

# **2025 Funding Opportunity Announcement**

## **Application Guide**

This application guide explains the standard requirements for U.S. Department of Labor, Employment and Training Administration Funding Opportunity Announcements (FOA). It provides supplemental application information, and its requirements are included in any grant or cooperative agreement awarded under the FOA. The requirements in this guide must be followed when applying for a grant or cooperative agreement and when administering the awards.

### **U.S. DEPARTMENT OF LABOR**

### **Employment and Training Administration**

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**NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY ANNOUNCEMENT FOR:** See specific FOA for title.

**ANNOUNCEMENT TYPE:** See specific FOA for announcement type.

**FUNDING OPPORTUNITY NUMBER:** See specific FOA for number.

**ASSISTANCE LISTING NUMBER:** See specific FOA for number.

All applications for U.S. Department of Labor funding must be submitted through <https://www.grants.gov>.

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## I. EXECUTIVE SUMMARY

There are no additional requirements for this section. See the specific FOA for application requirements.

## II. ELIGIBILITY

### A. Eligible Applicants

There are no additional requirements for this section. See the specific FOA for application requirements.

### B. Cost Sharing

**(Applicable to FOAs requiring Cost Sharing.)** The recognition of documentation of cost sharing (including match) has changed since the release of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards regulations at 2 CFR Part 200 and OMB’s approved exceptions for DOL at 2 CFR Part 2900.

2 CFR Part 2900.7, Cost sharing or matching, states, "In addition to the guidance set forth in 2 CFR Part 200.306(b) for federal awards from the DOL, the recipient or subrecipient accounts for funds used for cost sharing within their accounting systems as the funds are expended." It is not sufficient or adequate to receive and report monies as cost sharing; in order for the monies to be counted as cost sharing, they must be expended on the program. Expenditures of cost sharing funds must be reported on the recipient share section of the ETA-9130 Form.

Additionally, in accordance with 2 CFR Part 200.306, cost sharing amounts must be verifiable from the non-federal entity’s records, not included as contributions for any other federal award, necessary and reasonable for accomplishment of project or program objectives, and not provided by the Federal Government under another federal award.

DOL encourages applicants to leverage additional resources beyond the required cost sharing to supplement grant activities. DOL will consider any cash or in-kind commitments beyond the required cost sharing percentage as leveraged resources.

### **C. Period of Performance**

There are no additional requirements for this section. See the specific FOA for application requirements.

## **III. PROGRAM DESCRIPTION**

### **A. Purpose**

There are no additional requirements for this section. See the specific FOA for application requirements.

### **B. Program Goals and Objectives**

There are no additional requirements for this section. See the specific FOA for application requirements.

### **C. Expected Performance Outcomes**

There are no additional requirements for this section. See the specific FOA for application requirements.

### **D. Funding Type**

There are no additional requirements for this section. See the specific FOA for application requirements.

### **E. Eligible Participants**

#### **Veterans' Priority for Participants**

38 U.S.C. 4215 requires grantees to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL.

The regulations implementing this priority of service are at 20 CFR Part 1010. In circumstances where a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans' priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Grantees must comply with DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at <https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-10-09>.

## **F. Program Authority**

There are no additional requirements for this section. See the specific FOA for application requirements.

## **G. Definitions**

There are no additional requirements for this section. See the specific FOA for application requirements.

## **H. Funding Restrictions, Policies and Limitations**

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.

### **Indirect Costs**

As specified in the Uniform Guidance Cost Principles, indirect costs are those costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. It may be necessary to establish multiple pools of indirect costs to facilitate equitable distribution of indirect expenses to the cost objectives served. Indirect cost pools must be distributed to benefitted cost objectives on basis that will produce an equitable result in consideration of relative benefits derived. 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 if you 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 15 percent of Modified Total Direct Costs (MTDC) (see DOL's definition below) 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 for more information on NICRA submission requirements.)

**Option 2:** Any organization that does not have a current negotiated (including provisional) rate, with the exceptions noted at 2 CFR Part 200.414(f) in the Cost Principles, may elect to charge a de minimis rate of 15 percent of MTDC (see DOL's definition below). The de minimis rate may be used indefinitely. When applying the de minimis rate, costs must be consistently charged as either direct or indirect costs and may not be double charged or inconsistently charged as both. Once elected, the recipient or subrecipient must use the de minimis rate for all Federal awards

until such time as the award recipient or subrecipient chooses to receive a negotiated rate. (See 2 CFR Part 200.414(f) for more information on use of the de minimis rate.)

**Modified Total Direct Cost definition:** To avoid a serious inequity in the distribution of indirect costs, DOL defines MTDC as all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$50,000 of each subaward or contract (regardless of the period of performance of the subawards and contracts under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward or subcontract in excess of \$50,000.

### **Evaluation and Data-Related Costs**

Organization costs related to data and evaluation are allowable, as defined in 2 CFR Part 200.455. Evaluation costs may include (but are not limited to) evidence reviews, evaluation planning, feasibility assessment, conducting evaluations, sharing evaluation results, and other costs related to the effective building and use of evidence and evaluation for program design, administration, or improvement. Related data costs may include (but are not limited to) expenditures needed to gather, store, track, manage, share, publish, or otherwise use data to administer or improve the program. Further, grantees may charge allowable data activities to Federal grants as direct or indirect costs, as long as they are applicable to the Federal grant award.

