



Award# 25A60AP000119-01-00

FAIN# 25A60AP000119

Federal Award Date: 06/25/2025

Recipient Information

1. Recipient Name

HIGHER EDUCATION COORDINATING
COMMISSION
3225 25TH St SE
Salem, OR 97302-1133
971-345-1138

2. Congressional District of Recipient

06

3. Payment System Identifier (ID)

1371737848A1

4. Employer Identification Number (EIN)

371737848

5. Data Universal Numbering System (DUNS)

079806658

6. Recipient's Unique Entity Identifier (UEI)

EP99SZE353U6

7. Project Director or Principal Investigator

Debra Welter
Education and Workforce Policy Liaison
Debra.A.Welter@HECC.oregon.gov
971-345-1135

8. Authorized Official

Julia Steinberger
Director Office of Workforce Investment
Julia.Steinberger@HECC.oregon.gov
971-345-1136

Federal Agency Information

ETA Office of Grants Management

9. Awarding Agency Contact Information

Ms. Lan Khanh-V Tran
Grant Mangement Specialist
tran.lankhanh.v@dol.gov
0000000000

10. Program Official Contact Information

Mr. Joshua E Hodges
Federal Project Officer
U.S. DOL, ETA Region 6
hodges.joshua@dol.gov
4156257946

Federal Award Information

11. Award Number

25A60AP000119-01-00

12. Unique Federal Award Identification Number (FAIN)

25A60AP000119

13. Statutory Authority

National Apprenticeship Act, As Amended

14. Federal Award Project Title

Supporting Emerging Registered Apprenticeship Pathways for Tomorrow's Workforce Signed 424 Attached

15. Assistance Listing Number

17.285

16. Assistance Listing Program Title

Apprenticeship USA Grants

17. Award Action Type

New

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19. Budget Period Start Date 07/01/2025 - End Date 06/30/2028

20. Total Amount of Federal Funds Obligated by this Action \$864,103.00

20a. Direct Cost Amount \$854,489.00

20b. Indirect Cost Amount \$9,614.00

21. Authorized Carryover \$0.00

22. Offset \$0.00

23. Total Amount of Federal Funds Obligated this budget period \$0.00

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period \$864,103.00

26. Period of Performance Start Date 07/01/2025 - End Date 06/30/2028

27. Total Amount of the Federal Award including Approved
Cost Sharing or Matching this Period of Performance \$864,103.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Mrs. Brinda Ruggles
Grant Officer

30. Remarks



Department of Labor

Notice of Award

Award# 25A60AP000119-01-00

FAIN# 25A60AP000119

Federal Award Date: 06/25/2025

Recipient Information

Recipient Name

HIGHER EDUCATION COORDINATING
COMMISSION
3225 25TH St SE
Salem, OR 97302-1133
971-345-1138

Congressional District of Recipient

06

Payment Account Number and Type

1371737848A1

Employer Identification Number (EIN) Data

371737848

Universal Numbering System (DUNS)

079806658

Recipient's Unique Entity Identifier (UEI)

EP99SZE353U6

31. Assistance Type

Discretionary Grant

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only

II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	\$58,000.00
b. Fringe Benefits	\$31,250.00
c. Total Personnel Costs	\$89,250.00
d. Equipment	\$0.00
e. Supplies	\$2,100.00
f. Travel	\$1,939.00
g. Construction	\$0.00
h. Other	\$1,200.00
i. Contractual	\$760,000.00
j. TOTAL DIRECT COSTS	\$854,489.00
k. INDIRECT COSTS	\$9,614.00
l. TOTAL APPROVED BUDGET	\$864,103.00
m. Federal Share	\$864,103.00
n. Non-Federal Share	\$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0501742425BD202501740024245AP001A0000AATELSAATELS	AP000119YX1	ETA	410023	17.285	\$864,103.00	01742425BD

AWARD ATTACHMENTS

HIGHER EDUCATION COORDINATING COMMISSION

25A60AP000119-01-00

1. Terms and Conditions

Remarks (Continuation)

Executive Order Alignment

You must review your grant award in its entirety to confirm that it fully complies with Executive Orders “Ending Radical and Wasteful Government DEI Programs and Preferencing” and “Ending Illegal Discrimination and Restoring Merit-Based Opportunity” (recipients are not required to comply with the certification provision in sec. 3(b)(iv) of this EO). Any activities and expenditures that do not align with these Executive Orders must be removed by amendment to your grant agreement. You must submit revised materials within 45 days to your Federal Project Officer for whom the name and contact information can be located on the first page of the Notice of Award in field #10.

Funds Management – Payment Management System (PMS)

Pursuant to Executive Order 14222 – “Implementing the President’s ‘Department of Government Efficiency’ Cost Efficiency Initiative,” Federal agencies are required to record every payment issued by the agency pursuant to each of the agency’s covered contracts and grants, along with a brief, written justification for each payment. PMS now has a “justification” field wherein grant recipients must identify the purpose for the Federal funds being drawn down. The justification is mandatory, and PMS will not accept a payment request if a justification is not provided.

Harassment Prohibited

The award recipient and any subrecipients are prohibited from engaging in harassment of an individual based on race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in any WIOA Title I-financially assisted program or activity. Harassing conduct of this type is a violation of the nondiscrimination provisions of WIOA and of 29 CFR Part 38.

1. Unwelcome sexual advances, requests for sexual favors, or offensive remarks about a person's race, color, religion, sex, national origin, age, disability, political affiliation or belief, or citizenship or participation, and other unwelcome verbal or physical conduct based on one or more of these protected categories constitutes unlawful harassment on that basis(es) when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of accessing the aid, benefit, service, or training of, or employment in the administration of or in connection with, any WIOA title I-financially assisted program or activity; or
 - ii. Submission to, or rejection of, such conduct by an individual is used as the basis for limiting that individual's access to any aid, benefit, service, training, employment from, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity; or

- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's participation in a WIOA Title I-financially assisted program or activity creating an intimidating, hostile, or offensive program environment.
- 2. Harassment because of sex includes harassment based on gender identity or sexual orientation; harassment based on failure to comport with sex stereotypes; and harassment based on pregnancy, childbirth, and related medical conditions. Sex-based harassment may include harassment that is not sexual in nature but that is because of sex or where one sex is targeted for the harassment.

State Apprenticeship Expansion Formula (SAEF3)
BASE FORMULA FUNDING
Higher Education Coordinating Commission
AP000119-01-00

**FOA Program Compliance Notification Letter
State Apprenticeship Expansion Formula,
Round 3 Grants (FOA-ETA-25-31)**

Greetings State Apprenticeship Expansion Formula (SAEF3) Grantee:

Congratulations on your award! This letter serves as notification of program compliance requirements for your State Apprenticeship Expansion Formula, Round 3 Grant **(FOA-ETA-25-31)** also referred to as **“SAEF3”**. The contents of this letter include performance measure outcome compliance items to be addressed (if applicable) and directs grantees on how to ensure adherence to these requirements. Please note, individual program findings from your grant application are not contained in this document. As outlined in the grant agreement, the signature of the Authorized Representative on the SF-424 confirms your organization’s acceptance and acknowledgment of programmatic compliance requirements.

The Program Compliance Notification Letter provides information on the following:

- Key required activities that grantees must ensure are incorporated into their grant.
- Key activities or costs that are allowable use of grant funds.
- Grantee guidance on performance expectations and reporting mechanisms.
- Performance reporting compliance items to be addressed, if applicable; and
- Links to existing grantee guidance, such as Frequently Asked Questions (FAQs), Funding Opportunity Announcement (FOA), and administrative/financial trainings.

The list below includes key items for program compliance. This list is not exhaustive, and grantees should refer to the table included below for reference to a complete list of programmatic compliance requirements.

SAEF3 supports state-identified innovation, employer engagement in the creation and expansion of apprenticeships (including through sector strategies), and workforce system alignment by assisting new and emerging industries to establish Registered Apprenticeship Programs (RAPs), thereby contributing to a long-term workforce development strategy that promotes prosperity and long-term sustainability. Guidance provided on prior State Apprenticeship Expansion formula grants should not be construed as automatically applicable to this grant. All grant program staff and financial personnel should read the entire grant agreement upon award.

Grant funds may only be used to support Registered Apprenticeship Programs (RAPs) and pre-apprenticeship programs that lead to RAPs. Funding for this opportunity comes from the Consolidated Appropriations Act, 2024, Public Law 118-47, Division D, Title I. This appropriation allows the Department of Labor (the Department or DOL) to award funds to “expand opportunities through RAPs only registered under the National Apprenticeship Act.” This means recipients must spend these funds on activities that will create or assist in the creation of RAPs. This program will support the development of new, or the expansion of existing, RAPs, as described in 29 CFR Parts 29. Further, pre-apprenticeship programs funded through this grant must directly lead to RAPs during the grant period of performance. Pre-apprenticeship programs funded under this grant should ensure

that the skills and competencies being developed are aligned with industry needs. It is allowable and encouraged for pre-apprentice completers to receive grant-funded services in a RAP so they may be a grant participant. RAPs and pre-apprenticeships leading to RAP enrollment that are funded and developed under this grant program must align with the requirements provided under Program Design on pages 4-5 and Program Activities for grantees that receive competitive funding on pages 6-7 of the FOA and Amendment One.

- **Grantees must serve a statewide geographic scope.** The geographic scope is the physical service area in which awarded applicants will serve participants.
- **Eligible participants:** Eligible participants are persons 16 years of age and older who receive a direct grant-funded service. These funds are to support new apprentices, individuals interested in entering a RAP, individuals in pre-apprenticeship programs leading to enrollment in a RAP, retention of registered apprentices, and apprentices' completion of a RAP. To encourage active apprentices to stay in their program and increase retention, grant funds may be used for registered apprentices already enrolled in a RAP.
- **Any state agency or territory that is not designated as the State Apprenticeship Agency (SAA), but is operating within a federally recognized SAA, must partner with that SAA.**
- **Funding Requirements:** Grantees must ensure their grants include activities that address the SAEF3 program goals and incorporate the design elements of requirements for RAPs, and pre-apprenticeship programs (as applicable).

Required Grant-funded Activities

- **All grantees funded under the Base Formula Funding** will implement projects that include, at minimum, the following, activities listed below and encouraged activities as indicated in Appendix A of the FOA and Amendment One.
 1. Develop and implement a work plan. The plan must include a detailed description of activities the applicant plans to initiate, charting out quarterly milestones for the 36-month POP. The plan must include key expansion efforts and how funds will be spent down. Applicants will assess and revise, as necessary, their work plan in future rounds of funding for this grant, along with an updated Budget Narrative, and SF-424A. A suggested template for the work plan can be found in Appendix E.
 - a. The plan must show how funds will build on modernization and expansion efforts. States must take into consideration how they are growing the number of registered apprentices and RAPs in their State, how they can improve/streamline their internal Statewide registered apprenticeship processes (if applicable), how they can better utilize demographic and occupational data for informed decision-making, how they are promoting career progression into higher wages and economic security and mobility, and how the State can leverage technology and resources. Based on that plan and in addition to the required activities, States should select activities from the "Encouraged Activities" list that will further their mission.

