

*PLANNING GUIDANCE AND INSTRUCTIONS FOR
SUBMISSION OF ANNUAL STATE PLANS
Fiscal Year 1999
WELFARE-TO-WORK FORMULA GRANTS*

*U.S. Department of Labor
Employment and Training Administration
200 Constitution Avenue N.W.
Washington, D.C. 20210*

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**Planning Guidance
Welfare-To-Work Formula Grants
Fiscal Year 1999**

INTRODUCTION

President Clinton has made welfare reform a top priority of his Administration. During his first four years in office, the President granted federal waivers to 43 States to require work, time-limit assistance, make work pay, improve child support enforcement, and encourage parental responsibility. In August 1996, President Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), a comprehensive bipartisan welfare reform bill that establishes the Temporary Assistance for Needy Families (TANF) program. A new system of TANF block grants to States was created, changing the nature and provision of Federal welfare benefits in America. This legislation dramatically changed the nation's welfare system into one that requires work in exchange for time-limited assistance and provides support for families moving from welfare to work. In brief, the legislation provides a limit on the amount of time an individual can receive welfare benefits and, with limited exceptions, welfare recipients are expected to engage in work activities to move from welfare assistance to permanent employment.

The PRWORA gives States the opportunity to create a new system that promotes work and responsibility while strengthening families. It challenges us all to remedy the shortcomings of the old system and to provide opportunities that will help needy families under a framework of new expectations.

This focus on moving people from welfare to work is a primary goal of Federal welfare policy. The Balanced Budget Act of 1997, signed by the President on August 5, 1997, provides additional resources to achieve this goal by authorizing the Department of Labor to provide Welfare-to-Work (WtW) grants to States and local communities for transitional employment assistance to move hard-to-employ TANF recipients with significant employment barriers and certain noncustodial parents into unsubsidized jobs offering long-term employment opportunities. These grants will provide many welfare recipients with the job placement services, transitional employment, and job retention and support services to achieve the ultimate goal of long-term unsubsidized employment and economic self-sufficiency.

This program is a key part of the Administration's efforts to create jobs to move people from welfare to work, which include mobilizing the business community to hire welfare recipients, working with civic, religious and non-profit groups to mentor families leaving welfare for work, and hiring our fair share of welfare recipients in the federal government. The program provides States and Private Industry Councils (PICs) with maximum flexibility to move welfare recipients into jobs through meeting local labor market needs.

NOTE: This planning guidance addresses the requirements related to State plans to qualify for the formula grant funds in Fiscal Year 1999. Separate guidance continues to be issued for both the grants to Indian tribes and the competitive grants.

SUMMARY OF WELFARE-TO-WORK GRANTS

Funding: \$1.5 billion is to be awarded in fiscal year 1999. There will be two kinds of grants: (1) Formula Grants to States, with 85 percent to be passed through to PICs, and (2) Competitive Grants to local communities.

A small amount of the total grant money will be set aside for special purposes: 1 percent for Indian tribes; 0.8 percent for evaluation; and \$100 million for performance bonuses to successful States to be awarded in FY 2000.

Formula Grants to States and PICs: After reserving the special purpose funds described above, 75 percent of the grant funds will be allocated to States based on a formula that equally considers States' shares of the national number of poor individuals and of adult recipients of assistance under TANF. A State is allowed to retain 15 percent of the money for welfare-to-work projects to help long-term recipients of assistance enter unsubsidized jobs. States are required to pass through 85 percent of the money to local PICs which are also known as workforce development boards in some areas. (In this document, any provisions applying to a PIC also apply to Workforce Development Boards.) These funds must be distributed using a substate formula based on the following factors. Between 50 and 100 percent of the funds distributed to local areas must be based on the area's share of the excess population of poor, i.e., the number of poor individuals in excess of 7.5 percent of the total population. Between 0 to 50 percent may be distributed based on one or a combination of the following factors: (1) the number of adults receiving TANF or AFDC assistance for 30 months or more and (2) the number of unemployed in the SDA. Because of the threshold established in the law, an SDA that would receive less than \$100,000 under such a formula will receive no funds.

