

U.S. DEPARTMENT OF LABOR  
Employment and Training Administration

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**NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY  
ANNOUNCEMENT FOR: PAID LEAVE ANALYSIS GRANTS**

**ANNOUNCEMENT TYPE:** *Initial*

**FUNDING OPPORTUNITY NUMBER:** *FOA-WB-16-01*

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER:** *17.261*

**KEY DATES:** *The closing date for receipt of applications under this Announcement is [insert date XX days after the date of publication on Grants.gov]. We must receive applications no later than 4:00:00 p.m. Eastern Time.*

**ADDRESSES:** *Address mailed applications to:*

*The U.S. Department of Labor  
Employment and Training Administration, Office of Grants Management  
Attention: Donna Kelly, Grant Officer  
Reference FOA-WB-16-01  
200 Constitution Avenue, NW, Room N4716  
Washington, DC 20210*

For complete application and submission information, including online application instructions, please refer to Section IV.

**EXECUTIVE SUMMARY:**

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The Women's Bureau (WB), U.S. Department of Labor (DOL, or the Department, or we), announces the availability of approximately \$1 million in grant funds authorized by 29 U.S.C. § 13 and the 2016 Consolidated Appropriations Act, for the Women's Bureau *Paid Leave Analysis* grant program.

This program is intended to support research and analysis needed to explore, develop, implement, and/or improve paid family and medical leave programs at the State and municipal<sup>1</sup> levels, as well as in U.S. Territories and Possessions and federally recognized Indian/Native American Tribes. Specifically, the research and analysis activities must fall into one or more of the following five categories:

- Statistical analysis, such as cost-benefit or actuarial studies;
- Feasibility analysis;
- Economic-impact analysis;

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<sup>1</sup> As used throughout this FOA and in connection with the Women's Bureau *Paid Leave Analysis* grant program, the term "municipal" and its variants refer to the general purpose political subdivisions of a State, including County, City, and Township Governments.

- Financing, eligibility, and benefit modeling; and
- Education, outreach, and marketing analysis for implementation purposes.

The activities listed above may include identifying and studying viable options for financing and administering a paid family and medical leave program in states that do not have a temporary disability insurance program (e.g., employer mandates; other social insurance programs; publicly funded programs).

Additionally, for eligible entities that have already completed the analyses listed above and are awaiting legislative action to formally adopt or have recently adopted a paid family and medical leave program, some limited funds will be available to support pre-implementation or initial implementation analyses, including but not limited to:

- Identifying requirements for administration of a state-level paid leave program, such as an information technology plan or business processes and staffing needs for program administration;
- Developing implementation plans, including education and outreach strategies; and
- Conducting survey research to develop potential benchmarks to measure the impact of the policy or program at a later time.

To be eligible for funds under this grant program, **an applicant MUST be a government entity** from one of the following levels of government: State; County; City or Township; U.S. Territory or Possession; or federally recognized Indian/Native American Tribe. In addition, **the applicant's jurisdiction MUST have an estimated population of at least 50,000 residents**.<sup>2</sup> Satisfaction of these criteria will be verified prior to award.

Up to six (6) grants of no more than \$250,000 each will be awarded. Selection of grantees will be determined based on the strength of the proposal and on other factors, such as the geographic distribution of funds.

Applicants must:

- Present a clear description of the research and analysis activities they intend to conduct and identify the anticipated deliverables from such activities;
- Explain how such activities and deliverables will advance their efforts to explore, develop, implement, and/or improve a paid family and medical leave program within their jurisdiction;
- Provide an estimate as to the number of individuals potentially eligible to benefit from the program under study; and
- Outline a solid financial infrastructure that demonstrates proper resource management.

Applicants must also commit to sharing any knowledge and promising practices gleaned from their research and analysis with non-participating jurisdictions at forthcoming events. **This year, we will require each grantee to send at least one representative to**

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<sup>2</sup> Federally recognized Indian/Native American Tribes must have populations of 10,000 or above.

**the Women's Bureau Paid Leave Symposium, to be held in Washington, D.C., in Fall 2016. Grantees will receive additional details about this event after the grant awards are announced.**

Finally, the Department is committed to producing strong evidence on the effectiveness of its grant programs, and full participation (by grantee and any sub-grantees or sub-contractors) in any evaluation initiated by the Department is a condition of all grant awards.

## **I. FUNDING OPPORTUNITY DESCRIPTION**

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### **A. Program Purpose**

This Funding Opportunity Announcement (FOA) solicits applications for the Women's Bureau *Paid Leave Analysis* grant program. The purpose of this program is to support certain types of research and analysis needed to explore, develop, implement, and/or improve paid family and medical leave programs at the State and municipal levels, as well as in U.S. Territories and Possessions and federally recognized Indian/Native American Tribes.

Paid family and medical leave programs help workers with caregiving responsibilities remain in the workforce, and have been shown to improve health outcomes for children, ill adults, and seniors. Such programs have also been shown to increase workplace productivity and worker recruitment and retention. Although the federal Family and Medical Leave Act (FMLA) provides job-protected leave for eligible workers to care for their newborn or adopted children, their family members with serious health conditions, and their own serious health conditions, the FMLA does not require that such leave be paid. In recent years, a few States and several municipalities have implemented their own paid family and medical leave programs to ensure that workers have the economic security to care for themselves and their family members.

With this *Paid Leave Analysis* grant program, the Department is taking a critical step toward helping jurisdictions throughout the United States build the administrative infrastructure necessary to meet the realities of today's working families while also bolstering the Nation's long-term economic success.

Grants issued through this program must be used to carry out research and analysis activities that advance the grantee's efforts to explore, develop, implement, and/or improve a paid family and medical leave program on behalf of individuals working for employers within its jurisdiction. Such research and analysis activities must fall into at least one of the following five categories:

- Statistical analysis, such as cost-benefit or actuarial studies;
- Feasibility analysis;
- Economic-impact analysis;
- Financing, eligibility, and benefit modeling;

- Education, outreach, and marketing analysis for implementation purposes.

The activities listed above may include identifying and studying viable options for financing and administering a paid family and medical leave program in states that do not have a temporary disability insurance program (e.g., employer mandates; other social insurance programs; publicly funded programs).

Additionally, eligible entities that have already completed the analyses listed above and are awaiting legislative action to formally adopt or have recently adopted a paid family and medical leave program, may apply for funds to support pre-implementation or initial implementation analyses, including but not limited to:

- Identifying requirements for administration of a state-level paid leave program, such as an information technology plan or business processes and staffing needs for program administration;
- Developing implementation plans, including education and outreach strategies; and
- Conducting survey research to develop potential benchmarks to measure the impact of the policy or program at a later time.

Note that this grant program funds certain categories of research and analysis activities. It does not require grantees to enact a paid family and medical leave program, and receipt of funds under this grant program is not contingent upon a potential grantee's agreement to do so.

## **B. Program Authority**

This program is authorized by 29 U.S.C. § 13 and the 2016 Consolidated Appropriations Act.

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## **II. AWARD INFORMATION**

### **A. Award Type and Amount**

Funding will be provided in the form of a grant.

Approximately \$1 million is expected to be available to fund up to six (6) grants. You may apply for a ceiling amount of up to \$250,000. Awards made under this Announcement are subject to the availability of Federal funds. In the event that additional funds become available, we reserve the right to use such funds to select additional grantees from applications submitted in response to this announcement.

### **B. Period of Performance**

The period of performance is twelve (12) months with an anticipated start date of October 1, 2016. This performance period includes all necessary implementation and start-up activities.