## **I. Required Partnerships**

There are no additional requirements for this section. See the specific FOA for application requirements.

## **IV. APPLICATION CONTENT AND FORMAT**

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

A. SF-424, “Application for Federal Assistance”;

B. Project Budget, composed of the SF-424A and Budget Narrative;

C. Project Narrative; and

D. Attachments to the Project Narrative.

You must ensure that the funding amount requested is consistent across all parts and sub-parts of the application. 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. All application components must be contained in the official submission package. Items not included in the application package, including but not limited to websites that must be accessed from a link, will not be considered.

### **A. SF-424, Application for Federal Assistance**

You must complete the SF-424, “Application for Federal Assistance” (sample available at <https://www.grants.gov/forms/forms-repository/sf-424-family>).

- 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 organization's legal name on the SF-424 should match its name registered in the System for Award Management at [www.sam.gov](http://www.sam.gov). If unsure of the legal name of your organization, visit [www.sam.gov](http://www.sam.gov) to confirm.
- The organization's Employer Identification Number (EIN) and Unique Entity Identification (UEI) Number should match its information in [www.sam.gov](http://www.sam.gov). If unsure of the EIN or UEI of your organization, visit [www.sam.gov](http://www.sam.gov) to confirm.
- 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 <https://www.grants.gov/forms/forms-repository/sf-424-family>). You do not need to submit the SF-424B with the application.

In addition, for WIOA Title I grant recipients, including all recipients of WIOA Title I financial assistance as defined in 29 CFR 38.4(z), the applicant's Authorized Representative's signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the WIOA sec. 188 rules issued by the Department at 29 CFR 38.25.

The grant applicant also assures, that as a recipient of WIOA Title I financial assistance [as defined at 29 CFR 38.4(z)], it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the activities and any employment practices conducted under the grant, and to all agreements the grant applicant makes to carry out the financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

## **B. Project Budget, Composed of the SF-424A and Budget Narrative**

You must complete the SF-424A Budget Information Form (Budget) and a Budget Narrative. The Budget and Budget Narrative do not count against the page limit requirements for the Project Narrative.

### **Project Budget**

You must complete the SF-424A Budget Information Form (sample available at [grants.gov/forms/forms-repository/sf-424-family](https://www.grants.gov/forms/forms-repository/sf-424-family)). In addition to the Budget Information Form, you must provide a concise narrative explanation to support the budget request, see requirements below.

#### **a. Budget Narrative**

The Budget Narrative must provide a description of costs associated with each line item on the SF-424A. If required by the FOA, it must also include a section on the required cost sharing (including match) with a complete description of projected cost sharing, the source

and how it will be spent on the project. The Budget Narrative should also include a section describing any leveraged resources provided (as applicable) to support grant activities. Leveraged resources are all resources, including cash and in-kind, in excess of the award and associated cost sharing. Valuation of leveraged resources follows the same requirements as cost sharing. Applicants are encouraged to leverage resources to increase stakeholder investment in the project and broaden the impact of the project itself.

Each category should include the total estimated cost for the period of performance. Use the following guidance for preparing the Budget Narrative.

**Personnel:** List all staff positions by title (including individuals hired by an employment contract as an independent contractor) including the roles and responsibilities. For each position give the annual salary, the percentage of time devoted to the project, and the amount of each position's salary funded by the grant.

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

**Travel:** For grantee staff only, specify the purpose, number of staff traveling, mileage, per diem, estimated number of in-state and out-of-state trips, and other estimated costs for each type of travel.

**Equipment:** Identify each item of equipment you expect to purchase that has an estimated acquisition cost of \$10,000 or more per unit (or if your capitalization level is less than \$10,000, use your capitalization level) and a useful lifetime of more than one year (see 2 CFR Part 200.1 for the definition of Equipment). List the item, quantity, and the unit cost per item.

Items with a unit cost of less than \$10,000 are supplies, not "equipment." In general, we do not permit the purchase of equipment during the last funded year of the grant.

**Supplies:** Identify the cost of supplies (e.g., general office supplies, desk/chairs, laptops/printers, other specialty items) in the detailed budget per category. Except for general office supplies, list the item, quantity, and the unit cost per item. Supplies include all tangible personal property other than "equipment" (see 2 CFR Part 200.1 for the definition of Supplies).

**Contractual:** Under the Contractual line item, delineate contracts and subawards separately. Contracts are defined according to 2 CFR Part 200.1 as a legal instrument by which a recipient or subrecipient conducts procurement transactions under a federal award. A subaward, defined by 2 CFR Part 200.1 means an award provided by a pass-through entity to a subrecipient for the subrecipient to contribute to the goals and objectives of the project by carrying out part of a Federal award received by the pass-through entity. This should include payments to a contractor for third-party evaluations that are not already accounted for elsewhere, if applicable. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program.

For each proposed contract and subaward, specify the purpose and activities to be provided, and the estimated cost.



**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:** Provide clear and specific detail, including costs, for each item so that we can determine whether the costs are necessary, reasonable, and allocable. List items, such as stipends or incentives, not covered elsewhere.

