

## Employment and Training Administration, Labor

## § 626.4

with the exception of the veterans' employment program's chapter IX regulations of the Office of the Assistant Secretary for Veterans' Employment and Training, which are set forth at part 1005 of title 20.

(b) Nondiscrimination and equal opportunity requirements and procedures, including complaint processing and compliance reviews, will be governed by the provisions of 29 CFR part 34 and will be administered by the Department of Labor (Department or DOL) Directorate of Civil Rights.

(c) General authority for the JTPA regulations is found at section 169 of the Act. Specific statutory authorities other than section 169 are noted throughout the JTPA regulations.

### § 626.3 Purpose, scope, and applicability of the Job Training Partnership Act regulations.

(a) Parts 626 through 638 of this chapter and part 1005 of chapter IX (Veterans' employment programs under title IV, part C of the Job Training Partnership Act) establish the Federal programmatic and administrative requirements for JTPA grants awarded by the Department of Labor to eligible grant recipients.

(b) Parts 626 through 638 of this chapter and part 1005 of chapter IX apply to recipients and subrecipients of JTPA funds.

### § 626.4 Table of contents for the Job Training Partnership Act regulations.

The table of contents for the regulations under the Job Training Partnership Act, 20 CFR parts 626-638 and 1005,<sup>1</sup> is as follows:

#### PART 626—INTRODUCTION TO THE REGULATIONS UNDER THE JOB TRAINING PARTNERSHIP ACT

##### Sec.

- 626.1 Scope and purpose of the Job Training Partnership Act.
- 626.2 Format of the Job Training Partnership Act regulations.
- 626.3 Purpose, scope and applicability of the Job Training Partnership Act regulations.
- 626.4 Table of contents for the Job Training Partnership Act regulations.

<sup>1</sup>Part 1005 was removed at 59 FR 26601, May 23, 1994.

- 626.5 Definitions.

#### PART 627—GENERAL PROVISIONS GOVERNING PROGRAMS UNDER THE ACT

##### *Subpart A—Scope and Purpose*

- 627.100 Scope and Purpose of Part 627.

##### *Subpart B—Program Requirements*

- 627.200 Governor/Secretary agreement.
- 627.205 Public service employment prohibition.
- 627.210 Nondiscrimination and nonsectarian activities.
- 627.215 Relocation.
- 627.220 Coordination with programs under title IV of the Higher Education Act including the Pell grant program.
- 627.225 Employment generating activities.
- 627.230 Displacement.
- 627.235 General program requirements.
- 627.240 On-the-job training.
- 627.245 Work experience.
- 627.250 Interstate agreements.

##### *Subpart C—Payments, Supportive Services and Benefits and Working Conditions*

- 627.300 Scope and purpose.
- 627.305 Payments.
- 627.310 Supportive Services.
- 627.315 Benefits and working conditions.

##### *Subpart D—Administrative Standards*

- 627.400 Scope and purpose.
- 627.405 Grant agreement and funding.
- 627.410 Reallotment and reallocation.
- 627.415 Insurance.
- 627.420 Procurement.
- 627.422 Selection of service providers.
- 627.423 Funding restrictions for "high-risk" recipients and subrecipients.
- 627.424 Prohibition of subawards to debarred and suspended parties.
- 627.425 Standards for financial management and participant data systems.
- 627.430 Grant payments.
- 627.435 Cost principles and allowable costs.
- 627.440 Classification of costs.
- 627.445 Limitations on certain costs.
- 627.450 Program income.
- 627.455 Reports required.
- 627.460 Requirements for records.
- 627.463 Public access to records.
- 627.465 Property management standards.
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- 627.471 Reorganization plan appeals.
- 627.475 Oversight and monitoring.
- 627.477 Governor's determination of substantial violation.
- 627.480 Audits.
- 627.481 Audit resolution.
- 627.485 Closeout.
- 627.490 Later disallowances and adjustments after closeout.
- 627.495 Collection of amounts due.

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*Subpart E—Grievances Procedures at the State and Local Level*

- 627.500 Scope and purpose.
- 627.501 State grievance and hearing procedures for noncriminal complaints at the recipient level.
- 627.502 Grievance and hearing procedures for noncriminal complaints at the SDA and SSG levels.
- 627.503 Recipient-level review.
- 627.504 Noncriminal grievance procedure at employer level.