### **III. ELIGIBILITY INFORMATION**

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#### **A. Eligible Applicants**

##### **A.1. *Eligible Entities***

Eligible applicants include government entities from any of the following levels of government:

- State Governments<sup>3</sup>;
- County Governments;
- City or Township Governments;
- U.S. Territories or Possessions; and
- Federally recognized Indian/Native American Tribal Governments.

Note that **we will not award multiple grants to support research and analysis on behalf of a single jurisdiction<sup>4</sup> at a particular level of government**. If more than one eligible entity submits an application to conduct research and analysis on behalf of a single jurisdiction at a particular level of government, we will consider each eligible application, but only the highest-scoring of those applications will be eligible for an award on behalf of that jurisdiction. Eligible entities are therefore strongly encouraged to communicate and coordinate with their various branches, departments, and organizational units to prepare a single application on behalf of their jurisdiction.

*Example: The Vermont Department of Labor and the Vermont Governor's Office are both interested in applying for this grant on behalf of the State of Vermont (that is, the funding would be used for research and analysis of a state-wide paid family and medical leave program). If each of these government entities applies separately, we will consider each application. However, only the higher scoring of these two applications would be eligible for an award on behalf of the State of Vermont.*

For the purposes of this grant program, each jurisdiction will be regarded as separate and distinct from jurisdictions at other levels of government that it may geographically encompass or be encompassed by. Thus, for example, an award to a state-level government entity to conduct research and analysis on behalf of the state would not preclude an award to a city-level government entity, located within the state, to conduct research and analysis on behalf of the city.

*Example: If the City Council of Burlington, Vermont applies for this grant on behalf of the City of Burlington, we will consider that application as a city government-level application on behalf of the City of Burlington, and not as a state government-level application on behalf of the State of Vermont. An award to the Vermont Governor's Office to conduct research and analysis on behalf of the State of Vermont would not preclude an award to the City Council of Burlington to conduct research and analysis on behalf of the City of Burlington.*

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<sup>3</sup> For the purposes of this grant program, the District of Columbia will be considered a State.

<sup>4</sup> For the purposes of this grant program, "jurisdiction" refers to the territory within which the government of a State, County, City, Township, U.S. Territory or Possession, or federally recognized Indian/Native American Tribe may properly exercise its power.

### *A.2. Estimated Population*

To be eligible for consideration, **an applicant's jurisdiction MUST have an estimated population of at least 50,000 residents.**<sup>5</sup> Population size will be verified prior to award.

For the purposes of this grant, estimated populations will be determined by reference to specified U.S. Government data.

- The estimated population of **City and Township Governments** will be determined by reference to the U.S. Census Bureau publication, *Vintage 2014 Annual Estimates of the Resident Population for Incorporated Places of 50,000 or More, Ranked by July 1, 2014 Population: April 14, 2010 to July 1, 2014*, published May 2015, available at <http://www.census.gov/popest/data/cities/totals/2014/index.html>.
- The estimated population of **County Governments** will be determined by reference to the U.S. Census Bureau publication, *Annual Estimates of the Resident Population for Counties: April 1, 2010 to July 1, 2015*, published March 2016, available at <https://www.census.gov/popest/data/counties/totals/2015/CO-EST2015-01.html>.
- The estimated population of **federally recognized Indian/Native American Tribal Governments** will be determined by reference to the U.S. Department of the Interior publication, *2013 American Indian Population and Labor Force Report*, published January 2014, available at <http://www.bia.gov/cs/groups/public/documents/text/idc1-024782.pdf>.

No other sources of data will be used to determine the estimated size of an applicant's population.

### *A.3. Current and Former Grantees*

Recipients of funds awarded under the 2014 or 2015 Paid Leave Analysis grant programs are eligible to apply for this grant.

## **B. Cost Sharing or Matching**

This program does not require cost sharing or matching funds. Including such funds is not one of the application screening criteria and applications that include any form of cost sharing or match will not receive additional consideration during the review process. Instead, the agency considers any resources contributed to the project beyond the funds provided by the agency as leveraged resources. Section IV.B.2 provides more information on leveraged resources.

## **C. Other Information**

### **1. Application Screening Criteria**

You should use the checklist below as a guide when preparing your application package to ensure that the application has met all of the screening criteria. Note

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<sup>5</sup> Federally recognized Indian/Native American Tribes must have populations of 10,000 or above.

that this checklist is only an aid for applicants and should not be included in the application package. We urge you to use this checklist to ensure that your application contains all required items. If your application does not meet all of the screening criteria, it will not move forward through the merit review process.

Application Requirement	Instructions	Complete?
The deadline submission requirements are met	Section IV.C	
If submitted through Grants.gov, the components of the application are saved in any of the specified formats and are not corrupt. <i>(We will attempt to open the document, but will not take any additional measures in the event of problems with opening.)</i>	Section IV.C.	
Application Federal funds request does not exceed the ceiling amount of \$250,000	Section II.A	
SAM Registration	Section IV.B.1	
SF-424, Application for Federal Assistance	Section IV.B.1	
SF-424 includes a DUNS Number	Section IV.B.1	
SF-424A, Budget Information Form	Section IV.B.2	
Budget Narrative	Section IV.B.2	
Project Narrative	Section IV.B.3	
Abstract	Section IV.B.4	

## 2. Number of Applications Applicants May Submit

We will consider only one application from each organization. If we receive multiple applications from the same organization, we will only consider the most recently received application that met the deadline. If the most recent application is disqualified for any reason, we will not replace it with an earlier application.

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## IV. APPLICATION AND SUBMISSION INFORMATION

### A. How to Obtain an Application Package

This FOA, found at [www.Grants.gov](http://www.Grants.gov) and [http://www.doleta.gov/grants/find\\_grants.cfm](http://www.doleta.gov/grants/find_grants.cfm), contains all of the information and links to forms needed to apply for grant funding.

### B. Content and Form of Application Submission

Applications submitted in response to this FOA must consist of four separate and distinct parts:

- (1) the SF-424 “Application for Federal Assistance;”**
- (2) Project Budget;**
- (3) Project Narrative; and**
- (4) attachments to the Project Narrative.**

You must ensure that the funding amount requested is consistent across all parts and sub-parts of the application.

**(1) SF-424, “Application for Federal Assistance”**

- You must complete the SF-424, “Application for Federal Assistance” (available at [http://apply07.grants.gov/apply/forms/sample/SF424\\_2\\_1-V2.1.pdf](http://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf)).
- In the address field, fill out the nine-digit (plus hyphen) zip code. Nine-digit zip codes can be looked up on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.
- The SF-424 must clearly identify the applicant and must be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B (available at <http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf> ). You do not need to submit the SF-424B with the application.

**- Requirement for DUNS Number**

All applicants for Federal grant and funding opportunities must have a DUNS number, and must supply their DUNS Number on the SF-424. The DUNS Number is a nine-digit identification number that uniquely identifies business entities. If you do not have a DUNS Number, you can get one for free through the D&B website:

<http://fedgov.dnb.com/webform/displayHomePage.do>.

Grant recipients authorized to make subawards must meet these requirements related to DUNS Numbers

- Grant recipients must notify potential subawardees that no entity may receive a subaward from you unless the entity has provided its DUNS number to you.
- Grant recipients may not make a subaward to an entity unless the entity has provided its DUNS number to you.

(See, Appendix A to 2 CFR section 25.)

**- Requirement for Registration with SAM**

Applicants must register with the System for Award Management (SAM) before submitting an application. Find instructions for registering with SAM can at <https://www.sam.gov> .