**Indirect Costs:** If you include an amount for indirect costs (through a Negotiated Indirect Cost Rate Agreement or De Minimis) on the SF-424A budget form, then include one of the following:

a) If you have a Negotiated Indirect Cost Rate Agreement (NICRA), provide an explanation of how the indirect costs are calculated. This explanation should include which portion of each line item, along with the associated costs, are included in your cost allocation base. Also, provide a current version of the NICRA.

or

b) If you intend to claim indirect costs using the 15 percent de minimis rate of modified total direct costs (MTDC) (defined by DOL below), please confirm that your organization meets the requirements as described in 2 CFR Part 200.414(f). Clearly state that your organization does not have a current negotiated (including provisional) rate, and is not one described in 2 CFR Part 200, Appendix VII(D)(1)(b).

Applicants choosing to claim indirect costs using the de minimis rate must use MTDC (defined by DOL below) as their cost allocation base. Provide an explanation of which portion of each line item, along with the associated costs, are included in your cost allocation base. Note that there are various items not included in the calculation of MTDC. See the definitions below to assist you in your calculation.

- **Modified Total Direct Cost (MTDC) Definition:** To avoid a serious inequity in the distribution of indirect costs, DOL defines MTDC as all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$50,000 of each subaward or contract (regardless of the period of performance of the subawards and subcontracts under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward or contract in excess of \$50,000.
  - You will also note that participant support costs are not included in modified total direct costs. Participant support costs are defined below.
  - 2 CFR Part 200.1 Participant Support Cost means direct costs that support participants (see definition for Participant in § 200.1) and their involvement in a Federal award, such as stipends, subsistence allowances, travel allowances, registration fees, temporary dependent care, and per diem paid directly to or on behalf of participants.

See Section III.H for more information. Additionally, the following link contains information regarding the negotiation of Indirect Cost Rates at DOL:

<https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>.

Indirect-type costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) **must not be classified as direct costs**; these types of costs are recovered as part of charging the de minimis or NICRA rate. 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 is required, applicants must show cost sharing 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 must 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 cost sharing if applicable) is within the responsive range.

## **C. Project Narrative**

The Project Narrative demonstrates an applicant's ability to implement the grant project in accordance with the requirements of the Announcement. Applicants must describe, in their own words, how they will meet the stated requirements in the FOA, and convincingly demonstrate that they are using a sound approach. As appropriate, applicants should see Section IX. Resources, and specifically IX.E. DOL's Clearinghouse for Evaluation and Research (CLEAR) and IX.F. Data and Other Evidence Resources for starting places to find research that provides evidence of a sound approach.

## **D. Attachments to the Project Narrative**

In addition to the Project Narrative, there are also required and requested attachments. These attachments must be clearly labeled and are excluded from the Project Narrative page limit. Any attachments included beyond those specified as required or requested in the FOA will not be considered in the scoring of the application.

# **V. SUBMISSION REQUIREMENTS AND DEADLINES**

## **A. How to Obtain an Application Package**

All active FOAs can be found at [www.Grants.gov](http://www.Grants.gov) and <https://www.dol.gov/agencies/eta/grants/apply/find-opportunities> contains all of the information and links to forms needed to apply for grant funding.

## **B. Unique Entity Identifier and System for Award Management**

All applicants for Federal grant funding must have a Unique Entity Identifier and be registered in the System for Award Management.

### **1. Requirement for Unique Entity Identifier**

All applicants for federal grant funding must have a Unique Entity Identifier (UEI) and must supply their UEI on the SF-424.

The UEI is a 12-character (alpha-numeric) code that uniquely identifies all entities. Any entity registering to do business with the government is required to have one. UEIs are issued by SAM.gov and are a part of an entity's record in the Entity Information section of SAM.gov. If you do not have a UEI, you can get one for free at <https://sam.gov>. Organizations should ensure that their legal name in sam.gov matches the name used on their bank account for future draw-downs of grant funds if selected.

Grant recipients authorized to make subawards must meet these requirements related to UEI:

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

(See Appendix A to 2 CFR Part 25.)

### **2. 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 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.

## **C. Submission Instructions**

Applicants must electronically submit their application as a single package through [Grants.gov](https://grants.gov) by 11:59 p.m. Eastern Time on the due date specified in the FOA.

The process can be complicated and time-consuming. We strongly advise you 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 by the agency. Rather, grants.gov verifies only the submission of certain parts of an application.

## **1. How to Register to Apply through Grants.gov**

Read through the registration process carefully before registering. These steps may take as long 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.

Applicants must follow the online instructions for registration at [Organization Registration | Grants.gov](#). We recommend that you 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.

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 Point of Contact (POC) approval, establishes an Agency Organizational Representative (AOR). When an application is submitted through Grants.gov, the name of the AOR who submitted the application is inserted into the signature line of the application, serving as the electronic signature. The E-Biz POC must authorize the individual who is able to make legally binding commitments on behalf of your organization as the AOR; this step is often missed, and it is crucial for valid submissions.

