



Title: Solicitation of Interest (SOI), Workforce Retention Grant Program

Agency: New York State Children and Family Services,
Division of Child Care Services

Date of Issue: July 13, 2023, **Amended on September 7, 2023, Amended April 30, 2024**

Due Date/Time: Acceptance begins 7/26/23 with final deadline for applications to be accepted 9/15/23 at 11:59 p.m. EST.

Location: Statewide

Counties: All NYS Regions

The goal of the Workforce Retention Grant program is to support the early childhood education and child care workforce by providing funds for staff retention bonuses and recruitment activities.

I. PROGRAM DESCRIPTION:

The Workforce Retention Grant program is for eligible New York State Office of Children and Family Services (OCFS) licensed/registered School-Age Child Care Programs (SACC), Day Care Centers (DCC), Family Day Care Homes (FDC), Group Family Day Care Homes (GFDC), Small Day Care Centers (SDCC) and New York City Department of Health and Mental Hygiene (DOHMH) permitted Article 47 Group Day Care Centers (GDC). Utilizing ARPA, CRRSA, and state support, a total of \$500M will be made available for programs applying from July 26, 2023 through September 15, 2023. Legally exempt programs are not eligible for this funding. **Per Section XV, OCFS reserved the right to reallocate unspent funds to provide additional awards as needed. This procurement amendment provides additional awards to applicants who signed an attestation and met the grant requirements. Award values have changed based on the unspent funds. Please see section XIV for the specific requirements related to the reallocation of unspent funds.**

II. CHILD CARE PROGRAM GRANT INFORMATION

The Workforce Retention Grant is one grant, comprised of two components. Only eligible child care programs can apply for the grant, individual staff cannot apply. Applicants who are awarded will receive both components and must comply with all grant terms and eligible expense types for each component. The two components of the grant are:

Component A: Staff Retention Bonuses: Eligible programs must request grant funds on behalf of each currently employed eligible staff. Each eligible staff must be included on the application. The entirety (100%) of the staff retention bonus amount must be passed on to each staff person, if they remain eligible at the time of payment.

Component B: Staff Recruitment Expenses and Payroll Tax Assistance:

- Eligible programs must request funds to pay for expenses related to recruiting and hiring new staff.
- Recruitment funds may also be used to pay longevity bonuses to existing staff who have been with the program 6 months or more.
- Eligible child care programs will also receive funds toward the employer portion of payroll taxes incurred while issuing bonus payments to their staff or recruitment expenses paid.

To assist in accomplishing the goal of this grant, the NYS 2023-2024 Enacted Budget included language stating that bonuses received through this *grant* “shall be exempt and disregarded as income in determining the need for aid provided pursuant to the public assistance programs.”

It is important that programs provide staff receiving a bonus under this grant program with this information so they are aware that receipt of a bonus will not count as income for public assistance benefits they receive or apply for.

Sample letters for child care providers can be found at www.ocfs.ny.gov.

III. GRANT AWARD AMOUNTS (Amended 09/07/2023)

Grant award amounts per staff and per program, as applicable, are below. Staff Retention and Payroll Tax Assistance grant award amounts for each program will be based on the program type and the number of eligible staff. The total Staff Retention and Payroll Tax Assistance funds for each child care program will be determined by multiplying the number of eligible staff by the appropriate per staff award amount as indicated below. Staff Recruitment awards will be a single per program amount based on the program type.

Program Type	Staff Retention Award Amount Per Staff*	Payroll Tax Assistance Award Amount Per Staff	Staff Recruitment Award Amount <u>Per Program</u>
Licensed Day Care Centers (DCC/SDCC)	\$3,000	\$230	\$6,000 \$12,000
Permitted Group Day Care Centers in NYC (GDC)	\$3,000	\$230	\$6,000 \$12,000
Registered School Age Child Care Programs (SACC)	\$2,300	\$176	\$6,000 \$12,000
Registered Family Day Care Homes (FDC)	\$3,000	\$230	\$1,000 \$2,000



Licensed Group Family Day Care Homes (GFDC)	\$3,000	\$230	\$2,000 \$4,000
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Staff retention awards must be paid directly to the eligible staff in full and the amount must be equal to the per staff amount listed above.

*If longevity payments are made to existing staff who have been employed for six months or more, the amount paid per staff will be higher.