A recipient must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the SAM database after the initial registration, the applicant is required to review and update the registration at least every 12 months from the date of initial registration or subsequently update its information in the SAM database to ensure it is current, accurate, and complete. For purposes of this paragraph, the applicant is the entity that meets the eligibility criteria and has the legal authority to apply and to receive the award. If an applicant has not fully complied with these requirements by the time the Grant Officer is ready to make a Federal award, the Grant Officer may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

## **(2) Project Budget**

You must complete the SF-424A Budget Information Form (available at: <http://apply07.grants.gov/apply/forms/sample/SF424A-V1.0.pdf>). In preparing the Budget Information Form, you must provide a concise narrative explanation to support the budget request, explained in detail below.

**This year, we will require each grantee to send at least one representative to the Women's Bureau Paid Leave Symposium, to be held in Washington, D.C., in Fall 2016. Please ensure that your Project Budget includes a line item for the estimated costs of sending at least one representative to the Women's Bureau Paid Leave Symposium.**

**Budget Narrative:** The budget narrative must provide a description of costs associated with each line item on the SF-424A. It should also include a description of leveraged resources provided (as applicable) to support grant activities.

Use the following guidance for preparing the budget narrative:

**Personnel:** – List all staff positions by title (both current and proposed). Give the annual salary of each position, the percentage of each position's time devoted to the project, the amount of each position's salary funded by the grant, and the total personnel cost for the period of performance.

**Fringe Benefits:** Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement, etc.

**Travel:** Specify the purpose, mileage, per diem, estimated number of in-state and out-of-state trips, and other costs for each type of travel.

**Equipment:** Identify each item of equipment you expect to purchase which has an estimated acquisition cost of \$5,000 or more per unit (or if your capitalization level is less than \$5,000, use your capitalization level) and a useful lifetime of more than one year (see 2 CFR 200.33 for the definition of Equipment). List the quantity and unit cost per item. Items with a unit cost of less than \$5,000 are supplies, not “equipment”. In general, we do not permit the purchase of equipment during the last funded year of the grant.

**Supplies:** Identify categories of supplies (e.g., office supplies) in the detailed budget and list the quantity and unit cost per item. Supplies include all tangible personal property other than “equipment” (see 2 CFR 200.94 for the definition of Supplies).

**Contractual:** Identify each proposed contract and specify its purpose and estimated cost. If applicable, identify any subrecipient agreements, including purpose and estimated costs. See Section VI.B.2.f. for more information on the distinction between contractor and subrecipient.

**Construction:** Construction costs are not allowed and this line must be left as zero. Minor alterations to adjust an existing space for grant activities (such as a classroom alteration) may be allowable. We do not consider this as construction and you must show the costs on other appropriate lines such as Contractual.

**Other:** List each item in sufficient detail for us to determine whether the costs are reasonable or allowable. List any item, such as stipends or incentives, not covered elsewhere here.

**Indirect Costs:** If you include indirect costs in the budget, then include either

a) the approved indirect cost rate with a copy of the Negotiated Indirect Cost Rate Agreement (NICRA), a description of the base used to calculate indirect costs along with the amount of the base, and the total indirect costs requested,

**or**

b) if you meet the requirements to use the 10% de minimis rate as described in 2 CFR 200.414(f), then include a description of the modified total direct costs base (see 2 CFR 200.68 for definition) used in the calculation along with the amount of the base, and the total indirect costs requested based on the 10% de minimis rate. See Section IV.B.4. and Section IV.E.1. for more information. Additionally, the

following link contains information regarding the negotiation of Indirect Cost Rates at DOL:  
<http://www.dol.gov/oasam/boc/dcd/index.htm>.

Note that the SF-424, SF-424A, and budget narrative must include the entire Federal grant amount requested (not just one year). [If cost sharing or match is required, include the following sentence.] Applicants must also show cost sharing or match on the SF-424 (line 18b), SF-424A, and budget narrative.

Do not show leveraged resources on the SF-424 and SF-424A. You should describe leveraged resources in the budget narrative.

Applicants should list the same requested Federal grant amount on the SF-424, SF-424A, and budget narrative. If minor inconsistencies are found between the budget amounts specified on the SF-424, SF-424A, and the budget narrative, ETA will consider the SF-424 the official funding amount requested. However, if the amount specified on the SF-424 would render the application nonresponsive, the Grant Officer will use his or her discretion to determine whether the intended funding request (and match if applicable) is within the responsive range.

### **(3) Project Narrative**

Preparing the Project Narrative

The Project Narrative must demonstrate your capability to implement the grant project in accordance with the provisions of this Announcement. It provides a comprehensive framework and description of all aspects of the proposed project. It must be succinct, self-explanatory, and well organized so that reviewers can understand the proposed project.

The Project Narrative is limited to ten (10) double-spaced, single-sided 8.5 x 11-inch pages with Times New Roman 12-point text font and 1-inch margins. You must number the Project Narrative beginning with page number 1.

We will not read or consider any materials beyond the specified page limit in the application review process.

The following instructions provide all of the information needed to complete the Project Narrative. Carefully read and consider each section, and include all required information in your Project Narrative. The agency will evaluate the Project Narrative using the evaluation criteria identified in Section V.A. You must use the same section headers identified below for each section of the Project Narrative:

#### **(a) Statement of Need**

Describe, in quantitative and qualitative terms, (a) the current status of any existing paid family and medical leave program in your jurisdiction, or the level of interest and status of development of any possible future program; (b) the goals and characteristics of the existing or potential program; and (c) major legislative, legal, budgetary, or other obstacles and challenges to implementation. Include demographic data and beneficiary information whenever possible.

Also describe which one or more of the research and analysis activities outlined in Section I.A you would like to conduct, and how the research and analysis activities will ultimately inform or advance your jurisdiction's ability to explore, develop, implement, and/or improve a paid family and medical leave program in your jurisdiction.

**(b) Expected Outcomes and Outputs**

Demonstrate your commitment to building the knowledge base necessary to explore, develop, implement, and/or improve a paid family and medical leave program in your jurisdiction.

Explain how this knowledge base could actually result in the development and/or implementation of a paid family and medical leave program within your jurisdiction. This may be demonstrated through, for example, articles, press releases, and existing research that reflect positive momentum behind paid family and medical leave in your jurisdiction.<sup>6</sup>

Also state your commitment to sharing all such knowledge, and any promising practices, with non-participating jurisdictions at upcoming events (including, e.g., virtual forums, such as webinars, and research conferences).

Provide an estimate of the number of individuals you expect will be eligible to participate, over the course of a year, in the paid family and medical leave program you propose to study; and briefly explain the methodology by which you arrived at this estimate.

**(c) Project Design**

Describe the design and scope of your project, including (a) the objective of the research and analysis; (b) the type and source of data to be collected or used; (c) the type of analysis to be conducted; (d) the list of team members who will implement the study and analysis, including, but not limited to, employees and experts representing key stakeholder organizations with

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<sup>6</sup> Note that this grant program funds certain categories of research and analysis activities. It does not require grantees to enact a paid leave program, and receipt of funds under this grant program is not contingent upon a potential grantee's agreement to do so.

knowledge and expertise in this area; and (e) the specific activities for which you will use the grant funds, including proposed deliverables, milestones and timelines. Cite factors that might accelerate or decelerate your work and state the reason for taking the proposed approach rather than other approaches. Identify any potential barriers and describe how the project will be able to overcome those barriers.

As part of its work related to paid leave, the Department is interested in developing knowledge about equality of leave-taking between men and women. To that end, we will award up to three (3) points to applicants that propose, as part of their project, to develop knowledge about either or both of the following topics: (a) differences between men and women with respect to their leave-taking patterns; and (b) ways to promote equal leave-taking between men and women.