In order to receive formula funds, the State must submit a plan in the form of an addendum to the State TANF plan, for the administration of the WtW grant. The Secretary of Labor must determine that the plan meets the statutory requirements. Governors are responsible for receiving formula funds, distributing 85% of funds to the PICs, operating State level programs with the remaining 15% of the funds, and for assuring, together with PICs, that WtW funds are coordinated with funds spent under the TANF block grant. PICs shall determine on which individuals and activities listed in the statute to expend the WtW funds they receive.

PICs established under the Job Training Partnership Act (JTPA), in coordination with chief elected officials, will administer the program at the local level. The PIC shall coordinate activities with the TANF agency. The Secretary of Labor may approve a Governor's request to use an alternative administering agency, after determining that the alternative would improve the

effectiveness and efficiency of program implementation.

Competitive Grants to Local Communities: The 25 percent of funds not allocated by formula will be used for competitive grants awarded directly to local governments, PICs, and private entities (such as community development corporations, community-based organizations, community action agencies, and other private organizations) who apply in conjunction with a PIC or local government. As appropriate, the Secretary of Labor will give special consideration to the needs of rural areas and cities with large concentrations of poverty.

Targeting of Eligible Participants: The WtW legislation targets service in this program to that group of hard-to-serve TANF recipients which has significant barriers making it difficult for them to move into unsubsidized jobs providing long-term employment opportunities. Consistent with statutory provisions, the State may not restrict PICs from exercising their authority to expend funds on the statutorily eligible populations. PICs, therefore, have authority to determine the individuals to be served in the service delivery areas. States, PICs, and other entities must target funds in the following way:

1. At least 70 percent of the grant funds must be spent on individuals who:

(a)(1) are long-term welfare recipients (with 30 or more months of receipt), or who face termination from TANF assistance within 12 months; AND, (a)(2) who face two or three specified labor market deficiencies (lack of high school diploma or GED and low reading or math skills; requiring a substance abuse treatment for employment; have a poor work history) OR

(b) are noncustodial parents of minor children meeting criteria (a)(1) and who meet criteria (a)(2).

2. Up to 30 percent of the grant funds: May be spent on individuals who have characteristics associated with long-term welfare dependence, such as school dropout, teen pregnancy, or poor work history, and are either recipients of TANF assistance or noncustodial parents.

Allowable Uses of Funds: Funds can be used by States, PICs and other entities to help move eligible individuals into long-term unsubsidized jobs by any of the following means: job creation through short-term public or private sector wage subsidies; on-the-job training; contracts with public or private providers of job readiness, job placement, and post-employment services; job vouchers for similar services; community service or work experience; or job retention and supportive services such as transportation services, substance abuse treatment, child care and housing assistance, (if such services are not otherwise available to the individual participants receiving WtW services). Consistent with statutory provisions, the State may not restrict PICs from exercising their authority to expend funds on the statutorily prescribed activities. PICs, therefore, have authority to determine the services to be provided in the service delivery areas. [Note: "Contracts or vouchers for job placement services supported by such funds must require

that at least 1/2 of the payment occur after an eligible individual placed into the workforce has been in the workforce for 6 months.”]

Program Outcomes: In measuring program outcomes, States will, at a minimum, need to demonstrate their success in serving eligible individuals in terms of: (1) placement in unsubsidized jobs; (2) duration of such placements; and, (3) increase in earnings. The Secretary of Labor may determine other factors to be appropriate in the development of program outcome measures. States may qualify for a performance bonus in FY 2000 based on a formula for measuring performance that is being developed by the Secretary of Labor, in consultation with the Secretary of Health and Human Services and organizations representing States. In addition, the Secretary of Health and Human Services will be taking these factors into consideration in the conduct of the national evaluation of WtW.

