



CDFA Circular 2016-01

Related to: Community Development Block Grant Program – Economic Development projects

Subject: Requirements for jobs available to low and moderate income persons

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Summary

This CDFA Circular provides the definition and documentation requirements for the jobs available to low and moderate income persons.

Economic Development projects that create jobs are required to document the jobs that are created, the number that are filled by low and moderate income persons and the number that are made available to low and moderate income persons.

Details

Jobs are to be held by or made available to persons of LMI. LMI persons shall be those whose incomes are equal to or less than 80% of the area median income (AMI) limits defined and published by HUD.

Jobs will qualify for these purposes only if:

- a. special skills that can only be acquired with substantial training or work experience or education beyond high-school are not a prerequisite to fill such jobs; or the Business agrees to hire unqualified persons and provide training; and
- b. the Grantee and Business take actions to ensure that LMI persons receive first consideration for filling such jobs.

Jobs that are not held (filled) by L/M income persons may be claimed to be “available” to L/M income person only when both of the following are met:

1. The jobs do not require special skills that can only be acquired with substantial training or work experience and education beyond high school is not a prerequisite to fill such a job, unless the business agrees to hire unqualified person and train the and

2. The assisted business takes actions to ensure that L/M income persons receive “first consideration” for filling such jobs. Evidence must include a description of how first consideration was given to LMI persons for filling the jobs. The description shall include what hiring process was used, which LMI persons were interviewed for each job, and which LMI persons were hired. The business is obligated to prove that they met the following criteria of providing “first consideration”:

- The business must use a hiring practice that under usual circumstances would result in over 51 percent of L/M income persons interviewed for applicable jobs being hired,
- The business must seriously consider a sufficient number of L/M income job applicants to give reasonable opportunity to fill the position with such a person and provide evidence.
- And the distance from residence and availability of transportation to the job site must be reasonable before a particular L/M income person may be considered a serious applicant for the job.

Effective Date December 1st, 2015

Waiver authority? No