Grants cannot be used to reduce or supplant any portion of wages otherwise due to a person under applicable law, including the Wage Parity Law or the Labor Law, or a collective bargaining agreement.

IV. CHILD CARE PROGRAM ELIGIBILITY

To be eligible, all programs listed in the Program Description Section I. must be "In good standing", which is defined as a child care program in a payable status, that is either licensed/registered/ or permitted at the time of issuance of this grant and is not the subject of an active enforcement action listed below by OCFS or DOHMH.

Ineligible OCFS enforcement statuses include:

- Suspension of License/ Registration
- Limitation of License/ Registration
- Suspension and Proposed Revocation of License/ Registration
- Denial of Application to Renew License/Registration

Ineligible DOHMH enforcement statuses include:

- Commissioner's order suspending the permit
- Show cause hearing
- Denial of renewal, revocation of permit

Questions as to NYC enforcement status should be referred to DOHMH. Questions as to OCFS enforcement status should go the program's regulator or OCFS regional office.

Note: If a program has an ineligible enforcement status upon application or at any time during the payment processing, their application will be reviewed internally for initial eligibility and/or continued eligibility. Changes in facility or enforcement status could result in delay or reduction in the total amount awarded. Modality changes and other information changes may also impact the total grant award.

Except as provided below for SACCs, programs must have at least one child in care who is not related to the provider or their employees on the date of application and on dates of grant disbursements to maintain eligibility.

Program status will be verified upon application and before issuing any payment. If there is a sustained closure or natural disaster you must notify your licensor immediately. Programs



which go inactive or close within 45 days of receiving a grant payment must return 100% of the funds unless they meet the criteria set forth under Section IV B.

If a program has outstanding finding(s) or complaints from previous OCFS pandemic funding opportunities or has not submitted all required expense reporting forms for other OCFS pandemic funding awards, they may not be able to complete this application and/or may be determined not to be eligible to receive the grant. In addition, any amounts owed to OCFS pursuant to findings about other funding opportunities must be paid and resolved prior to a provider being able to receive an award for this program.

A. School Age Child Care (SACC) Program Grant Eligibility Requirements

SACC Programs are eligible for this grant and should use this grant opportunity to address recruitment and retention challenges.

School Age Child Care Programs are eligible to apply and receive grant funds even if not currently operating at the time of application due to planned school break **so long as they meet the following criteria:**

- Anticipate being operational and serving at least one child in person on the first full week of school instruction, but in no instance later than 9/20/23.
- Have a current staff roster cleared with OCFS with eligible roles (see Section IX. Eligible Child Care Program Roles) and at least one of those staff are expected to resume their positions in the first full week of school instruction, but in no instance later than 9/20/23.

B. Programs that are changing locations/modalities during the Grant Period

Eligible programs include OCFS licensed or registered day care programs and NYC permitted group day care programs (as defined in Article 47 of the New York City Health Code) that have a valid license, registration, or permit on SOI issuance date (here in after called the original program) but subsequently relocate, change modality, or made a change in the program's business entity resulting in the issuance of a new license, registration, or permit after SOI issuance date (hereinafter called the successor program), but no later than 9/15/2023. To be considered an eligible program, the following additional criteria must be met:

1. The original program was an OCFS licensed or registered day care program, or NYC permitted group day care (as defined in Article 47 of the New York City Health Code) that existed prior to the issuance date of this SOI.
2. The original program was in good standing with OCFS and/or NYC prior to change in location, modality or business entity.
3. The successor program must have submitted an application to the appropriate oversight office for the licensing, registration, or permitting of the successor program within 30 days of the closure of the original program.
4. The successor program must have at least one staff member from the original program currently employed in a child caring role.



5. The successor program must be an OCFS licensed, or registered day care program, NYC permitted group day care program (as defined in Article 47 of the New York City Health Code) and in good standing as of the date of grant application; and
6. The successor program must be providing in person care to at least one child not related to the provider, within 60 days of the issuance of the new license/registration/permit.

Staff at the successor program must meet the eligibility requirements outlined in Section VII at both the original program and/or the successor program.

When submitting a Workforce Retention Grant application, the successor program must also complete and submit this form: [Amended Workforce Retention Eligibility Form](#)

To complete the form, the program must have the following information:

- The original facility ID, program name, program director/provider name and contact information.
- Date the original program ended (last day of operation under the original program license/registration/permit)
- Successor facility ID, program name and program director/provider name and contact information.
- Explanation of the reason for the change in license, name, etc.

