective action, which will be included in the local WDB's annual monitoring report. DWD-DET may determine that additional monitoring is appropriate; DWD-DET reserves the right to perform monitoring activities at any time.

XXII. Monitoring by Project Operators

Project operators must review project enrollments and expenditures to ensure that the project is on track to meet goals. Additionally, project operators are responsible for monitoring their service providers at least once per program year, for the duration of the subaward.¹⁵ Monitoring must include a review of case files and fiscal files for compliance with the terms of the subaward and with federal, state, and local requirements.

XXIII. DWD-DET Federal Reporting Requirements

a. Quarterly Financial Reports

DWD will report project expenditures to DOL quarterly using the ETA-9130 Form. Reports are due no later than 45 days after the end of each reporting quarter.¹⁶ Additionally, DWD will submit a final financial report no later than 90 calendar days after the end of the grant period and a closeout report during the closeout process.¹⁷

b. Quarterly Performance Reports

DWD-DET will submit quarterly performance reports through DOL's WIPS using the ETA-9173 template, no later than 45 days after the end of each calendar year quarter.¹⁸

c. Quarterly Narrative Report

DWD-DET will submit a quarterly narrative report through DOL's WIPS, using the ETA-9179 template,¹⁹ no later than 45 days after the end of each calendar year quarter.²⁰ DWD-DET will complete the report using information gathered from the project operators, as well as information from ASSET and COMET.

¹⁵ [20 CFR § 683.410\(b\)\(2\)\(i\)](#). While this is a requirement for the state, DWD-DET requires project operators to monitor their service providers at least once per program year for this grant. Due to COVID-19, DOL has allowed monitoring to be remote.

¹⁶ Notice of Award, p. 17

¹⁷ Notice of Award, p. 17

¹⁸ Notice of Award, p. 17

¹⁹ [TEGL 14-18, Attachment 6, p. 6](#)

²⁰ Notice of Award, p. 17

XXIV. Project Operator Reporting Requirements

a. Quarterly Reports

Project operators must complete and submit a progress report at the end of each quarter using the Subaward Quarterly Progress Report Template (Appendix A). The quarterly progress report is due 30 days from the last day of the quarter. Quarterly progress reports must be submitted to DETWIOAnalysts@dwd.wisconsin.gov.

Failure to submit quarterly reports in a timely manner may result in the deobligation of funds. Project operators should not wait for quarterly reporting time to inform DWD-DET of any problems, delays, or adverse conditions that impair their successful implementation of their subaward.

b. Financial Status Reports

Project operators must submit an FSR on a monthly basis using DWD's COMET System. The FSR includes a report of total expenditures by type. The monthly FSR is due 30 days from the close of the month.

XXV. Branding

WIOA requires that any print or electronic materials developed with these grant funds and disseminated to the public acknowledge the federal funding source (i.e., "funding is made available by the U.S. Department of Labor through the Workforce Innovation and Opportunity Act").²¹ Project operators must also use the "American Job Center" identifier or "a proud partner of the American Job Center network" logos on any printed, purchased, or electronic materials.²² Branding logos are included in Appendix C.

XXVI. Grievance Procedures

Any grievances related to the Statewide Employment Recovery DWG will be handled in compliance with [DWD Admin Memo 14-04](#). Grievances that arise to the level of an appeal to Wisconsin DWD will be handled in the manner that complies with the executed Memorandum of Agreement between DWD-DET and DWD's Equal Rights Division.²³

²¹ [TEGL 36-11, p. 4](#)

²² [20 CFR § 678.900\(b\) and \(c\)](#)

²³ The MOA can be made available upon request.

APPENDIX A

Subaward Quarterly Progress Report Template

DWD-DET will use the information from this quarterly report to monitor the progress of the subaward, help the project operators identify implementation challenges, and identify any promising practices to be shared with others. DWD-DET will also use the information to complete the ETA-9179 quarterly narrative report due to DOL.

Reports are due no later than 30 days after the last day of the calendar quarter. Submit progress reports to DETWIOAnalysts@dwd.wisconsin.gov.

