

## Employment and Training Administration (ETA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	980
Total number of agency employees full-time during a lapse:	31
Total number of agency employees expected to be furloughed under the plan	949

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	30
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Employment and Training is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
The Employment and Training Administration (ETA) will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
<p>Because there is no lapse in the payment of Unemployment Insurance (UI) benefits to unemployed workers or in the payment of income support paid to dislocated workers receiving Trade Readjustment Allowances (TRA) and Reemployment Trade Adjustment Assistance (RTAA) benefits under the Trade Adjustment Assistance (TAA) program, it will be necessary to cover the following UI/TAA benefit payment.</p> <p>Unemployment Insurance and TRA, RTAA Benefits: Continuing Functions Not Funded with Expiring Annual Appropriations – ETA will continue to provide essential functions. These include direction to federal agencies on the administration of UI benefits for unemployed federal and military personnel (UCFE &amp; UCX). ETA will also continue to process Disaster Unemployment Assistance provided by the Federal Emergency Management Agency for declared disasters.</p> <p>UI benefits will continue to be paid since funds are available as long as state UI agencies have sufficient administrative funding to operate and process claims. Funds for the administration activities of the emergency programs under the CARES Act, as amended, will continue to be provided since the Act authorized such funding “without fiscal year limitation.” Additional administrative funding has not been appropriated and will not be available for state UI agencies. Similarly, TRA, and RTAA benefits under the TAA program will continue to be paid to those that are eligible since funds are available. Excepted personnel in the national and regional offices will oversee UI activities related to the fiscal and financial aspects of administering the UI program; interface with Treasury and the states should there be issues that surface with regard to states drawing down funds to pay benefits and/or repaying trust fund advances.</p> <p>Excepted personnel will also interface between the states and the Department of Homeland Security, Federal Emergency Management Agency, to facilitate funds flowing to states to pay disaster unemployment benefits; oversee the operations of the UCFE and UCX programs; provide information and guidance to federal agencies, furloughed federal workers, and states relating to UCFE and UCX.</p>	<p style="text-align: center;">D</p>

Activity	Category of Furlough Exemption (A through F, listed above)
Provide support to states and Federal agencies for payment of UI benefits for Federal and military personnel (Unemployment Compensation for Federal Employees "UCFE" and Unemployment Compensation for Ex-servicemembers "UCX").	D
Provide support for payments of UI, TRA, and RTAA benefits.	D
Provide support to states for payment of Extended Benefits (EB) if a state has triggered EB on prior to the lapse in appropriations.	D
Provide support for the payment of Disaster Unemployment Assistance.	D
Provide support to states in operating the UI benefit programs under the Coronavirus Aid, Relief, and Economic Security (CARES) Act as amended.	D
Ensure UI money transfers to states and among the various trust fund accounts are managed.	D
Support UI information technology functions in collaboration with the Office of the Chief Information Officer.	D
American Rescue Plan Act – Section 9032 of the American Rescue Plan Act provides funding to the Secretary of Labor “to remain available until expended” to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to the unemployment compensation programs. ETA will continue supporting the ARPA-funded UI modernization activities. ARPA-funded staff will continue to conduct ARPA-related work.	B
American Rescue Plan Act – Support ARPA grants to state unemployment insurance agencies.	B
American Rescue Plan Act – Support unemployment insurance information technology modernization activities.	B

Activity	Category of Furlough Exemption (A through F, listed above)
<p>The operations of all Job Corps centers are maintained by contracts or an Interagency Agreement that utilize Program Year (PY) funds. For that reason, and in order to protect the lives and safety of students and facilities, Job Corps will maintain operations of all centers housing students. This will require a number of excepted employees during the shutdown.</p> <p><b>Job Corps: Necessary to Prevent Significant Harm to Funded Programs</b> – ETA administers the Job Corps program, a network of 123 Centers nationwide. The funding for all Job Corps center operations is through the Program Year (PY) appropriation. The current PY runs from July 1 through June 30. At any point in time, about 30,000 Job Corps students reside at these centers operated by Job Corps contractors, attending academic and occupational training and centers operated by the U.S. Forest Service under an agreement between the Departments of Labor and Agriculture. ETA retains responsibility for the life and safety of the students, and for the protection of center property.</p> <p>Excepted personnel in the national and regional offices will provide minimum acceptable oversight of the centers, perform financial procurement, and related administrative functions to ensure the centers protect student life and safety as well as protection of facility property; continue processing and onboarding student applicants; and monitor electronic systems to prevent failure or malfunction and ensure system availability.</p>	D
<p>Daily checks of the Dislocated Worker Electronic System and grants.gov will be made to verify if a disaster application has been submitted.</p> <p><b>Dislocated Worker Grants: Protecting Life and Property</b> – A small group of national and regional office personnel will assist states in completing DWG applications to address declared disasters under the Stafford Act. These activities are critical to help states and localities address unexpected labor market dislocations caused by natural or man-made disasters.</p> <p>Electronic systems will be maintained and awards may be processed including for Job Corps, Dislocated Worker Grants (DWG) for declared disasters, advance Workforce Innovation and Opportunity Act (WIOA) funding, UI funding, or other similar activities. Personnel may be called to work upon request – for example, in the case of a FEMA-declared disaster to help process a</p>	D

DWG application, WIOA funding, or UI funding.	
---	--

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
<p><b>Financial and Technology Support</b> – A small number of ETA personnel who perform a range of procurement, grant, and financial functions such as authorizing and obligating necessary federal funds, processing shopping carts, and overseeing drawdowns will be retained on a full and intermittent basis. In addition, ETA will provide adequate support for its electronic systems to assure their protection from physical harm or cyber-attack. Support for ETA’s user applications will be limited to only those systems that are determined to be necessary to support authorized “excepted” activities of Federal staff, and the basics needed for the grantees to continue activities which are not funded with expiring appropriation, including WIOA and competitive grantees in addition to the activities named, such as financial reporting, performance reporting, and case management systems used by grantees to implement their grants.</p>	<p style="text-align: center;">D</p>

**Brief Summary of significant agency activities that will cease during a lapse:**

ETA staff will not answer grantee inquiries.  
 No program performance or financial reports will be reviewed from grantees.  
 No registered apprenticeship standards will be processed by federal staff.  
 No audit related requests and responses will be fulfilled.  
 OFLC will not continue to process prevailing wage determinations and labor certification applications.

**Brief Summary of any change in activities if lapse is prolonged:**

If a lapse is prolonged, ETA may have to bring additional staff onboard to support permitted activities and provide added supervision to employees who are working under non-lapsed funding.

Job Corps Center contracts are funded, but if a lapse is prolonged, ETA may be required to provide additional funding to maintain Job Corps Center contracts to ensure the safety of students and the Centers.

A prolonged lapse of funding will exacerbate processing delays for the Office of Foreign Labor Certification activities especially temporary labor certification requests under the H2A and H2B Visa programs.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Lori Frazier Bearden, Acting Assistant Secretary