POLICY FRAMEWORK

The WtW grants provide a critical tool to help States and local governments achieve their own welfare reform goals and to meet their responsibilities under PRWORA to move welfare recipients into permanent employment and off welfare. This program provides an opportunity to expand the involvement of the employment and training system, with its ties to the business community and labor, in moving welfare recipients into jobs through coordination with the TANF agencies. While the use of WtW funds should occur within the larger framework of the TANF program in each State, States must recognize that WtW funds have a purpose which is distinct from that of the TANF program, which is:

“To provide transitional assistance which moves welfare recipients into unsubsidized employment providing good career potential for achieving economic self-sufficiency.”

WtW grant funds are also targeted to assist those welfare recipients with the most significant barriers to employment (i.e., those characteristics associated with long-term welfare dependence). This target group will require extensive assistance to achieve the employment and earnings goals of the WtW grants.

WtW must be an integral part of the States’ and local governments’ overall program of assistance to move welfare recipients into unsubsidized employment. WtW formula grants are intended to work through the PICs to supplement each State’s overall capacity for assisting the welfare recipient population by focusing on those communities with the largest number of individuals in poverty.

This is an opportunity for States and local governments to integrate the operation of work force development systems (including one-stop centers/employment services, JTPA services and school-to-work activities) and other programs with assistance and services available to TANF recipients.

State plans for using WtW funds, and the related State funding to meet the matching requirement for formula grant funds, should reflect the following principles:

- ▶ The ultimate objective for each welfare recipient is placement into an unsubsidized job which provides the potential for achieving economic self-sufficiency.
- ▶ Activities conducted with grant funds must be grounded in the “work first” philosophy which is a fundamental tenet of PRWORA. Although a variety of activities (e.g., work experience/community service, on-the-job training, placement and post-employment services, job retention services) are authorized under WtW, these activities should be viewed as employment-based developmental steps for moving individuals into, and retaining them in unsubsidized jobs.
- ▶ Although the Act does not authorize the use of grant funds for independent or stand-alone training activities, State plans may recognize that basic education and vocational skills development as part of an employment experience will be needed by some recipients in order to achieve the ultimate objective of the assistance which is self-sufficiency. [Note: Basic education and vocational skills training where needed, based on the assessment of the recipient’s needs, may be provided as a post-employment service where the recipient is employed in either a subsidized or unsubsidized job.]
- ▶ State plans should reflect coordination and collaboration with PICs and CEOs in the planning, design, implementation and evaluation of WtW activities.
- ▶ At the local level, PIC targeting of eligible individuals and selection of service strategies should reflect the needs of the local population and local employment opportunities to maximize prospects of welfare participants achieving long-term self-sufficiency, subject to the targeting requirements of the statute.
- ▶ Given the target group for this assistance, the provision of adequate job retention and supportive services will be critical. WtW grant funds may be used to provide these services, but only where these services are not otherwise available to the individual participants receiving WtW services. Plans should reflect coordination of all available resources to provide the full scope of assistance needed by recipients to move into permanent employment.

Coordination of resources should include not only those available through WtW, TANF grant funds, and the Child Care and Development Fund (CCDF), but also those available through other related activities and programs such as the JTPA program, Access to Jobs, State employment service, private sector employers, labor organizations, business and trade associations, education agencies, housing agencies, community development organizations, transportation agencies, community-based and faith-based organizations.

disability community organizations, and colleges and universities which provide some of the assistance needed by the targeted population. And the State plans should reflect State and local coordination and collaboration with these private and public entities.

