



Illinois
Department of Commerce
& Economic Opportunity
OFFICE OF EMPLOYMENT & TRAINING
JB Pritzker, Governor

WIOA NOTICE NO. 19-NOT-XX

TO: Chief Elected Officials
Local Workforce Innovation Board Chairpersons
Local Workforce Innovation Board Staff
WIOA Fiscal Agents and Grant Recipients
WIOA Program Services Administrators
Illinois workNet® Operators
WIOA State Agency Partners
Other Interested Persons

SUBJECT: Emergency (IE) Assistance Application in Response to COVID-19 National Health Emergency

DATE: April 14, 2020

I. SUBJECT INDEX

Layoff Aversion
Planning
Rapid Response

II. PURPOSE

To provide information to all Local Workforce Innovation Boards (LWIBs) on the availability of Statewide Rapid Response Funding for Layoff Aversion Activities in Response to the COVID-19 National Health Emergency.

III. ISSUANCES AFFECTED

A. References:

Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, as amended
Workforce Innovation and Opportunity Act of 2014 Final Rule at 20 CFR 682.320
USDOL Training and Employment Guidance Letter (TEGL) 19-16, Operating Guidance for
the Workforce Innovation and Opportunity Act
USDOL Training and Employment Notice (TEN) 9-12, Layoff Aversion in Rapid Response
Systems
State of Illinois ePolicy Chapter 9, Section 1: Rapid Response

B. Rescissions:

None

IV. BACKGROUND

On March 9, 2020 Governor JB Pritzker issued a Gubernatorial Disaster Proclamation in response to the ongoing coronavirus (COVID-19) situation. This proclamation will assist Illinois agencies in coordinating State and Federal resources to support local governments in preparation for any action that may be necessary related to the potential impact of COVID-19 in the State of Illinois. This funding opportunity is part of the State of Illinois response to the National Health Emergency to help employers retain workers and prevent layoffs.

V. COMPONENTS

In order to support small businesses* facing financial impacts from the COVID-19 emergency, the Illinois Department Commerce and Economic Opportunity (DCEO) has identified Statewide WIOA Rapid Response funds for layoff aversion activities. Rapid Response is a flexible activity designed to respond to the needs of businesses and affected workers. It includes the delivery of layoff aversion strategies intended to prevent or minimize the duration of unemployment.

Allowable Activities

Local Workforce Innovation Areas (LWIAs) must utilize funds in order to mitigate layoffs and adhere to “social distancing” provisions established by state and federal public health entities, including Illinois Executive Order 2020-10 (COVID-19 Stay-at-Home Order). Requests must be reasonable, necessary, and directly related to the purpose of the *COVID-19 Layoff Aversion* project(s). In addition, non-essential businesses may not use this funding opportunity to operate in violation of the COVID-19 Stay-at-Home order during the duration of the Illinois Gubernatorial Disaster Proclamation. Examples of layoff aversion projects that use innovative strategies to address COVID-19-related effects on employers and workers include:

- A small business needs their employees to be at work, on-site, but cannot afford frequent deep cleaning to help prevent potential exposure to COVID-19. **Layoff aversion funds could be used to pay for a cleaning/sanitization service.**
- A small business whose employees use specific software or computer applications asks their employees to work from home/remotely in order to support social distancing and limit potential exposure to COVID-19. **Layoff aversion funding could be used to purchase the software programs and/or hardware (computers) that the employee would need to use from home to support their work.**

- A call center environment needs to have their employees work from home/remotely in order to support social distancing and limit potential exposure to COVID-19. **Layoff aversion funding could be used to purchase remote access supplies, including laptop computers and/or smart phones, that the employee would need to use from home to support their work.**
- In order to support social distancing and limit potential exposure to COVID-19, a company that usually runs two shifts of workers adds a third shift, so that fewer employees are on onsite at any given time. **Layoff aversion funding could be used to offset related costs to the employer or workers, excluding wages and benefits.**
- Incumbent worker training to redirect and reassign existing employees on critical business needs. **Layoff aversion funding can help pay for projects to support the production of goods and services that are needed to address COVID-19 National Health Emergency and/or preserve critical business operations to stay in business.**
- Convene industry leaders in key sectors to identify the immediate needs, identify solutions from workforce education and economic development partners. Funding would be used to support industry sector partnership activities focused on COVID-19 recovery efforts. **Funding will be provided to support appropriate training and response activities based on the identified needs.**

Please note that this list is not all inclusive. Additional allowable activities that support layoff aversion for small businesses may be considered.

