

**§ 631.60**

approved by the substate grantee; retraining provided pursuant to the certificate shall be in accord with requirements and procedures established by the substate grantee and shall be conducted under a grant, contract, or other arrangement between the substate grantee and the service provider.

(d) Substate grantees shall ensure that records are maintained showing to whom such certificates of continuing eligibility have been issued, the dates of issuance, and the number redeemed by substate grantees.

**Subpart G—Federal Delivery of Dislocated Worker Services Through National Reserve Account Funds**

**§ 631.60 General.**

This subpart provides for the use of funds reserved to the Secretary for use under part B of title III of the Act. These funds may be used for the allowable activities, described in section 323 of the Act; demonstration programs, described in section 324 of the Act; the Defense Conversion Adjustment Program (DCAP), described in section 325 of the Act; the Defense Diversification Program (DDP), described in section 325A of the Act; Clean Air Employment Transition Assistance (CAETA), described in section 326 of the Act; and similar uses and programs which may be added to part B of title III of the Act.

**§ 631.61 Application for funding and selection criteria.**

To qualify for consideration for funds reserved by the Secretary for activities under section 323 of the Act, applications shall be submitted to the Secretary pursuant to instructions issued by the Secretary specifying application procedures, selection criteria, and approval process. Separate instructions will be issued for each category of grant awards, as determined by the Secretary.

**§ 631.62 Cost limitations.**

The expenditure of funds provided to grantees under this subpart shall be consistent with the cost limitations specified in the grant. Applicants for

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grants under this subpart may propose, in their grant applications, reasonable costs to be incorporated into the grant. The Grant Officer may accept or modify such proposals at his/her discretion. Where proposals do not adequately justify to the Grant Officer's satisfaction the costs to be incorporated into the grant, the cost limitations that shall be applied shall be those specified in section 315 of the Act and described in paragraphs (a), (b) and (c) of § 631.14 of this part.

**§ 631.63 Reporting.**

(a) Grantees under part B of title III of the Act shall submit reports as prescribed by the Secretary.

(b) *Significant developments.* Grantees shall notify the Secretary of developments that have a significant impact on the grant or subgrant supported activities, including problems, delays, or adverse conditions which may materially impair the ability to meet the objectives of the project. This notification shall include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.

**§ 631.64 General administrative requirements.**

(a) Activities under this subpart may be carried out and funding provided directly to grantees other than States.

(b) All grantees and subgrantees under this subpart that are States or substate grantees are subject to the provisions in part 627 of this chapter.

(c) For grantees other than States and substate grantees, the following provisions shall apply to grants under this subpart.

(1) *Grievance procedures.* (i) Each grantee shall establish and maintain a grievance procedure for grievances or complaints about its programs and activities from participants, subgrantees, subcontractors, and other interested persons. Hearings on any grievance shall be conducted within 30 days of filing of a grievance and decisions shall be made not later than 60 days after the filing of a grievance. Except for complaints alleging fraud or criminal activity, complaints shall be made within one year of the alleged occurrence.

(ii) Grantees shall be subject to the provisions of section 144 of the Act, and 29 CFR part 95 or 97, as appropriate.

(iii) If the grantee is already subject to the grievance procedure process and requirements established by the Governor (i.e., through another JTPA grant, subgrant, or contract), its adherence to that procedure shall meet the requirements of this paragraph (c)(1).

(2) *Uniform Administrative Standards.* Grantees shall be subject to the standards and requirements described in 29 CFR part 95 or 97, as appropriate, as well as any additional standards prescribed in grant documents or Secretarial guidelines. If the grantee/ subgrantee is already subject to additional standards established by the Governor (i.e., through another JTPA grant, subgrant, or contract), its adherence to those standards shall meet the requirements of this paragraph (c)(2).

**§ 631.65 Special provisions for CAETA and DDP.**

(a) *Allowances for Job Search Outside the Commuting Area under CAETA.* Allowances for job search outside the commuting area shall be an allowable activity under CAETA, only where it has been determined that the dislocated worker cannot reasonably be expected to secure suitable employment within the commuting area in which the worker resides. Procedures for determining whether a dislocated worker cannot reasonably be expected to secure suitable employment within the commuting area in which the dislocated worker resides shall be described in the grant application and shall be subject to approval by the Grant Officer. The cost of job search outside the commuting area shall be an allowable cost, but shall not provide for more than 90 percent of the cost of necessary job search expenses, and may not exceed a total of \$800, unless the need for a greater amount is justified in the grant application and approved by the Grant Officer.

(b) *Relocation Allowances under CAETA.* Relocation allowances under CAETA shall be allowable only where the eligible dislocated worker cannot reasonably be expected to secure suit-

able employment in the commuting area in which the worker resides and has obtained suitable employment affording a reasonable expectation of long-term duration in the area in which the worker wishes to relocate, or has obtained a bona fide offer of such employment, provided that the worker is totally separated from employment at the time relocation commences. The cost of relocation for an eligible dislocated worker shall not exceed an amount which is equal to the sum of the reasonable and necessary expenses incurred in transporting the dislocated worker and the dislocated worker's family, if any, and household effects, and a lump sum relocation allowance, equivalent to three times such worker's average weekly wage. The maximum relocation allowance, however, shall not exceed \$800, unless a greater amount is justified in the grant application and approved by the Grant Officer. Necessary expenses shall be travel expenses for the dislocated worker and the dislocated worker's family and for the transfer of household effects. Reasonable costs for such travel and transfer expenses shall be by the least expensive, most reasonable form of transportation.

(c) *Needs-related payments under CAETA and DDP.* Funds from grants for CAETA and DDP shall be available for needs-related payments to enable participants to participate in and complete training or education programs under those grants, subject to the following:

(1) Needs-related payments shall be provided to the participant only if the participant:

(i) Does not qualify or has ceased to qualify for unemployment compensation;

(ii) Has been enrolled in training programs by the end of the 13th week of an individual's initial unemployment benefit period following the layoff or termination, or, if later, the end of the 8th week after an individual is informed that a short-term layoff will exceed six months;

(iii) Is making satisfactory progress in training or education programs