If your project proposes to develop knowledge about equality of leave-taking between men and women, be sure to describe this in detail in your Project Design section.

Additionally, the Department recognizes the critical need for paid leave programs that support workers who need to take time out of the workforce to care for their aging loved ones. Therefore, we will award up to three (3) points to applicants that propose, as part of their project, to develop knowledge about the structural and/or substantive provisions of a paid family and medical leave program that would enable workers to provide care for aging loved ones. Possible areas of inquiry could include, for example:

- Types of care and conditions covered by the paid leave program, especially those that are particularly relevant for workers providing eldercare (e.g., transportation to doctor appointments for routine care; or care for individuals suffering from conditions for which treatment may not be effective, such as Alzheimer's disease, a severe stroke, or the terminal stages of a disease);
- Whether a covered individual may take the leave intermittently, consecutively, or both;
- The nature of the relationship between the worker requesting leave and the individual for whom he or she is providing care, and whether a more inclusive definition of "family" is particularly helpful to workers who need time off to care for their aging loved ones.

If your project proposes to develop knowledge about the structural and/or substantive provisions of a paid family and medical leave program that would enable workers to provide care for aging loved ones, be sure to describe this in detail in your Project Design section.

**(d) Organizational, Administrative, and Fiscal Capacity**

Provide information on the applicant organization's current mission, structure, staffing, and relevant experience. Describe how these factors contribute to the ability of the applicant organization to conduct the program requirements and meet program expectations. Include information about any organization(s) under contract with the applicant that will have a significant role in implementing the project. Describe the fiscal and administrative controls in place to properly manage Federal funds. Include the applicant organization's capability to sustain some or all project activities after Federal financial assistance has ended.

**(e) Budget and Budget Justification**

Applicants must provide a Budget Narrative (see Section IV.B.2) based on the activities outlined in the Project Narrative. At a minimum, an applicant must (a) demonstrate how proposed expenditures will help build a knowledge base needed to explore, develop, implement, and/or improve a paid family and medical leave program in its jurisdiction; (b) describe costs associated with each line item on the SF-424A; (c) include a description of which costs will be paid by the grant and those that will be covered by leveraged resources, if any. (As stated earlier, we require neither cost sharing nor matching funding for eligibility under this grant).

Please see **Section IV.B.2.** for information on requirements related to the Budget and Budget Justification. **As noted in Section IV.B.2, your Project Budget must include a line item for the estimated costs of sending at least one representative to the Women's Bureau Paid Leave Symposium in Washington, D.C., in Fall 2016.**

**(4) Attachments to the Project Narrative**

In addition to the Project Narrative, you must submit attachments. All attachments must be clearly labeled as Attachments. We will only exclude those attachments listed below from the page limit.

You must not include additional materials such as resumés or general letters of support. You must submit your application in one package because documents received separately will be tracked separately and will not be attached to the application for review.

Save all files with descriptive file names of 50 characters or less and only use standard characters in file names: A-Z, a-z, 0-9, and underscore (\_). File names may not include special characters (e.g., &,-,\*,%,/,#), periods (.), blank spaces or accent marks, and must be unique (i.e., no other attachment may have the same file name). You may use an underscore (example: my\_Attached\_File.pdf) to separate a file name.

### **Required Attachments**

#### a. Abstract

You must submit an up to two-page abstract summarizing the proposed project, including, but not limited to, the scope of the project and proposed outcomes. The proposed project must include the applicant's name, project title, a description of the area to be served, number of participants to be served, the total cost per participant, and the funding level requested. The Abstract is limited to two double-spaced, single-sided 8.5x1- inch pages with 12-point text font and 1-inch margins. When submitting in grants.gov, this document must be uploaded as an attachment to the application package and specifically labeled "Abstract."

### **Requested Attachments**

We request the following attachments, but their omission will not cause us to screen out the application. Furthermore, if the omission of the attachment will impact scoring, the description of the attachment will note such an impact.

- a. Indirect Cost Rate Agreement: If you are requesting indirect costs based on a Negotiated Indirect Cost Rate Agreement approved by your Federal Cognizant Agency, then attach the most recently approved Agreement. (For more information, see Section IV.B.2. and Section IV.E.1.) This attachment does not impact scoring of the application.

### **C. Submission Date, Times, Process and Addresses**

We will accept applications under this Announcement until [insert date XX days after the date of publication on Grants.gov]. You must submit your application either electronically on <http://www.grants.gov> or in hard copy by mail or in hard copy by hand delivery (*including overnight delivery*) **no later than 4:00:00 p.m. Eastern Time on the closing date.**

Applicants are encouraged to submit their application before the closing date to ensure that the risk of late receipt of the application is minimized. We will not accept applications sent by e-mail, telegram, or facsimile (FAX).

Applicants submitting applications in hard copy by mail or overnight delivery must submit a "copy-ready" version free of bindings, staples or protruding tabs to ease in the reproduction of the application by DOL. Applicants submitting applications in hard copy must also include in the hard copy submission an identical electronic copy of the application on compact disc (CD). If we identify discrepancies between the hard copy submission and CD copy, we will consider the application on the CD as the official submission for evaluation purposes. Failure to provide identical applications in hardcopy and CD format may have an impact on the overall evaluation.

If an application is physically submitted by both hard copy and through <http://www.grants.gov>, a letter must accompany the hard-copy application stating which application to review. If no letter accompanies the hard copy, we will review the copy submitted through <http://www.grants.gov>.

We will grant no exceptions to the mailing and delivery requirements set forth in this notice. Further, we will not accept documents submitted separately from the application, before or after the deadline, as part of the application.

Address mailed applications to the

U.S. Department of Labor  
Employment and Training Administration  
Office of Grants Management  
Attention: Donna Kelly, Grant Officer  
Reference FOA-WB-16-01  
200 Constitution Avenue, NW, Room N4716  
Washington, DC 20210

Please note that mail decontamination procedures may delay mail delivery in the Washington DC area. We will receive hand-delivered applications at the above address. All overnight delivery submissions will be considered to be hand-delivered and must be received at the designated place by the specified closing date and time.

Applicants submitting applications through Grants.gov must ensure successful submission at **http://www.grants.gov no later than 4:00:00 p.m. Eastern Time on the closing date.** Grants.gov will subsequently validate the application.

We describe the submission and validation process in more detail below. The process can be complicated and time-consuming. You are strongly advised to initiate the process as soon as possible and to plan for time to resolve technical problems. Note that validation does not mean that your application has been accepted as complete or has been accepted for review. Rather, grants.gov only verifies the submission of certain parts of an application.

- We strongly recommend that before you begin to write the application, you immediately initiate and complete the "Get Registered" registration steps at <http://www.grants.gov/web/grants/register.html>.

You should read through the registration process carefully before registering. These steps may take as much as **four weeks** to complete, and this time should be factored into plans for timely electronic submission in order to avoid unexpected delays that could result in the rejection of an application. The site also contains the Step-By-Step Guide to Organization Registration to help applicants walk through the process.

- We strongly recommend that you download the Guide at <http://www.grants.gov/documents/19/18243/GrantsgovOrganizationReg>

[istrationGuide.pdf/be70525d-59aa-45ee-b196-5e8951faca0a](#) and prepare the information requested before beginning the registration process. Reviewing and assembling required information before beginning the registration process will alleviate last minute searches for required information and save time.

As described earlier in Section IV.B.1., you must have a **DUNS Number** and you must **register with SAM.gov** before submitting an application.

The next step in the registration process is creating a username and password with Grants.gov to become an Authorized Organizational Representative (AOR). AORs will need to know the DUNS Number of the organization for which they will be submitting applications to complete this process.