- ▶ Plans should be consistent with the assessment requirement and, at State option, an individual responsibility plan as stated in section 408(b). Activities funded through WtW should be effectively coordinated with complementary activities (e.g., assessment, case management, supportive services) being funded through the TANF grant and the CCDF grant and evidence of individualized strategies for transition to unsubsidized employment. State plans should reflect the working relationship with the TANF agency to coordinate the use of these funds and related activities.
- ▶ State plans should reflect the development and implementation of working relationships between the States, the PICs, Metropolitan Planning Organizations (MPOs) [regional bodies responsible for developing transportation plans and setting priorities for regional transportation spending], public transit operators, and other transportation providers to ensure that adequate transportation is provided.
- ▶ State plans should recognize that the statutory language of WtW targets the use of grant funds in regards to both the welfare recipients to be assisted and the outcomes to be achieved through the assistance.

The planning guidance provided in this document and the interim final WtW regulations which were published in the Federal Register on November 18, 1997 are designed to provide maximum flexibility to States and PICs in designing the mix of services needed by the eligible recipient population and formulating the service delivery and governance processes for providing the services. States and PICs should use this flexibility to develop and implement innovative approaches that provide welfare recipients the assistance they need to secure and retain quality jobs that provide maximum opportunities for economic self-sufficiency.

PLAN CONTENT AND SUBMISSION

Using Attachments A and B, States should submit FY 1999 plans on or before August 14, 1998, which address the components outlined in the Attachments. However, all FY 1999 plans must be received no later than March 31, 1999 in order to receive funding. It is suggested that the plan not exceed 25 pages.

A State should submit one copy of the plan, with original signatures, to:

U.S. Department of Labor
Employment and Training Administration
Office of Welfare to Work
200 Constitution Avenue N.W., Room C4524
Washington, D.C. 20210

In addition, a copy should be submitted simultaneously to:

Department of Health and Human Services
Administration for Children and Families
Office of Family Assistance
5th Floor, Aerospace Building
370 L'Enfant Promenade, SW
Washington, D.C. 20447

Copies should also be submitted simultaneously to the appropriate regional offices for DOL and DHHS (see addresses attached) and may be submitted electronically.

TERMINOLOGY USED

Throughout the planning instructions several acronyms are used for the purposes of the WtW program. The acronyms and their translations are as follows: Welfare-to-Work - WtW; Temporary Assistance For Needy Families - TANF; Job Training Partnership Act - JTPA; Service Delivery Area - SDA; and Private Industry Council - PIC; and, Chief Elected Official - CEO. In areas where the Governor has requested a waiver for an alternate agency, the term PIC used throughout the planning instructions should be replaced with that alternate agency's name.

DESCRIPTION OF THE ATTACHMENTS

In addition to this general guidance, we are providing three attachments. Attachment A contains the Instructions for the State Plan Submission, Attachment B is the Assurance document and Attachment C contains the names, addresses and telephone numbers of the DOL-ETA and DHHS-ACF regional offices.

PLAN COMMENT PERIOD

The State is encouraged to provide an opportunity for interested parties, including PICs, CEOs, other public and private organizations and individuals, to comment on the State plan.

PLAN REVIEW

State plans will be reviewed by the Department promptly in the order in which they are received for overall compliance with the provisions of the Act. Only those plans that are consistent with these provisions will be considered complete.

MODIFICATION

Any plan submitted under SSA section 403(a)(5) , as amended, may be modified as changes occur related to the operation of the program (matching funds, State and local administrative entity, definitions, etc.). Modification requests should be submitted to the same agencies and offices indicated above for the original plan submission.

INQUIRIES

Inquiries should be addressed to Stephanie Curtis at 202-219-0024, extension 189. Information about all State plans will be posted on the WtW home page at <http://wtw.doleta.gov>.

***ANNUAL STATE PLAN UNDER SSA SECTION 403(a)(5)-
WELFARE-TO-WORK
FORMULA GRANT PROGRAM***

STATE/COMMONWEALTH OF

for the period of

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. Respondents obligation to reply to these reporting requirements are required to obtain or retain benefits (Public Law 105-33). Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the U.S. Department of Labor, Office of Welfare to Work, Room C-4524, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0393, expires 7/31/01).