Important Note: Submit this form as soon as possible. Forms will not be accepted after September 13, 2023 at 11:59 PM.

V. **ELIGIBLE EXPENSES FOR STAFF RETENTION FUNDS (Amended 09/07/2023)**

A program must provide at least 50% of the staff retention payments to all eligible staff within 45 days of receiving the first payment from the grant. The remaining funds must be distributed to eligible staff within 90 days of receiving the staff retention funding. If a SACC program applies during a planned school break, staff bonus payments must be made to eligible SACC program staff within 45 days after resuming operations during the school calendar year.

Payments must be equal to the amounts listed in the per staff amounts in this SOI **Section III. Grant Award Amounts**. The grant award must be paid to eligible employees in addition to standard wages. Child care programs must not reduce any employee salary by the per employee bonus amount.

OCFS recognizes that the following events may occur between application submission and payment of funds to staff. Unused retention funds will be allowed to be used by the program for recruitment expenses as follows:

- If a staff person rejects the bonus payment, the payment amount can be used by the program for recruitment activities and must be reported to OCFS in the **first expense reports**. If a staff person leaves between the first payment and the second payment, the balance may be used for recruitment activities and must be reported to OCFS in the Expense Report.
- If an eligible staff member leaves the organization after the child care program receives their grant payment, the funds for that staff member can be used for recruitment

expenses. The child care program must document where the funding has been redirected in grant Expense Forms.

VI. ELIGIBLE EXPENSES FOR STAFF RECRUITMENT FUNDS:

Allowable uses for Staff Recruitment grant funds include, but are not limited to:

- Provide recruitment sign-on bonuses for new staff who began after June 26, 2023 and are not eligible for the workforce retention grant payments;
- Provide bonuses for staff who are otherwise not eligible for the retention bonus;
- Provide referral incentives for existing staff who recruit new staff;
- Pay for advertisement and marketing costs for staff vacancies;
- Pay for recently hired (since June 26, 2023) staff benefit package costs (such as healthcare, paid time off, 401K);
- Pay for or reimburse costs for recently hired (since June 26, 2023) staff medical, criminal and child abuse clearances;
- Pay for staffing services or 'headhunter';
- Pay a bonus for staff in a non-caregiving role who are recruited to a caregiving role;
- Pay a bonus for Part-Time staff who transition to a Full-Time role;
- Supplementing a retention payment to include a longevity bonus for existing staff who have been with the program 6 months or more.

All expenses must be documented carefully, and programs must retain all complete receipts (canceled checks, bank statements, payroll records, etc.) for five years and be provided upon request of OCFS.

VII. STAFF ELIGIBILITY REQUIREMENTS (Amended 09/07/2023):

Eligible DCC/GDC/FDC/GFDC/SDCC Staff for Staff Retention Bonus for Eligible Programs:

In order for a staff person to be eligible to receive a staff retention grant payment from the program, an individual must meet the following requirements at the time the program submits an application and at the time of grant payment:

An eligible DCC/GDC/FDC/GFDC/SDCC staff person is defined as:

- Employed at the **physical** location of the child care program;
- Have an **active** child caring role in the program
 - Provide direct supervision to a child(ren) not related to provider;
- Be paid through the employer's payroll; and have state and federal taxes withheld from their paycheck. (providers who otherwise meet the eligibility requirements but do not have themselves on payroll are eligible for the bonus if they file their taxes as required by the IRS at the end of the year.)
- Have worked on average 15 hours per week between January 1, 2023 and June 26, 2023 or from start of employment to June 26, 2023.



- Must have been fingerprinted and have completed necessary background information documents for at least provisional employment, if applicable, on or before June 26, 2023.

Eligible SACC Staff for Staff Retention Bonus for Eligible Programs:

In order for a SACC staff person to be eligible to receive a bonus payment from the program as part of the retention portion of the Workforce Retention Grant program, an individual must meet the following requirements at the time the program submits an application **and** at the time of grant payment:

An eligible SACC staff person is defined as:

- Employed at the **physical** location of the child care program
- Have an **active** child caring role in the program
 - Provide direct supervision to a child(ren) not related to the provider;
- Be paid through the employer’s payroll; and have state and federal taxes withheld from their paycheck.
- Have worked on average 10 hours per week between January 1, 2023- June 26, 2023 (or from start of employment to June 26, 2023).
- Must have been fingerprinted and have completed necessary background information documents for at least provisional employment, if applicable, on or before June 26, 2023.