- To read more detailed instructions for creating a profile on Grants.gov visit: [http://www.grants.gov/web/grants/applicants/organization-registration/step-3-username-password.html](#).

After creating a profile on Grants.gov, the E-Biz point of Contact (E-Biz POC) - a representative from your organization who is the contact listed for SAM – will receive an email to grant the AOR permission to submit applications on behalf of their organization. The E-Biz POC will then log in to Grants.gov and approve an individual as the AOR, thereby giving him or her permission to submit applications.

To learn more about AOR Authorization visit:

[http://www.grants.gov/web/grants/applicants/organization-registration/step-4-aor-authorization.html](#),

or to track AOR status visit:

[http://www.grants.gov/web/grants/applicants/organization-registration/step-5-track-aor-status.html](#).

An application submitted through Grants.gov constitutes a submission as an electronically signed application. The registration and account creation with Grants.gov, with E-Biz POC approval, establishes an AOR. When an application is submitted through Grants.gov, the name of the AOR on file will be inserted into the signature line of the application. You must register the individual who is able to make legally binding commitments for your organization as the AOR; this step is often missed and it is crucial for valid submissions.

When a registered applicant submits an application with Grants.gov, an electronic time stamp is generated within the system when the application is successfully received by Grants.gov. Within two business days of application submission, Grants.gov will send the applicant two email messages to provide the status of the application's progress through the system.

- The first email, sent almost immediately, will contain a tracking number and will confirm receipt of the application by Grants.gov.

- The second email will indicate the application has either been successfully validated or has been rejected due to errors.

Grants.gov will **reject applications if the applicant's registration in SAM is expired.** **Only applications that have been successfully submitted by the deadline and later successfully validated will be considered.** It is your sole responsibility to ensure a timely submission. While it is not required that an application be successfully validated before the deadline for submission, it is prudent to reserve time before the deadline in case it is necessary to resubmit an application that has not been successfully validated. Therefore, enough time should be allotted for submission (two business days) and, if applicable, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if enough time is not allotted and a rejection notice is received after the due date and time, DOL will not consider the application.

To ensure consideration, the components of the application must be saved as .doc, .docx, .xls, .xlsx, .rtf or .pdf files. If submitted in any other format, the applicant bears the risk that compatibility or other issues will prevent DOL from considering the application. We will attempt to open the document, but will not take any additional measures in the event of problems with opening.

We strongly advise applicants to use the various tools and documents, including FAQs, which are available on the “Applicant Resources” page at <http://www.grants.gov/web/grants/applicants/applicant-faqs.html>.

We encourage new prospective applicants to view the online tutorial, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” available through Workforce3One at: [http://www.workforce3one.org/page/grants\\_toolkit](http://www.workforce3one.org/page/grants_toolkit).

To receive updated information about critical issues, new tips for users and other time sensitive updates as information is available, you may subscribe to “Grants.gov Updates” at <http://www.grants.gov/web/grants/manage-subscriptions.html>.

If you encounter a problem with Grants.gov and do not find an answer in any of the other resources,

- **call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or**
- **email [support@grants.gov](mailto:support@grants.gov).**

The Grants.gov Contact Center is open 24 hours a day, seven days a week. However, it is closed on Federal holidays.

## **Late Applications**

For applications submitted on Grants.gov, we will consider only applications successfully submitted no later than 4:00:00 p.m. Eastern Time on the closing date and then

successfully validated. You take a significant risk by waiting to the last day to submit through Grants.gov.

We will not consider any hard copy application received after the exact date and time specified for receipt at the office designated in this notice, unless we receive it before awards are made, it was properly addressed, and it was: (a) sent by U.S. Postal Service mail, postmarked not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application required to be received by the 20th of the month must be postmarked by the 15th of that month); or (b) sent by professional overnight delivery service to the addressee not later than one working day before the date specified for receipt of applications. “Postmarked” means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, you should request the postal clerk to place a legible hand cancellation “bull’s eye” postmark on both the receipt and the package. Failure to adhere to these instructions will be a basis for a determination that the application was not filed timely and will not be considered. Evidence of timely submission by a professional overnight delivery service must be demonstrated by equally reliable evidence created by the delivery service provider indicating the time and place of receipt.

#### **D. Intergovernmental Review**

This funding opportunity is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

#### **E. Funding Restrictions**

All proposed project costs must be necessary and reasonable and in accordance with Federal guidelines. Determinations of allowable costs will be made in accordance with the Cost Principles, now found in the Office of Management and Budget’s Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), codified at 2 CFR Part 200 and at 2 CFR Part 2900 (Uniform Guidance-DOL specific). Disallowed costs are those charges to a grant that the grantor agency or its representative determines not to be allowed in accordance with the Cost Principles or other conditions contained in the grant. Applicants, whether successful or not, will not be entitled to reimbursement of pre-award costs.

##### **1. Indirect Costs**

As specified in the Uniform Guidance Cost Principles, indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. An indirect cost rate is required when an organization operates under more than one grant or other activity, whether Federally-assisted or not. You have two options to claim reimbursement of indirect costs.

**Option 1:** You may use a NICRA or Cost Allocation Plan (CAP) supplied by the Federal Cognizant Agency. If you do not have a NICRA/CAP or have a pending

NICRA/CAP, and in either case choose to include estimated indirect costs in your budget, at the time of award the Grant Officer will release funds in the amount of 10% of salaries and wages to support indirect costs. Within 90 days of award, you are required to submit an acceptable indirect cost proposal or CAP to your Federal Cognizant Agency to obtain a provisional indirect cost rate. (See Section IV.B.4. for more information on NICRA submission requirements.)

**Option 2:** Any organization that has never received a negotiated indirect cost rate, with the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, may elect to charge a de minimis rate of 10% of modified total direct costs (see 2 CFR 200.68 for definition) which may be used indefinitely. If you choose this option, this methodology must be used consistently for all Federal awards until such time as you choose to negotiate for an indirect cost rate, which you may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

## **2. Intellectual Property Rights**

Pursuant to 2 CFR 2900.13, to ensure that the Federal investment of DOL funds has as broad an impact as possible and to encourage innovation in the development of new learning materials, the grantee will be required to license to the public all work created with the support of the grant under a Creative Commons Attribution 4.0 (CC BY) license. Work that must be licensed under the CC BY includes both new content created with the grant funds and modifications made to pre-existing, grantee-owned content using grant funds.

This license allows subsequent users to copy, distribute, transmit and adapt the copyrighted Work and requires such users to attribute the Work in the manner specified by the grantee. Notice of the license shall be affixed to the Work. For general information on CC BY, please visit <http://creativecommons.org/licenses/by/4.0>.

Instructions for marking your work with CC BY can be found at [http://wiki.creativecommons.org/Marking\\_your\\_work\\_with\\_a\\_CC\\_license](http://wiki.creativecommons.org/Marking_your_work_with_a_CC_license).

Questions about CC BY as it applies to this specific funding opportunity should be submitted to the ETA Grants Management Specialist specified in Section VII.

Only work that is developed by the recipient in whole or in part with grants funds is required to be licensed under the CC BY license. Pre-existing copyrighted materials licensed to, or purchased by the grantee from third parties, including modifications of such materials, remain subject to the intellectual property rights the grantee receives under the terms of the particular license or purchase. In addition, works created by the grantee without grant funds do not fall under the CC BY license requirement.

The purpose of the CC BY licensing requirement is to ensure that materials developed with funds provided by these grants result in work that can be freely reused and improved by others. When purchasing or licensing consumable or reusable materials, the grantee is expected to respect all applicable Federal laws and regulations, including those pertaining to the copyright and accessibility provisions of the Federal Rehabilitation Act.