Section I: Project Operator Information

- A. Project Operator:
- B. Subaward ID:
- C. Quarter Reporting (quarter end date):

Section II: Progress of Subaward

- A. Provide an update of your project's progress for the quarter. Include a description of key accomplishments and outcomes achieved.
- B. Provide a detailed update of outreach activities conducted this quarter. Provide a copy of any outreach documents (e.g., flyers, mailers) developed this quarter.
- C. Describe any key activities completed this quarter, including partnership development and coordination with other organizations involved in responding to the COVID-19 crisis.
- D. Provide a detailed update of any performance improvement efforts conducted this quarter including monitoring activities and training and technical assistance activities.
- E. Describe next steps or additional activities planned in the next quarter.
- F. If you have no updates for this section, explain why.

Section III: Development and Implementation of Effective Practices and Program Model Strategies

- A. Describe how the Statewide Employment Recovery DWG program model of providing supplemental funding for the Dislocated Worker Program in response to the economic emergency stemming from the COVID-19 pandemic has helped to address the needs of:
 - a. The community; and
 - b. The program participants.

- B. Describe any lessons learned this quarter and how you will integrate those lessons into ongoing project activities.
- C. If you have no updates for this section, explain why.

Section IV: Status Update on Strategic Partnership Strategies

- A. Describe the partners that are currently involved in this project and the specific roles and contributions of each partner.
- B. Identify any challenges encountered and/or resolved in the development and management of the partnership(s).
- C. If you have no updates for this section, explain why.

Section V: Key Issues and Technical Assistance Needs

- A. Summarize other significant issues, or challenges encountered during the quarter and any resolution of issues or challenges identified in previous quarters. Describe actions taken or plans to address the identified issues or challenges.
- B. Describe any questions you have for DWD-DET and/or any technical assistance needs you have.

Section VI: Significant Activities, Accomplishments, and Success Stories

- A. Describe in detail any promising practices, innovative processes, and/or strategic partnerships your project developed or engaged in during this quarter.
- B. If appropriate, please highlight one or two subaward- or participant-level success stories from this quarter. If providing a participant success story, ensure a release of information is on file. In documenting the success story, please describe:
 - a. background, problem, issue, or concern prior to the project involvement;
 - b. response or intervention provided by the project;
 - c. results and outcomes, including who benefited and what changed or improved; and
 - d. evidence of the success, including how the data was obtained and the methods used to measure success.

Section VII: Evidence and Evaluation

- A. If applicable, describe how you are using or planning to use data, evidence, and evaluation findings to make improvements to the project. Include a discussion on accomplishments, strategies being implemented, and any barriers to success.
- B. If applicable, please include information on any studies or evaluations you are conducting related to your project, including any internal evaluations. Describe the study, data source(s), and whether a third party is managing this project.

- C. As part of the evaluation described above (if applicable), or as a separate project, are you using, or do you plan to use administrative data to better understand the Statewide Employment Recovery DWG, your subaward, or the population you are serving? If so, what data sources are you using, or would you like to use? What research or management questions can this data help you answer?
- D. If you have no updates for this section, explain why.

Section VIII: Additional Information

- A. Describe any leveraged resources provided to your project this quarter, if applicable. If leveraged resources were provided this quarter, please include the organization(s) that contributed the resources, ways in which the resources were used during the quarter, cumulative amount of leveraged resources, and type of leveraged resources (cash or in-kind).
- B. Provide other important project-specific information not yet captured in other sections of this report, including any products, outside of outreach materials, developed as part of this project.

Section IX: Project Data Report

- A. Fill in the Data Report Table for the end of each reporting quarter:

| Participants | Cumulative Number |
|--------------------------------------|--------------------------|
| Number Receiving Career Services | |
| Number Receiving Supportive Services | |
| Number Receiving Training Services | |
| Total Number of Participants | |
| Exits | |
| Expenditures | Cumulative Amount |
| Career Services Amount | |
| Supportive Services Amount | |
| Training Services Amount | |
| Administrative Costs | |
| Total Expenditures | |

APPENDIX B
Subaward Template

**SUBAWARD AGREEMENT BETWEEN
WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF EMPLOYMENT AND TRAINING (DWD-DET)**

And

Click to enter project operator name

for the Project:

Statewide Employment Recovery Dislocated Worker Grant (DWG)

| | | | |
|---|---|--|--|
| Project Operator: Click to enter project operator | | Supplier ID: Click to enter Supplier ID. | |
| Fiscal Agent: Click to enter Fiscal Agent. | | Subaward Period: Click to enter subaward period. | |
| DUNS No.: Click to enter DUNS No. | Log No.: Click to enter Log No. | CFDA No.: 17.277 | |
| Subaward No.: Click to enter subaward No. | | Federal Award No.: DW-35492-20-60-A-55 Federal Award Date: 09/16/2020 | |
| COMET Contract No.: Click to enter COMET No. | | | |
| Award is for Research & Development? Yes <input type="checkbox"/> No <input type="checkbox"/> | | Indirect Cost Rate Click to enter Indirect Cost Rate Information | |
| COMET Expenditure Activity | | Subaward Amount | |
| Program Total | | \$ Click to enter amount. | |
| Administration Total | | \$ Click to enter amount. | |
| SUBAWARD TOTAL | | \$Click to enter amount. | |

CONTACT INFORMATION:

Department of Workforce Development
Division of Employment and Training
Bureau of Workforce Training
Bruce Palzkill, Acting Bureau Director
Bruce.Palzkill@dwd.wisconsin.gov

PURPOSE: The purpose of the Statewide Employment Recovery Dislocated Worker Grant (DWG) is to provide local Workforce Development Boards (the project operators) supplemental funding to provide Dislocated Worker Program services to the planned number of eligible Dislocated Worker Program participants as identified in their Subaward Request Form and any subsequent modifications.

APPLICABLE AUTHORITY:

- The Workforce Innovation and Opportunity Act and its corresponding regulations, including 29 CFR Part 38 which covers the nondiscrimination and equal opportunity provisions;
- 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 2 CFR Part 2900 which covers exceptions to 2 CFR Part 200;
- Federal advisories in the form of Training and Employment Guidance Letters (TEGLs) and Training and Employment Notices (TENs) applicable to the WIOA Dislocated Worker Program;
- DWD-DET issued policies and procedures applicable to WIOA as well as the Statewide Employment Recovery DWG Project Implementation Plan;
- The most recent Wisconsin WIOA State Plan and the WDB's Local Plan; and

- The terms outlined in the Notice of Award for federal grant DW-35492-20-60-A-55 (attached separately).

DWD-DET OBLIGATIONS: DWD-DET agrees to reimburse the project operator for allowable costs incurred in the performance of the Statewide Employment Recovery DWG subaward activities up to the awarded amount and not exceeding the awarded amount. All payments are contingent on the availability of federal funds. The amount of administrative funds available is based on the amount of program funds awarded; however, the amount of allowable administrative funds is determined by actual program expenditures at the end of the period of performance. Therefore, if the project operator fails to fully expend its program funds by the end of the subaward, its administrative funds will be proportionally decreased.

INFORMATION REQUESTS: The project operator agrees to provide DWD-DET any and all information requested as it relates to this subaward.

INCORPORATION OF SUBAWARD PROJECT PLAN MATERIALS: The project operator agrees to implement and carry out this subaward in accordance with its submitted Statewide Employment Recovery DWG subaward project plan and any approved revisions thereof.

DEOBLIGATION AND REALLOCATION OF FUNDS: DWD-DET maintains the right to deobligate and reallocate funds if deemed appropriate based on the project operator's reported expenditures and obligations.

FAILURE TO COMPLY: DWD-DET reserves the right to monitor and audit the subaward at any time. Noncompliance with monitoring and auditing activities may result in the termination of this subaward and/or disallowed costs.

MODIFICATION: This agreement may be modified at any time by the written, mutual agreement of the parties.

TERMINATION FOR CAUSE: The Department may terminate this Agreement for cause if the Grantee breaches the terms of this Agreement. The Department's right to terminate for cause may only be exercised if the Grantee fails to cure its breach of this Agreement within 30 calendar days of receiving written notice of said breach from the Department. In the event of termination for cause by the Department, the Grantee shall only be entitled to receive compensation for any payments owed under the Grant Agreement at the time of termination and/or only for deliverables that have been approved and accepted by the Department.