Note: The eligible staff must meet these requirements on day of application and upon the applicant program’s disbursement of grant funds

VIII. ADDITIONAL STAFF ELIGIBILITY LIMITATIONS

The minimum number of required work hours is an average of 15 hours per week for all modalities, except SACCs. The minimum number of required work hours for SACCs is an average of 10 hours per week. The average is calculated between January 1, 2023 and June 26, 2023 of this SOI or from start of employment to June 26, 2023. OCFS will provide a template worksheet to calculate average hours on the OCFS website.

A. Staff at Multiple Programs of one Single Legal Entity:

Eligible staff who work in multiple child care programs operated by a single organization will only be included **on one application**. It is the responsibility of the legal entity/organization to determine which program will include these staff on their application where they provide direct supervision to children for the minimum number of required work hours

- No one staff person can receive more than one staff retention bonus regardless of how many programs they are associated with.
- Eligible staff who work in multiple child care programs operated by a single legal entity/organization can use their combined work hours to meet the minimum number of required work hours.

B. Staff at Multiple Programs of Multiple Legal Entities:



For staff that work at multiple legal entities, the first legal entity that includes these staff in their submitted application will receive the bonus payment for that staff person. Other legal entities will not be able to apply for these staff going forward. The legal entity should include that staff on their application if they meet the staff eligibility criteria for their organization (See Section VII).

C. Staff employed by OCFS and NYCDOHMH regulated programs

Staff who are employed at both an OCFS licensed/registered facility and a NYCDOHMH Article 47 Day Care Centers are only eligible for ONE bonus payment. Programs will need to attest that they have confirmed with all eligible staff they are including in their application that no other programs have already applied and included that staff in their application or that the staff have not already received the bonus payment.

IX. ELIGIBLE CHILD CARE STAFF ROLES FOR STAFF RETENTION BONUS

Employee information will be pre-loaded by OCFS and NYCDOHMH into the applicable program's online application. Programs must identify the staff that meet the grant eligibility criteria outlined in Sections VII and VIII of this document. Employee information will be pulled from the OCFS CCFS system and the NYCDOHMH CCATS system in the following roles:

<p><u>Staff Roles in OCFS CCFS</u></p>	<p>Employee (in Child Care role, including teachers/assistants) Director Acting Director Medication Administrant Site Supervisor Assistant On-Site Provider Substitute Program Assistant</p>
<p><u>Staff Roles in NYCDOHMH CCATS System</u></p>	<p>Ancillary teacher Assistant teacher Education director Group teacher Special needs teacher Substitute teacher Teacher director Other</p>

Although a staff person may be in one of these titles on record, to be eligible for this grant, they must also be currently serving in a **child caring role** at the organization. A staff member meets the definition of serving in a child caring role if they provide direct supervision for one or more children at the time of application.

Each staff included in a program's application must be employed in a child caring role and in the applicable title above on the date the individual program submits a Workforce Retention Grant application to OCFS.

Note: Staff in programs other than OCFS licensed/registered SACCs, DCCs, SDCCs, FDC and GFDC or DOHMH permitted Article 47 GDCs are not eligible.

Active staff roster data listed in the application was extracted from CCAT and CCFS on June 26, 2023.

For programs that have an error on the staffing list, OCFS will provide an outline of the process to correct the issue by August 14, 2023, posted on the OCFS website.

X. PROGRAM GRANT PAYMENTS (Amended 09/07/2023)

The grant payment will be made directly to a child care program and will vary based on the number of eligible staff. The total grant payment amount will be split between an initial payment to cover staff retention bonuses for existing staff and a second payment directed to the program toward recruitment expenses and funding towards the employer portion of payroll taxes for providing the staff retention bonuses.