Separate from the CC BY license to the public, the Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for Federal purposes: i) the copyright in all products developed under the grant, including a subaward or contract under the grant or subaward; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including, but not limited to, curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. The grantee may not use Federal funds to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, DOL treats such revenues as program income. Such program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

***"This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The U.S. Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it."***

### **3. Limitations Imposed by Appropriations Riders**

Funds issued under the Women's Bureau *Paid Leave Analysis* grant program are subject to limitations imposed by the appropriations riders contained in Section 503 of the General Provisions of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2016, and in Section 715 of the General Provisions of the Financial Services and General Government Appropriations Act of 2016. Pursuant to these riders, no part of the

funds issued under this grant program may be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes designed to support or defeat the enactment of legislation before the Congress or any State or local legislative body, except in presentation to the Congress or to any State or local legislative body itself; nor may any part of the funds be used for publicity or propaganda purposes designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself. Additionally, no part of the funds issued under this grant program may be used to pay the salary or expenses of any grantee, or its agent, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, or State or local legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

#### **F. Other Submission Requirements**

**Withdrawal of Applications:** You may withdraw an application by written notice to the Grant Officer at any time before an award is made.

### **V. APPLICATION REVIEW INFORMATION**

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We have instituted procedures for assessing the technical merit of applications to provide for an objective review of applications and to assist you in understanding the standards against which your application will be judged. The evaluation criteria are based on the information required in the application as described in Sections IV.B.2. (Project Budget), and IV.B.3. (Project Narrative). Reviewers will award points based on the evaluation criteria described below:

<b>Criterion</b>	<b>Points (maximum)</b>
1. Statement of Need <u>(See Section IV.B.3.a Statement of Need)</u>	25
2. Expected Outcomes and Outputs <u>(See Section IV.B.3.b Expected Outcomes and Outputs)</u>	25
3. Project Design <u>(See Section IV.B.3.c Project Design)</u>	30
4. Organizational, Administrative, and Fiscal Capacity <u>(See Section IV.B.3.d Organizational, Administrative, and Fiscal Capacity)</u>	15
5. Budget and Budget Justification	5

<u>(See Section IV.B.3.e Budget and Budget Justification and Section IV.B.2 Project Budget)</u>	
<b>TOTAL</b>	<b>100</b>

### **1. Statement of Need (up to 25 points)**

Points will be awarded based on the extent to which the application demonstrates a comprehensive understanding of the need for research and analysis activities related to a paid family and medical leave program in the applicant's jurisdiction; and clearly describes how the proposed research and analysis activities will inform or advance the applicant's ability to expand an existing or implement a new paid family and medical leave program.

### **2. Expected Outcomes and Outputs (up to 25 points)**

Points will be awarded based on the extent to which the expected outcomes and outputs are clear, appropriate and realistic. This may be partially or wholly reflected by the extent to which the application:

- Demonstrates a clear commitment to building the knowledge base necessary to explore, develop, implement and/or improve a paid family and medical leave program in the applicant's jurisdiction; and
- Explains how this knowledge base could actually result in the development and/or implementation of a paid family and medical leave program within the applicant's jurisdiction.

When awarding points for this section, we will also take into account the estimated number of individuals the applicant expects will be eligible to participate, over the course of a year, in the paid family and medical leave program it proposes to study.

### **3. Project Design (up to 30 points)**

Points will be awarded based on:

- The extent to which the application reflects a coherent and feasible approach for successfully addressing the identified outcomes and outputs (including the development of knowledge about equality of leave-taking between men and women), and includes reasonable timelines for completion of work; the strength of the justification for the approach, which includes addressing any factors that might accelerate or decelerate the required work; and the degree to which the project takes into account barriers that may impact the project's success. (24 points)
- The applicant's commitment, as demonstrated through its project design, to developing knowledge about equality of leave-taking between men and women. (3 points)
- The applicant's commitment, as demonstrated through its project design, to developing knowledge about the structural and/or substantive provisions of a

paid family and medical leave program that would enable workers to provide care for aging loved ones. (3 points)

#### **4. Organizational, Administrative, and Fiscal Capacity (up to 15 points)**

Points will be awarded based on the extent to which the organization has the capacity to carry out the proposed project; the level of qualifications and experience of personnel to fulfill the needs and requirements of the proposed project; the strength of the fiscal and administrative controls to properly manage Federal funds; and the capability of the organization to sustain project activities after Federal financial assistance ends.

#### **5. Budget and Budget Justification (up to 5 points)**

Points will be awarded based on the extent to which the budget is reasonable in light of the amount requested and the activities outlined in the project narrative.

**Your Project Budget must include a line item for the estimated costs of sending at least one representative to the Women's Bureau Paid Leave Symposium in Washington, D.C., in Fall 2016.**

### **B. Review and Selection Process**

#### **1. Merit Review and Selection Process**

A technical merit review panel will carefully evaluate applications against the selection criteria to determine the merit of applications. These criteria are based on the policy goals, priorities, and emphases set forth in this FOA. Up to 100 points may be awarded to an applicant, depending on the quality of the responses provided. The final scores (which may include the mathematical normalization of review panels) will serve as the primary basis for selection of applications for funding. The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer reserves the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. Such factors may include the geographic distribution of funds and/or other relevant factors. The Grant Officer may consider any information that comes to his/her attention.

The government may elect to award the grant(s) with or without discussions with the applicant. Should a grant be awarded without discussions, the award will be based on the applicant's signature on the SF-424, including electronic signature via E-Authentication on <http://www.grants.gov>, which constitutes a binding offer by the applicant.

#### **2. Risk Review Process**

Prior to making an award, ETA will review information available through any OMB-designated repository of government-wide eligibility qualification or

financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), Dun and Bradstreet, and “Do Not Pay.” Additionally, ETA will comply with the requirements of 2 CFR Part 180 codified by DOL at 29 CFR Part 98 [Government-wide Debarment and Suspension (Non-procurement)]. This risk evaluation may incorporate results of the evaluation of the applicant’s eligibility (application screening) or the quality of its application (merit review). If ETA determines that an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award.

Criteria to be evaluated include:

- (1) Financial stability;
- (2) Quality of management systems and ability to meet the management standards prescribed in the Uniform Grant Guidance;
- (3) History of performance. The applicant’s record in managing awards, cooperative agreements, or procurement awards, if it is a prior recipient of such Federal awards, including timeliness of compliance with applicable reporting requirements and, if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- (4) Reports and findings from audits performed under Subpart F – Audit Requirements of the Uniform Grant Guidance or the reports and findings of any other available audits and monitoring reports containing findings, issues of non-compliance or questioned costs;
- (5) The applicant’s ability to effectively implement statutory, regulatory, or other requirements imposed on recipients.

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## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. Award Notices**

All award notifications will be posted on the ETA Homepage (<http://www.doleta.gov>). Applicants selected for award will be contacted directly before the grant’s execution. Non-selected applicants will be notified by mail or email and may request a written debriefing on the significant weaknesses of their application.

Selection of an organization as a recipient does not constitute approval of the grant application as submitted. Before the actual grant is awarded, we may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support grant implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiations and decline to fund the application. We reserve the right to not fund any application related to this FOA.