Prohibited Costs

Resources from the COVID-19 Layoff Aversion Fund may not be used for the following:

- Employee wages/benefits including Hazard Pay;
- Support services such as childcare, transportation costs, lodging expenses, or meals;
- Equipment with a per unit value over \$5,000;
- Political or religious activities;
- Branding and marketing projects;
- Fundraising, Fines, Penalties, Donations;
- Individual memberships subscriptions; or
- Costs that are not reasonable, necessary, and directly related to the purpose of the *COVID-19 Layoff Aversion* project.

Program Funding

The funding range for COVID-19 Layoff Aversion funding is \$5,000 to \$50,000 per employer / physical location. DCEO may consider proposals that exceed this cap if extenuating circumstances warrant. The applicant (LWIAs) must document the impact of the *COVID-19 National Health Emergency* on the employers and the layoff risk factors for each project in the application. LWIAs are encouraged to work with regional partners (including but not limited to other LWIAs) to streamline the management of projects that are located in

multiple local workforce areas. Consideration will be given to the geographic distributions of awards. Note that the funding will be provided on a reimbursement basis.

Eligibility

Eligible applicants include Illinois' Local Workforce Innovation Areas for Layoff Aversion projects focused on employers that are:

- In good standing with the State of Illinois;
- Can demonstrate a need for layoff aversion support due to the impacts of COVID19; and
- Can enter into an agreement with the LWIA that includes the conditions outlined in the application (Attachment A).

Application Submission

LWIAs should submit completed applications electronically to the DCEO Rapid Response Grant Manager Lorraine Wareham at: Lorraine.Wareham@illinois.gov using the attached application template (Attachment A). Applications will be accepted and reviewed on a rolling, first-come, first-served basis until funds are exhausted. LWIAs may consolidate Layoff Aversion projects under one submission to the Department or submit individual projects as soon as an application is completed. At a minimum, a completed application must provide:

- The number of employees affected;
- A brief profile of the business including industry, occupation, and physical location(s);
- A brief narrative describing the layoff aversion plan, timeline and need for funds;
- The amount of funds requested and brief budget description;
- A commitment to keep employees on staff through 45 calendar days from the date of the grant award, and
- A commitment of the employer to adhere to the required certifications.

Application Review

A team of staff from the Office of Employment and Training will review the applications on a first come, first served basis until all of the available funds have been committed.

Applications will be reviewed based on the following criteria:

- Regional and Local Need
- Size of Business (*priority given to small businesses as defined by the US Small Business Administration);
- Impact of the Project; and
 - Number of Layoffs Avoided
 - Targeted Industries and Occupations (as outlined in the Regional Workforce Plan)
 - Economic Impact to Community
- Geographic Distribution of Awards

Reporting Requirements

The outcome measures for these grants include the number of jobs saved, estimated amount of annual wages saved, and other relevant project specific results. LWIAs will be requested to report program activity and outcomes with the quarterly reports for this grant. Projects that provide incumbent worker training must follow the *State Incumbent Worker Training Policy* including the *Incumbent Worker Tracking System* reporting requirements.

Fiscal Management and Monitoring

This program is funded by the U.S. Department of Labor Workforce Innovation and Opportunity Act and grantees must follow all applicable WIOA regulations. The funding for this grant will be provided on a reimbursement basis and pre-award costs will be allowed. All costs must be documented in accordance with the eligible layoff aversion activities and must be documented in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at 2 CFR Part 200. This grant will be included in the annual monitoring of the LWIAs by the Office of Employment and Training as appropriate.

VI. ACTION REQUIRED

Local Workforce Innovation Boards, Local Workforce Innovation Area Directors, and Business Service Team are requested to review this notice, identify layoff aversion projects in a timely manner, with an open willingness to consider and explore innovative approaches to meeting your community's needs and submit an application as appropriate.

VII. INQUIRIES

Inquiries related to this application should be directed to OET, Annamarie Dorr at AnnaMarie.Dorr@Illinois.gov, or Bryan Ellis at Bryan.Ellis@illinois.gov.

VIII. EFFECTIVE DATE

This notice is effective on release.

IX. EXPIRATION DATE

This notice will remain in effect until June 30, 2022.

Sincerely,

Julio Rodriguez, Deputy Director
Office of Employment and Training

JR:ld

Attachment(s): A- Application

APPLICATION

FUNDING REQUEST	\$
EMPLOYER INFORMATION	
Employer Name	
Employer Address	
Employer Identification #	
Number of Employees	
PROJECTED OUTCOMES	
Number of Jobs Saved	
Annual Wages Saved	

BACKGROUND: Provide a brief description of the company including the products and services, industry and occupations and any other relevant background information:

LAYOFF AVERSION PLAN: Provide a brief narrative of the layoff aversion plan including information on the specific needs of the employer, the layoff aversion activities, the timeline for the project and any other relevant information:

BUDGET: Complete the budget table and provide a brief narrative of the funding request. Please make sure to provide enough detail to justify the reasonableness of the cost.