- b. Build Statewide capacity to increase the number and quality of RAPs through stronger workforce system alignment. For the purposes of this FOA, workforce system alignment refers to the alignment of the workforce, education, and the National Apprenticeship System. System alignment should also focus on RAP and/or pre-apprenticeship program efforts in support of implementation and/or targeting in-demand industries and occupations.
 2. For States with recognized SAAs, implement data sharing, system change, and governance requirements to comply with 29 CFR Parts 29 and 30 and ensure a strong and modernized Registered Apprenticeship system by promoting the standardization of RAPs and committing to building a unified National Apprenticeship system. This includes the sharing of data and ensuring that quality programs are registered within the State and align with the five key areas of RAPs: OJL, RI, progressive wages, mentoring, and industry-recognized credential attainment to ensure reciprocity across the National Apprenticeship system.
 3. Utilize funding to support drafting of policies, procedures, and/or State regulations to streamline the registration process (if applicable) and improve the employer experience when engaging with the Registered Apprenticeship system, which may include policies, procedures, and/or regulations to establish a recognized SAA in states where the apprenticeship system is currently managed by DOL's Office of Apprenticeship (OA).
 4. Create or improve outreach materials and communication strategies for engaging employers, parents, educators, prospective participants, and other critical stakeholders; explaining the benefits of registered apprenticeship; and generating further support across the State.
- **Competitively awarded SAEF3 grantees** must expand upon the work plan for the Base Formula Funding option and implement a project that involves a minimum of two activities referenced below and available on page 6 of the FOA and Amendment One:
 1. Provide a range of training services that support individuals enrolled in a RAP, that may include Related Instruction reimbursement; OJL reimbursement; development of curricula and standards for apprenticeship; online and technology-based learning; accelerated and competency-based training that integrates academic and occupational skills training; and apprenticeship training costs and other supportive services. (See Section IV.E. Funding Restrictions for more information).
 2. Provide incentive funding to employers to support new or expand existing RAPs in targeted industries.
 3. Plan and implement a Pay-for-Performance (PFP) model, a payment model that provides financial incentives for meeting certain performance measures and outcomes. For more information, see Section IV.E. Funding Restrictions, "Use of Funds for Pay-for-Performance (PFP) Models."
 4. Establish statewide intermediaries or industry hubs to facilitate the adoption and expansion of RAPs, including but not limited to developing new occupations, providing technical assistance (TA), and adding employers.
 5. Expand RAP opportunities for youth (between the ages of 16 and 24). This may include:

- (a) providing direct funding for a range of pre-apprenticeship programs that lead to enrollment in a RAP, and (b) coordination with relevant stakeholders and partners (i.e., state and local education and workforce agencies, Community Based Organizations (CBOs), community colleges, Career and Technical Education (CTE) programs etc.) to establish new and expand existing partnerships that commit to develop RAPs and/or pre-apprenticeship programs that lead to RAP enrollment.
6. Assist industries in creating RAPs for entry level occupations that are critical to the nation and develop strong career pathways or incumbent worker strategies that encourage employees to stay and grow through upskilling and credential attainment.
 7. Promote innovation within RAPs to assist individuals with disabilities, such as increasing awareness and use of assistive technology and other new and emerging technology, as appropriate.
 8. Strategizing and implementing employer engagement methodologies to increase RAP adoption for in-demand industries and occupations within the State; conducting internal assessments as the basis of continuous improvement (i.e., improving time frame for registering new programs); reviewing registration policies and processes (as applicable) to identify and implement reforms to cut red tape and reduce barriers for employers and industries; and committing to data sharing, and governance requirements to comply with the law and ensure a strong and modernized Registered Apprenticeship system.
 9. For States that are not currently federally recognized SAAs, develop the required elements for recognition and basic requirement as described in 29 C.F.R. 29.13 that would allow a State to become a federally recognized SAA.
 10. Enhance integration with the state's workforce system under WIOA to support the recruitment of participants and employers into the apprenticeship system, improve policies to effectively utilize WIOA On-the-Job Training (OJT) contracts (20 C.F.R. 686.700) and Individual Training Accounts (ITAs) (20 C.F.R. 686.300) to reduce the costs of RAP participation for employers and apprentices, and improve awareness of the career and supportive services that are available through the workforce system to support apprentice retention and program completion.

Allowable Use of Grant Funds

- **Use of Grant Funds for Participant Wages:** Grant funds may not be used to directly pay wages for apprentices. Additional information is provided on pages 31 – 32 of the FOA.
- **Use of Grant Funds for Supportive Services:** While the Department encourages applicants to leverage supportive services through WIOA grant programs or other funding, when funds are not otherwise available, grant recipients may use up to 20 percent of grant funds to provide supportive services to individuals who are participating in pre-apprenticeship and registered apprenticeship activities provided through this grant. This includes individuals enrolled in RAPs that were developed using SAEF3 grant funds (i.e., reportable individuals), in which case these individuals would then become participants. See page 32 of the FOA and page 5 of Amendment One for additional information.
- **Use of grant funds for Incentives for Employers**
Grantees may use up to 40 percent of grant funds to provide one-time “incentive” funds to new employers, joint labor management organizations, or industry associations (or

other partners included in a multi-employer partnerships) to directly fund new or expand existing RAPs and targeted industries in which they are serving. See page 33 of the FOA and Amendment One for additional information.

- **Use of Funds for Pay-for-Performance (PFP) Models**

Grantees that proposed PFP models may use grant funds to provide a sustainable approach that reward RAP sponsors for achieving specific milestones such as maintaining registered apprentice enrollment in the RAP and credential attainment of registered apprentices. See page 33 of the FOA and page 5 of Amendment One for additional information.

Serving Participants

The term “participant” means an individual that is determined eligible by the SAEF3 grant program and receives a direct grant-funded service after a determination of eligibility during the grant period of performance. The following are explanations for “direct grant-funded service,” and “reportable individual:”

- A direct grant funded service could be OJL, RI, and Supportive Services (service(s) to complement OJL and RI).
- Individuals that enroll in a RAP that was developed with grant-funds and receives no grant-funded service is determined a “reportable individual,” who is someone that does not receive a direct grant-funded service.
- For the purposes of Apprenticeship Grants managed by OA, a “reportable individual” is 1) an individual that has been impacted by the development or expansion of a grant-funded registered apprenticeship program; and 2) is enrolled in a RAP; and 3) is at least 16 years old. This individual is enrolled in a RAP that was developed or expanded with grant funds and is, therefore, impacted by the grant, but does not receive a direct, grant-funded participant-level service. Individuals participating in a RAP, but do not receive a grant-funded service cannot be counted towards a grantee’s “participant” counts.
- As mentioned in the previous section, “Allowable Use of Grant Funds”, for SAEF3 grant recipients may leverage 20 percent of grant funds to provide supportive services to reportable individuals enrolled in pre-apprenticeship and registered apprenticeship, thereby triggering participation in the respective program.

If the grantee proposes to serve participants, then the grantee's budget (SF-424A) and budget narrative must detail the cost per participant. The cost per participant contains the use of those funds for Related Instruction (RI), On-the-job-learning (OJL), and/or Supportive Services (SS). Please confirm with your FPO how the cost per participant is broken down by RI, OJL, and/or SS.

Performance Reporting Requirements

Grantees are required to adhere to the Office of Management and Budget (OMB)-approved performance reporting requirements. This includes submitting a Quarterly Performance Report (QPR) (ETA-9173-APPSHP) and Quarterly Narrative Report (QNR) (ETA- 9179) containing updates on the implementation and progress specified in the grant’s Statement of Work (SOW) and the status of grant program outcomes for all participants that receive grant-funded services. Performance

reporting for these grants aligns with the DOL-Only Performance Accountability, Information, and Reporting information collection (OMB Control No. 1205-0521), specifically the requirements identified for apprenticeship grants. To ensure alignment with the Department's data modernization and data governance initiatives through [TEGL 23-19, Change 1 and Change 2](#), DOL requires grant recipients to develop procedures for ensuring the data submitted for performance reporting are valid and reliable. To submit quarterly reports, the grantee will be expected to collect, track, and report participant-level data as outlined in the Participant Individual Record Layout (PIRL) (ETA-9172). This includes the collection and reporting of Social Security Numbers (SSNs) on all individuals who receive grant-funded services¹. The collection and reporting of SSNs allows ETA to efficiently match employment data from state unemployment insurance and other wage records. Thus, the collection of participant SSNs lessens the burden on grantees in tracking the WIOA exit-based employment measures, while permitting consistent and reliable outcome information to be produced regarding the program.

- **Proposed Performance Target Outcomes:** Each grantee is accountable for reaching targets established in their work plan for the performance outcomes specified in the FOA. Failure to meet these 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. Further, any SAEF3 grantees that serve participants (even if they have not identified participant outcomes in their grant award) are required to report participant outcomes as part of quarterly performance reporting requirements.
- **Case Management System:** In addition to appropriate financial management to provide accurate financial tracking and reporting, grantees are expected to have their own case management or management information system to utilize for grant participant enrollment, on-boarding and tracking during the period of performance. Before the first reporting due date, grantees must have a Workforce Integrated Performance System (WIPS) account. To request access to WIPS, your SAEF3 program's authorized representative must designate 1 – 3 person(s) who will be responsible for creating data files and then uploading them into WIPS. This responsibility also includes certifying the accuracy and the authenticity of the data submitted. The authorized representative must complete the [Apprenticeship Grants WIPS and AI Demographics Portal Designation Form](#) and upload it using the [WIPS Technical Assistance Request](#). The OA Program Office will also review WIPS access process in more detail during the first performance webinar.
- **Participation in Technical Assistance (TA)**
Grant recipients are required to participate in all TA training activities related to grantee orientation, financial management and reporting, performance reporting, product dissemination, and other technical assistance and training as appropriate during the grant period.

¹ Grant recipients who are also aligned with their State workforce system and have access to the State Unemployment Insurance (UI) Agency are not obligated to report SSNs to DOL; however, they must report wage and employment outcomes via the PIRL. Otherwise, State grant recipients must collect and report SSNs via the PIRL, allowing DOL to conduct wage-matches to obtain this outcome data.

REFERENCES		
Consolidated Compliance References	Resource Link	Overview/ Description
FOA-ETA-25-31	State Apprenticeship Expansion Formula 3 FOA-ETA-25-31.pdf	The Funding Opportunity Announcement for the SAEF3 grant and Amendment 1 document
Registered Apprenticeship Regulations	SAEF3 FOA-ETA-25-31 Amendment-One.pdf https://www.ecfr.gov/current/title-29/subtitle-A/part-29	29 C.F.R. § 29 outlines the elements of a registered apprenticeship program.
Frequently Asked Questions for FOA ETA 25-31	SAEF3 FAQs	The Department has posted updated SAEF3 FOA FAQs online.
Grantee Handbook	ETA Grantee Handbook.pdf	The Grantee Handbook provides guidance on the management of grants throughout the life cycle. Transmitted with the grant agreement to every grantee Authorized Representative and Point of Contact identified on the SF-424.
2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards	2 CFR 200 - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS - Content Details - CFR-2023- title2-vol1-part200 (govinfo.gov)	Also known as the Uniform Guidance (UG), this is the consolidation of grant management requirements formerly contained in several OMB circulars. The Uniform Guidance encapsulates Federal grant management requirements governing administrative requirements, cost principles, and audit requirements. All grantee personnel should be familiar with the Uniform Guidance
2 CFR 2900 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards:	https://www.gpo.gov/fdsys/granule/CFR-2016-title2-vol1/CFR-2016-title2-vol1-part2900 Additional information on the Uniform Guidance can be found at: https://www.doleta.gov/grants/UniformGuidance.cfm .	The Department of Labor's adoption of the Uniform Guidance includes a limited number of exceptions approved by OMB to ensure consistency with existing policy and procedures. Where present, the DOL exceptions take precedence over the general UG. Note, that if the prime grantee elects to utilize sub-awards all UG requirements applicable to the prime grant apply in addition to any others applicable to the sub-award.

Performance Reporting	<u>Reporting Requirements U.S. Department of Labor</u>	Apprenticeship Performance and Reporting Resources Workforce Integrated Performance System (WIPS)
Financial Reporting	<u>WorkforceGPS - Grants Application and Management Community Homepage</u>	OGM Financial Links. Provides access to the financial reporting system, and payment management system (PMS) for learning opportunities.
	<u>https://usdolevents.webex.com/usdolevents/ldr.php?RCID=1307da1718987e5d9edca37b46fa1550</u>	PMS Mandatory Payment Justification - Grant Recipient Training Webinar

Please work with your Federal Project Officer (FPO) to resolve any items or questions related to this Program Compliance Notification Letter.