### **B. Administrative and National Policy Requirements**

#### **1. Administrative Program Requirements**

All grantees will be subject to all applicable Federal laws, regulations—including the OMB Uniform Guidance, and the terms and conditions of the award. The grant(s) awarded under this FOA will be subject to the following administrative standards and provisions:

- a. Non-Profit Organizations, Educational Institutions, For-profit entities and State, Local and Indian Tribal Governments – 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and 2 CFR 2900 (DOL's Supplement to 2 CFR Part 200).
- b. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)), 29 CFR Part 98 (Governmentwide Debarment and Suspension, and drug-free workplace requirements), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- c. 29 CFR Part 2, subpart D—Equal Treatment in Department of Labor Programs for Religious Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
- d. 29 CFR Part 31—Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964.
- e. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
- f. 29 CFR Part 35— Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- g. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- h. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- i. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
- j. General Terms and Conditions of Award—See the following link:  
<http://www.doleta.gov/grants/resources.cfm>.

## **2. Other Legal Requirements:**

### ***a) Religious Activities***

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. Section 2000bb, applies to all Federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive Federal financial assistance under this grant solicitation and maintain that hiring practice. If a faith-based organization is awarded a grant, the organization will be provided with more information.

### ***b) Lobbying or Fundraising the U.S. Government with Federal Funds***

In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. 1611), non-profit entities incorporated under Internal Revenue Service Code Section 501(c) (4) that engage in lobbying activities are not eligible to receive Federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. Federal, State or Local Governments (see 2 CFR 200.450 for more information).

**c) Transparency Act Requirements**

You must ensure that you have the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by section 6202 of Pub. Law 110-252) (Transparency Act), as follows:

- Except for those excepted from the Transparency Act under subparagraphs 1, 2, and 3 below, you must ensure that you have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should they receive funding.
- Upon award, you will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at the following website: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>

The following types of awards are not subject to the Federal Funding Accountability and Transparency Act:

- (1) Federal awards to individuals who apply for or receive Federal awards as natural persons (i.e., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- (2) Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- (3) Federal awards, if the required reporting would disclose classified information.

**d) Safeguarding Data Including Personally Identifiable Information (PII)**

Applicants submitting applications in response to this FOA must recognize that confidentiality of PII and other sensitive data is of paramount importance to the Department of Labor and must be observed except where disclosure is allowed by the prior written approval of the Grant Officer or by court order. By submitting an application, you are assuring that all data exchanges conducted through or during the course of performance of this grant will be conducted in a manner consistent with

applicable Federal law and TEGL NO. 39-11 (issued June 28, 2012). All such activity conducted by ETA and/or recipient/s will be performed in a manner consistent with applicable state and Federal laws.

By submitting a grant application, you agree to take all necessary steps to protect such confidentiality by complying with the following provisions that are applicable in governing their handling of confidential information:

1. You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL/ETA funded grants is securely transmitted.
2. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. You must not e-mail unencrypted sensitive PII to any entity, including ETA or contractors.
3. You must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. You must maintain such PII in accordance with the ETA standards for information security described in TEGL NO. 39-11 and any updates to such standards we provide to you. Grantees who wish to obtain more information on data security should contact their Federal Project Officer.
4. You must ensure that any PII used during the performance of your grant has been obtained in conformity with applicable Federal and state laws governing the confidentiality of information.
5. You further acknowledge that all PII data obtained through your ETA grant must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient issued equipment, managed information technology (IT) services, and designated locations approved by ETA. Accessing, processing, and storing of ETA grant PII data on personally owned equipment, at off-site locations e.g., employee's home, and non-recipient managed IT services, e.g., Yahoo mail, is strictly prohibited unless approved by ETA.
6. Your employees and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in Federal and state laws.
7. You must have policies and procedures in place under which your employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply in their

handling of such data as well as the fact that they may be liable to civil and criminal sanctions for improper disclosure.

8. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
9. Access to any PII created by the ETA grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.
10. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST validated software products based on FIPS 140-2 encryption. In addition, wage data may only be accessed from secure locations.
11. PII data obtained by the recipient through a request from ETA must not be disclosed to anyone but the individual requestor except as permitted by the Grant Officer or by court order.
12. You must permit ETA to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that you are complying with the confidentiality requirements described above. In accordance with this responsibility, you must make records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.
13. You must retain data received from ETA only for the period of time required to use it for assessment and other purposes, or to satisfy applicable Federal records retention requirements, if any. Thereafter, you agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

**e) Record Retention**

You must follow Federal guidelines on record retention, which require you to maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR 200.333-.337 for more specific information, including information about the start of the record retention period for awards that are renewed quarterly or annually, and when the records must be retained for more than three years.

**f) Use of Contracts and Subawards**

You must abide by the following definitions of contract, contractor, subaward, and subrecipient:

**Contract:** Contract means a legal instrument by which a non-Federal entity (defined as a state, local government, Indian tribe, institution of higher education (IHE), nonprofit organization, for-profit entity, foreign public entity, or a foreign organization that carries out a Federal award as a recipient or subrecipient) purchases property or services needed to carry out the project or program under a Federal award. The term as used in this FOA does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (see definition of Subaward below).

**Contractor:** Contractor means an entity that receives a contract as defined above in Contract.

**Subaward:** Subaward means an award provided by a pass-through entity (defined as a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program) to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

**Subrecipient:** Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

You must follow the provisions at 2 CFR 200.330-.332 regarding subrecipient monitoring and management. Also see 2 CFR 200.308(c)(6) regarding prior approval requirements for subawards. When awarding subawards, you are required to comply with provisions on governmentwide suspension and debarment found at 2 CFR Part 180 and codified by DOL at 29 CFR Part 98.

**g) Closeout of Grant Award**

Any entity that receives an award under this Announcement must close its grant with ETA at the end of the final year of the grant. Information about this process may be found in ETA's Grant Closeout FAQ located at <http://www.doleta.gov/grants/docs/GCFAQ.pdf>.

**3. Other Administrative Standards and Provisions**

Except as specifically provided in this FOA, our acceptance of an application and an award of Federal funds to sponsor any programs(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB Uniform Guidance requires that an entity's procurement procedures ensure that all procurement transactions are conducted, as much as practical, to provide full and open competition. If an application identifies a specific entity to provide goods or services, the award does not provide the justification or basis to sole source the procurement, i.e., avoid competition.

#### **4. Special Program Requirements**

##### ***a) ETA Evaluation***

We may require that the program or project participate in an evaluation of overall performance of ETA grants and require the cooperation of the recipient as a condition of award.

##### ***b) Performance Goals***

Please note that applicants will be held to outcomes provided and failure to meet those outcomes may result in technical assistance or other intervention by ETA, and may also have a significant impact on decisions about future grants with ETA.

### **C. Reporting**

You must meet DOL reporting requirements. Specifically, you must submit the reports and documents listed below to DOL electronically:

#### **1. Quarterly Financial Reports**

A Quarterly Financial Status Report (ETA 9130) is required until such time as all funds have been expended or the grant period has expired. Quarterly reports are due 45 days after the end of each calendar year quarter. On the final Financial Status Report, you must include any subaward amounts so we can calculate final indirect costs, if applicable. You must use DOL's Online Electronic Reporting System and information and instructions will be provided to grantees.

#### **2. Quarterly Performance Reports**

You must submit a quarterly progress report within 45 days after the end of each calendar year quarter. The report must include quarterly information on grant activities, performance goals, and milestones. The last quarterly progress report will serve as the grant's Final Performance Report. This report must provide both quarterly and cumulative information on the grant activities. It must summarize project activities, employment outcomes and other deliverables, and related results of the project, and must thoroughly document the training or labor market information approaches that you used. We will provide you with formal

guidance about the data and other information that is required to be collected and reported on either a regular basis or special request basis.