PROGRAM ADMINISTRATOR(S)

For the State/Commonwealth of _____ specify below which State agency will be the Grant Recipient, and which State agency will be the Administrative Agency, and identify the individual who will be the Liaison for the Welfare-to-Work Program.

Name of Grant Recipient:
Address:
Telephone Number: Facsimile Number: E-mail Address:

Name of State Administrative Agency (if different from the Grant Recipient):
Address:
Telephone Number: Facsimile Number: E-mail Address:

Name and title of State Signatory Official (Governor or his/her designee):
Address:
Telephone Number: Facsimile Number: E-mail Address:

Name and title of State WtW Liaison (Individual responsible for day-to-day operations of the grant):

Address:

Telephone Number:

Facsimile Number:

E-mail Address:

Planning Instructions for the Welfare-To-Work Program

Statutory Provision: The Balanced Budget Act of 1997, Section 5001. Social Security Act (SSA), as amended SSA section 403(a)(5)(A)(ii). "Welfare To Work State. A State shall be considered a welfare-to-work State for a fiscal year for purposes of this paragraph if the Secretary of Labor determines that the State meets the following requirements:"

I. Welfare-to-Work Program Description. *Statutory Provision, as amended by Public Law 105-78. SSA section 403(a)(5)(A)(ii)(I). "The State has submitted to the Secretary of Labor and the Secretary of Health and Human Services (in the form of an addendum to the State plan submitted under SSA section 402) a plan which-*

A. Program Design. *"(aa) describes how, consistent with this subparagraph, the State will use any funds provided under this subparagraph during the period permitted under subparagraph (C)(vii) of this paragraph for the expenditure of funds under the grant;"*

Plan Requirements:

1. Describe the State and local targeting strategies to reach the hard-to-employ TANF recipients eligible under WtW and assure that appropriate activities and services are provided to help these participants achieve self-sufficiency.
2. Define and describe State and local strategies regarding:
 - a. the employment activities (community service, work experience, job creation through public and private wage subsidies, on-the-job training) that are planned under this grant; and,
 - b. the utilization of contracts with public and private providers of job readiness, placement and post-employment services; job vouchers for placement, readiness, and post-employment services; job retention, or support services, if not otherwise available to the individual participants receiving WtW services, that are planned under this grant.
3. Describe the State and local policy and procedures which will govern implementation of such activities. Include how WtW funds will be used to provide necessary support services (child care, substance abuse treatment, transportation, etc.,) when these services are not otherwise available to the individual participants receiving WtW services.
4. List the performance goals and outcomes the State intends to achieve in serving the eligible participants in the WtW program including: (a) placement in unsubsidized jobs; (b) duration of such placement; and, (c) increase in earnings. The performance goals and outcomes should be expressed in measurable, quantifiable terms to the greatest extent possible.
5. Provide a description of how the program will be implemented by PICs across the State, including the roles and responsibilities of the State WtW Administrative Agency

and the TANF agency; a list of the substate areas and the local entities responsible for program administration; and, the program's implementation target dates.

6. Identify the State policies and procedures, developed in coordination with PICs, regarding: (a) identification and referral of participants; and, (b) assessment and case management, if any. Include a description of the coordination efforts that the local TANF and administrative agency will undertake in this process, including the role these local agencies will play in providing assessment and case management to qualified participants. Specify any additional characteristics associated with, or predictive of, long term welfare dependence which have been identified by the State, in consultation with the operating entity, which will be used in determining eligibility under the thirty percent provision.

7. Describe the State's procedures for conducting monitoring and oversight of substate areas to ensure adequate fiscal controls and achievement of quality program outcomes for WtW participants. The description should include, but not be limited to:

- a. mechanisms for monitoring expenditures of match requirements, allowable activities, and targeting of eligible participants;
- b. frequency of monitoring; and
- c. use of technical assistance to ensure compliance with the Act and as a tool for corrective action and program improvement.