TABLE OF CONTENTS

PART A: GENERAL AWARD, SYSTEM FOR AWARD MANAGEMENT AND UNIFORM GUIDANCE.....	1
A(1.) APPLICABLE REQUIREMENTS	1
A(2.) FUNDING OPPORTUNITY ANNOUNCEMENT AND NOTICE OF AWARD	2
A(3.) APPROVED STATEMENT OF WORK.....	2
A(4.) FEDERAL PROJECT OFFICER/ PROGRAM OFFICIAL.....	2
A(5.) SYSTEM FOR AWARD MANAGEMENT (SAM.GOV)	3
A(6.) PROFIT.....	4
A(7.) SUBAWARDS.....	4
A(8.) CONTRACTS.....	5
A(9.) TECHNICAL ASSISTANCE, RESOURCES, AND INFORMATION	5
A(10.) EVALUATION, DATA, AND IMPLEMENTATION.....	5
A(11.) CONFLICT OF INTEREST	6
PART B: INDIRECT COSTS, BUDGET, AND COST SHARE	6
B(1.) INDIRECT COST RATE AND COST ALLOCATION PLAN	6
B(2.) INDIRECT COST RATE – FINANCIAL REPORTING FOR NICRA AND DE MINIMIS	9
B(3.) BUDGET - APPROVED	10
B(4.) BUDGET FLEXIBILITY	10
B(5.) NON-FEDERAL COST SHARING.....	11
PART C: FUNDS MANAGEMENT.....	11
C(1.) FUNDS – PAYMENT MANAGEMENT SYSTEM (PMS)	11
C(2.) FUNDS - RETURN & REFUNDS	11
PART D: COSTS - LIMITATIONS, ITEMS, AND RESTRICTIONS.....	12
D(1.) CONSULTANTS.....	12
D(2.) EQUIPMENT AND OTHER CAPITAL ASSETS	12
D(3.) PRE-AWARD COSTS.....	13
D(4.) PROGRAM INCOME	13
D(5.) TRAVEL	13
D(6.) TRAVEL – FOREIGN	13
D(7.) TRAVEL – MILEAGE REIMBURSEMENT RATES.....	13
D(8.) CONFERENCES AND CONFERENCE SPACE	14
D(9.) HOTEL-MOTEL FIRE SAFETY	14
PART E: REPORTING, AUDIT, AND CLOSEOUT.....	14
E(1.) REPORTS – FINANCIAL REPORTS	14
E(2.) REPORTS – NARRATIVE PROGRESS REPORTS.....	15
E(3.) FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA OR TRANSPARENCY ACT)	15

E(4.)	INTEGRITY AND PERFORMANCE MATTERS – FAPIIS	18
E(5.)	AUDITS	20
E(6.)	CLOSEOUT/FINAL YEAR REQUIREMENTS	21
E(7.)	TERMINATION.....	21
PART F: NATIONAL POLICY AND RESTRICTIONS.....		22
F(1.)	ARCHITECTURAL BARRIERS	22
F(2.)	DOMESTIC PREFERENCES FOR PROCUREMENTS AND THE BUILD AMERICA, BUY AMERICA ACT	22
F(3.)	DRUG-FREE WORKPLACE.....	23
F(4.)	FLOOD INSURANCE	23
F(5.)	INTELLECTUAL PROPERTY RIGHTS, OPEN LICENSING RIGHTS, AND THE BAYH-DOLE ACT	23
F(6.)	PUBLIC COMMUNICATIONS – CERTAIN INFORMATION REQUIREMENT	25
F(7.)	EQUAL PARTICIPATION OF FAITH-BASED ORGANIZATIONS AND WRITTEN NOTICE OF BENEFICIARY PROTECTIONS.....	25
F(8.)	PERSONALLY IDENTIFIABLE INFORMATION	26
F(9.)	PUBLICITY AND LOBBYING/ADVOCACY	27
F(10.)	VETERANS’ PRIORITY PROVISIONS.....	27
F(11.)	WASTE, FRAUD AND ABUSE	28
F(12.)	WHISTLEBLOWER PROTECTION	28
F(13.)	EXECUTIVE ORDER 12928 – HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND OTHER MINORITY INSTITUTIONS SUCH AS HISPANIC-SERVING INSTITUTIONS AND TRIBAL COLLEGES AND UNIVERSITIES	28
F(14.)	EXECUTIVE ORDER 13043 - INCREASING SEAT BELT USE.....	28
F(15.)	TERM NOT USED	
F(16.)	EXECUTIVE ORDER 13513 - FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING	29
F(17.)	SALARY AND BONUS LIMITATIONS	29
F(18.)	PROCUREMENT	30
PART G: NATIONAL PROHIBITIONS AND OTHER RESTRICTIONS.....		30
G(1.)	CONTRACTING WITH CORPORATIONS WITH FELONY CRIMINAL CONVICTIONS PROHIBITED.....	30
G(2.)	CONTRACTING WITH CORPORATIONS WITH UNPAID TAX LIABILITIES PROHIBITED ...	30
G(3.)	TRAFFICKING IN PERSONS PROHIBITED	31
G(4.)	HEALTH BENEFITS COVERAGE FOR CONTRACEPTIVES	33
G(5.)	HEALTH BENEFITS COVERAGE FOR ABORTIONS RESTRICTED	33
G(6.)	FAIR LABOR STANDARDS ACT AMENDMENT FOR MAJOR DISASTERS.....	34
G(7.)	BLOCKING PORNOGRAPHY REQUIRED.....	35
G(8.)	PRIVACY ACT	35
G(9.)	PROCURING GOODS OBTAINED THROUGH CHILD LABOR PROHIBITED	35

G(10.)	PROMOTION OF DRUG LEGALIZATION RESTRICTED	35
G(11.)	PURCHASE OF STERILE NEEDLES OR SYRINGES RESTRICTED	35
G(12.)	RESTRICTIONS AGAINST THE CREATION OR RESEARCH OF EMBRYOS	36

PART H: ATTACHMENTS..... 36

H(1.)	ATTACHMENT A: SF-424	36
H(2.)	ATTACHMENT B: SF-424A.....	36
H(3.)	ATTACHMENT C: BUDGET NARRATIVE	36
H(4.)	ATTACHMENT D: STATEMENT OF WORK.....	36
H(5.)	ATTACHMENT E: PAYMENT MANAGEMENT SYSTEM ACCESS LETTER	36
H(6.)	ATTACHMENT F: INDIRECT COST RATE AND COST ALLOCATION PLAN	36

PART A: GENERAL AWARD, SYSTEM FOR AWARD MANAGEMENT AND UNIFORM GUIDANCE

A(1.) Applicable Requirements

The recipient of this Federal award must assure to fully comply with the rules and requirements specified in the award document. Program requirements may be located in the Funding Opportunity Announcement (FOA), statutes, Executive Orders, government-wide regulations, agency regulations, agency policy guidance such as Training Employment Guidance Letter (TEGL), and the terms outlined in the award document.

The following authorities apply to your activities under this Federal award. It is recommended that the award recipient contact DOL when questions arise about what requirements apply in the event of any inconsistency between the terms and conditions of this Notice of Award (NOA) and other requirements.

- National Apprenticeship Act
- Other applicable Federal statutes.
- Further Consolidated Appropriations Act, 2024 (Public Law 118-47), dated March 23, 2024.
- Implementing Regulations.
- Executive Orders and Presidential Memoranda.
- The Office of Management and Budget (OMB) Guidance, including the Uniform Guidance at 2 CFR part 200, as amended (see *Guidance for Federal Financial Assistance*, 89 Fed. Reg. 30046 (Apr. 22, 2024)) and DOL regulations at part 2900.*
- Executive Orders and Presidential Memoranda.
- The U.S. Department of Labor (DOL) directives.
- Terms and conditions of this award.

*Effective Dates – The 2024 revisions to the Uniform Guidance apply to all Federal grant awards issued on or after October 1, 2024, including any amendments to grant awards that result in the award of additional funds, or any incremental funding awarded by ETA on or after October 1, 2024 and have a period of performance beginning on or after October 1, 2024. Grant recipients with awards made before October 1, 2024, and that have a period of performance beginning prior to October 1, 2024, must continue to follow the Uniform Guidance revisions published in 2020. See TEGL 5-24.¹ for more information.

¹ <https://www.dol.gov/agencies/eta/advisories/tegl-05-24>

By drawing down funds, your organization as the award recipient agrees to the provisions of 2 CFR 200.521, and 2 CFR Part 2900 and is subject to having its award removed as a result of an ALJ decision. As part of this process, the Grant Officer will provide instructions on transition and closeout to both the newly selected grant recipient and to the grant recipient whose position is affected, or which is being removed.

A(2.) Funding Opportunity Announcement and Notice of Award

The Funding Opportunity Announcement (FOA)

https://www.dol.gov/sites/dolgov/files/ETA/grants/2025%20PDFs/State%20Apprenticeship%20Expansion%20Formula%203_FOA-ETA-25-31.pdf and amendment found at <https://www.dol.gov/sites/dolgov/files/ETA/grants/2025%20PDFs/SAEF3%20FOA-ETA-25-31%20Amendment-One.pdf> are hereby incorporated into this NOA. Award recipients are bound by the authorizations, restrictions, and requirements contained in the FOA. Therefore, the expenditure of funds by the award recipient certifies that your organization has read and will comply with all the parts that are contained in the NOA.

Notice of Award The funds provided under this Notice of Award (NOA) must be expended according to all applicable Federal statutes, regulations, and policies, and the applicable provisions in the appropriations act(s). The funds shall be obligated and expended via a NOA. These obligations and expenditures may not exceed the amount awarded by the NOA unless otherwise amended by the ETA.

A(3.) Approved Statement of Work

This project's narrative is the approved Statement of Work (SOW). It has been included as Attachment D. If there is any inconsistency between the project narrative and the program statute, appropriation, regulations, Executive Orders, Uniform Guidance, and DOL directives, contact your DOL representative.

A(4.) Federal Project Officer/ Program Official

The name and contact information of the Federal Project Officer (FPO) for this award is found on the first page of this Notice of Award in field #10.

This individual is your main point of contact with DOL. The individual is not authorized to change any of the terms or conditions of the award or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award amendment process.

A(5.) System for Award Management (SAM.gov)

A SAM.gov registration is required for an entity to be able to apply for Federal awards, to request amendments to existing awards, and to enable them to closeout expiring awards. See Training and Employment Notice (TEN) 18-17² for additional guidance.

Unless exempt from this requirement under 2 CFR 25.110, the recipient must maintain a current and active registration in SAM.gov. The recipient's registration must always be current and active until the recipient submits all final reports required under this Federal award or receives the final payment, whichever is later. The recipient must review and update its information in SAM.gov at least annually from the date of its initial registration or any subsequent updates to ensure it is current, accurate, and complete. If applicable, this includes identifying the recipient's immediate and highest-level owner and subsidiaries and providing information about the recipient's predecessors who have received a Federal award or contract within the last three years.

Effective on April 4, 2022, the DUNS Number was replaced by a new, non-proprietary identifier requested in and assigned by SAM.gov³. This new identifier is called the Unique Entity Identifier (UEI), or the Entity ID. To learn more about how to access your UEI, please visit the U.S. General Service Administration (GSA), Unique Entity Identifier Update webpage⁴.

If the recipient is authorized to make subawards under this Federal award, then the recipient:

1. Must notify potential subrecipients that no entity may receive a subaward until the entity has provided its UEI to the recipient.
2. Must not make a subaward to an entity unless the entity has provided its UEI to the recipient. Subrecipients are not required to complete full registration in SAM.gov to obtain a UEI.

For the purposes of this award term:

System for Award Management (SAM.gov) is the Federal repository into which a recipient must provide the information required for the conduct of business as a recipient. Additional information about registration procedures may be found in SAM.gov (currently at <https://www.sam.gov>).

Entity is defined at 2 CFR 25.400 and includes all of the following types as defined in 2 CFR 200.1:

- (1) Non-Federal entity;
- (2) Foreign organization;

² <https://www.dol.gov/agencies/eta/advisories/training-and-employment-notice-no-18-17>

³ <https://sam.gov/>

⁴ https://www.fsd.gov/gsafsd_sp?id=kb_article_view&sysparm_article=KB0041254&sys_kb_id=875189f21bee8d54937fa64ce54bcbaa&spa=1

- (3) Foreign public entity;
- (4) Domestic for-profit organization; and
- (5) Federal agency.

Subaward has the meaning given in 2 CFR 200.1.

Subrecipient has the meaning given in 2 CFR 200.1.

DOL advises Federal financial assistance award recipients registered in SAM.gov to frequently review their registration information, particularly their financial information and points of contact. Assistance is available by contacting the Federal Service Desk at FSD.gov.⁵

DOL routinely checks the validity of a recipient's SAM.gov registration and verifies that the recipient is not included on the excluded parties list before making an award or approving a modification to an existing award. Failure to have an active SAM.gov registration can delay award recipients from receiving their initial award or requesting modifications to their existing awards.

DOL further encourages award recipients to review the expiration date of their SAM.gov registration and begin the renewal process well in advance, to ensure that their registration remains valid. If the award recipient has not logged in and updated its entity registration record within at least the past 365 days, its record will expire and go into inactive status. Timely renewal will ensure that the award recipient can continue to request and receive modifications to their existing grants, as well as apply for new funding opportunities. Further, the Employer Identification Number (EIN) must remain active until the award closeout process is fully completed.

