



POLICY TRANSMITTAL

SUBJECT:	COVID-19 Layoff Aversion Fund	Policy/Guidance No.: 1 PY2019-20
APPLIES TO:	Small Businesses and/or Community Base Organizations (CBOs) in Miami-Dade and Monroe Counties	Effective Date: 6/11/2020 Expiration Date: 30 calendar days following the expiration of the Florida Governor's Executive Order 20-51 which established the Coronavirus Disease 2019 (COVID-19) Response Protocol and Directed a Public Health Emergency Declaration
REFERENCE:	<ol style="list-style-type: none"> 1. Workforce Innovation and Opportunity Act, §Section 134(d)(1)(A)(ix)(II)(cc). 2. Workforce Innovation and Opportunity Act Final Rule, 20 CFR 682.320. 3. Workforce Innovation and Opportunity Act Final Rule, 20 CFR 682.340. 4. Training and Employment Guidance Letter (TEGL) 19-16: "Guidance on Services provided through the Adult and Dislocated Worker Programs and the Wagner-Peyser Act Employment Services" (March 1, 2017). 5. Training and Employment Guidance Letter (TEGL) 26-14: "Workforce Innovation and Opportunity Act Transition Authority for Flexible Use of State Rapid Response Funds" (April 14, 2015). 6. Training and Employment Notice (TEN) 9-12: "Layoff Aversion in Rapid Response Systems" (August 31, 2012). 	

A. PURPOSE

In an effort to support small businesses and/or community based organizations (CBOs) facing financial impacts and potential layoffs from COVID-19, the South Florida Workforce Investment Board d/b/a CareerSource South Florida (CSSF); Workforce Development Area 23 of the state of Florida, which is comprised of Miami-Dade and Monroe Counties, has established the COVID-19 Layoff Aversion Fund. The fund will provide grants to small

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businesses and/or CBOs experiencing economic distress. The goals of the fund are to prevent potential layoffs or minimize the duration of unemployment resulting from layoffs due COVID-19.

CSSF will designate local Rapid Response funding for the COVID-19 Layoff Aversion Fund. CSSF is accepting grant applications to the COVID-19 Layoff Aversion Fund from any business and/or CBO affected by the Public Health Emergency Declaration 30 calendar days following the expiration of Executive Order 20-51 or until funds are exhausted, whichever occurs first.

B. GENERAL INFORMATION

COVID-19 and CSSF’s Response

On March 9, 2020, Governor Ron DeSantis declared a State of Emergency in Florida as a result of the public health threat associated with COVID-19. Since that time, the Governor has issued other Executive Orders directly related to COVID-19.

COVID-19 Layoff Aversion Fund

In order to support small businesses and CBOs facing financial impacts from COVID-19, CSSF established the COVID-19 Layoff Aversion Fund, which is funded entirely by the Federal Workforce Innovation and Opportunity Act (WIOA) Rapid Response Program through the U.S. Department of Labor–Employment and Training Administration.

The Rapid Response Program is flexible and designed to respond to the needs of small businesses, CBOs, and affected workers. It includes the delivery of layoff aversion strategies intended to prevent or minimize the duration of unemployment. The COVID-19 Layoff Aversion Fund will direct grants to small businesses and/or CBOs experiencing economic distress to mitigate potential layoffs or facility closures due to COVID-19 and promote “social distancing.” Eligible businesses and/or CBOs may apply for up to \$10,000.00 in funding.

C. ELIGIBILITY

Eligible applicants include businesses and/or CBOs that:

- Have primary locations in Miami-Dade and/or Monroe Counties.
 - A copy of the current year corporate registration certificate or current year permit/license issued by the Division of Licensing, Florida Department of State.
- Have been in operation for at least two years.
- Have at least three employees and no more than the maximum of 50 individuals.
 - Copy of Form 941, RT-6, or signed statement from payroll company of number of employees from either 2017, 2018, or 2019:.
- Have gross receipts taxes or gross excise taxes that are \$10,000,000.00 or less.
 - Non-Profit Organization: Copy of 2017, 2018, or 2019-Last two completed business tax returns and Form 990 Return of Organization Exempt From Income Tax.
 - For-profit Organization: Copy of 2017, 2018, or 2019-Last two completed business tax returns and Schedule C (Form 1040), Profit or Loss from Business statement.

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- Have current Unemployment Insurance (UI) taxes.
 - Copy of 2017, 2018, or 2019: RT-6, Form 940, and Forms 941.
 - Note: Public and/or private charities/foundations, churches, religious political, social welfare, civic leagues, social clubs, labor organizations and business leagues are exempt from liability for UI taxes and should provide a copy of their 501(c)(3) tax-exempt certificate.
- Are in good standing with the State of Florida Division of Corporation.
- Have a W-9 form, if applicable.
- Have demonstrated a need for layoff aversion support.
- Non-Profit Organization only: Have local/state/federal grant applications and funding awards detailing previous and/or current grant relationships in providing services to one of CSSF targeted populations:
 - Ex-offenders;
 - Homeless individuals, including homeless children and youths;
 - Youth offenders/youth at risk of court involvement/youth involved in the juvenile justice system;
 - Individuals with disabilities, including youth with disabilities; and
 - Migrant and seasonal farmworkers.

