

## **NATIVE EMPLOYMENT WORKS (NEW) PROGRAM PLAN GUIDANCE**

### **Instructions for Preparing and Submitting NEW Program Plans, for Grantees that Do Not Include their NEW Programs in Public Law 102-477 Projects**

#### **OVERVIEW AND GENERAL INSTRUCTIONS**

##### **Overview of the Native Employment Works Program**

The Native Employment Works (NEW) program was created by amendments made to section 412(a)(2) of the Social Security Act by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The federal regulations for the NEW program are found at 45 CFR Part 287.

Eligibility for NEW program funding is limited by law to federally-recognized Indian tribes and Alaska Native organizations that operated a Tribal Job Opportunities and Basic Skills Training (JOBS) program in fiscal year (FY) 1995. Annual NEW grant amounts are set by law at the FY 1994 Tribal JOBS funding levels for each eligible tribe/organization. Total annual NEW funding is \$7,633,287.

By law, the purpose of the NEW program is to make work activities available to grantees' service populations and service areas. Allowable work activities include educational activities, training and job readiness activities, and employment activities that help clients prepare for, obtain, and retain employment. Allowable supportive and job retention services include transportation, child care, items needed for training or employment, medical services, counseling, and other work and family sufficiency related services that enable clients to participate in the program and prepare for, obtain, and retain employment. Allowable activities also include job/labor market assessments, job creation, and economic development leading to job creation for NEW program participants. NEW program funds also may be used for appropriate administrative costs. (Sections of the NEW program regulations that describe allowable activities and services are attached.)

##### **Overview of the Native Employment Works Program Plan and Guidance**

The NEW program plan is the application for NEW program funding. As approved by the Department of Health and Human Services (HHS), Administration for Children and Families (ACF), the plan documents how the grantee will carry out its NEW program. HHS/ACF must approve NEW program plans and plan amendments in order for them to be in effect.

The program year (PY) for the NEW program generally is July 1 through June 30 of the following year. Each NEW program plan generally covers a three-year period. ACF does not prescribe a format for NEW program plans. The format is left to the discretion of each NEW grantee.

This program plan guidance contains instructions for preparing and submitting NEW program plans, for grantees that do not include their NEW programs in Public Law 102-477 projects. These requirements are based on the requirements for plans in the NEW program regulations. This document, and the corresponding document for grantees that include their NEW programs in P.L. 102-477 projects, replace previous NEW program plan guidances.

### **Instructions for Grantees that Do Not Include their NEW Programs in Public Law 102-477 Projects**

Grantees that do not include their NEW programs in Public Law 102-477 projects must submit plans that include all information required for NEW program plans, as described in this program plan guidance.

This guidance covers NEW program renewal plans to be submitted for the period July 1, 2013 through June 30, 2016 – NEW program years 2013-2014, 2014-2015, and 2015-2016.

Applicants should submit these plans by May 15, 2013. Timely submission will provide sufficient time for ACF to review the plan and for the applicant to make any needed additions/changes to the plan, to assure that grant awards for PY 2013-2014 may be made at the beginning of the PY.

The original NEW program plan should be submitted to the appropriate ACF regional office (information attached). Also, one copy of the NEW program plan should be submitted to:

Department of Health and Human Services  
Administration for Children and Families  
Office of Family Assistance, Attention: NEW Team  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447

After initial review of the plan, ACF will notify the applicant about any additional action needed for plan approval. ACF will notify the applicant when the plan is approved. Approved plans generally will be effective starting July 1, 2013.

### **Paperwork Reduction Act Information**

Public reporting burden for this collection of information is estimated to average 29 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

## **PROGRAM PLAN INFORMATION**

NEW program plans must include the following information.

### **PART 1 – PROGRAM ADMINISTRATION**

- Identify the tribe or tribal organization submitting this plan.
- Identify the agency, department, or division within the applicant tribe or tribal organization that is responsible for administering the NEW program.
- State the time period covered by this plan (in most cases, July 1, 2013 – June 30, 2016).
- Identify the contact person or persons for the grantee’s NEW program and plan. Include name, position/title, mailing address, and telephone number. Include fax number and e-mail address as appropriate.
- If the plan is submitted by a consortium of eligible tribes that does not currently receive NEW program funding, include a copy of a resolution from each participating tribe indicating its membership in the consortium and authorizing the consortium to act on its behalf in regard to administering a NEW program. If the plan is submitted by a consortium formed by an Alaska Native organization, submission of the required resolution from the governing board of the organization is sufficient to satisfy this requirement.

### **PART 2 – SERVICE AREA AND SERVICE POPULATION/ELIGIBILITY**

- Describe the geographic area to be served by the NEW program (the tribal service area in which the NEW program will be operated).
- If the service area designated for the NEW program is different from the grantee’s Bureau of Indian Affairs designated service area, explain why a different service area is designated.
- Describe the population to be served by the NEW program and the equitable eligibility criteria for participation in the NEW program (the equitable need-based eligibility requirements for participating in NEW-supported activities and receiving NEW-supported services).
- If there will be priorities for service among persons who are eligible for participation in the NEW program, describe the equitable criteria that will be used to establish priorities for service among eligible individuals. (Example: The population eligible for services under a tribe’s NEW program is unemployed members of federally-recognized Indian tribes. Because the grantee anticipates that the demand for services may exceed available resources, it establishes criteria giving first/top priority for services to unemployed members of federally-recognized Indian tribes who receive Temporary Assistance for Needy Families.)