A(6.) Profit

The recipient and subrecipients are prohibited from earning a profit resulting from the implementation of this award. As directed in 2 CFR 200.400(g), recipients and subrecipients may not earn or keep any profit resulting from Federal financial assistance unless explicitly authorized in the Federal award.

A(7.) Subawards

A *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

⁵ https://www.fsd.gov/gsafsd_sp

legal agreement consistent with criteria in 2 CFR 200.331, including an agreement the pass-through entity considers a contract.

The provisions of the Terms and Conditions of this award must be applied to any subrecipient under this award. The recipient is responsible for ensuring that the Terms and Conditions and all other information required in 2 CFR 200.332(b) are in all subaward packages, and monitoring the subrecipient, including to ensure that the subrecipient complies with all applicable Federal statutes, regulations, and the Terms and Conditions of this award (2 CFR 200.101(b) and .332).

A(8.) Contracts

A *contract* means a legal instrument by which a recipient or subrecipient conducts procurement transactions under a Federal award. Additional guidance on distinguishing between a subrecipient and a contractor is provided in 2 CFR 200.331. When procuring contractors for goods and services, DOL/ETA recipients and subrecipients must follow the procurement requirements, including the requirement for full and open competition, found at 2 CFR 200.318 through 200.327 (except states and Indian tribes, which must follow 2 CFR 200.317).

A(9.) Technical Assistance, Resources, and Information

Additional resources, 508-compliant PowerPoints, training, and resources to assist the award recipient are located on the ETA Resources webpage⁶ and the Grants Application and Management collection page on WorkforceGPS.org.⁷ SMART training⁸ is a technical assistance initiative sponsored by DOL/ETA to assist its award recipients and subrecipients in improving its program/project operations through effective grants management. Please take some time to review the training modules which are focused on:

Strategies for sound grant management that include:

Monitoring,
Accountability,
Risk mitigation and
Transparency.

Questions regarding the content may be directed to compliance.policy@dol.gov.

A(10.) Evaluation, Data, and Implementation

Award recipients must cooperate during the implementation of a third-party evaluation. This means providing DOL/ETA or its authorized contractor with the appropriate data

⁶ <https://www.dol.gov/agencies/eta/grants/resources>

⁷ <https://grantsapplicationandmanagement.workforcegps.org/>

⁸ <https://bit.ly/DOL-SMART>

and access to program operating personnel and participants in a timely manner.

A(11.) Conflict of Interest

Recipients and subrecipients of federal assistance must have a written policy in place on conflicts of interest, including organizational conflicts of interest. The policy must include the process the recipient or subrecipient will take to identify, avoid, remove, and remedy conflicts of interest.

Federal assistance recipients must disclose in writing any real or potential conflict of interest to DOL. The disclosure must notify the Grant Officer through written letter or email and contain the appropriate grant number.

A conflict of interest occurs when an entity or individual's objectivity becomes impaired because there is a conflict between personal or self-serving interests and professional duties or responsibilities. Such a conflict occurs when an organization or individual has a vested interest, such as financial, status, knowledge, relationships, or reputation, which puts into question whether their actions, judgment, or decision-making can be unbiased. A conflict of interest can also arise when actions are taken or may appear to be taken by any entity involved in more than one role, such that the performance of that entity in one role affects its interest in its other role, thereby making it difficult for the entity to perform a grant process objectively and impartially.

A potential conflict of interest occurs when it is reasonably foreseeable that an entity or individual's objectivity could become impaired in the future due to a conflict between personal or self-serving interests and professional duties or responsibilities.

An organizational conflict of interest occurs when, because of relationships with a parent company, affiliate, or subsidiary organization, the recipient or subrecipient is unable or appears to be unable to be impartial in conducting a grant action involving a related organization. Such conflicts may be actual or potential.

DOL requires that recipients of Federal funds use them in the best interest of the award program and therefore grant decisions must be free of undisclosed conflicts of interest including those that are real or potential conflicts, whether individual or organizational. When there are disclosed conflicts of interest in grant decisions, the recipient must notify DOL and take remedial action to resolve or mitigate the conflict.

The signatory authority or authorized official identified on the SF-424 application further certifies through their signature on the SF-424 application that any potential conflict of interest has been identified to the appropriate Grant Officer.

PART B: INDIRECT COSTS, BUDGET, AND COST SHARE

B(1.) Indirect Cost Rate and Cost Allocation Plan

An award recipient that is claiming indirect costs to a Federal award must have a

Negotiated Indirect Cost Rate Agreement (NICRA), Cost Allocation Plan (CAP), or elect to utilize the de minimis rate of 15% of modified total direct costs (MTDC). Indirect costs are costs incurred for a common or joint purpose that benefit more than one cost objective and are not readily assignable to one cost objective without specifically benefitting effort disproportionate to the results achieved. Direct costs, by contrast, can be identified specifically with a particular cost objective, such as a Federal award, or other internally or externally funded activity that can be directly assigned to such activities relatively easily with a high degree of accuracy. The association of costs with a Federal award determines whether costs are direct or indirect.

If the DOL serves as the Federal Cognizant Agency (FCA) for the award recipient, then the award recipient must work with DOL’s Cost & Price Determination Division (CPDD), which has delegated authority to negotiate and issue a NICRA or CAP on behalf of the Federal Government. More information about the DOL’s CPDD is available at DOL’s Cost & Price Determination Division (CPDD) website⁹ which provides guidelines to help develop indirect cost rates, links to the applicable cost principles, and contact information. The CPDD also has Frequently Asked Questions to provide general information about the indirect cost rate approval process and due dates for provisional and final indirect cost rate proposals.

If a new NICRA is issued during the award’s period of performance, it must be provided to DOL within 30 days of issuance. Funds may be re-budgeted as necessary between direct cost categories as long as they are consistent with the Budget Flexibility term within this agreement, grant requirements, and DOL regulations on prior approval. However, the total amount of the award will not be increased.

Option	NICRA or CAP
<input checked="" type="checkbox"/> (1)	The award recipient has a federally approved NICRA or CAP covering the entirety or a portion of the grant period of performance is included as Attachment F. If the NICRA or CAP covers only a portion of the period of performance, a new approved NICRA or CAP will need to be provided for the remaining portion of the period of performance. Once approved, the NICRA or CAP must be submitted to your Federal Project Officer.

⁹ <https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>

Option	NICRA or CAP
(2)	<p>The award recipient has elected to use the De Minimis Rate of 15% of Modified Total Direct Costs (MTDC). To avoid a serious inequity in the distribution of indirect cost, 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 subcontract (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 subcontract in excess of \$50,000.</p> <p>See 2 CFR 200.414(f) for more information on the use of the de minimis rate. Please be aware that incurred indirect-type costs (such as but not limited to 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 rate.</p> <p>To use de minimis, the award recipient must not have a current negotiated (including provisional) rate.</p> <p>A governmental department or agency that receives more than \$35 million in direct Federal funding must submit its indirect cost rate proposal to its cognizant agency for indirect costs in accordance with Appendix VII(D).</p> <p>De minimis 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.</p>

Option	NICRA or CAP
____ (3)	<p>The award recipient has claimed indirect costs on the SF-424A; however, a NICRA or CAP approved by the FCA was not provided and the award recipient did not elect to utilize the de minimis rate of 15% of MTDC. An approved NICRA or CAP must be submitted to the Grant Officer, or the award recipient must elect to utilize the de minimis rate of 15% of MTDC to charge indirect costs to the Federal award.</p> <p>If the award recipient elects to utilize the de minimis rate of 15% of MTDC, the award recipient must notify the Grant Officer in writing.</p> <p>If the award recipient utilizes a NICRA or CAP, only the de minimis rate of 15% of MTDC will be released to support the indirect costs in the absence of a NICRA or CAP approved by the FCA. The remaining funds which have been awarded for indirect costs are restricted and may not be used for any purpose until the recipient provides a signed copy of the NICRA or CAP agreement.</p> <p>As the award recipient, an indirect cost rate proposal or CAP must be submitted to the FCA within 90 days of award. If the FCA for indirect costs is DOL, these documents should be submitted to the DOL's Cost & Price Determination Division (CPDD). Otherwise, they should be submitted to the award recipient's FCA. Alternatively, the award recipient may request the de minimis rate if eligible (see section b. above). In addition, the recipient must notify the FPO that the documents have been submitted to the appropriate FCA.</p>
____ (4)	<p>The award recipient elected to exclude indirect costs from the proposed budget. Administrative and clerical staff salaries should only be classified as direct costs if they meet the conditions specified in 2 CFR 200.413(c).</p> <p>If indirect costs are misclassified as direct costs, per the guidelines at 2 CFR 200.412 - 414, such costs may become disallowed through an audit or compliance review conducted by a Federal staff person. Please be aware that incurred indirect costs (such as but not limited to 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 indirect costs. Only direct costs, as defined by the cost principles contained in the Uniform Guidance will be charged.</p>

B(2.) Indirect Cost Rate – Financial Reporting for NICRA and De Minimis

All award recipients with an approved NICRA or de minimis rate must report indirect costs on their **FINAL** ETA-9130 Financial Report. If an award recipient has a NICRA and a CAP, only the indirect costs tied to the NICRA are reported on the FINAL ETA-

9130 Financial Report. The grant recipient may refer to the ETA-9130 Report¹⁰ for additional guidance.

B(3.) Budget - Approved

The award recipient's budget documents are attached in this NOA. The documents are: 1) the SF-424, included as Attachment A; 2) the SF-424A, included as Attachment B; and 3) the Budget Narrative, included as Attachment C. The award recipient must confirm that all costs are allowable, reasonable, necessary, and allocable before charging any expense. Pursuant to 2 CFR Part 2900, the approval of the budget as awarded does not constitute prior approval of those items specified in 2 CFR part 200 and 2 CFR part 2900 or as a part of the grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

Any changes to the budget that impact the Statement of Work (SOW) and agreed-upon outcomes or deliverables will require a request for modification and prior approval from the Grant Officer.

All period of performance extensions, including no-cost and one-time extensions, require prior approval from the Grant Officer. If the period of performance will include multiple budget periods, subsequent budget periods are subject to the availability of funds, program authority, satisfactory performance, and compliance terms and conditions of the Federal award.

Unless otherwise authorized in a grant award or cooperative agreement or subsequent modification, recipients must expend funds with the shortest period of availability first.

B(4.) Budget Flexibility

Award recipients are not permitted to make transfers that would cause any funds to be used for purposes other than those consistent with this Federal program. Any budget changes that impact the SOW and agreed-upon outcomes or deliverables require a request for modification and approval from the Grant Officer.

Any request for a budget modification or non-competing extension of the final budget should be submitted to the Grant Officer, in writing, at least 30 days before the Period of Performance is scheduled to expire. Such requests usually are for a period of up to 12 months.

As directed in 2 CFR 200.308(i), for programs where the Federal share is over the Simplified Acquisition Threshold (SAT) (currently \$250,000), the transfer of funds among direct cost categories (for example, personnel, travel, and supplies) or programs, functions, and activities is restricted such that if the cumulative amount of a transfer

¹⁰ https://www.dol.gov/sites/dolgov/files/ETA/grants/pdfs/ETA-9130_Financial_Reporting_Resources_updated_5.1.24.docx

exceeds or is expected to exceed 10% of the total budget, including cost share, as last approved by the Federal agency, the award recipient must receive prior approval from the Grant Officer. Any changes within a specific cost category on the SF-424A do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of the total budget. It is recommended that the assigned Federal Project Officer or point of contact review any within-line changes to the award recipient's budget prior to implementation to ensure they do not require a modification.

For programs where the Federal share of the project is below the SAT of \$250,000, recipients are not required to obtain the Grant Officer's approval when transferring funds among direct cost categories.

B(5.) Non-Federal Cost Sharing

This award does not include a cost-sharing requirement.

PART C: FUNDS MANAGEMENT

C(1.) Funds – Payment Management System (PMS)

Upon receipt of a NOA, to draw funds from the U.S. Department of Health and Human Services (HHS) Payment Management System (PMS) (<https://pms.psc.gov/>), an active account must be established. To establish an account, award recipients must complete an SF-1199A and PMS Access form (shown as the PMS New User Access Request on the PMS website) (User Access). Federal award recipients do not need to complete these forms if they already have an account with PMS.