OCFS intends to provide the first payment within 30 days after an approved application and SFS ID is available. ~~Starting thirty days after the first payment, the program will be required to complete Expense Form #1 that will identify the total payments made to eligible staff as well as the date the payment was made to the staff and the payment method. Once the expense form is successfully submitted, the second grant payment will be processed. Expense Form #2 will be required starting 30 days after the second payment to document additional expenses paid using the Workforce Retention Grant. Another expense report will be required at the conclusion of the grant period.~~ **The second grant payment will be processed as soon as possible after the first payment. Starting thirty days after the second payment, the program will be required to complete expense reporting that will identify the total payments made to eligible staff or retained for staff not on payroll as well as the date the payment was made to the staff and the payment method.** Additional reports may be required by OCFS to document usage of Workforce Retention Grant funds.

All child care programs must have a verified Statewide Financial System (SFS) ID to receive payment or they will be required to submit an electronic W9 form at the time of application, and their information will need to be verified before their application can be approved. All information must be submitted, completed and verified by August 1, 2024, as no payments will be made after September 1, 2024 regardless of the application status, W9 submission status, or reporting status. If there are outstanding payment(s), reporting or enforcement issues beyond this date, the pending payments will be canceled.

If a program has outstanding finding(s) from previous OCFS pandemic funding complaints or outstanding Reporting Forms for any OCFS Child Care grant, they will not be eligible to receive payments until those requirements are satisfied. In addition, any amounts owed to OCFS pursuant to findings about other funding opportunities must be paid and resolved prior to a program being able to receive an award for this funding.

If a staff person rejects the bonus payment, the payment amount must be used by the program for recruitment activities and must be reported to OCFS in the expense report.

No child care program is required to apply for this grant opportunity. OCFS is not responsible to make staff bonus payments directly to employees whose employer does not apply for the grant.

For SACC programs:

The program must contact OCFS and return the entire staff retention grant payment if:

- the program is unable to resume operations within the first full week of when the school begins instruction, but in no instance later than 9/20/23, or
- the program is not serving at least one child in person within the first full week of when the school begins instruction, but in no instance later than 9/20/23, or
- If no staff person returns after the school break the program may repurpose unused staff retention funds for recruitment efforts to hire new staff, if at least one staff person returns after the school break.

XI. APPLICATION SUBMISSION REQUIREMENTS

All OCFS licensed or registered programs must have verified their active staff roster in their OCFS FAMS account before applying for the grant. If there are issues updating the staffing roster, programs should contact their regulator. For programs that have an error on the staffing list, OCFS will provide an outline of the process to correct the issue by August 14, 2023, posted on the OCFS website.

All NYCDOHMH Article 47 permitted programs must have their current staff verified in in CCATS system and have roles outlined before applying for the grant.

Active staff roster data listed in the application was extracted from CCAT and CCFS on June 26, 2023.

For programs that have an error on the staffing list, OCFS will provide an outline of the process to correct the issue by August 14, 2023, posted on the OCFS website.

Eligible child care programs must submit an electronic application to OCFS using the online portal. If programs do not have access to a computer, assistance will be available via their local Child Care Resource & Referral (CCR&R) agency or UFT, CSEA, or WHEDco. The online application can be submitted beginning July 26, 2023 until September 15, 2023 at 11:59 pm EST. Applications will not be received by OCFS after this deadline. Once applications are reviewed by OCFS, programs will be notified of their award or disapproval via email from OCFS.

Child care programs are not required to upload documentation with their application, but they must maintain all necessary documentation that demonstrates how funds were used as outlined

in this SOI. Programs must use approved OCFS Workforce Retention Grant Documentation Forms to track all expenses related to the grant. These must be provided upon request.

All Child Care programs are required to use SFS for payment processing and an application will not be approved until there is a satisfactory SFS ID in the application.

In the Grant Application portal, the program must attest their active staff roster is current and accurate and submit for the staff retention award only those staff that meet grant eligibility requirements.

XII. PROGRAM REPORTING: (Amended 09/07/2023)

OCFS will collect the following information from child care programs receiving Workforce Retention Grant funds:

- Program address, including zip code
- Race and ethnicity of family/group family day care provider; center (DCC, GDC, SDCC) and SACC director
- Gender of center director (DCC/GDC/SDCC/SACC) or family/group child care provider owner
- How funds were used in the eligible expense categories
- Number of children currently enrolled in the program

In addition, OCFS will collect information from programs necessary to complete the data reporting fields required by the federal funding.