## **2. How to Submit an Application to DOL via Grants.gov**

Grants.gov applicants can apply online using Workspace. Workspace is a shared online environment where members of a grant team may simultaneously access and edit different webforms within an application. For a complete workspace overview, refer to [Workspace-Overview | Grants.gov](#). For access to complete instructions on how to apply for opportunities, refer to [How to Apply for Grants | Grants.gov](#). 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. Grants.gov will send the applicant AOR an email acknowledgement of receipt and a tracking number (GRANTXXXXXXXXX) with the successful transmission of the application, serving as proof of timely submission. The applicant will receive two email messages to provide the status of the application's progress through the system.

- The first email 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 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 (24-48 hours) 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 all required and requested documents but will not take any additional measures in the event of problems with opening such as file corruption.

We strongly advise applicants to use the various tools and documents, including watching the online tutorial, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” available through WorkforceGPS at [WorkforceGPS - Grants Application 101: How to Apply for a Grant](#).

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 [Manage Subscriptions | Grants.gov](#).

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

- 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, 7 days a week but closed on federal holidays. If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number.

### **Late Applications**

We will consider only applications successfully submitted through Grants.gov no later than 11:59 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.**

## **D. Intergovernmental Review**

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

## **E. Other Submission Requirements**

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).

## **VI. APPLICATION REVIEW INFORMATION**

## A. Responsiveness Review

The FOA will specify the **Application Screening Criteria**. Applications that do not meet all the requirements in the **Application Screening Criteria** table in the FOA will not move forward through the merit review process or be considered for an award.

## B. Review Criteria

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 (Project Budget) and IV.C (Project Narrative). Reviewers will award points based on the evaluation criteria described below.

Section IV.C (Project Narrative) of the FOA has several “criteria” (e.g. IV.C.1). Each of these criteria of the Project Narrative will include one or more “rating factors,” which provide detailed specifications for the content and quality of the response to each of the criteria. Each of the rating factors have specific point values assigned. These point values are the number of points possible for the application to earn for the rating factor.

Section IV.C, Project Narrative, provides a detailed explanation of the information an application must include (e.g., a comprehensive work plan for the whole period of performance with feasible and realistic dates). Reviewers will rate each rating factor based on how fully and convincingly the applicant responds. For each rating factor, panelists will determine whether the applicant thoroughly meets, partially meets, or fails to meet the rating factor, unless otherwise noted in Section IV.C, based on the definitions below:

Standard Rating	Definition	Standard for Calculating Points
Thoroughly Meets	The application thoroughly responds to the rating factor and fully and convincingly satisfies all of the stated specifications.	Full Points
Partially Meets	The application responds incompletely to the rating factor, or the application convincingly satisfies some, but not all, of the stated specifications.	Half Points
Fails to Meet	The application does not respond to the rating factor, or the application does respond to the rating factor but does not convincingly satisfy any of the stated specifications.	Zero Points

In order to receive the maximum points for each rating factor, applicants must provide a response to the requirement that fully describes the proposed program design and demonstrates the quality of approach, rather than simply re-stating a commitment to perform prescribed activities. In other words, applicants must describe why their proposal is the best strategy and how they will

implement it, rather than that the strategy contains elements that conform to the requirements of the FOA.

## **C. Review and Selection Process**

There are no additional requirements for this section. See the specific FOA for application requirements.

## **D. Risk Review**

### **Risk Review Process**

Prior to making an award, ETA will review and consider any information about the applicant that is in the responsibility/qualification records available in SAM.gov (see 41 U.S.C. 2313). All applicants are requested to submit the information on the Financial Risk Assessment template specified below for ETA to assess the applicant's Financial System.

Applicants may review and comment on any information in the responsibility/qualification records available in SAM.gov. Before making decisions in the risk review required by 2 CFR 200.206 and 2 CFR 2900.5, ETA will consider any comments by the applicant, along with information available in the responsibility/qualification records in SAM.gov.

Additionally, ETA will comply with the requirements of 2 CFR Part 180 implemented at 2 CFR Part 2998 (Non-procurement Debarment and Suspension). 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 the following:

- i. Financial stability. The applicant's record of effectively managing financial risks, assets, and resources;
- ii. Management systems and standards. Quality of management systems and ability to meet the management standards prescribed in the Uniform Grant Guidance;
- iii. History of performance. The applicant's record of managing previous and current Federal awards, including compliance with reporting requirements and conformance to the terms and conditions of Federal awards, if applicable;
- iv. 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;
- v. Ability to effectively implement requirements. The applicant's ability to effectively implement statutory, regulatory, and other requirements imposed on recipients

NOTE: As part of ETA's Risk Review process, the Grant Officer will determine the following:

- If the applicant had any restriction on spending for any ETA grant due to adverse monitoring findings;
- If the applicant has generated revenue in recent years to demonstrate they are an organization with a track record of completing projects of similar size, through available records such as Internal Revenue Service non-profit 990 forms; or
- If the applicant received a High Risk determination in accordance with [TEGL 23-15](#).

Depending on the severity of the findings and whether the findings were resolved, the Grant Officer may, at their discretion, elect not to fund the applicant for a grant award regardless of the applicant's score in the competition.