C(2.) Funds - Return & Refunds

DOL does not accept paper checks for any type of returned funds. For active grants, all return of funds are to be submitted electronically through the PMS operated by the HHS via the same method as a drawdown. For grants that have been canceled or are expired (typically older than five years), incoming payments, including returns and recoveries to DOL, must be made via the [Pay.gov](https://www.pay.gov/)¹¹ website.

If there are questions regarding the return of funds, or your organization no longer has access to PMS, contact the DOL/ETA, Office of Financial Administration via email at: ETA-ARteamdol.gov for further assistance.

¹¹ <https://www.pay.gov/public/form/start/177233981>

PART D: COSTS - LIMITATIONS, ITEMS, AND RESTRICTIONS

D(1.) Consultants

For the purposes of this grant award, the Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to \$815.00 a day (representing an eight-hour workday). Such costs must be reasonable, allocable, and allowable to the program. Any fees paid in excess of this amount cannot be paid without prior approval from the Grant Officer.

D(2.) Equipment and Other Capital Assets

To purchase capital assets (including equipment), the award recipient must submit a request and receive **prior written approval** from the Grant Officer as defined in the Uniform Guidance at 2 CFR 200.1 and 200.439. A request to purchase capital assets (equipment) will be reviewed and approved in an amendment to the award.

See 2 CFR 200.1 for the definitions of capital expenditures, equipment, special purpose equipment, general purpose equipment, and capital assets.

The capital asset of equipment is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the recipient or subrecipient for financial statement purposes, or \$10,000.

Being awarded this grant ***does not*** automatically mean that the equipment specified in the approved budget or SOW is approved by the Grant Officer, 2 CFR Part 2900. The recipient must submit a detailed list describing the planned purchases to the FPO for review within 90 days of the NOA date. Recipients are strongly encouraged to submit requests to purchase equipment as early as possible in the grant's period of performance with as many planned pieces of equipment as possible.

Recipients may not purchase equipment during the last year of the period of performance or the last year of full program service delivery (not follow-up activities), whichever comes first. If any approved acquisition has not occurred prior to the last funded year of performance, approval for that item will be rescinded.

Disposition. When equipment acquired under a Federal award is no longer needed for the original project, program, or for other activities currently or previously supported by a Federal agency, the recipient or subrecipient must request disposition instructions from the Federal agency or State if required by the terms and conditions of the Federal award. See 2 CFR 200.313(e).

D(3.) Pre-Award Costs

All costs incurred by the award recipient prior to the start date specified in the grant award issued by the Department are *incurred at the recipient's own expense*.

D(4.) Program Income

The Addition" method as described in 2 CFR 200.307 must be used in allocating any program income generated for this awards award. The award recipient must expend all program income prior to drawing down any additional funds as required at 2 CFR 200.305(b)(5) and 2 CFR 200.307(b). The DOL will require any program income remaining at the end of the period of performance to be returned to DOL. In addition, award recipient(s) must report program income on the quarterly financial report using the applicable ETA-9130 or SF-425 reports.

D(5.) Travel

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.475. For domestic travel to be an allowable cost, it must be necessary, allowable, reasonable, allocable, and conform to the recipient's or subrecipient's written policies and procedures. All travel must also comply with the Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

D(6.) Travel – Foreign

Foreign travel is not allowable except with prior written approval from the Grant Officer through the process described in 2 CFR 200.407 and 2 CFR Part 2900. All travel, both domestic and Grant Officer approved foreign travel, must comply with the Fly America Act (49 USC 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.

D(7.) Travel – Mileage Reimbursement Rates

Pursuant to 2 CFR 200.475(a), recipients and subrecipients may charge travel costs on an actual cost basis, on a per diem or mileage basis, or a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip. The method used must be consistent with those normally allowed in like circumstances in the recipient's or subrecipient's other activities and in accordance with the recipient's or subrecipient's established written travel reimbursement policies. In the absence of an established written policy regarding travel costs, the rates and amounts established under 5 U.S.C. 5701-11 ("Travel and Subsistence Expenses; Mileage Allowances"), by the

Administrator of General Services, or by the President (or their designee) pursuant to any provisions of such subchapter must apply to travel under Federal awards (48 CFR 31.205-46(a)). Mileage rates must be checked annually at GSA's Privately Owned Vehicle (POV) Mileage Reimbursement Rates webpage¹² to ensure compliance.

D(8.) Conferences and Conference Space

Conferences sponsored in whole or in part by the award recipient are allowable if the conference is necessary and reasonable for the successful performance of the Federal award. Award recipients are urged to use discretion and good judgment to ensure that all conference costs charged to the grant are appropriate and allowable. For more information on the requirements and the allowability of costs associated with conferences, refer to 2 CFR 200.432. Recipients will be held accountable to the requirements in 2 CFR 200.432. Therefore, costs that do not comply with 2 CFR 200.432 will be questioned and may be disallowed.

D(9.) Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences and conventions or training seminars funded in whole or in part with Federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel-Motel National Master List¹³ to see if a property is in compliance, or to find other information about the Act.

PART E: REPORTING, AUDIT, AND CLOSEOUT

E(1.) Reports – Financial Reports

All ETA award recipients are required to submit quarterly financial and narrative progress reports for each award.

- 1) **Financial Reports.** All ETA award recipients are required to report financial data on the ETA-9130 Financial Report. Reporting quarter-end dates are March 31, June 30, September 30, and December 31. ETA-9130 reports are due no later than 45 calendar days after the end of each specified reporting quarter. Due to the configuration of the Payment Management System (PMS), the ETA-9130 financial report for the quarter ending March 31st is due on May 16th.

Quarter End Date	Quarterly ETA-9130 Due Date
March 31 st	May 16 th
June 30 th	August 15 th
September 30 th	November 15 th

¹²<https://www.gsa.gov/travel/plan-a-trip/transportation-airfare-rates-pov-rates-etc/privately-owned-vehicle-pov-mileage-reimbursement?gsaredirect=mileage>

¹³ <https://apps.usfa.fema.gov/hotel/>

December 31 st	February 15th
---------------------------	---------------

A final financial report must be submitted no later than 120 calendar days after the quarter encompassing the award end date ends, or 120 calendar days after the completion of the quarter in which all funds have been expended, whichever comes first. For additional guidance on ETA's financial reporting, reference ETA-9130 Financial Reporting Resources.¹⁴

The instructions for accessing both the online financial reporting system and cash drawdowns using the HHS PMS can be found in the transmittal memo accompanying this NOA.

E(2.) Reports – Narrative Progress Reports

- 1) **Narrative Progress Reports.** Award recipients are required to submit quarterly and final narrative reports on grant activities funded under this award. All reports are due no later than 45 calendar days after the end of each specified reporting quarter. Reporting quarter-end dates are March 31, June 30, September 30, and December 31.
 - a) The last quarterly progress report that award recipients submit will serve as the grant's Final Performance Report. This report should provide both *quarterly and cumulative* information on the award's activities. It must summarize project activities, employment outcomes and other deliverables, and related results of the project.
 - b) The award recipient shall use any standard forms and instructions to report on training and employment outcomes and other data relating to the progress reports as provided by ETA.
 - c) The award recipient shall utilize standard reporting processes and electronic reporting systems to submit their quarterly progress reports as provided by ETA.

E(3.) Federal Funding Accountability and Transparency Act (FFATA or Transparency Act)

The prime recipient is responsible for reporting quality subaward data to the Federal Funding Accountability and Transparency Act (FFATA) of 2006 Subaward Reporting System (FSRS) that is subsequently displayed on USAspending.gov. Federal award and subaward descriptions are critical to informing the public of Federal spending by providing the public with an understanding of the purpose of the Federal award provided to the recipient. Recipients should include descriptions of award-specific activities and avoid acronyms or Federal or agency-specific terminology.

¹⁴ https://www.dol.gov/sites/dolgov/files/ETA/grants/pdfs/ETA-9130_Financial_Reporting_Resources_updated_5.1.24.docx

I. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION

(a) *Reporting of first-tier subawards —*

(1) *Applicability.* Unless the recipient is exempt as provided in paragraph (d) of this award term, the recipient must report each subaward that equals or exceeds \$30,000 in Federal funds for a subaward to an entity or Federal agency. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000. All reported subawards should reflect the total amount of the subaward.

(2) *Reporting Requirements.*

(i) The entity or Federal agency must report each subaward described in paragraph (a)(1) of this award term to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <http://www.fsrs.gov>.

(ii) For subaward information, report no later than the end of the month following the month in which the subaward was issued. (For example, if the subaward was made on November 7, 2025, the subaward must be reported by no later than December 31, 2025).

(b) *Reporting total compensation of recipient executives for entities —*

(1) *Applicability.* The recipient must report the total compensation for each of the recipient's five most highly compensated executives for the preceding completed fiscal year if:

(i) The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000;

(ii) in the preceding fiscal year, the recipient received:

(A) 80 percent or more of the recipient's annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and,

(iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d))¹⁵ or section 6104 of the Internal Revenue Code of 1986 after receiving this subaward. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

(2) *Reporting Requirements.* The recipient must report executive total compensation described in paragraph (b)(1) of this appendix:

¹⁵ <https://www.govinfo.gov/content/pkg/USCODE-2023-title15/pdf/USCODE-2023-title15-chap2B-sec78m.pdf>

- (i) As part of the recipient's registration profile at <https://www.sam.gov>.
- (ii) No later than the month following the month in which this Federal award is made, and annually after that. (For example, if this Federal award was made on November 7, 2025, the executive total compensation must be reported by no later than December 31, 2025.)

(c) *Reporting of total compensation of subrecipient executives—*

- (1) *Applicability.* Unless a first-tier subrecipient is exempt as provided in paragraph (d) of this appendix, the recipient must report the executive total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if:
 - (i) The total Federal funding authorized to date under the subaward equals or exceeds \$30,000;
 - (ii) In the subrecipient's preceding fiscal year, the subrecipient received:
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and,
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal awards (and subawards) subject to the Transparency Act; and
 - (iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)).¹⁶ or section 6104 of the Internal Revenue Code of 1986 after receiving this subaward. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
- (2) *Reporting Requirements.* Subrecipients must report to the recipient their executive total compensation described in paragraph (c)(1) of this appendix. The recipient is required to submit this information to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <http://www.fsrs.gov> no later than the end of the month following the month in which the subaward was made. (For example, if the subaward was made on November 7, 2025, the subaward must be reported by no later than December 31, 2025).

(d) *Exemptions.* (1) A recipient with gross income under \$300,000 in the previous tax year is exempt from the requirements to report:

- (i) Subawards, and
- (ii) The total compensation of the five most highly compensated executives of any subrecipient.

(e) *Definitions.*

For purposes of this award term:

¹⁶ <https://www.govinfo.gov/content/pkg/USCODE-2023-title15/pdf/USCODE-2023-title15-chap2B-sec78m.pdf>

Entity includes:

- (1) Whether for-profit or nonprofit:
 - (i) A corporation;
 - (ii) An association;
 - (iii) A partnership;
 - (iv) A limited liability company;
 - (v) A limited liability partnership;
 - (vi) A sole proprietorship;
 - (vii) Any other legal business entity;
 - (viii) Another grantee or contractor that is not excluded by subparagraph (2); and
 - (ix) Any State or locality;
- (2) Does not include:
 - (i) An individual recipient of Federal financial assistance; or
 - (ii) A Federal employee.

Executive means an officer, managing partner, or any other employee holding a management position.

Subaward has the meaning given in 2 CFR 200.1

Subrecipient has the meaning given in 2 CFR 200.1

Total Compensation means the cash and noncash dollar value an executive earns during an entity's preceding fiscal year. This includes all items of compensation as prescribed in 17 CFR 229.402(c)(2).

E(4.) Integrity and Performance Matters – FAPIIS

I. REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE

(a) *General Reporting Requirement.*

- (1) If the total value of your active grants, cooperative agreements, and procurement contracts from all Federal agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient must ensure the information available in the responsibility/qualification records through the System for Award Management (*SAM.gov*), about civil, criminal, or administrative proceedings described in paragraph (b) of this award term is current and complete. This is a statutory requirement under section 872 of Public Law 110-417¹⁷, as amended (41 U.S.C.

¹⁷ <https://www.govinfo.gov/content/pkg/PLAW-110publ417/pdf/PLAW-110publ417.pdf>

2313)¹⁸. As required by section 3010 of Public Law 111-212¹⁹, all information posted in responsibility/qualification records in *SAM.gov* on or after April 15, 2011 (except past performance reviews required for Federal procurement contracts) will be publicly available.

