

## **Q & A - Applicant Briefing #1 on 4/14/2020:**

Q: Medical Personal Protective Equipment (PPE) was in extremely short supply early in the pandemic and remains so. Can a town submit for reimbursement through Cat B air packs (firefighter gear) that was purchased to be used as PPE during pandemic operations?

A: Dependent on what they are utilized for. Will it be for COVID-19 response activities? Typically, extra equipment purchases are reduced by FEMA at salvage value for reimbursement. Also, ensure you are procuring this equipment properly.

Q: For purchase of Personal Protective Equipment (PPE), there was a time when it was nearly impossible to get, so it was bought whenever possible, are three quotes necessary or required?

A: Three quotes are always recommended, but exigent circumstances may limit the Applicant's ability to seek and receive three quotes.

As a point of reference for ordering of Personal Protective Equipment (PPE), an on-line order form can be found (below):

<https://forms.office.com/Pages/ResponsePage.aspx?id=0500IK26PEOcAnDtzHVZxnYHsES1qh9Hs2EGYmwc2tBURDVPSDJS1hUTzdJMF1xVDZHQ1JHS1cxViQIQCN0PWcu>

### COVID-19 PPE RESOURCE REQUEST FORM

By submitting this form, your facility certifies that all required Contingency Operations Personal Protective Equipment (PPE) Conservation measures are currently in practice and that any received resources will be used in accordance with these measures. PPE conservation measures are based in part on the CDC 'Checklist for Healthcare Facilities: Strategies for Optimizing the Supply of N95 Respirators during the COVID-19 Response' found at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/checklist-n95-strategy.html> (published 03/05/2020). Please refer to the accompanying 'Personal Protective Equipment (PPE) Strategies for Scarce Resource Situations' guidance document for further guidance.

Q: On the VEM website, it lists Personal Protective Equipment (PPE) purchased for critical care as an eligible expense. What if it was purchased for essential employees in non-medical work to prevent transmission of COVID-19?

A: Yes, with proper procurement.

Q: If an essential service provider has split their crew in half to avoid contact and reduced their number of hours, are the costs associated with doing this reimbursable (i.e. additional sick leave)?

A: No, that is not eligible. Only Overtime hours are eligible for Emergency Response activities related to COVID-19.

Q: Would video conference software costs be eligible if used in the conduct of public meetings?

A: This would need to be looked at by FEMA. It would be important to show that this would be a COVID-19 related meeting. Laptops and software would be treated as equipment. More questions would likely be asked.

Q: If sick time is paid to an employee due to COVID quarantine is that eligible?

A: No sick pay is ineligible, only overtime costs are eligible. Also, ineligible is paying your workers to continue working at home. Only overtime related to COVID-19 emergency response is eligible.

(We would suggest checking with the dept of labor to see if they cover it).

Q(s): Could you address existing employees of local government who have been seconded to assist with Emergency Operations Centers (EOCs) and COVID-19 recovery efforts with new job responsibilities and a new job title? Are those full-time employee hours eligible for FEMA reimbursement?

What I was trying to get at were the regulations around existing full-time staff that are working outside their normal job titles. For example, an employee that is typically working in the Planning department that is now working on emergency food distribution.

A:

Reassigned Employees - The Applicant may assign an employee to perform work that is not part of the employee's normal job. For example, a police officer may clear debris. FEMA provides PA funding based on the reassigned employee's normal pay rate, not the pay level appropriate to the work, because the Applicant's incurred cost is the employee's normal pay rate. Straight time of a permanent employee funded from an external source (such as a grant from a Federal agency or statutorily dedicated funds) is eligible if the employee is reassigned to perform eligible Emergency Work that the external source does not fund. FEMA must confirm that no duplication of funding exists prior to approval.

Backfill Employees - The Applicant may need to temporarily replace an employee who is responding to the incident. Overtime costs for the backfill employee are eligible even if the backfill employee is not performing eligible work as long as the employee that he/she is replacing is performing eligible Emergency Work. 86 Stafford Act § 406(a)(2)(C), 42 U.S.C. § 5172, and 44 CFR § 206.228(a)(2)(i). 87 Stafford Act § 403(d)(1)(B), 42 U.S.C. § 5170b, and 44 CFR § 206.228(a)(2)(iii). V3.1 2018 Page 24

FEMA also provides PA funding for straight time if the backfill employee is a:

- Contracted or temporary employee; or
- Permanent employee called in on a normally scheduled day off (weekend or other off day).

If the backfill employee is called in from scheduled leave, only overtime is eligible.