*Subpart F—Federal Handling of Noncriminal Complaints and other Allegations*

- 627.600 Scope and purpose.
- 627.601 Complaints and allegations at the Federal level.
- 627.602 Resolution of investigative findings.
- 627.603 Special handling of labor standards violations under section 143 of the Act.
- 627.604 Alternative procedure for handling labor standards violations under section 143—Binding arbitration.
- 627.605 Special Federal review of SDA and SSG-level complaints without decision.
- 627.606 Grant officer resolution.
- 627.607 Grant Officer resolution of Governor's failure to promptly take action.

*Subpart G—Sanctions for Violations of the Act*

- 627.700 Scope and purpose.
- 627.702 Sanctions and corrective actions.
- 627.703 Failure to comply with procurement provisions.
- 627.704 Process for waiver of State liability.
- 627.706 Process for advance approval of a recipient's contemplated corrective actions.
- 627.708 Offset process.

*Subpart H—Hearings by the Office of Administrative Law Judges*

- 627.800 Scope and purpose.
- 627.801 Procedures for filing request for hearing.
- 627.802 Rules of procedure.
- 627.803 Relief.
- 627.804 Timing of decisions.
- 627.805 Alternative dispute resolution.
- 627.806 Other authority.

*Subpart I—Transition Provisions*

- 627.900 Scope and purpose.
- 627.901 Transition period.
- 627.902 Governor's actions.
- 627.903 Actions which are at the discretion of the Governor.
- 627.904 Transition and implementation.
- 627.905 Guidance on contracts and other agreements.
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- 628.100 Scope and purpose of part 628.

*Subpart B—State Planning*

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- 628.205 Governor's coordination and special services plan.
- 628.210 State Job Training Coordinating Council.
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- 628.315 Education coordination and grants.
- 628.320 Services for older individuals.
- 628.325 Incentive grants, capacity building and technical assistance.

*Subpart D—Local Service Delivery System*

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- 628.530 Referrals of participants to non-title II programs.
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- 628.700 Scope and purpose.
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- 628.704 Eligibility.
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- 628.800 Scope and purpose.
- 628.803 Eligibility.
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- 631.4 Approved training rule.

### *Subpart B—Additional Title III Administrative Standards and Procedures*

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- 631.13 Classification of costs at State and substate levels.
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- 631.16 Complaints, investigations, and penalties.
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### *Subpart C—Needs-Related Payments*

- 631.20 Needs-related payments.

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- 631.31 Monitoring and oversight.
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- 631.34 Designation of substate areas.
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- 631.51 Allowable substate program activities.
- 631.52 Selection of service providers.

- 631.53 Certificate of continuing eligibility.

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

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#### *Subpart B—Program Planning and Operation*

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[59 FR 45815, Sept. 2, 1994, as amended at 60 FR 58229, Nov. 27, 1995]

## § 626.5 Definitions.

In addition to the definitions contained in section 4 of the Act, the following definitions of terms used in the Act or parts 626-631 of this chapter apply as appropriate to programs under titles I, II, and III of the Act:

*Accrued expenditures* means charges made to the JTPA program. Expenditures are the sum of actual cash disbursements, the amount of indirect expense incurred, and the net increase (or decrease) in the amounts owed by the recipient for the goods and other property received, for services performed by employees, contractors, subgrantees, subcontractors, and other payees, and other amounts becoming owed under programs for which no current services or performance are required, such as annuities, insurance claims, and other benefit payments.

*Act* means the Job Training Partnership Act.

*ALJ* means an administrative law judge in the Office of Administrative Law Judges of the U.S. Department of Labor.

*Awarding agency* means: (1) With respect to a grant, the Department of Labor; and (2) with respect to a subgrant or contract, the party that awarded the subgrant or contract.

*Capacity building* means the systematic improvement of job functions, skills, knowledge, and expertise of the personnel who staff and administer employment and training and other closely related human service systems. Capacity building is designed to enhance the effectiveness, to strengthen the caliber of customer services provided under the Act and other Federal, State, and local employment and training programs, and improve coordination among them. Capacity building includes curriculum development, appropriate training, technical assistance,