(b) *Proceedings About Which You Must Report.*

- (1) You must submit the required information about each proceeding that—
- (i) Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
 - (ii) Reached its final disposition during the most recent five-year period; and
 - (iii) Is one of the following—
 - (A) A criminal proceeding that resulted in a conviction;
 - (B) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (C) An administrative proceeding that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
 - (D) Any other criminal, civil, or administrative proceeding if—
 - (1) It could have led to an outcome described in paragraph (b)(1)(iii)(A) through (C);
 - (2) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
 - (3) The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.

(c) *Reporting Procedures.* Enter the required information in *SAM.gov* for each proceeding described in paragraph (b) of this award term. You do not need to submit the information a second time under grants and cooperative agreements that you received if you already provided the information in *SAM.gov* because you were required to do so under Federal procurement contracts that you were awarded.

(d) *Reporting Frequency.* During any period of time when you are subject to the requirement in paragraph (a) of this award term, you must report proceedings information in *SAM.gov* for the most recent five-year period, either to report new information about a proceeding that you have not reported previously or affirm that there is no new information to report. If you have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000,

¹⁸ <https://www.govinfo.gov/content/pkg/USCODE-2023-title41/pdf/USCODE-2023-title41-subtitleI-divsnB-chap23-sec2313.pdf>

¹⁹ <https://www.govinfo.gov/content/pkg/PLAW-111publ212/pdf/PLAW-111publ212.pdf>

you must disclose semiannually any information about the criminal, civil, and administrative proceedings.

(e) *Definitions.* For purposes of this award term—

Administrative proceeding means a non-judicial process that is adjudicatory in nature to make a determination of fault or liability (for example, Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with the performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

Conviction means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

The total value of currently active grants, cooperative agreements, and procurement contracts includes the value of the Federal share already received plus any anticipated Federal share under those awards (such as continuation funding).

E(5.) Audits

Single (organization-wide) or program-specific audits must be performed in accordance with 2 CFR part 200, subpart F, the Audit Requirements of the Uniform Guidance. Non-federal entities (as defined in 2 CFR 200.1) that expend \$1,000,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in subpart F. All other audit reports are submitted through the Federal Audit Clearinghouse.

The updated audit and major program determination thresholds of \$1,000,000 apply to grant recipient fiscal years beginning on or after October 1, 2024.

For fiscal years beginning before October 1, 2024, auditors must adhere to the version of the Uniform Guidance in effect prior to October 1 and must not apply any compliance requirements from the 2024 Uniform Guidance revisions.

For grant recipients who would like an extension on their audit report submission, they should first contact their assigned FPOs.

All submissions will need to be made through the new FAC (Federal Audit Clearinghouse).²⁰ hosted by GSA.

²⁰ <https://www.fac.gov/>

E(6.) Closeout/Final Year Requirements

At the end of the grant period, the award recipient will be required to close the grant with the DOL. The grant award and cooperative agreement recipient will be notified approximately 15 days prior to the end of the period of performance that the closeout process will begin when the period of performance ends. See ETA's Grant Closeout webpage²¹ for further information on the closeout process. The recipient's responsibilities at closeout may be found at 2 CFR 200.344.²² During the closeout process, the award recipient must be able to provide documentation for all direct and indirect costs that are incurred. For instance, if an organization is claiming indirect costs, the required documentation is a NICRA or CAP issued by the award recipient's FCA. For those approved to utilize a de minimis rate for indirect costs, the grant agreement or cooperative agreement is sufficient documentation. Not having documentation for direct or indirect costs will result in costs being disallowed and subject to debt collection.

Administrative costs associated with the closeout activities of a Federal award (for example, salaries of personnel preparing final reports, publication and printing costs, costs associated with the disposition of equipment and property, and related indirect costs) are allowable through your NICRA, CAP, de minimis, or directly charged, as applicable, before the final Federal financial report is due (see 2 CFR 200.472(b)). Such costs cannot exceed any administrative cost limitation. The only liquidation that can occur during closeout is the liquidation of accrued expenditures (NOT financial obligations) for goods and/or services received during the period of performance specified in this award (see 2 CFR 2900).

E(7.) Termination

Per 2 CFR 200.340, the Federal award may be terminated in part or its entirety as follows:

1. By DOL, if the recipient fails to comply with the terms and conditions of the award;
2. By DOL with the consent of the recipient, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
3. By the recipient upon sending to the Grant Officer written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if DOL determines in the case of partial termination that the reduced or modified portion of the award will not accomplish the purposes for which the award was made, DOL may terminate the award in its entirety; or

²¹ <https://www.dol.gov/agencies/eta/grants/management/closeout>

²² <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR682eb6fbabcde2/section-200.344>

4. By DOL, to the greatest extent authorized by law, if the award no longer effectuates the program goals or agency priorities;

When an award is terminated in part or its entirety, the recipient remains responsible for compliance with the closeout and post-closeout requirements in 2 CFR 200.344 and 200.345.

PART F: NATIONAL POLICY AND RESTRICTIONS

F(1.) Architectural Barriers

The Architectural Barriers Act of 1968, 42 U.S.C. 4151 et seq., as amended, the Federal Property Management Regulations (see 41 CFR 102-76), and the Uniform Federal Accessibility Standards issued by the U.S. General Services Administration (GSA) (see 36 CFR 1191, Appendixes C and D) set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.

F(2.) Domestic Preferences for Procurements and the Build America, Buy America Act

The recipient or subrecipient should, to the greatest extent practicable and consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of 2 CFR 200.322 must be included in all subawards, contracts, and purchase orders under this award.

For purposes of the paragraph above:

- (1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

[WIOA title I funds and Wagner-Peyser Act Employment Service funds]

These funds must be expended consistent with the requirements of 41 U.S.C. 8301-8303, commonly referred to as the Buy American Act (BAA). See WIOA section 502(a), 29 U.S.C. 3342(a). In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available under WIOA title I or the Wagner-Peyser Act (29 U.S.C. 49 et seq.), it is the

sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

[Non-WIOA title I and non-Wagner Peyser Act Employment Service funds for infrastructure projects]

On November 12, 2021, the Build America, Buy America Act (BABAA) was enacted (Public Law 117-58, title IX, subtitle A). For infrastructure projects as defined in section 70912 and 2 CFR 184.3 and 184.4(c) and (d), recipients and subrecipients of non-WIOA title I and non-Wagner Peyser Act Employment Service funds must comply with the requirements of the BABAA (see sections 70911-70917) and OMB's implementing guidance at 2 CFR part 184. Section 70914 of the BABAA provides that none of the funds made available for a Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States. This domestic content procurement preference in BABAA section 70914 must be included in all subawards, contracts, and purchase orders for the work performed, or products supplied using these funds. The OMB guidance in part 184 is effective for awards made on or after October 23, 2023. For awards made between May 14, 2022, and October 22, 2023, recipients and subrecipients are subject to OMB Memorandum M-22-11.

F(3.) Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 *et seq.*, and 2 CFR 182 require that all award recipients receiving awards from any Federal agency maintain a drug-free workplace. The award recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension, termination, or debarment.

F(4.) Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et seq.*, provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in communities in the United States identified as flood-prone unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for the DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by the Federal Emergency Management Agency (FEMA).

F(5.) Intellectual Property Rights, Open Licensing Rights, and the Bayh-Dole Act

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: the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and any rights of copyright to which the award 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.

Federal funds may not be used to pay any royalty or license fee for the use of a copyrighted work, or the cost of acquiring by purchasing a copyright in a work, where the DOL has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping.

If revenues are generated by selling products developed with grant funds, including intellectual property, these revenues are considered as program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

The following language must be on all workforce 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 (DOL) ’s [insert organization’s name]. The product was created by the recipient and does not necessarily reflect the official position of DOL. DOL 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.”

As required at 2 CFR Part 2900, any intellectual property developed under a discretionary Federal award process must be in a format readily accessible and available for open licensing to the public, which allows subsequent users to copy, distribute, transmit, and adapt the copyrighted work and attribute the work in the manner specified by the recipient.

All small business firms, and non-profit organizations (as defined in the link below, and including Institutions of Higher Education) must adhere to the Bayh-Dole Act, which requirements are provided at 37 CFR 401.3(a) and Bayh-Dole Act Required ETA Grant Term.²³ To summarize, these requirements describe the ownership of intellectual property rights and the government’s nonexclusive, nontransferable, irrevocable, paid-up license to use any invention conceived or first actually reduced to practice in the performance of work under this grant award. These requirements are in addition to those found in the Intellectual Property Rights term above.

²³ <https://www.dol.gov/sites/dolgov/files/ETA/grants/pdfs/BayhDoleGrantTerm.pdf>

F(6.) Public Communications – Certain Information Requirement

Pursuant to Public Law (Pub.L.) 118-47, Division D, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all recipients and subrecipients receiving Federal funds shall clearly state:

- 1) The percentage of the total costs of the program or project which will be financed with Federal money;
- 2) The dollar amount of Federal funds for the project or program; and
- 3) The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The requirements of this term are separate from those in 2 CFR Part 200 and, when applicable, both must be complied with.

F(7.) Equal Participation of Faith-Based Organizations and Written Notice of Beneficiary Protections

On March 4, 2024, the United States Department of Labor, along with eight other agencies, issued the final rule Partnerships With Faith-Based and Neighborhood Organizations. The rule is available at 29 CFR 2.30 through 2.41.

- (a) Under this final rule, a faith-based organization that participates in this award program retains its independence from Federal, State, and local Governments and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law.
- (b) A faith-based organization may not use direct Federal financial assistance, whether received through an award or subaward, to support or engage in any explicitly religious activities. An organization receiving Federal financial assistance also must 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.
- (c) *Notice to beneficiaries of programs supported by direct Federal financial assistance.* Any organization providing services to beneficiaries under programs supported by direct Federal financial assistance from DOL, and any entity responsible for disbursing Federal funds as part of a program of indirect Federal financial assistance administered by DOL, must give the written notice shown below to beneficiaries and prospective beneficiaries:

Name of Organization:

Name of Program:

Type of Federal Financial Assistance: **DIRECT**

Contact Information for Program Staff: (provide name, phone number, and email address, if appropriate)

Because this program is supported in whole or in part by financial assistance from the Federal Government, we are required to let you know that:

- (1) We may not discriminate against you 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;
- (2) We may not require you to attend or participate in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) that are offered by our organization, and any participation by you in such activities must be purely voluntary;
- (3) We must separate in time or location any privately funded explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) from activities supported with direct Federal financial assistance;
- (4) You may report violations of these protections, including any denials of services or benefits by an organization, by contacting or filing a written complaint with the U.S. Department of Labor's Civil Rights Center, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210, or by email to CRCEXternalComplaints@dol.gov; and
- (5) If you would like to seek information about whether there are any other federally funded organizations that provide these kinds of services in your area, please call toll-free 1-877-US2-JOBS (1-877-872-5627) or TTY 1-877-889-5627.

This written notice must be given to you before you enroll in the program or receive services from the program, unless the nature of the service provided or exigent circumstances make it impracticable to provide such notice before we provide the actual service. In such an instance, this notice must be given to you at the earliest available opportunity.

F(8.) Personally Identifiable Information

The award recipient(s) must recognize and safeguard Personally Identifiable Information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Award recipients must meet the requirements in TEGL No. 39-11, Guidance on the Handling and Protection of PII²⁴.

²⁴ <https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-39-11>

In accordance with TEN 21-23²⁵, if it is the practice of the grant recipient to publish NOAs on a website accessible to the public, the Department recommends that the grant recipient redact or mask the Payment System ID to prevent unauthorized use of your accounts by fraudsters. Grant award or cooperative agreement recipients should email regenia.mitchell@psc.hhs.gov if they find that payments have been paid to a bank account other than their registered bank account. The subject line should read: Urgent! Payment Request Deposited to Incorrect Bank Account.

F(9.) Publicity and Lobbying/Advocacy

Publicity - Pursuant to Pub.L. 118-47, Division D, Title V, Section 503, the award recipient is not authorized to use any funds provided under this award—other than for normal and recognized executive-legislative relationships—for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation, designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body, except in presentation to the Congress or any state or local legislature itself, or 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.