8. Describe the strategies of the State and PICs to prevent duplication of services and promote coordination among WtW, TANF, JTPA, one-stop centers/employment services and other employment and training systems throughout the State.

9. Describe the strategies of the State and PICs to promote and encourage coordination with the State Department of Transportation, MPO's, transit operators, and other transportation providers to help ensure that the transportation needs of those moving from welfare to work are met.

10. Describe the strategies of the State and PICs to promote and encourage coordination with the State Housing Finance Agencies, public and assisted housing providers and agencies and other community based organizations, and public and private health, mental health and service agencies, vocational rehabilitation and related agencies.

B. Within State Distribution of Funds. *"(bb) specifies the formula to be used pursuant to clause (vi) to distribute funds in the State, and describes the process by which the formula was developed,"*

SSA section 403(a)(5)(A)(vi)(I) provides that "A State to which a grant is made under this subparagraph shall devise a formula for allocating not less than 85 percent of the

amount of the grant among the service delivery areas in the State, which-

“(aa) determines the amount to be allocated for the benefit of a service delivery area in proportion to the number (if any) by which the population of the area with an income that is less than the poverty line exceeds 7.5 percent of the total population of the area, relative to such number for all such areas in the State with such an excess, and accords a weight of not less than 50 percent to this factor;

“(bb) may determine the amount to be allocated for the benefit of such an area in proportion to the number of adults residing in the area who have been recipients of assistance under the State program funded under this part (whether in effect before or after the amendments made by section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 first applied to the State) for at least 30 months (whether or not consecutive) relative to the number of such adults residing in the State; and,

(cc) may determine the amount to be allocated for the benefit of such an area in proportion to the number of unemployed individuals residing in the area relative to the number of such individuals residing in the State.”

SSA section 403(a)(5)(A)(vi)(II) provides that “(aa) if the amount allocated by the formula to a service delivery area is at least \$100,000, the State shall distribute the amount of the entity administering the grant in the area.”

(bb) Special Rule. If the amount allocated by the formula to a service delivery area is less than \$100,000, the sum shall be available for distribution in the State under subclause (III) during the fiscal year.

Plan Requirement:

Describe the formula factors, including the weights assigned to each factor, used by the State to allocate not less than 85 percent of the amount of grant funds among the PICs in the State as well as the timeline for the allocation to PICs. Provide a listing of the allocations the State will make to each substate area.

C. Coordination and Consultation. *“(cc) contains evidence that the plan was developed in consultation and coordination with the appropriate entities in the sub-State areas;”*

Plan Requirement:

Describe the approach, including process and timing, used to obtain and take into account consultation and coordination with substate entities such as public, private and non-profit organizations, in the development of the State plan. Include either a summary description of the comments received, along with the names of the individuals or entities who

commented, or include copies of the actual comments received as an attachment to the plan.

D. Expenditure of Funds. *“(dd) contains assurances by the Governor of the State that the private industry council (and any alternate agency designated by the Governor under item (ee)) for a service delivery area in the State will coordinate the expenditure of any funds provided under this subparagraph for the benefit of the service delivery area with the expenditure of the funds provided to the State under SSA section 403(a)(1); and”*

Plan Requirements:

1. Describe the process the State will use to maintain administrative costs at the 15 percent limit.
2. Describe how the PIC, and any alternate agency designated by the Governor, will coordinate the expenditure of any funds provided for the WtW program between TANF and WtW.

