

## H-1B Ready To Work (RTW) Grants Key Policy Clarifications Updated: June 2018

This document provides answers to frequently asked questions regarding key policy guidance that H-1B Ready To Work (RTW) grantees are required to follow. It should be viewed as a supplement to other technical assistance materials that have been and will be disseminated to H-1B RTW grantees.

### **Definition: Long-term Unemployed Workers**

The H-1B RTW Solicitation for Grant Applications (SGA) defines “long-term unemployed workers” as an individual who has been unemployed for 27 consecutive weeks or more.

This definition encompasses: **(1)** individuals who have lost their job during or after the recent recession (commencing from December 1, 2007 forward) and have exhausted or nearly exhausted unemployment benefits (if they were eligible to receive such benefits); and **(2)** underemployed individuals who lost their job during or after the recent recession and have obtained only episodic, short-term, or part-time employment but have not yet reconnected with a full-time job commensurate with the individual’s level of education, skills, and previous wage or salary earned prior to the individual’s loss of permanent employment.

Groups (1) and (2) are sub-categories within the LTU definition of an individual who has been unemployed for 27 consecutive weeks or more and, therefore, must also meet the criteria of this definition. Further clarification is provided below:

- (1) Unemployed for 27 consecutive weeks or more and exhausted/nearly exhausted UI benefits: individuals who have lost their job during or after the recent recession (commencing from December 1, 2007 forward), have been unemployed for 27 consecutive weeks or more, and have exhausted or nearly exhausted unemployment benefits (if they were eligible to receive such benefits);
- (2) Underemployed for 27 consecutive weeks or more: individuals who lost their job during or after the recent recession and have obtained only episodic, short-term, or part-time employment for a period of 27 consecutive weeks, but have not yet reconnected with a full-time job commensurate with the individual’s level of education, skills, and previous wage or salary earned prior to the individual’s loss of permanent employment.

Individuals must have been underemployed for 27 consecutive weeks to meet this criteria, which can include periods of both unemployment and underemployment within a 27 week consecutive period.

Therefore, participants eligible to be served as long-term unemployed workers include: individuals who have been unemployed for 27 consecutive weeks or more; individuals who have been unemployed for 27 consecutive weeks or more and exhausted/nearly exhausted UI benefits; and, individuals who have

been underemployed for 27 consecutive weeks or more as it aligns with the definitions referenced above.

Grantees should serve participants in alignment with populations identified in their Statement of Work.

## **Individuals Served with Leveraged Resources**

### Individuals Served with ONLY Leveraged Resources

Individuals who receive services through an H-1B Ready To Work grant 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 the Quarterly Performance Reporting (QPR) Form ETA No. 9166.

Activities supported by leveraged resources are reported in the grant's Quarterly Narrative Report (QNR). If the leveraged resources meet the definition of match, they would also be reported on the quarterly financial report Form ETA 9130 line 10k "Recipient share of expenditures" and 10l "Recipient share of unliquidated obligations". Leveraged resources that come from other federal funding sources may also be reported on the ETA 9130 line 11a "Other Federal funds expended."

### Individuals Served with BOTH Leveraged Resources and Grant Funds

Individuals who receive services through an H-1B Ready To Work grant project funded with both leveraged resources and grant funds are considered grant participants. Grantees must 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. 9166, 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 as described above.

## **Selective Service Registration Requirements**

H-1B RTW grants are authorized under the American Competitive Workforce Improvement Act (ACWIA). ACWIA does not require that a determination of Selective Service registration be made prior to enrollment or in determining eligibility to participate in an H-1B RTW grant program. While grantees may be checking selective service registration for other reasons, such as co-enrollment in WIA-funded programs, H-1B RTW does not require grantees to check if participants are registered for selective service.

It is, however, important to note that for performance reporting purposes, H-1B RTW Data Element (DE) 102 "Selective Service Status" is a required data element. Grantees must include this data element for each participant record in their data files. Grantees have the option to leave this field "blank" if they do not collect this information. There are also code value options to report that a participant is or is not registered for Selective Service, or did not disclose this information.

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## **Percentage Ratios for Target Populations**

H-1B funded grant programs often require a minimum percentage (%) ratio for target populations to be served, as well as % restrictions for some populations, as identified in the Funding Opportunity Announcement (FOA). In response to the FOA, applicants were required to provide target outcome goals of their proposed targeted populations that adhered to the % ratio requirements. These ratios were also confirmed during the compliance review process.

For H-1B grant programs where the FOA required % 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.

- Percentage Ratio that Applies to Targeted Populations and Restricted Populations: If a grantee exceeds their target outcomes for total participants served and are within applicable % ratios, any additional participants served must still align within the required ratios specified in the FOA.
- Meeting Percentage Ratios at End of Grant: 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.

The following percentages apply to Ready To Work grantees:

- At least 85% of participants served must be long-term unemployed workers as defined in the FOA; and
- No more than 15% of the total participants served can be other unemployed workers or incumbent workers.