Lobbying/Advocacy - Pub.L. 118-47, Division D, Title V, Section 503, no federal funds may be used to pay the salary or expenses of any grant recipient, or an agent acting for such recipient, related to any activity designed to influence the enactment of the legislation, appropriations, regulation, administrative action, or executive order proposed or pending before the Congress or any state government, state legislature or local legislature or 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(10.) Veterans' Priority Provisions

38 U.S.C.4215 requires award recipients or subrecipients to provide priority 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 the DOL. The regulations implementing this priority of service can be found at 20 CFR Part 1010. In circumstances where an award recipient or subrecipient 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 award recipient or subrecipient 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. Award recipients and subrecipients must comply

²⁵ <https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEN/2023/TEN%2021-23/TEN%2021-23%20%28Accessible%20PDF%29.pdf>

with the DOL guidance on veterans' priority. ETA's TEGL No. 10-09.²⁶ 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.

F(11.) Waste, Fraud and Abuse

No entity receiving Federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

F(12.) Whistleblower Protection

All employees working for contractors, grant recipients, subcontractors, subgrantees/subrecipients, and recipients of cooperative agreements working on this Federal award are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712. The award recipient shall inform its employees and applicable contractors and subrecipients, in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in 3.900 through 3.906 of the Federal Acquisition Regulation. The award recipient shall insert the substance of this clause in all subawards and contracts over the Simplified Acquisition Threshold.

F(13.) Executive Order 12928 – Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities

Pursuant to Executive Order (EO) 12928, the award recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-serving institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals.

F(14.) Executive Order 13043 - Increasing Seat Belt Use

Pursuant to EO 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the award recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

F(15.) TERM NOT USED

²⁶ <https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-10-09>

F(16.) Executive Order 13513 - Federal Leadership On Reducing Text Messaging While Driving

Pursuant to EO 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, award recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or government-owned vehicles (GOV), or while driving privately-owned vehicles (POV) when on official Government business or when performing any work for or on behalf of the Government. Award recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

F(17.) Salary and Bonus Limitations

Pursuant to Pub.L. 118-47, Division D, Title I, Section 105, award recipients and subrecipients shall not use funds to pay the salary and bonuses of an individual, either as direct costs or as indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website²⁸. The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.331. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including DOL programs. See TEGL 10-24²⁹ for additional information.

When preparing indirect cost proposals, recipients and subrecipients must disclose salary breakdowns to their Federal cognizant agency (FCA) or pass-through entity so that they can properly assess compliance with TEGL 10-24. An example of proposed salary breakdowns is provided in Exhibit B³⁰, as part of “A Guide for Indirect Cost Rate

²⁸ <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>

²⁹ <https://www.dol.gov/agencies/eta/advisories/tegl-10-24>

³⁰ https://www.dol.gov/sites/dolgov/files/OASAM/legacy/files/DCDWebExhibitsA122_Commercial.xlsx

Determination³¹”, Section III, Examples of Exhibits to Support Indirect Cost Proposals on CPDD’s website.

To determine unallowable compensation in excess of TEGL 10-24, refer to this link (<https://www.dol.gov/sites/dolgov/files/OASAM/legacy/files/ETA-JC-SalaryCAP-Calculation.xlsx>) in CPDD’s website. Grant recipients may contact CPDD for any guidance or questions.

After evaluating and disallowing costs (when applicable) in excess of TEGL 10-24, the FCA or pass-through entity should issue applicable rates compliant with this requirement. Note that the same Excel file could also be used to determine unallowable direct compensation in excess of TEGL 10-24. Unallowable direct costs must remain as part of the indirect cost allocation base.

F(18.) Procurement

The Procurement Standards found in the Uniform Guidance at 2 CFR 200.318-327 require all award recipients and subrecipients to conduct procurement transactions in a manner that promotes full and open competition. The award recipient’s description in the SOW of a specific entity that will provide goods or services does not constitute approval or justification of sole-source procurement from this entity.

The Uniform Guidance (at 2 CFR 200.317) requires States and Indian Tribes (as defined in 2 CFR 200.1) to follow the same procurement policies and procedures it uses for non-Federal funds. If such policies and procedures do not exist, States and Indian Tribes must follow the procurement standards in 200.318 through 200.327. When the State and Indian Tribes have their own policies, they must also comply with 2 CFR 200.321, 200.322, 200.323, and 200.327. All other recipients and subrecipients, including subrecipients of a State or Indian Tribe, must follow the procurement standards in 200.318 through 200.327.

PART G: NATIONAL PROHIBITIONS AND OTHER RESTRICTIONS

G(1.) Contracting with Corporations with Felony Criminal Convictions Prohibited

The award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

G(2.) Contracting with Corporations with Unpaid Tax Liabilities Prohibited

The award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan

³¹ <https://www.dol.gov/sites/dolgov/files/OASAM/legacy/files/DCD-2-CFR-Guide.pdf>

guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

G(3.) Trafficking in Persons Prohibited

2 CFR 175.200 establishes a government-wide award term for grants and cooperative agreements to implement the requirement in regard to Trafficking in persons.

a) *Provisions applicable to a recipient that is a private entity.*

1. Under this award, the recipient, its employees, subrecipients under this award, and subrecipient's employees must not engage in:—
 - i. Severe forms of trafficking in persons; or
 - ii. The procurement of a commercial sex act during the period of time that this award or any subaward is in effect; or
 - iii. The use of forced labor in the performance of this award or any subaward; or
 - iv. Acts that directly support or advance trafficking in persons, including the following acts:
 - (A) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;
 - (B) Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless:
 - (1) Exempted from the requirement to provide or pay for such return transportation by the Federal department or agency providing or entering into the grant or cooperative agreement; or
 - (2) The employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;
 - (C) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;
 - (D) Charging recruited employees a placement or recruitment fee; or
 - (E) Providing or arranging housing that fails to meet the host country's housing and safety standards.
2. DOL as the Federal awarding agency may unilaterally terminate this award or take any remedial actions authorized by 22 U.S.C. 7104b(c), without penalty, if any private entity under this award:

- i. Is determined to have violated a prohibition in paragraph a)1. of this award term; or
 - ii. Has an employee who is determined to have violated a prohibition in paragraph a)1. of this award term through conduct that is either—
 - (A) Associated with performance under this award; or
 - (B) Imputed to you (the recipient) or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 2998.
- b. *Provision applicable to a recipient other than a private entity.*
 - 1. DOL as the Federal awarding agency may unilaterally terminate this award or take any remedial actions authorized by 22 U.S.C. 7104b(c), without penalty, if a subrecipient that is a private entity under this award—
 - i. Is determined to have violated a prohibition in paragraph a)1. of this award term; or
 - ii. Has an employee who is determined to have violated a prohibition in paragraph a)1. of this award term through conduct that is either—
 - (A). Associated with performance under this award; or
 - (B). Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 29 CFR Part 98.
- c. *Provisions applicable to any recipient.*
 - 1. The recipient must inform DOL and the DOL Office of the Inspector General immediately of any information you (the recipient) receive from any source alleging a violation of a prohibition in paragraph a)1. of this award term.
 - 2. DOL’s right to unilaterally terminate this award as described in paragraph a.2 or b.1 of this award term:
 - i. Implements the requirements of 22 U.S.C. 78, and
 - ii. Is in addition to all other remedies for noncompliance that are available to DOL under this award.
 - 3. The award recipient must include the requirements of paragraph a)1. of this award term in any subaward the award recipient makes to a private entity.
- d. *Definitions.* For purposes of this award term:
 - 1. “Employee” means either:

- i. An individual employed by the award recipient or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by the recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost-sharing requirements.
2. “Private Entity” means any entity, including for-profit organizations, nonprofit organizations, institutions of higher education, and hospitals. The term does not include foreign public entities, Indian Tribes, local governments, or states as defined in 2 CFR 200.1.
3. The terms “severe forms of trafficking in persons,” “commercial sex act,” “sex trafficking,” “Abuse or threatened abuse of law or legal process,” “coercion,” “debt bondage,” and “involuntary servitude” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

G(4.) Health Benefits Coverage for Contraceptives

Federal funds received under this award may not be used to enter into or renew a contract that includes a provision for prescription drug coverage unless the contract also includes a provision for contraceptive coverage. This requirement does not apply to contracts with 1) the religious plans Personal Care’s HMO and OSF Health Plans, Inc. and 2) any existing or future plan if the carrier for the plan objects to such coverage on the basis of religious beliefs.

In implementing this section, any plan that enters into or renews a contract may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual’s religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion-related services.

G(5.) Health Benefits Coverage for Abortions Restricted

Pursuant to Pub.L. 118-47, Division D, Title V, Section 506 and 507, Federal funds received under this award may not be expended for health benefits coverage that includes coverage of abortions, except when the pregnancy is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself that would, as certified by a physician, place the women in danger of death unless an abortion is performed. This restriction does not prohibit any recipient or subrecipient from providing health benefits coverage for abortions when all funds for that specific benefit do not come from a Federal source. Additionally, no funds made available through this award may be provided to a State or local government if such government subjects any institutional or individual healthcare entity to

discrimination on the basis that the healthcare entity does not provide, pay for, provide coverage of, or refer for abortions.

G(6.) Fair Labor Standards Act Amendment for Major Disasters

Pursuant to Pub.L. 118-47, Division H, Title I, Section 108, the Fair Labor Standards Act of 1938 (FLSA) will apply as if the following language was added to Section 7 (the Maximum Hours Worked Section). This language specifically relates to occurrences of a major disaster (as declared or designated by the state or federal government) and is applied for a period of two years afterward. The language is as follows:

- “(s)(1) The provisions of this section [maximum hours worked] shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—
 - (A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;
 - (A) who receives from such employer on average weekly compensation of not less than \$591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and
 - (B) whose duties include any of the following:
 - (i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;
 - (ii) inspecting property damage or reviewing factual information to prepare damage estimates;
 - (iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;
 - (iv) negotiating settlements; or
 - (v) making recommendations regarding litigation.
- (2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1) [of the FLSA].
- (3) For purposes of this subsection—
 - (A) the term ‘major disaster’ means any disaster or catastrophe declared or designated by any State or Federal agency or department;
 - (B) the term ‘employee employed to adjust or evaluate claims resulting from or relating to such major disaster’ means an individual who timely secured or secures a license required by the applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

(C) the term ‘affiliate’ means a company that, by reason of ownership or control of 25% or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company.”

G(7.) Blocking Pornography Required

Pursuant to Pub.L. 118-47, Division D, Title V, Section 520, no Federal funds received under this award may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

G(8.) Privacy Act

No funds can be used in contravention of 5 U.S.C. 552a (the Privacy Act) or regulations implementing the Privacy Act.

G(9.) Procuring Goods Obtained Through Child Labor Prohibited

Pursuant to Pub.L. 118-47, Division D, Title I, Section 103, no Federal funds received under this award may be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries identified by the DOL prior to December 29, 2022. DOL has identified these goods and services on ILAB’s List of Products Produced by Forced or Indentured Child Labor webpage³².