E. Application for Waiver. *“(ee) if the Governor of the State desires to have an agency other than a private industry council administer the funds provided under this subparagraph for the benefit of 1 or more service delivery areas in the State, contains an application to the Secretary of Labor for a waiver of clause (vii)(1) with respect to the area or areas in order to permit an alternate agency designated by the Governor to so administer the funds.”*

SSA section 403(a)(5)(A)(vii)(III) provides that "The Secretary of Labor shall approve an application submitted under clause (ii) (I)(ee) or subclause (II)(bb) of this clause to waive subclause (I) of this clause with respect to 1 or more service delivery areas if the Secretary determines that the alternate agency designated in the application would improve the effectiveness or efficiency of the administration of amounts distributed under clause (vi)(II)(aa) for the benefit of the area or areas."

Plan Requirements:

1. Provide copies of any comments from the Chief Elected Official(s) regarding the Governor's designation of **each** alternate agency for the administration of WtW funds in each individual, affected substate area.
2. Include information that indicates how the selection of each individual alternate agency will improve the effectiveness or efficiency of the program in each of the individual, affected substate areas, including the advantages provided by the alternate agency in achieving the goals of WtW. In presenting the rationale, the Governor should provide such information as (s)he deems is necessary to support the waiver request. This information should include such items as, the reasons for not using the PIC (including poor performance under the Job Training Partnership Act or evidence that the PIC has refused the WtW administrative role), and/or the superior capabilities of each alternate

agency to coordinate activities and resources among the relevant local agencies in order to achieve planned outcomes.

Review and Approval of Waiver Requests:

The Secretary of Labor shall assess the information provided by the Governor as well as the input from the affected CEOs in reaching a decision on the granting of the waiver requested.

II. Description of 15 % Projects to Help Long-Term Recipients of Assistance Enter Unsubsidized Jobs. *Statutory Provision. "SSA section 403(a)(5)(A)(vi)III The Governor of a State to which a grant is made under this subparagraph may distribute not more than 15 percent of the grant funds (plus any amount required to be distributed under this subclause by reason of subclause (II)(bb)) to projects that appear likely to help long-term recipients of assistance under the State program funded under this part (whether in effect before or after the amendments made by section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 first applied to the State) enter unsubsidized employment."*

Plan Requirements:

Describe the State's plans for the expenditure, uses and goals of the 15% funds. These funds may be distributed to public, private non-profit, and private for profit entities, including, PICs, governmental entities, community based organizations, and community development corporations.

III. Estimate of Matching Funds. *Statutory Provision, as amended by Public Law 105-78. "SSA section (a)(5)(A)(ii)II The State has provided to the Secretary of Labor an estimate of the amount that the State intends to expend during the period permitted under subparagraph (C)(vii) of this paragraph for the expenditure of funds under the grant (excluding expenditures described in SSA section 409(a)(7)(B)(iv) (other than subclause (III) thereof)) pursuant to this paragraph."*

Plan Requirements:

1. Include an estimate of the amount of matching expenditures for the FY 1999 Federal funding which the State expects to make during the period covered by the plan.
2. Include the process by which these expenditures will be monitored and reported quarterly to ensure the State meets its projected match.

IV. Funding.

Plan Requirement:

The State should submit an estimate of expenditures of WtW formula grant funds for each quarter of each fiscal year covered by the plan by percentage or dollar amount.

V. Assurances. See Attachment B.

VI. Signature. An original signature of the Governor or authorized designee shall be affixed to each State plan submitted to the DOL National Office. The typed name, title and signature date of the signatory official must also be provided.

PROGRAM ASSURANCES

(This section has been designed to assist the Governor certify that the State will comply with the provisions in Section 5001 of the Balanced Budget Act of 1997 and the applicable regulations.)

ASSURANCES

The State/Commonwealth of _____, assures to the following requirements under Title IV-A of the Social Security Act.