## **VII. AGENCY CONTACTS**

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For further information about this FOA, please contact Marc Purvis, Grants Management Specialist, Office of Grants Management, at (202)693-3204. Applicants should e-mail all technical questions to Purvis.Marc@dol.gov and must specifically reference FOA-WB-16-01, and along with question(s), include a contact name, fax and phone number. This Announcement is available on the ETA Web site at <http://www.doleeta.gov/grants> and at <http://www.grants.gov>.

## **VIII. OTHER INFORMATION**

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### **A. Transparency**

DOL is committed to conducting a transparent grant award process and publicizing information about program outcomes. Posting grant applications on public websites is a means of promoting and sharing innovative ideas. For all applications in this grant competition, we will publish the Abstracts required by Section IV.B.4., and selected information from the SF-424 for all applications on the Department's public website or similar publicly accessible location. Additionally, we will publish a version of the Project Narrative required by Section IV.B.3. for all those applications that are awarded grants, on the Department's website or a similar location. We will publish no other attachments to the application. We will not publish the Project Narratives and Abstracts until after we have announced the grant recipients. In addition, information about grant progress and results may also be made publicly available.

DOL recognizes that grant applications sometimes contain information that an applicant may consider proprietary or business confidential information, or may contain personally identifiable information (PII). Proprietary or business confidential information is information that is not usually disclosed outside your organization and disclosing this information is likely to cause you substantial competitive harm.

PII is any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records, and any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information<sup>7</sup>.

Abstracts will be published in the form originally submitted, without any redactions. Applicants should not include any proprietary or confidential business information or PII in this summary. In the event that an applicant submits proprietary or confidential

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<sup>7</sup> OMB Memorandum 07-16 and 06-19. GAO Report 08-536, *Privacy: Alternatives Exist for Enhancing Protection of Personally Identifiable Information*, May 2008, <http://www.gao.gov/new.items/d08536.pdf>.

business information or PII, DOL is not liable for the posting of this information contained in the Abstract. The submission of the grant application constitutes a waiver of the applicant's objection to the posting of any proprietary or confidential business information contained in the Abstract. Additionally, the applicant is responsible for obtaining all authorizations from relevant parties for publishing all PII contained within the Abstract. In the event the Abstract contains proprietary or confidential business information or PII, the applicant is presumed to have obtained all necessary authorizations to provide this information and may be liable for any improper release of this information.

By submission of this grant application, the applicant agrees to indemnify and hold harmless the United States, the U.S. Department of Labor, its officers, employees, and agents against any liability or for any loss or damages arising from this application. By such submission of this grant application, the applicant further acknowledges having the authority to execute this release of liability.

In order to ensure that proprietary or confidential business information or PII is properly protected from disclosure when DOL posts the winning Project Narratives, applicants whose Project Narratives will be posted will be asked to submit a second redacted version of their Project Narrative, with any proprietary, confidential commercial/business information, and PII redacted. You should remove all non-public information about the applicant's and consortium members' staff (if applicable) as well.

The Department will contact the applicants whose Project Narratives will be published by letter or email, and provide further directions about how and when to submit the redacted version of the Project Narrative.

Submission of a redacted version of the Project Narrative will constitute permission by the applicant for DOL to make the redacted version publicly available. We will also assume that by submitting the redacted version of the Project Narrative, the applicant has obtained the agreement to the applicant's decision about what material to redact of all persons and entities whose proprietary, confidential business information, or PII is contained in the Project Narrative. If an applicant fails to provide a redacted version of the Project Narrative within 45 days of DOL's request, DOL will publish the original Project Narrative in full, after redacting only PII. (Note that the original, unredacted version of the Project Narrative will remain part of the complete application package, including an applicant's proprietary and confidential business information and any PII.)

We encourage applicants to maximize the grant application information that will be publicly disclosed, and to exercise restraint and redact only information that clearly is proprietary, confidential commercial/business information, or PII. The redaction of entire pages or sections of the Project Narrative is not appropriate, and will not be allowed, unless the entire portion merits such protection. Should a dispute arise about whether redactions are appropriate, DOL will follow the procedures outlined in the Department's Freedom of Information Act (FOIA) regulations (29 CFR Part 70).

DOL will protect redacted information in grant applications from public disclosure in accordance with Federal law, including the Trade Secrets Act (18 U.S.C. § 1905), FOIA, and the Privacy Act (5 U.S.C. § 552a). If DOL receives a FOIA request for your application, the procedures in DOL's FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See 29 CFR § 70.26. Consequently, it is possible that application of FOIA rules may result in release of information in response to a FOIA request that an applicant redacted in its "redacted copy."

## **B. Web-Based Resources**

DOL maintains a number of web-based resources that may be of assistance to applicants. For example, the CareerOneStop portal (<http://www.careeronestop.org>), which provides national and state career information on occupations; the Occupational Information Network (O\*NET) Online (<http://online.onetcenter.org>) which provides occupational competency profiles; and America's Service Locator (<http://www.servicelocator.org>), which provides a directory of our nation's One-Stop Career Centers.

## **C. Industry Competency Models and Career Clusters**

ETA supports an Industry Competency Model Initiative to promote an understanding of the skill sets and competencies that are essential to an educated and skilled workforce. A competency model is a collection of competencies that, taken together, define successful performance in a particular work setting. Competency models serve as a starting point for the design and implementation of workforce and talent development programs. To learn about the industry-validated models visit the Competency Model Clearinghouse (CMC) at <http://www.careeronestop.org/CompetencyModel>. The CMC site also provides tools to build or customize industry models, as well as tools to build career ladders and career lattices for specific regional economies.

## **D. Workforce3One Resources**

1. We encourage you to view the information gathered through the conference calls with Federal agency partners, industry stakeholders, educators, and local practitioners. The information on resources identified can be found on Workforce3One.org at: <https://www.workforce3one.org/find/?sr=1&ps=20&sort=5>.
2. We encourage you to view the online tutorial, "Grant Applications 101: A Plain English Guide to ETA Competitive Grants," available through Workforce3One at: [http://www.workforce3one.org/page/grants\\_toolkit](http://www.workforce3one.org/page/grants_toolkit).
3. We created Workforce System Strategies to make it easier for the public workforce system and its partners to identify effective strategies and support improved customer outcomes. The collection highlights strategies informed by a wide range of evidence such as experimental studies and implementation evaluations, as well as

supporting resources such as toolkits. We encourage you to review these resources by visiting <http://strategies.workforce3one.org/>.

4. We created a technical assistance portal at <https://etareporting.workforce3one.org/page/financial> that contains online training and resources for fiscal and administrative issues. Online trainings available include, but are not limited to, Introduction to Grant Applications and Forms, Indirect Costs, Cost Principles, and Accrual Accounting.

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## **IX. OMB INFORMATION COLLECTION**

OMB Information Collection No 1225-0086, Expires April 30, 2016.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 20 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, to the attention of the Departmental Clearance Officer, 200 Constitution Avenue NW, Room N1301, Washington, DC 20210. Comments may also be emailed to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**PLEASE DO NOT RETURN YOUR GRANT APPLICATION TO THIS ADDRESS. ONLY SEND COMMENTS ABOUT THE BURDEN CAUSED BY THE COLLECTION OF INFORMATION TO THIS ADDRESS. SEND YOUR GRANT APPLICATION TO THE SPONSORING AGENCY AS SPECIFIED EARLIER IN THIS ANNOUNCEMENT.**

This information is being collected for the purpose of awarding a grant. DOL will use the information collected through this “Funding Opportunity Announcement” to ensure that grants are awarded to the applicants best suited to perform the functions of the grant. This information is required to be considered for this grant.

Signed XXXXX, in Washington, D.C. by:

Donna Kelly  
Grant Officer, Employment and Training Administration