All applicants are requested to submit the following information as an attachment to their application (suggested template below) for ETA to assess the applicant's Financial System. This information will be considered as one component of ETA's Risk Review Process. Applicants may use the suggested template or answer the questions in a separate attachment. It is unlikely that an organization will be able to manage a federal grant without the following system/processes in place. Applicants are expected to have these in place before applying for a grant with ETA.

<p align="center"><b>U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION (ETA)</b></p> <p align="center"><b>FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</b></p>	
<b>SECTION A: PURPOSE</b>	
<p>The financial responsibility of grantees must be such that the grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate administrative and financial systems including the accounting systems should meet the following criteria as contained in 2 CFR Part 200 and 2 CFR Part 2900.</p> <p>(1) Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.</p> <p>(2) Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.</p> <p>(3) The accounting system should provide accurate and current financial reporting information.</p> <p>(4) The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence to prescribed management policies.</p>	
<b>SECTION B: GENERAL</b>	
1. Applicant Legal Name (as it appears in SAM.gov):	
<p>a. When was the organization founded/incorporated (<i>month, day, year</i>):</p> <p>c. Employer Identification Number:</p> <p>d. Number of Employees</p>	<p>b. Principal Officers Names, Title, Email Address</p> <p>President/Chair Board of Directors:</p> <p>Chief Executive Officer:</p> <p>Chief Financial Officer:</p> <p>Accounting/Budget Officer:</p>



<p align="center">U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION (ETA)</p> <p align="center"><b>FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</b></p>			
Full Time: Part Time:			
2. Is the organization or institution affiliated with any other organization: Yes            No If yes, please provide details as to the nature of the company (for profit, nonprofit, LLC, etc) and if it provides services or products to the organization in relation to this grant.		3. Total Sales/Revenues in most recent accounting period. (12 months) \$	
		<b>SECTION C: ACCOUNTING SYSTEM</b>	
<i>NOTE: Provide a detailed response (on a separate page on your organization's letterhead and signed/dated by a Principal Officer) for any items 2-9 of Section C that have "No" or "Not Sure" answer(s), providing enough information to clearly reflect the expertise of the organization in these areas.</i>			
1. Has any Government Agency rendered an official written opinion concerning the adequacy of the accounting system for the collection, identification and allocation of costs under Federal contracts/grants?    Yes    No			
a. If yes, provide name, and address of Agency performing review:		b. Attach a copy of the latest review and any subsequent correspondence, clearance documents, etc.	
2. Which of the following best describes the accounting system:		State administered      Internally Developed      Web-based	
3. Does the accounting system identify the receipt and expenditure of program funds separately for each contract/grant?		Yes	No o    Not Sure
4. Does the accounting system provide for the recording of expenditures for each grant/contract by the component project and budget cost categories shown in the approved budget?		Yes	No o    Not Sure
5. Are time distribution records maintained for an employee when his/her effort can be specifically identified to a particular cost objective?		Yes	No o    Not Sure
6. If the organization proposes an overhead rate, does the accounting system provide for the segregation of direct and indirect expenses?		Yes	No o    Not Sure
7. Does the organization have an approved indirect cost rate or cost allocation plan? If so, who approved it (Federal Cognizant Agency or a Pass-through Entity)? What are the effective dates?		Yes	No o    Not Sure

<p align="center">U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) <b>FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</b></p>			
<p>8. Does the accounting/financial system include budgetary controls to preclude incurring obligations in excess of:</p> <p>a. Total funds available for a grant?</p> <p>b. Total funds available for a budget cost category (e.g. Personnel, Travel, etc)?</p>		<p>Yes    N    Not Sure</p> <p>Yes    o    Not Sure</p> <p>          N</p> <p>          o</p>	
<p>9. Does the organization or institution have an internal control structure that would provide reasonable assurance that the grant funds, assets, and systems are safeguarded?</p>		<p>Yes    N    Not Sure</p> <p>          o</p>	
<p align="center"><b>SECTION D: FINANCIAL STABILITY</b></p>			
<p>1. Is there any legal matter or an ongoing financial concern that may impact the organization's ability to manage and administer the grant?                      Yes                      No</p> <p>If yes, please explain briefly.</p>			
<p align="center"><b>SECTION E: FINANCIAL STATEMENTS</b></p>			
<p>1. Did an independent certified public accountant (CPA) ever examine the financial statements?                      Yes                      No</p>			
<p>2. If an independent CPA review was performed, please attach a copy of their latest report and any management letters issued.    Enclosed                      N / A</p>			
<p>3. If an independent CPA was engaged to perform a review and no report was issued, please provide details and an explanation below:</p>          			
<p align="center"><b>SECTION F: PAYMENT MANAGEMENT SYSTEM ACCOUNT</b></p>			
<p>1. ETA uses the Department of Health and Human Services Payment Management System (PMS). If your organization has an ETA PMS account, provide the PMS EIN and the PMS account (e.g., 89X7X) where grant funding should be placed if selected for award.</p>          			
<p align="center"><b>SECTION G: ADDITIONAL INFORMATION</b></p>			

U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION  
(ETA)  
**FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK  
ASSESSMENT**

1. Use this space for any additional information (*indicate section and item numbers if a continuation*)

## VII. AWARD NOTICES

### A. Award Document

A Federal Notice of Award document, signed by the Grant Officer, is the official document that obligates funds. If selected, this document will be provided electronically.