### **PART 3 – ACTIVITIES AND SERVICES TO BE PROVIDED BY THE NEW PROGRAM**

- Describe the work activities that will be provided/available under the NEW program and funded by the NEW grant – the work activities that will be provided to NEW clients using NEW funds and/or by persons supported by NEW funds. These are the educational activities, training and job readiness activities, and employment activities that will be provided by/through the NEW program to help clients prepare for and obtain employment. These activities may include:
  - Educational activities including support for GED, remedial, vocational, post-secondary, and alternative education;
  - Training and job readiness activities including job skills training, job readiness training, on-the-job training, entrepreneurial training, and management training; and
  - Employment activities including job search, job development and placement, community work experience, community service programs, traditional subsistence activities, work exposure, and subsidized and unsubsidized public and private sector work experience and employment.

Provide sufficient details to make clear the specific work activities that will be available under the NEW program. Where the NEW program will pay for educational, training and job readiness, and employment activities provided by other entities such as trade schools or colleges, specify/name these other entities where possible.

(Note: Cover any relevant work activities paid for by other related programs and entities under Part 4 – Program Coordination.)

- Describe the supportive and job retention services that will be provided/available under the NEW program and funded by the NEW grant – the supportive and job retention services that will be provided to NEW clients using NEW funds and/or by persons supported by NEW funds. As appropriate for the grantee, include transportation assistance, child care, items such as clothing, uniforms, shoes/boots, and tools/gear needed for training or employment, medical/optical/dental services (for example, eye exams and purchase of eyeglasses), counseling, and other services necessary to enable clients to participate in the program and prepare for, obtain, and/or retain employment. Provide sufficient details to make clear the specific supportive and job retention services that will be available under the NEW program. (Example: The following types of transportation assistance will be available to the grantee’s NEW program clients, based on the clients’ needs and availability of funds: tribal van services, bus passes, and payments for gasoline purchase, car repair, and drivers’ license fees.)

(Note: Cover any relevant supportive and job retention services paid for by other related programs and entities under Part 4 – Program Coordination.)

- If the NEW program will include job/labor market assessment, job creation, and/or economic development leading to job creation for NEW program clients, describe these activities. Provide sufficient details to make clear the specific nature of any job creation or economic development activities to be supported with NEW funds.

## **PART 4 – PROGRAM COORDINATION**

- State the programs and agencies, educational institutions, organizations, and other entities with which the NEW program will coordinate. (Examples: Specified tribal and other programs and entities that provide job training, related education, and work experience; one-stop centers; employment offices; employers; tribal and state TANF programs/agencies; child care and Head Start programs/agencies; economic development agencies; tribal employment rights offices; advisory councils such as local workforce development boards.)
- Describe the coordination between the NEW program and these programs and entities – describe how the NEW program will coordinate with these programs and entities. (Examples: Providing referrals; exchanging information on available activities, services, and job opportunities for clients; exchanging information on clients served; providing training, education, employment activities, job placements, and supportive and job retention services.)

## **PART 5 – PROGRAM OUTCOMES**

- Describe the overall goals of the NEW program. Include two or more goals related to preparing clients for work and finding unsubsidized employment. (Examples of goals: Provide training, education, and work experience that prepare clients for work. Place clients in unsubsidized employment. Provide supportive and job retention services that enable clients to prepare for, obtain, and retain employment.)
- Describe the performance standards/measurable planned outcomes that will be used to determine the extent to which the NEW program goals have been achieved. Include two or more standards or measures of program performance in achieving the goals. These performance standards must be measurable, outcome-based, and consistent with the NEW plan and its goals. They should address annual performance – achievements expected each program year. They should take into account the circumstances of the individual grantee, the grantee’s service population, and the labor/job market conditions in the grantee’s service area. Separate standards may be set based on the type of services provided, such as standards for participants receiving intensive training services or work experience, and standards for participants receiving only direct job placement or supportive services. (Examples of standards/measures: The number or percent of participants the grantee anticipates will achieve specified outcomes, such as the number or percent of participants that will successfully complete certain training activities, education, or work experience each program year, and the number or percent of participants that will be placed in unsubsidized jobs each program year.)

(Note: Grantees report their success in achieving these performance standards/measures in their annual NEW program reports.)

## **PART 6 – SIGNATURE AND STANDARD ASSURANCES/CERTIFICATIONS**

- The plan (for example, a cover letter) must be signed by the grantee’s chief executive officer (for tribes, the tribal chairperson) or official designee.
- The following standard certifications apply to the NEW program. Submitted certifications must be signed by the grantee’s chief executive officer (for tribes, the tribal chairperson) or official designee. Copies of these certifications are attached.
  - Assurances – Non-Construction Programs (Standard Form 424B) – Applicants must sign and return the SF 424B with each application/plan.
  - Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions – Applicants must make the appropriate certification that they are not presently debarred, suspended, or otherwise ineligible for award. By signing and submitting the application/plan, applicants are providing the certification and do not need to return the certification with the application/plan.
  - Certification Regarding Drug-Free Workplace Requirements for Grantees Other Than Individuals – Applicants must make the appropriate certification of their compliance with the Drug-Free Workplace Act of 1988. By signing and submitting the application/plan, applicants are providing the certification and do not need to return the certification with the application/plan.
  - Certification Regarding Tobacco Smoke – Applicants will be held accountable for the smoking prohibition included in Public Law 103-227, Title XII – Environmental Tobacco Smoke (also known as the Pro-Children Act of 1994), when providing services covered under that law (predominately education and library services to children). By signing and submitting the application/plan, applicants are providing the certification and do not need to return the certification with the application/plan.

### **Attachments**

Standard assurances/certifications that apply to the NEW program (4)

Provisions under 45 CFR Part 287 describing activities and services that may be provided with  
NEW program funds

Administration for Children and Families/Office of Family Assistance regional office contacts for  
the NEW program