



DISASTER RELIEF EMPLOYMENT POLICY

Policy Number: 2300

Revision Number: 1

**Original Effective
Date:** 4/1/2026

**Revised Effective
Date:** 4/22/2026

A. BACKGROUND

This policy clarifies expectations regarding eligibility determination, registration and enrollment of job seekers for WIOA Title I Disaster Recovery Dislocated Worker Grant funded services provided at WorkSource Centers, Affiliated Sites and Connection Sites (unless otherwise negotiated) in support of Workforce Snohomish’s integrated co-enrolled approach to job seeker service delivery.

B. POLICY

Disaster Recovery DWG Eligibility & Enrollment

Individuals receiving services through a WIOA Disaster Recovery Dislocated Worker Grant subaward must be determined eligible and enrolled in the Disaster Recovery DWG (DRDWG) program of enrollment in ETO, or its successor, and receive a qualifying WIOA service to trigger participation.

An individual must meet one of the following criteria to be eligible to receive services provided through a Disaster Recovery DWG, per 20 CFR 687.170(b):

1. Individuals temporarily or permanently laid off as a consequence of the qualifying emergency or disaster.
2. Dislocated Workers as defined in WIOA Section 3(15), including displaced homemakers as defined in WIOA Section 3(16).
3. Long-term unemployed individuals, as defined by the state or other eligible entity.
4. Self-employed individuals who became unemployed or significantly underemployed as a result of the qualifying emergency or disaster.

NOTE: While self-attestation can be used for DRDWG eligibility determination, the employer of record, whether Workforce Snohomish, a subrecipient, or a private employer, is still required to collect and maintain documents necessary to demonstrate eligibility to work for all disaster relief employment positions. Self-attestation does not meet this level of documentation. The employer of record for Disaster-Relief Employment positions must also ensure they are paying the correct taxes, just as they would for other employees.

Disaster-Relief Employment: Overview

There are two acceptable forms of Disaster-Relief Employment, those which focus on *cleanup and recovery* efforts, and those which focus on the delivery of appropriate *humanitarian assistance*.

Cleanup and Recovery: Cleanup and recovery include a broad set of activities that focus on demolition, cleaning, repair, renovation and reconstruction. Such activities may address damaged facilities, lands, or offshore areas, as appropriate, within the declared disaster area, developed in response to specific disaster events. This type of employment effort is allowable upon execution of local subawards.

Humanitarian Assistance: Humanitarian assistance generally includes actions designed to save lives, alleviate suffering, and maintain human dignity in the aftermath of disasters. This assistance includes activities supporting projects that distribute food, clothing, shelter and other humanitarian assistance. The humanitarian assistance provided by disaster-relief employment participants must be in response to the impacts or the needs resulting from the disaster situation named in the Federal declaration. This type of employment effort is only allowable upon execution of local subawards *and* as approved by the Department of Labor.

Disaster-Relief Employment may not be used solely or primarily for the purposes of planning, preventing or mitigating future disasters, under either form of employment activity.

Disaster-Relief Employment: Requirements & Restrictions

Limitation on Disaster-Relief Employment Duration: Participants in Disaster-Relief Employment positions may be employed for maximum of 12 months or 2,080 hours, whichever is longer.

Participant Wages: In accordance with WIOA Section 181(a)(1)(A), generally, participants must be compensated at the same rates, including periodic increases, shift differential, benefits, or overtime pay, as any employees who are similarly situated working in similar positions at the same employer and who have similar training, experience, and skills. In cases where the Disaster-Relief Employer does not have any other temporary employees working in similar positions with similar training, experience and skills as the grant participants, DOL interprets this section to require that the employer pay the DRE employees the same as the employer's permanent employees who are working in similar positions. Such rates must be in accordance with applicable laws but must not be less than the higher of the rate specified in Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable state or local minimum wage law. Where applicable, fringe benefits should be paid in accordance with the benefits that the Disaster-Relief Employer offers its own employees.

In cases where the Disaster-Relief Employer does not have other employees doing the same or similar work and with similar training, experience, and skills, grant recipients must ensure that the wages that they will pay to participants:

1. are in alignment with the industry standard for that type of work in the area where the work is to be performed, supported by documentation in the application.
2. or, in the absence of a determinable industry standard, are at least \$15 per hour.