Supervisors - Second-level supervisors and above (e.g., commissioners, mayors, department directors, police and fire chiefs) are usually exempt employees<sup>88</sup> and are not directly involved in the performance of a specific project. Therefore, they are not eligible for overtime, unless the Applicant:

- Demonstrates that the employee was directly involved with a specific project;
- Normally charges that individual's time to specific projects regardless of Federal funding; and
- Incurs overtime costs for the employee in accordance with a labor policy that meets the criteria in Chapter 2: V.A.1.

Other - Extraordinary costs (such as call-back pay, night-time and weekend differential pay, and hazardous duty pay) for essential employees who are called back to duty during administrative leave to perform eligible Emergency Work are eligible if costs are paid in accordance with a labor policy that meets the criteria above. Administrative leave or similar labor costs incurred for employees sent home or told not to report due to emergency conditions are ineligible.

Q: Is regular time for federally funded positions eligible for PA? Here these staff are redeployed to a position that is not eligible for funding through their existing federal source.

A: Yes, straight time of a permanent employee funded from a grant from a Federal agency can be eligible if the employee is reassigned to perform eligible emergency protective measures that the external source does not fund. FEMA must confirm that no duplication of funding exists prior to approval.

Q: How about employees that are budgeted as part time but are now working full time due to COVID-19 activities?

A: Part-time employees pay policy must show they are working full-time regular hours are now considered overtime.

Q: Are unemployment insurance reimbursement costs associated with employees furloughed as a result of COVID-19 eligible for PA?

A: No, this is not an emergency response activity. It may be a good idea to check with the Dept. of Labor.

Q: How long does it take to hear back from the Grant Portal?

A: You should receive an email after submitting your Grants Portal account immediately. It could go to your spam email so check there. If not, call the grants portal hotline to discuss the issue.

Q: What's the turnaround for getting invited to the grant portal after you submit a Request for Public Assistance (RPA)?

A: You cannot submit a Request for Public Assistance prior to having grants portal access.

Q: Where can we find a copy of the Applicant Briefing slide presentation?

A: The slide Presentation can be found at:

[https://vem.vermont.gov/sites/demhs/files/COVID19/DR4532%20COVID-19%20APPLICANT%20BRIEFING\\_%20final.pdf](https://vem.vermont.gov/sites/demhs/files/COVID19/DR4532%20COVID-19%20APPLICANT%20BRIEFING_%20final.pdf)

Q(s): VTrans public transit will receive significant CARES Act funds, so applying for FEMA is funding of last resort and not eligible. Is that correct? Or, should we still apply if we anticipate costs will exceed the CARES Act award?

A: FEMA is a funding source of last resort as a reimbursement grant program. If another federal agency is responsible, costs must be submitted there first.

Q (s): What type of food costs will be covered? Only ones along the lines of feeding emergency staff and feeding people at isolation sites? Or could a nonprofit food shelf that has seen an increase in demand get reimbursed for those additional food costs?

A: The VT Agency of Human Services (AHS) has developed a feeding plan and working with multiple partners to support local non-profits.

Q: Our rescue squad is normally staffed by volunteers and our board recently approved paying them an hourly rate - would this be eligible for reimbursement?

A: Only if performing a COVID response activities, and calls related to such would need to be documented.

Q: Are laptops purchased to continue town operations remotely reimbursable?

A: Dependent on what they are utilized for. Laptops and software would be treated as equipment. Will it be for COVID response activities? Did you procure properly?

Q: I registered in the portal, but never received an email.

A: Check your SPAM folder. Sometimes a response is collected there.

Q: I just wanted to confirm that Towns cannot submit for aid from the Families First Coronavirus Response Act as well as the FEMA PA. We have two employees that qualify for FFCRA.

A: No, submit application to one entity only.

Q: Do the rules allow for a regional grant request if a singular request does not meet the \$3,300 threshold?

A: The Applicant with a DUNS number and costs must apply. You cannot combine grants with others.

[DUNS: Data Universal Numbering System, Dun & Bradstreet (D&B) provides a DUNS number, a unique nine-digit identification number, for each physical location of your business]. Note that Regional SEOCs may be a special case; talk to [ben.rose@vermont.gov](mailto:ben.rose@vermont.gov) if that is the crux of the question.

Q: Just pasting a question again from above to make sure I understand the answer correctly: "What are the regulations around existing full time (exempt) staff that are working outside their normal job titles and responsibilities. For example, an employee that is typically working in the Planning/Zoning department that is now working on emergency food distribution."

A: Only overtime work.