### B. Award Timing and Notification to Applicants

All award notifications will be posted on the ETA Homepage at <https://www.dol.gov/agencies/eta/>. Applicants selected for award will be contacted directly before the grant's execution. Non-selected applicants will be notified by 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 items such 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 not to fund any application related to an FOA.

## VIII. POST AWARD REQUIREMENTS AND ADMINISTRATION

### A. Administrative and National Policy Requirements

#### 1. Administrative Program Requirements

All grantees will be subject to all applicable federal laws and regulations, including the OMB Uniform Guidance, and the terms and conditions of the award.

**(Applicable to Workforce Innovation and Opportunity Act (WIOA) Title I Funds)** The grant(s) awarded with these funds will be subject to the following administrative standards and provisions.

- i. 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 Part 2900 (DOL's Supplement to 2 CFR Part 200).
- ii. All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et seq.) and the applicable provisions of the regulations at 20 CFR Part 675 et seq. Note that 20 CFR Part 683 (Administrative Provisions) allows unsuccessful applicants to file administrative appeals.
  - iii. 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)), 2 CFR Part 2998 (Nonprocurement Debarment and Suspension, the Department's regulations implementing OMB Guidance at 2 CFR Part 180), and, where applicable, 2 CFR Part 200 (Audit Requirements).
  - iv. 29 CFR Part 2, subpart D—Equal Treatment in Department of Labor Programs for Faith-Based and Community Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
  - v. 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.
  - vi. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
  - vii. 29 CFR Part 35—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
  - viii. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
  - ix. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
  - x. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
  - xi. The Department of Labor will follow the procedures outlined in the Department's Freedom of Information Act (FOIA) regulations (29 CFR Part 70). 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 generally 5 U.S.C. § 552; 29 CFR Part 70.
  - xii. Standard Grant Terms and Conditions of Award—see the following link:  
<https://www.dol.gov/agencies/eta/grants/resources>.

**(Applicable to Sec. 414(c) of the American Competitiveness and Workforce Improvement Act (ACWIA) Funds)** The grant(s) awarded with these funds will be subject to the following administrative standards and provisions.

- i. 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 Part 2900 (DOL's Supplement to 2 CFR Part 200).
- ii. Appeal – This program is authorized under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (ACWIA), as amended

- (codified at 29 USC 3224a). Therefore, appeal under sections 186 of the Workforce Innovation and Opportunity Act is not available.
- iii. 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)), 2 CFR Part 2998 (Nonprocurement Debarment and Suspension, the Department's regulations implementing OMB Guidance at 2 CFR Part 180), and, where applicable, 2 CFR Part 200 (Audit Requirements).
  - iv. 29 CFR Part 2, subpart D—Equal Treatment in Department of Labor Programs for Faith-Based and Community Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
  - v. 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.
  - vi. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
  - vii. 29 CFR Part 35—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
  - viii. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
  - ix. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
  - x. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
  - xi. The Department of Labor will follow the procedures outlined in the Department's Freedom of Information Act (FOIA) regulations (29 CFR Part 70). 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 generally 5 U.S.C. § 552; 29 CFR Part 70.
  - xii. Standard Grant Terms and Conditions of Award—see the following link:  
<https://www.dol.gov/agencies/eta/grants/resources>.

**(Applicable to all other Funds besides WIOA and ACWIA)** The grant(s) awarded with these funds will be subject to the following administrative standards and provisions.

- i. 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 Part 2900 (DOL's Supplement to 2 CFR Part 200)
- ii. 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)), 2 CFR Part 2998 (Nonprocurement Debarment and Suspension, the Department's regulations implementing OMB Guidance at 2 CFR Part 180), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- iii. 29 CFR Part 2, subpart D—Equal Treatment in Department of Labor Programs for Faith-Based and Community Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.

- iv. 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.
- v. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
- vi. 29 CFR Part 35—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- vii. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- viii. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- ix. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
- x. The Department of Labor will follow the procedures outlined in the Department’s Freedom of Information Act (FOIA) regulations (29 CFR Part 70). 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 generally 5 U.S.C. § 552; 29 CFR Part 70.
- xi. Standard Grant Terms and Conditions of Award—see the following link:  
<https://www.dol.gov/agencies/eta/grants/resources>.

## 2. Religious Activities

Guidance from DOL on the effect of the Religious Freedom Restoration Act on recipients of DOL financial assistance is found at <https://www.dol.gov/agencies/oasam/grants/religious-freedom-restoration-act/guidance>.

In accordance with 29 CFR 2.32(a), Equal Participation of Faith-Based Organizations, applicants for DOL financial assistance are notified:

(i) Faith-based organizations may apply for DOL awards on the same basis as any other organization, subject to the protections and requirements of subpart D of 29 CFR Part 2 and any applicable constitutional and statutory requirements, including [42 U.S.C. 2000bb et seq.](#) DOL will not, in the selection of recipients, discriminate for or against an organization on the basis of the organization's religious character, motives, or affiliation, or lack thereof, or on the basis of conduct that would not be considered grounds to favor or disfavor a similarly situated secular organization.

(ii) A faith-based organization that participates in this program will retain its independence from the Government and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law.