OCFS will post on its website biweekly the names of the child care programs who have applied and received the Workforce Retention Grant Program and the program's total grant amount.

OCFS will require a minimum of ~~two~~ **one** expense **form** ~~forms~~ to be completed for the Workforce Retention Grant Program and may add additional required expense forms if needed for reporting purposes. All grant recipients are required to complete all requested forms by the given deadline and failure to do so will impact future grant eligibility.

XIII. GRANT MONITORING REQUIREMENTS

Providers must keep documentation of receipt and use for all grant funds for their records for review by OCFS and or city/state/federal agents who may need to review receipts for auditing/monitoring purposes. All grant related documents must be maintained for five years.

- Documentation for bonuses must include:
 - The employees name, date of payment, total payment, payment method, type of bonus (retention or recruitment) (can include cancelled checks or bank statements as proof of payments)



- Receipts may exceed the total amount of funds issued with the understanding that the provider is responsible for amounts exceeding the grant award.
- Receipts for non-bonus recruitment activities must have at a minimum:
 - A purchase or payment date (must be between July 26, 2023 and September 1, 2024)
 - The name of the vendor or supplier;
 - The description of the purchased items;
 - The cost of each item and evidence of payment including proof of payment.
 - The dollar figures for total purchases must equal or exceed the amounts of the Workforce Retention Grant program for each category.

All grant funds paid to staff must be processed through payroll and are subject to applicable taxes. Processing through IRS 1099 is prohibited.

Provider must adhere to IRS guidelines for employers and be responsible for any employer portion of taxes as awards are distributed. Providers should consult a tax professional for specific recommendations regarding the appropriate tax filing for their legal entity type.

XIV. ADDITIONAL GRANT AWARD (Amended 04/30/2024)

As stated in the Section XV of this SOI, OCFS reserved the right to reallocate unspent funds to make additional awards. OCFS is exercising this right as described below.

Current grantees under the original SOI who are in good standing, having met and continue to meet the requirements are eligible for an additional grant award for both components A and B.

The additional grant award amount was determined based on the current pool of unspent funds, and allocated based on the awardee’s modality type and the number of staff who were previously determined to be eligible to receive a Component A bonus payment. The total amount from the additional grant award will be issued in one payment.

Program Type	Staff Retention Award Amount Per Staff	Payroll Tax Assistance Award Amount Per Staff	Staff Recruitment Award Amount Per Program
DCC	\$ 2,250	\$ 172	\$ 12,000
FDC	\$ 2,250	\$ 172	\$ 2,000
GDC	\$ 2,250	\$ 172	\$ 12,000
GFDC	\$ 2,250	\$ 172	\$ 4,000
SACC	\$ 1,725	\$ 132	\$ 12,000

All staff who were eligible and received the Component A staff retention bonus for the initial award are eligible to receive the retention bonus for the additional award if they continue to meet the SOI requirements. Refer to section VII for staff eligibility requirements.

No requests for individual staff roster modifications will be permitted for the additional award. The awardee must follow the guidelines set forth in section V of this SOI regarding the use of these funds.

Programs must use the staff recruitment award as permitted in section VI of this SOI.

Awardees will be responsible to complete an additional expense report regarding the use of funds. Awardees receiving the additional grant are required to spend all funds by September 1, 2024. All other reporting requirements remain the same.

XV. ~~XIV.~~ OCFS RESERVED RIGHTS (Amended 09/07/2023)

OCFS reserves the right to:

- Change any of the schedule dates stated in this SOI;
- Withdraw the SOI at any time at the agency's sole discretion;
- Make an award under the SOI in whole or in part;
- Deny any applicant whose conduct and/or application fails to conform to the requirements of the SOI;
- Amend any part of this SOI prior to closing of the application period;
- Make funding decisions that maximize compliance with and address the outcomes identified in this SOI;
- Provide additional funding to awardees if such funds become available;
- Rescind awards for failure of awardees to provide all information required by OCFS upon request or if applicant does not comply with the licensing requirements to operate the program;
- Reallocate unspent funds to provide additional awards as needed.
- Change any of the terms in this grant so long as such terms are allowable under the federal and state appropriation standards. Such changes could include, **but are not limited to**, an increase the number **and/or** amount of grant payments to fully expend funds either prior to the close of applications or at any time prior to the expiration of available funding. **OCFS may also open a new application period for this grant after the Due Date listed in this SOI which may include, but is not limited to, changes to the number and/or amount of grant payments, staff eligible for payments and date requirements listed in the SOI.** Such changes would be as determined necessary by OCFS to accomplish the goals of this grant. Any changes will be applied



consistently to licensed, registered and permitted child care programs within their modality type. OCFS will post notice of any changes to the OCFS website so that applicants, awardees, and the public are aware of any changes.