PROGRAM ADMINISTRATION/ACTIVITIES

1. The State is an eligible State, pursuant to SSA section 402(a) for the fiscal year. *Statutory Citations: SSA section 402(a); SSA section 403(a)(5)(A)(ii)(IV).*
2. The State assures that qualified State expenditures (within the meaning of SSA section 409(a)(7)) for the fiscal year will not be less than the applicable percentage of historic State expenditures (within the meaning of SSA section 409(a)(7)) with respect to the fiscal year. *Statutory Citations: SSA section 403(5)(A)(ii)(V); SSA Section 409(a)(7).*

[That is, the State will meet its TANF maintenance-of-effort requirement under SSA section 409(a)(7) for the fiscal year].
3. The State has consulted and coordinated with the appropriate entities in the substate areas regarding the plan and the design of WtW services in the State. *Statutory Citation: SSA section 403(a)(5)(A)(ii)(I)(cc).*
4. The State will make available to the public a summary of the WtW plan. *Statutory Citation: SSA section 402(b).*
5. The State has agreed to negotiate in good faith with the Secretary of Health and Human Services with respect to the substance and funding of any evaluation under SSA section 413(j) and to cooperate with the conduct of such an evaluation. *Statutory Citations: SSA section 403(a)(5)(A)(ii)(III); SSA section 413(j).*
6. The State shall not use any part of these grant funds, nor any part of state expenditures made to match the funds, to fulfill any obligation of any State, political subdivision, or private industry council to contribute funds under SSA sections 403(b) or 418 or any other provision of the Social Security Act or other Federal law. (NOTE: There is an exception to this requirement for Access to Jobs.) *Statutory Citation: SSA section 403(a)(5)(C)(vi).*
7. The State will return to The Secretary of Labor any part of the WtW funds that are not expended within 3 years after the date the funds are so provided. *Statutory Citation: SSA section 403(a)(5)(C)(vii).*
8. The State WtW program will be conducted in accordance with the WtW legislation, regulatory provisions, future written guidance provided by the Department, and all other applicable Federal and State laws.

9. The State will apply the TANF law and regulations to the operation of the WtW program, unless otherwise specified by the Department or defined in SSA section 403(a)(5) or the applicable WtW regulations.
10. The State assures that services under the WtW grant are provided to eligible participants only.
11. The State will maintain and submit accurate, complete and timely participant and financial records reports, as specified by the Secretary of Labor and the Secretary of Health and Human Services.
12. The State will establish a mechanism to exchange information and coordinate the WtW program operated by the State and PICs with other programs available that will assist in providing welfare recipients employment.
13. The State shall adhere to the certifications required under TANF and will meet the TANF maintenance of effort requirements.
14. The State will comply with the “common rule” Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments codified for DOL at 29 CFR Part 97.
15. The State will follow the audit requirements of The Single Audit Act Amendments of 1996 and OMB-Circular A-133.
16. The State will follow the allowable cost/cost principles of OMB Circular A-87.

WORKER PROTECTIONS

1. The State will establish policies to enforce the provisions regarding nondisplacement in work activities under a program operated with funds provided under WtW. *Statutory Citation: SSA section 403(a)(5)(J)(i).*
2. The State assures that the Health and Safety standards established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of other participants engaged in a work activity under a program operated with funds provided under WtW. *Statutory Citation: SSA section 403(a)(5)(J)(ii).*

3. The State will enforce the provision that an individual may not be discriminated against by reason of gender with respect to participation in work activities under a program operated with funds provided under WtW. *Statutory Citation: SSA section 403(a)(5)(J)(iii).*
4. The State shall establish and maintain procedures for grievances or complaints from participants and employees under the WtW program. The procedures established will be consistent with the requirements of SSA section 403(a)(5)(J)(iv). *Statutory Citation: SSA section 403(a)(5)(J)(iv).*
5. The State shall establish and enforce standards and procedures to ensure against fraud and abuse, including standards and procedures against nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State WtW program, kickbacks, and the use of political patronage.
6. The State will comply with the nondiscrimination provisions of the laws enumerated at SSA section 408(d), with respect to participation in work activities engaged in under the WtW program.

Governor or Authorized Signatory (Type and Sign Name)
Title, (if other than the Governor)
Date Signed

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FOR**

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