(iii) A faith-based organization may not use direct Federal financial assistance to support or engage in any explicitly religious activities except where consistent with the Establishment Clause of the First Amendment and any other applicable requirements. An organization receiving Federal financial assistance also may not, in providing services funded by DOL, or in conducting outreach activities related to such services, discriminate against a program

beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

### **3. Other Legal Requirements**

#### **a. Lobbying or Fundraising 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).

#### **b. 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 the Digital Accountability and Transparency Act of 2014 (Pub. Law 113-101), as follows.

- Except for those excepted from the Transparency Act under sub-paragraphs 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 you 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 <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-170/appendix-Appendix%20A%20to%20Part%20170>.

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

- Federal awards to individuals who apply for or receive federal awards as natural persons (e.g., unrelated to any business or non-profit organization an individual owns or operates);
- Federal awards to entities that had a gross income of less than \$300,000 in the entities' previous tax year; and
- Federal awards, if the required reporting would disclose classified information.

#### **c. Safeguarding Data Including Personally Identifiable Information (PII)**

Applicants submitting applications in response to an 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 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 the handling of confidential information: You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL/ETA funded grants is securely transmitted.

- i. 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.
- ii. 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 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.
- iii. 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.
- iv. 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.
- v. 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.
- vi. 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.
- vii. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
- viii. 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.
- ix. 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 be accessed only from secure locations.

- x. 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.
- xi. 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.
- xii. 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.

#### **d. Record Retention**

You must follow federal guidelines on record retention, which require that you 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 200.334-.338 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.

#### **e. Use of Contracts and Subawards**

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

**Contract:** Contract means a legal instrument by which a recipient or subrecipient conducts procurement transactions under a Federal award. For additional information on subrecipient and contractor determinations, see 2 CFR 200.331.

**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 to a subrecipient for the subrecipient to contribute to the goals and objectives of the project by carrying out part of a Federal award received by the pass-through entity. It does not include payments to a contractor, beneficiary, or participant. A subaward may be provided through any form of legal agreement consistent with criteria in with 2 CFR [200.331](#), including an agreement the pass-through entity considers a contract.

**Subrecipient:** Subrecipient means an entity that receives a subaward from a pass-through entity to carry out part of a Federal award. The term subrecipient does not include a beneficiary or participant. A subrecipient may also be a recipient of other Federal awards directly from a Federal agency.

You must follow the provisions at 2 CFR 200.331-.333 regarding subrecipient monitoring and management. Also see 2 CFR Part 200.308(f)(6) regarding prior approval requirements

for subawards. When awarding subawards, you are required to comply with provisions on government-wide suspension and debarment found at 2 CFR Part 2998, implementing the OMB Guidance at 2 CFR Part 180.

#### **f. 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 <https://www.dol.gov/sites/dolgov/files/ETA/grants/pdfs/GCFAQ.pdf>.

### **4. Other Administrative Standards and Provisions**

#### **DOL Disclaimer**

The following standard ETA disclaimer 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.”**

#### **Intellectual Property Rights and Open Licensing**

Pursuant to 2 CFR 2900.13, and 2 CFR 200.315(d), 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 an open license.

The term ‘open license’ means a worldwide, royalty-free, non-exclusive, perpetual (for the duration of applicable copyright), irrevocable, standard open copyright license and must grant the public permission to access, reproduce, publicly perform, publicly display, adapt, distribute and otherwise use the work and adaptations of the work for any purposes, subject only to the condition that attribution be given to authors and rights holders as designated.

Work that must be openly licensed 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. As part of the requirement to openly license grant-funded products, grantees must post their products (with the open license affixed) to a public distribution platform.

Only work that is developed by the recipient in whole or in part with grant funds is required to

be licensed under the open 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 open licensing requirement.

The purpose of the open 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.

Questions about open licensing as it applies to this specific funding opportunity should be submitted to the ETA Grants Management Specialist specified in Section I. The Department will provide technical assistance to support open licensing during the period of performance.

Separate from the open 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 in accordance with the provisions of the grant award and 2 CFR 200.307.

### **Credential Transparency (FOAs requiring development of credentials)**

The Department wishes to ensure that individuals, employers, educators and training providers have access to the most complete, current and beneficial information about providers, programs credentials, and competencies supported with these federal funds.

To this end, we require that grantees make information about industry-recognized credentials publicly accessible through the use of linked open data formats that support full transparency and interoperability. This requirement applies to all industry-recognized credentials that are awarded using grant funds under the Announcement, where such credentials were previously developed by a grant lead or partner or are developed using grant funds. Credentials include, but are not limited to, diplomas, badges, certificates, certifications, and degrees of all levels and types. Formats may include, but are not limited to, the use of credential transparency description language specifications. DOL will provide specific guidance and technical assistance on credential transparency. Grantees must submit an implementation plan for credential transparency and must complete implementation of the plan before the period of performance ends, as specified in DOL technical assistance.