XVI. Attestations for Programs

The following attestations must be completed by the program in the application.

- I agree OCFS or its agents may monitor the application and use of funds to ensure the accuracy of the information that I have provided and the proper use of funds.
- I agree that the program is open/ operating and has at least one child actively enrolled. If a SACC program, I agree that I will be operational and serving at least one child in person on the first full week of local school instruction, but in no instance later than 9/20/23.
- I agree that retention bonus payments to eligible staff will be equal to the amounts listed in the per staff amounts in this SOI Section III. Grant Award Amounts.
- I agree that I have confirmed with all eligible staff included on my application that no other programs have already applied and included that staff in their application or that the staff have not already received a retention bonus under this grant.
- I agree that all staff indicated on my grant application are currently working at my physical program location for an average of 15 hours per week (10 for SACCs) in eligible titles, child caring roles per SOI Section VII. Staff Eligibility Requirements and have state and federal taxes withheld from their paycheck.
- I agree to provide all staff bonus funds directly to my eligible staff at the required levels and pay at least 50% of the retention bonus to all eligible staff within 45 days and the remaining funding of the payment within 90 days of receiving the staff retention funds. If I operate a SACC program that is applying during a planned school break, I agree payments will be issued to eligible SACC program staff within 45 days after resuming operations during the school calendar year or returned to OCFS if the program does not resume operations as outlined herein.
- I agree to submit all Expense Report forms as required by OCFS by the deadlines given.
- I agree that if a staff person rejects the bonus payment, the payment amount will be used for recruitment activities and will be reported to OCFS in the expense report.
- I agree that if a staff person leaves between the first retention bonus payment and second retention bonus payment, the funds will be used for recruitment activities and reported in the OCFS Expense Report.



- I agree to maintain all child care program eligibility requirements as outlined in Section IV throughout the grant period and if my program status changes, I agree to contact my regulator immediately to report those changes. I agree that if my program goes inactive or closes within 45 days of receiving any grant payment, I must return 100% of the Workforce Retention and recruitment Grant funds in that payment.
- I agree to accept families receiving funding through the Child Care Assistance Program (subsidy), though providers will not be required to maintain families receiving subsidy throughout the duration of the grant if the families chose another provider.
- I agree to provide my employees with any needed documentation for their application or for continued receipt of any public benefits including providing letters, payroll records or other assistance, to demonstrate their income and grant payments received under this SOI.
- I agree to the terms and conditions in Appendix A, Standard Clauses for New York State Contracts.
- My child care program agrees to maintain compliance with applicable laws and regulations.
- I understand that at any time, I may be asked to produce records for verification including receipts and proof of payment purposes upon audit of any Workforce Retention funds.
- I agree to provide information and supporting documents as requested.
- I agree to provide, for audit purposes, access to the child care program for which this application is submitted, information and documentation related to the application and use of funds, and access to interview child care staff members in connection with this application and the use of funds received.
- I must retain supporting documentation for a period of five years and promptly submit them to OCFS upon request.
- I understand that providing false or inaccurate information on the application or improper use of funds will result in the return or repayment of funds.
- I agree to repay funds as required by OCFS.
- I agree to report the use of funds received to OCFS or its agents upon request.
- I agree I will not reduce typical salary or benefits to staff of my child care program for the duration of the grant payment term. For each staff person of the child care program, I agree to pay at least the same amount in typical weekly wages and maintain the same benefits (such as health insurance and retirement, if applicable) for the duration of this workforce retention grant.



- I agree to prevent any involuntarily furlough of employees from the date of application submission through the duration of the grant period.
- I agree that I cannot use Workforce Retention Grant funds to pay for expenses expressly covered by another external source, or to supplant other federal or state funds issued.
- I understand I must spend all Workforce Retention Grant funds by September 1, 2024.
- I have read and agree to the terms and conditions and am an authorized person to submit the application.