Line Item	Amount	Provide a detailed explanation and the basis for the budget amount requested. Include Vendor and Description of Item
GRAND TOTAL		

COMPANY CERTIFICATIONS AND COMMITMENTS

The participating companies must be in compliance, or agree to comply, with the following federal and state laws and related regulations (as applicable) in order to be considered for an award:

- Workforce Innovation and Opportunity Act (Public Law 113-128) and applicable regulations;
- Equal Employment Opportunity/Nondiscrimination Provision and will comply with the physical, programmatic and accessibility requirements;
- Protection of Personally Identifiable Information;
- Jobs for Veteran Act (Public Law 107-288);
- Flood Disaster Protection Act of 1973 as amended (42 U.S.C 4001);
- Architectural Barriers Act of 1968 as amended (42 USC 4151);
- Drug-Free Workplace Act of 1988 (41 USC 702 et seq., and 2 CFR § 182);
- Hotel Motel Fire Safety Act (15 USC 2225a);
- Buy American Act (41 U.S.C 10a);
- Copeland "Anti-Kickback" Act (18 USC 874 and 40 USC 276c);
- Davis-Bacon Act, as amended (40 USC 276a to a-7);
- Contract Work Hours and Safety Standards Act (40 USC 327-333);
- Rights to Inventions Made Under a Contract or Agreement;
- Clean Air Act (42 USC 7401 et seq.) and the Federal Water Pollution Control Act (33 USC 1251 et seq.), as amended;
- Byrd Anti-Lobbying Amendment (31 USC 1352);
- Uniform Administrative Requirements found at 2 CFR Part 200 and the US Department of Labor Exceptions found at 2 CFR Part 2900;
- Applicable State of Illinois Laws;
- State Workforce Innovation and Opportunity Act Policies;
- Illinois Executive Order 2020-10 (COVID-19 Stay-at-Home Order); and
- Commitment to keep employees on staff through 45 calendar days from the date of the grant award.

[TO BE COMPLETED BY EMPLOYER]

Typed Name	
Signature	
Title	
Date	

[TO BE COMPLETED BY THE LOCAL WORKFORCE AREA STAFF]

LWIA # / Director	
LWIA Signature	
Date	

LAYOFF AVERSION RISK FACTORS

Check the layoff aversion “at-risk” indicator(s) below that are applicable for this company:
(LWIA staff, please check as many as applicable and provide additional information as needed).

- Declining sales** - A company has undergone or will undergo (must be confirmed) a significant loss in sales that puts part of their workforce in threat of layoff. Declining sales must be expressed in terms of X dollars or Y units for Z period of time (months or years), along with information that provides known or suspected reasons for the decline.

- Supply chain issues** - A company loses a supplier or consumer that threatens the employment of part of their workforce, or acquired a new supplier that requires new skills to maintain the workforce. Supply chain issues must be accompanied by an explanation as to why the change occurred.

- Industry /market trends** - The industry / market standards have changed to the point where new training is needed to retain the current workforce. For example, have the employer’s customers asked for production or delivery of products to be handled in a specific way that requires skill upgrade training?

- Changes in management philosophy or ownership** - A company has undergone a new approach to conducting business or new ownership requires new skills to maintain the employment of part of the workforce. Changes in ownership are generally the result of a lack of profitability, but may also occur where a company is profitable, but not profitable enough (this level of profit may meet the profit requirements of another owner) or the current owners do not have the resources to take advantage of new business strategies

- Worker does not have necessary skills** - A worker’s skills or functions are no longer relevant to the employer’s production process and the worker is at risk of losing their employment without undergoing training to acquire new skills.

- Strong possibility of a job if a worker attains new skills** - The worker is in a position that is subject to layoff, and by acquiring new skills training he / she can move into a position that is not subject to layoff. New skills attainment may avert a layoff for individuals within a company or may make them more attractive to other companies.

- Other “at-risk” indicators** - Additional causes for potential layoffs may exist that the company and local area need to outline in making a case for assistance for incumbent workers. These may be other criteria that the Local Workforce Investment Area (LWIA) can gather with the consultation of the employer that puts part of their workforce “at-risk” for layoff (e.g., trend in company layoffs).