## **5. Special Program Requirements**

### **a. DOL Evaluation**

As a condition of grant award, as per 2 CFR 200.301, grantees are required to participate in an evaluation, if undertaken by DOL. Participating in an evaluation may require an investment of time and/or resources from grantees, and costs related to data and evaluation are allowable, as defined in 2 CFR 200.455(c). The evaluation may include an implementation assessment across grantees, an impact and/or outcomes analysis of all or selected sites within or across grantees, a benefit/cost analysis or assessment of return on investment, or other type of program evaluation. Conducting an impact analysis could involve random assignment (which involves random assignment of eligible participants into a treatment group that would receive program services or enhanced program services, or into control group(s) that would receive no program services or program services that are not enhanced). Grantees may also be required to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grantees must agree to: (1) make records available to DOL's evaluation team on participants, employers, or other grant partners, and funding; (2) provide access to program operating personnel, participants, and operational and financial records, and any other relevant documents; and (3) in the case of an impact analysis, facilitate the assignment by lottery of participants to program services, including the possible increased recruitment of potential participants; and (4) follow evaluation procedures as specified by the evaluation team under the direction of DOL. DOL's evaluation team may include Federal staff as well as contractors with specific technical skills that are engaged to conduct evaluations, analyses, and other assessments of DOL programs and investments.

## **B. Reporting**

You must meet DOL reporting requirements for quarterly financial and performance reports. 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 by the 15<sup>th</sup> day of the second month after 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. Information and instructions will be provided to grantees. For other guidance on ETA's financial reporting, reference TEGl 20-19 and our webpage at <https://www.dol.gov/agencies/eta/grants/management/reporting>.

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

The grantee must submit a quarterly performance report by the 15<sup>th</sup> day of the second month after each calendar-year quarter. The report must include quarterly information on interim indicators and performance goals. 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 performance. Submission requirements will be provided to grantees upon award.

We will also provide you with guidance about the data and other information that is required to be collected and reported on either a regular basis or special request basis.

### **3. Quarterly Narrative Performance Reports**

In addition to the Quarterly Performance Report, some programs will require that the grantee submit the Joint Quarterly Narrative Performance Report Template (ETA 9179) progress report. If applicable, this report will be due by the 15<sup>th</sup> day of the second month after each calendar year quarter during which the grant is within the period of performance for the award. The report includes quarterly information regarding accomplishments, including project success stories, upcoming grant activities, and promising approaches and processes, as well as progress toward performance outcomes, including updates on product, curricula, and training development. Relevant updates on grantees' third-party evaluations, if required, and/or activities taken as a participant in DOL-sponsored evaluations, will also be included here, as appropriate.

## **IX. RESOURCES**

### **A. Web-Based Resources**

DOL maintains a number of web-based resources that may be of assistance to applicants. These include the CareerOneStop portal (<https://www.careeronestop.org>), which provides national and state career information on occupations; the Service Locator function within the CareerOneStop webpage which provides a directory of the nation's American Job Centers, also known as one-stop centers, (<https://www.careeronestop.org/LocalHelp/service-locator.aspx>); and the Occupational Information Network (O\*NET) Online (<https://online.onetcenter.org>), which provides occupational competency profiles.

### **B. 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 <https://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.

### **C. WorkforceGPS**

We encourage applicants to utilize the resources available through our WorkforceGPS site at <https://www.workforcegps.org>. This site contains the following:

- Workforce resources gathered through consultations with federal agency partners, industry stakeholders, educators, and local practitioners.
- Online tutorials to help assist with the grant application process at [WorkforceGPS - Grants Application 101: How to Apply for a Grant](#).

- Workforce System Strategies (WSS) available at <https://strategies.workforcegps.org> that highlights evidence-based research, emerging program practices and useful guides. WSS is a searchable database for workforce professionals and their partners who strive to improve outcomes for job seekers and employers through evidence-based informed decisions.
- A technical assistance portal at [WorkforceGPS - SMART 4.0 Grants Management Training](#) that contains online training and resources for fiscal and administrative issues.

## **D. SkillsCommons**

SkillsCommons (<https://www.skillscommons.org>) offers an online library of curriculum and related training resources to obtain industry-recognized credentials in manufacturing, IT, healthcare, energy, and other industries. The website contains thousands of Open Educational Resources (OER) for job-driven workforce development, which were produced by grantees funded through DOL's Trade Adjustment Assistance Community College and Career Training (TAACCCT) program. Community colleges and other training providers across the nation can reuse, revise, redistribute, and reorganize the OER on SkillsCommons for institutional, industry, and individual use.

## **E. DOL's Clearinghouse for Evaluation and Research (CLEAR)**

We encourage applicants to use available research evidence and evaluation results to inform grant program design and evaluation plans. CLEAR identifies and summarizes many types of research but focuses on reviewing and rating causal impact studies. CLEAR also maintains guidelines for conducting different types of rigorous evaluations. For additional information, see <https://clear.dol.gov/>.

## **F. Data and Other Evidence Research Resources**

We encourage applicants to use available data and other evidence to inform program design. Resources available include DOL's Public Use Data Lake (<https://www.dol.gov/agencies/oasp/evaluation/data-repo>), Workforce System Strategies (<https://strategies.workforcegps.org/>), and DOL agency publication databases such as those maintained by ETA at: <https://www.dol.gov/agencies/eta/research/publications> and by DOL's Chief Evaluation Office at: <https://www.dol.gov/agencies/oasp/evaluation/completedstudies>.