Disaster-Relief Employment Locations: Generally, disaster-relief employment must be carried out in the geographic area covered by the qualifying disaster declaration. Grant recipients must give the highest priority to cleanup of the disaster areas' most severely damaged public communities, facilities, and property, and to the cleanup and the provision of humanitarian assistance to economically disadvantaged areas within the disaster area. Where possible, grant recipients should prioritize enrollment of eligible individuals most in need of economic support or workforce development services. While Disaster Recovery DWG projects generally carry out work on public property, work may also be conducted on private property when all the following conditions are met:

1. The work must be intended to remove health and safety hazards to the larger community, or to address or alleviate specific economic or employment-related impacts of the disaster, such as cleanup work needed for disaster-affected employers to resume or continue operations.
2. The activities are necessary to remove health and safety hazards on private lands or around homes, businesses or other structures and may only return the land or structure(s) to a safe and habitable level, or operational status, and will not improve the original land or structure(s).
3. Grant recipients must not use Disaster Recovery DWG funds to cover the cost of materials to do repairs.

Workforce Snohomish, or any subrecipient providing Disaster-Relief Employment services, must maintain documentation for each worksite for monitoring and auditing purposes. Documentation must include:

1. Explanation of how the temporary Disaster Relief Employment position supports either:
 - a. An activity endorsed by the city, county, or other emergency management entity/entities.
 - b. An activity conducted by a local government, non-profit, or other community-based organization that has been assessed as such after review by Workforce Snohomish.
2. The following details for each selected location:
 - a. The name and location of the worksite.
 - b. Whether it is public or private property.
 - c. The number of participants working on the site.
 - d. The dates and hours of work on a site.
 - e. A description of work performed at the site.
 - f. A written determination of how this site was approved, including a rationale demonstrating the allowability of work on private property, if applicable.

Preventing Future Disaster Impacts: Generally, disaster-relief employment under Disaster Recovery DWGs will not be authorized for activities primarily designed to prevent or address the impacts of future disasters. Under WIOA Section 170(d)(1), DWG activities must be designed to mitigate the effects of the current declared disaster for which the grant was awarded; activities that may prevent future disasters or their impacts are permissible only where such activities are incidental to addressing the impacts of the current disaster or emergency.

Health & Safety Standards: Disaster-Relief Employers must ensure that project participants are afforded the same health and safety standards established under Federal and State law applicable to working conditions of permanent employees. To the extent that State workers' compensation law applies, Disaster-Relief Employers must provide workers' compensation to project participants on the same basis as individuals in similar employment, as required by WIOA Section 181(b)(4). In cases in which a project participant is not covered under a state workers' compensation law, based on the status of the Disaster-Relief Employer with whom the participant is placed, the temporary nature of their employment, or another reason, the project participant must be provided with appropriate on-site medical and accident insurance for work-related activities. The grant recipient must also ensure that project participants receive appropriate safety training and ensure safe working conditions in accordance with the Occupational Safety and Health (OSH) Act of 1970.

UI Coverage: Disaster-Relief Employment participants must report all wages earned on their weekly certification, whether or not the wages are covered under WA unemployment law. Disaster-Relief Employment participants may be eligible for unemployment benefits at the conclusion of their employment. DWG funds may be used to pay required UI-related taxes; however, the grant may not be used to pay penalties for failure to remit employer taxes or provide unemployment insurance coverage where required by law. Disaster-Relief Employers, employers of record, and Disaster-Relief Employment participants should consult with the relevant WA unemployment laws and resources to determine if they are covered by said laws.

C. DEFINITIONS

- Unemployed as a consequence of the emergency or disaster:
 - Failure of one or more businesses to which the self-employed individual supplied a substantial portion of products or services.
 - Failure of one or more businesses from which the self-employed individual obtained substantial portion of products or services.
 - Substantial layoffs from, or a permanent closure of, one or more plants or facilities that support a significant portion of the state or local economy, or
 - Depressed prices or markets for articles produced by the self-employed individual.
- Long Term Unemployed: Unemployed for 27 weeks or longer.
- Significantly Underemployed: A self-employed individual:
 - whose business income or revenue is meaningfully impacted compared to pre-disaster business income or revenue, or

- whose self-employment is impacted by the loss of one or more businesses due to the qualifying disaster, from which the individual obtained a substantial portion of products or services, or
- whose self-employment is impacted by the loss of one or more businesses due to the qualifying disaster, to which the individual supplied a substantial portion of products or services.
- Disaster-Relief Employer: An entity (organization or individual) who functionally oversees Disaster-Relief Employees on a worksite. This may or may not be synonymous with Employer of Record.

D. REFERENCES

- TEGL 09-24 (and accompanying attachments)
- TEGL 12-19, Change 1 (and accompanying attachments)
- Washington State WorkSource Information Notice 0114, Change 5

E. SUPERSEDES

N/A

F. ATTACHMENTS

N/A