TERMINATION FOR CONVENIENCE: Either party may terminate this Grant Agreement at any time, without cause, by providing a written notice to the other party at least 30 days in advance of the intended date of termination. In the event of termination for convenience, the Grantee shall be entitled to receive compensation for any payments owed under the Grant Agreement as of the date of termination.

CANCELLATION: The State of Wisconsin reserves the right to cancel this Grant Agreement if the Grantee fails to follow the requirements of s. 77.66, Wis. Stats., and related statutes regarding certification for collection of sales and use tax. The State of Wisconsin reserves the right to cancel this Grant Agreement if it finds that the Grantee is a federally debarred contractor or a contractor that is presently identified on the list of parties excluded from federal procurement and non-procurement contracts. The State of Wisconsin reserves the right to cancel this Grant Agreement in whole or in part without penalty due to any delay or change in the amount of WIOA funding it receives from the Federal Awarding Agency, the U.S. Department of Labor.

GRANT CLOSEOUT: Grants must be closed out in accordance with DWD-DET's [Grant Closeout Policy](#) found within the WIOA Title I-A and I-B Policy & Procedure Manual.

NONDISCRIMINATION: In connection with the performance of work under this Grant Agreement, the Grantee agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Stats., sexual orientation as defined in s. 111.32(13m), Wis. Stats., or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities.

The Grantee agrees to post in conspicuous places, available for employees and applicants for employment, a notice to be provided by the contracting state agency that sets forth the provisions of the State of Wisconsin's nondiscrimination law.

Pursuant to 2019 Wisconsin Executive Order 1, Grantee agrees it will hire only on the basis of merit and will not discriminate against any persons performing a contract, subcontract or grant because of military or veteran status, gender identity or expression, marital or familial status, genetic information or political affiliation.

PUBLIC RECORDS: It is the intention of the state to maintain an open and public process in the for all Grant Agreement activities. Pursuant to §19.36 (3), Wis. Stats., all records of the Grantee that are produced or collected under this Grant Agreement are subject to disclosure pursuant to a public records request. Upon receipt of notice from the State of Wisconsin of a public records request for records produced or collected under this Grant, the Grantee shall provide the requested records to the Department. The contractor, following final payment, shall retain all records produced or collected under this Grant Agreement for three years.

RECORDKEEPING AND ACCESS TO RECORDS: The Grantee shall establish and maintain adequate records of all expenditures incurred under this Grant Agreement. All records must be kept in accordance with generally accepted accounting procedures. All procedures must be in accordance with federal, state and local ordinances. The Department shall have the right to audit, review, examine, copy, and transcribe any pertinent records or documents relating to this Grant Agreement or from any contract resulting from this Grant Agreement.

USE OF STATE EMPLOYEES: The Grantee will not engage the services of any person or persons now employed by the State of Wisconsin, including any department, commission or board thereof, to provide services relating to this Grant Agreement without the written consent of the employing agency of such person or persons and of the Department.

INDEMNIFICATION: The Grantee will indemnify and save harmless the State of Wisconsin and all of its officers, agents and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the Grantee, or of any of its contractors, in prosecuting work under this Grant Agreement.

FORCE MAJEURE: Neither party shall be in default by reason of any failure in performance of this Grant Agreement in accordance with reasonable control and without fault or negligence on their part. Such causes may include, but are not restricted to, acts of nature or the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes and unusually severe weather, but in every case the failure to perform such must be beyond the reasonable control and without the fault or negligence of the party.

Approved for the Project Operator by:

Project Operator Authorized Representative

Print Name

Title

Date

Approved for DWD by:

Bruce Palzkill, Deputy Administrator DWD-DET

Date

Robert Cherry, Jr., DWD Deputy Secretary

Date

APPENDIX C
American Job Center Branding

The following logos are approved by DWD Communications for use for publication in accordance with [20 CFR § 679.900\(b\) and \(c\)](#) and [TEGL 36-11 p. 4](#). Electronic copies may be requested from DETWIOAnalysts@dwd.wisconsin.gov.

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