D. USE OF FUNDS

Allowable

Participating businesses and/or CBOs must utilize funds to mitigate layoffs and adhere to “social distancing” provisions established by state and federal public health entities. Requests must be reasonable, necessary, and directly related to the purpose of the COVID-19 Layoff Aversion Fund as determined by CSSF, in its sole and absolute discretion. All applications will be reviewed by CSSF.

Examples of permissible activities include, but are not limited to:

- Purchasing remote access equipment or software that allows employees to work from home (e.g. computers, printers, telephones, headsets, video conferencing software, etc.).
- Paying for services or tools for restaurants or retail establishments to convert to online sales or delivery during Shelter in Place orders.
- Purchasing cleaning/sanitation supplies and/or services that will allow an essential small business to maintain an on-site workforce by reducing exposure to COVID-19.
- Supporting businesses and/or CBOs that take advantage of the Short-Time Compensation Program also known as Work Sharing by supplementing the employee’s income and benefits.
- Other creative approaches and strategies to reduce or eliminate the need for layoffs.

Prohibited Use of Funds

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

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- Hazard pay;
- Rent;
- Employee wages/benefits other than those utilizing the Short-Time Compensation Program also known as Work Sharing; or
- Support services such as childcare, transportation costs, lodging expenses, or meals.

Funding Cap

Eligible businesses and/or CBOs may receive up to \$10,000.00 in COVID-19 Layoff Aversion Fund grant funds. CSSF will utilize the following scale to award grants:

- 3–10 full-time employees up to \$ 5,000.00.
- 11–25 full-time employees up to \$ 7,500.00.
- 26–50 full-time employees up to \$10,000.00.

CSSF may consider proposals that exceed this cap if extenuating circumstances warrant, as determined by CSSF, in its sole and absolute discretion.

Reimbursable Grant

Upon execution of the grant agreement, awarded small businesses and/or CBOs shall submit to CSSF an itemized invoice with all copies of receipts.

Note: All associated costs must comply with the cost principles contained in 2 CFR 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

Small businesses and/or CBOs shall submit an itemized invoice via electronic mail as follows:

- All invoices shall be submitted to the SFWIB's Finance Department via electronic mail.

CSSF shall pay all proper invoices within thirty (30) business days of receipt.

E. APPLYING TO THE COVID-19 LAYOFF AVERSION FUND

Application Submission

To apply to the COVID-19 Layoff Aversion Fund, a business or CBO must first complete the application provided at: <http://www.careersourcesfl.com/>. At a minimum, a completed application includes:

- The amount of funds requested and a brief itemized description of all costs.
- The number of employees affected and jobs saved through funding.
- A brief profile of the business including name, address, and contact information.
- A brief narrative describing the layoff aversion plan and need for funds.
- All supporting documentation.

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Eligible businesses and/or CBOs should submit completed applications electronically to: layoffaversion@careersourcesfl.com for consideration by CSSF. Applications will be accepted and reviewed 30 calendar days following the expiration of the Florida Governor's Executive Order 20-51 which established the Coronavirus Disease 2019 (COVID-19) Response Protocol and Directed a Public Health Emergency Declaration, or until funds are exhausted, whichever occurs first.

Application Approval/Denial

CSSF shall inform applicants, via email, whether their COVID-19 Layoff Aversion Fund applications have been approved or denied within three business days of application receipt.

If approved, CSSF will provide the small businesses or CBO with a COVID-19 Layoff Aversion Fund Award Notification grant agreement to be executed by the small businesses or CBO. Approved small businesses and/or CBOs must submit completed grant agreements to CSSF for review within five business days of notification by email at layoffaversion@careersourcesfl.com. Upon execution of the grant agreement, CSSF shall directly pay and provide reimbursement to the awarded small business and/or CBOs.

If denied, within seven calendar days from the notice of denial, the applicant may appeal the decision. The appeal must be emailed to layoffaversion@careersourcesfl.com and state the: (1) grounds for the appeal; and (2) reasons why the grant application should be approved. CSSF will consider all appeals and provide written response to the applicant within seven calendar days of receipt of the appeal.

F. REPORTING, MONITORING, & RECORD RETENTION

Administrative, Fiscal, and Programmatic Reporting

Participating small businesses and/or CBOs must submit brief reports and expense receipts.

Monitoring

As the COVID-19 Layoff Aversion Fund is, in part, federally funded, CSSF acknowledges that the U.S. Department of Labor may conduct fiscal and/or programmatic monitoring of this initiative. Additionally, entities receiving an award may be subject to local and federal monitoring. CSSF will communicate the monitoring results and findings to the entities through an official written report and may require corrective action by the small businesses and/or CBOs. The small businesses and/or CBOs must rectify all deficiencies cited within the period of time specified in the report. If such deficiencies are not corrected within the specified timeframe, CSSF may suspend payments or immediately terminate the agreement.

Record Retention

In accordance with the Code of Federal Regulations, CSSF requires participating businesses and/or CBOs to retain COVID-19 Layoff Aversion Fund records for the later of five years following the final expenditure or until any related litigation is complete.

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G. FAIR PRACTICES AND ACCESSIBILITY

It is CSSF policy that all persons have equal opportunity and access to services and facilities without regard to race, religion, color, sex, age, national origin or ancestry, marital status, parental status, sexual orientation, disability or veteran status.

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