G(10.) Promotion of Drug Legalization Restricted

Pursuant to Pub.L. 118-47, Division D, Title V, Section 509, no Federal funds received under this award shall be used for any activity that promotes the legalization of any drug or other substance included in Schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications or where there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

G(11.) Purchase of Sterile Needles or Syringes Restricted

Pursuant to Pub.L. 118-47, Division D, Title V, Section 526, no Federal funds received under this award shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug. This limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

³² <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-products>

G(12.) Restrictions Against the Creation or Research of Embryos

Pursuant to Pub.L. 118-47, Division D, Title V, Section 508, no Federal funds received under this award shall be used for (1) the creation of a human embryo or embryos for research purposes; or (2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)). For purposes of this term, the term “human embryo or embryos” includes any organism, not protected as a human subjected under 45 CFR 46 as of March 23, 2024, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

PART H: ATTACHMENTS

H(1.) Attachment A: SF-424

H(2.) Attachment B: SF-424A

H(3.) Attachment C: Budget Narrative

H(4.) Attachment D: Statement of Work

H(5.) Attachment E: Payment Management System Access Letter

H(6.) Attachment F: Indirect Cost Rate and Cost Allocation Plan

Attachment A: SF-424

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

03/27/2025

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Oregon Higher Education Coordinating Commission

* b. Employer/Taxpayer Identification Number (EN/TIN):

37-1737848

* c. UE:

EP99SZE353U6

d. Address:

* Street1:

3225 25th St. SE

Street2:

* City:

Salem

County/Parish:

* State:

OR: Oregon

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

97302-1133

e. Organizational Unit:

Department Name:

Office of Workforce Investment

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Debra

Middle Name:

* Last Name:

Welter

Suffix:

Title: Education and Workforce Policy Liaison

Organizational Affiliation:

* Telephone Number:

1-971-345-1135

Fax Number:

* Email: debra.a.welter@hecc.oregon.gov

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Employment and Training Administration

11. Assistance Listing Number:

17.285

Assistance Listing Title:

Registered Apprenticeship

* 12. Funding Opportunity Number:

FOA-ETA-25-31

* Title:

State Apprenticeship Expansion Formula, Round 3 (SAEF3)

13. Competition Identification Number:

FOA-ETA-25-31

Title:

State Apprenticeship Expansion Formula, Round 3 (SAEF3)

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Supporting Emerging Registered Apprenticeship Pathways for
Tomorrow's Workforce
Signed 424 Attached

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant <input style="width: 80px;" type="text" value="OR-6"/>	* b. Program/Project <input style="width: 80px;" type="text" value="01-06"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input style="width: 330px;" type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
17. Proposed Project:	
* a. Start Date: <input style="width: 80px;" type="text" value="07/01/2025"/>	* b. End Date: <input style="width: 80px;" type="text" value="06/30/2028"/>
18. Estimated Funding (\$):	
* a. Federal	<input style="width: 150px;" type="text" value="864,103.00"/>
* b. Applicant	<input style="width: 150px;" type="text" value="0.00"/>
* c. State	<input style="width: 150px;" type="text" value="0.00"/>
* d. Local	<input style="width: 150px;" type="text" value="0.00"/>
* e. Other	<input style="width: 150px;" type="text" value="0.00"/>
* f. Program Income	<input style="width: 150px;" type="text" value="0.00"/>
* g. TOTAL	<input style="width: 150px;" type="text" value="864,103.00"/>
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input style="width: 100px;" type="text"/> .	
<input type="checkbox"/> b. Program is subject to EO. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by EO. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input style="width: 330px;" type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input style="width: 150px;" type="text"/>	* First Name: <input style="width: 350px;" type="text" value="Julia"/>
Middle Name: <input style="width: 350px;" type="text"/>	
* Last Name: <input style="width: 580px;" type="text" value="Steinberger"/>	
Suffix: <input style="width: 150px;" type="text"/>	
* Title: <input style="width: 520px;" type="text" value="Director Office of Workforce Investment"/>	
* Telephone Number: <input style="width: 410px;" type="text" value="1-971-345-1136"/>	Fax Number: <input style="width: 330px;" type="text"/>
* Email: <input style="width: 780px;" type="text" value="Julia.Steinberger@HECC.oregon.gov"/>	
* Signature of Authorized Representative: <input style="width: 210px;" type="text" value="Debra Welter"/>	* Date Signed: <input style="width: 210px;" type="text" value="03/27/2025"/>

Attachment B: SF-424A

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2025

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Assistance Listing Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. SAEF3 Base	17. 285	\$ 0.00	\$ 0.00	\$ 864, 103.00	\$ 0.00	\$ 864, 103.00
2.						
3.						
4.						
5. Totals		\$ 0.00	\$ 0.00	\$ 864, 103.00	\$ 0.00	\$ 864, 103.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) SAEF3 Base	(2)	(3)	(4)	
a. Personnel	\$ 58,000.00	\$	\$	\$	58,000.00
b. Fringe Benefits	31,250.00				31,250.00
c. Travel	1,939.00				1,939.00
d. Equipment					
e. Supplies	2,100.00				2,100.00
f. Contractual	760,000.00				760,000.00
g. Construction					
h. Other	1,200.00				1,200.00
i. Total Direct Charges (sum of 6a-6h)	854,489.00			\$	854,489.00
j. Indirect Charges	9,614.00			\$	9,614.00
k. TOTALS (sum of 6i and 6j)	\$ 864,103.00	\$	\$	\$	864,103.00
7. Program Income	\$	\$	\$	\$	\$

Authorized for Local Reproduction

SECTION C - NON-FEDERAL RESOURCES						
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS		
8. SAEF3 Base	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
9.						
10.						
11.						
12. TOTAL (sum of lines 8-11)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
SECTION D - FORECASTED CASH NEEDS						
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
13. Federal	\$ 215,000.00	\$ 25,000.00	\$ 50,000.00	\$ 70,000.00	\$ 70,000.00	
14. Non-Federal	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
15. TOTAL (sum of lines 13 and 14)	\$ 215,000.00	\$ 25,000.00	\$ 50,000.00	\$ 70,000.00	\$ 70,000.00	
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT						
(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)					
	(b) First	(c) Second	(d) Third		(e) Fourth	
16. SAEF3 Base	\$ 215,000.00	\$ 290,000.00	\$ 359,103.00		\$ 0.00	
17.						
18.						
19.						
20. TOTAL (sum of lines 16 - 19)	\$ 215,000.00	\$ 290,000.00	\$ 359,103.00		\$ 0.00	
SECTION F - OTHER BUDGET INFORMATION						
21. Direct Charges:	Other includes DOJ charges	22. Indirect Charges: 9614.00 - HECC's approved rate is fixed at 14.75%				
23. Remarks:	HECC's federally negotiated indirect rate is 14.75%					

Authorized for Local Reproduction

Attachment C: Budget Narrative

Attachment A
Oregon Higher Education Coordinating Commission
State Apprenticeship Expansion Formula, Round 3
Budget Narrative

Total: \$864,103

Category	Current Budget
Personnel	\$58,000
Fringe Benefits	\$31,250
Travel	\$1,939
Equipment	
Supplies	\$,2,100
Contractual	\$760,000
Construction	
Other	\$1,200
Indirect Charges (14.75%)	\$9,614

Personnel: Total Cost: \$58,000

Position Title	Purpose	FTE	Length of Work	Monthly Salary	Total Cost for 36 Months
Education and Workforce Specialist (ES2)	Completes federal reporting, ensures deliverables are being met, conducts project management activities.	0.42	12 Months	\$11,507	\$58,000

A Higher Education Coordination Commission (HECC) Education and Workforce Specialist 2 (ES2) who is currently managing another USDOL grant will be assigned to SAEF 3 at 0.42 FTE for 12 months (the additional 24 months will be funded from SAEF 3 competitive grant funds or state funds.) The ES 2 will conduct grant management activities including monitoring, completing quarterly reporting and ensuring grant deliverables are being met. This position works in coordination with other grant management staff at HECC and participate in interagency meetings with BOLI, the HECC's Office Community Colleges and Workforce Development, and Oregon Department of Education.

Attachment A

Oregon Higher Education Coordinating Commission

State Apprenticeship Expansion Formula, Round 3

Budget Narrative

Fringe Benefits: Total Cost: \$31,250

Position Title	Purpose	FTE	Length of Work	Monthly Benefits	Total Cost for 36 Months
Education and Workforce Specialist (ES2)	Completes federal reporting, ensures deliverables are being met, conducts project management activities.	0.42	12 Months	\$6,200	\$31,250

Fringe Benefits are based on the sum of the following expenses: Employment Relations Board rate of \$1.65 per FTE per month; PERS (retirement) at 22.49% of salary; FICA at 7.65% of salary; Workers Compensation at \$2.44 per FTE per month; and Flexible Benefits (medical, dental, vision).

Travel: Total Cost: \$1,939

Out-of-state travel to attend a two-night, in-person event in Washington D.C. for one person.

- Airfare \$642
- Hotel \$850 (3 nights)
- Per diem \$237 (3 days)
- Shuttle \$60 (\$30/ride x 2)
- Instate travel to airport/Parking \$150

Total: \$1,939

Supplies: Total Cost: \$2,100

Direct office supplies related to the ES2 working on the grant (i.e. data connection, telephone, office supplies, computer, software, etc.).

Contractual: Total Cost: \$760,000

Contracts

Bureau of Labor and Industries, Apprenticeship and Training Division (BOLI-ATD) Total Cost: \$35,000

Funding to support BOLI's efforts to provide a streamlined application process for the creation of apprentice and pre-apprenticeship programs. Some applicants for new apprenticeship programs have voiced concerns with the process and lack of clarity in the requirements for the application process. BOLI will provide staffing to determine what is, in an effort to define what should be in an improved process.

Attachment A
Oregon Higher Education Coordinating Commission
State Apprenticeship Expansion Formula, Round 3
Budget Narrative

Teachers Standards and Practices Commission (TSPC) Total Cost: \$725,000

TSPC has piloted a robust and easily navigable pathway for completion of a teaching apprenticeship program which leads to a teaching Licensure. The impact for the program is significant in our rural and frontier communities. TSPC will use the funds from the SAEF 3 Formula grant to create the infrastructure and systems to expand the program to be available all school district in the state. The funds will be used for TSPC staffing and travel within the agency. Funds will also be used for stipends and financial support of the apprentices currently enrolled in the expanding system.

Other: Total Costs: \$1,200

Department of Justice (DOJ) legal fees. All contracts and grant agreements above \$150,000 must go to DOJ for legal sufficiency prior to the award.

Rate of \$240 per hour x and estimated 5 hours of work.

Indirect: Total Cost: \$9,614

HECC has a 14.75% negotiated indirect cost rate. The indirect amount is based off HECC's Total Modified Direct Costs.

Applicants that received the SAEF1 and/or SAEF2 grant(s) base funding and are applying for SAEF3 base funding, must show how they have expended SAEF1 and/or SAEF2 grant funds up to the SAEF3 application deadline.

Historically the Oregon Higher Education Coordinating Commission (HECC) served as the applying agency for USDOL grant opportunities. This was done in concert with partner agencies who helped with the planning and distribution of the funds.

In 2022 the Commissioner of the Oregon Bureau of Labor and Industry (BOLI) indicated that the agency wanted to take the lead on grant application directly related to apprenticeship (BOLI manages apprenticeship in Oregon). The first grant opportunity in the handoff was SAEF 1. BOLI failed to meet application requirement for SAEF1 and did not receive the base funding.

In SAEF 2 BOLI received the award. In the process the Commissioner for BOLI left their position and the new Commissioner provided a new focus away from applying for grants and asked HECC to assume the lead in applying for apprenticeship related grants. HECC agreed. BOLI saw significant shifts in staffing related to the SAEF 2 grant. In the months to follow, shifting goals and outcomes for the grant, bureaucratic friction among other agencies in the state, and the aforementioned staffing leaves the SAEF 2 grant very close to being signed, but as of the submission of this grant no funds for SAEF 2 have been expended as they are not available.

In the spirit of the purpose of formula funding of SAEF 3, over 90% of the funds are going to directly fund expansion of apprenticeship programs in the state.

Attachment D: Statement of Work

Supporting Emerging Registered Apprenticeship Pathways for Tomorrow's Workforce

Project Narrative for SAEF3 Formula Funding Opportunity
Oregon Higher Education Coordinating Commission

Activities

Work Plan Development

The Higher Education Coordinating Commission will lead the development of a collaborative work plan that supports the expansion of Registered Apprenticeship and pre-apprenticeships leading to RAP enrollment, and strategies to align or incorporate Career and Technical Education (CTE) programs with RAPs.

The HECC will re-convene the Oregon State Apprenticeship Team, comprising staff from the HECC's Office of Workforce Investments and Community Colleges and Workforce Development, the Bureau of Labor & Industries' Apprenticeship & Training Division (BOLI-ATD) – Oregon's State Approving Agency – and the Oregon Department of Education's Secondary/Postsecondary Transitions Team. The work plan for expanding Registered Apprenticeship and the pathways into them will be developed by the Oregon State Apprenticeship Team, with guidance from Oregon's State Workforce board and in collaboration with Oregon's local workforce development boards.

Modernizing and Strengthening Oregon's Apprenticeship System

Data-sharing

The HECC and its partners will leverage and build on Oregon's Performance Reporting Information System (PRISM) to strengthen data sharing across offices and agencies. PRISM was established by the Oregon legislature in 2003, and since the passage of the bill, PRISM has been collecting data and producing information and reports about the effectiveness of Oregon's

workforce system programs and services. Recently, data about apprentices from BOLI was integrated into PRISM. This grant will build on these efforts by engaging additional partners in data-sharing efforts and utilizing data to make decisions.

Further, as HECC will be using BOLI's Oregon Apprenticeship Tracking System (OATS) for data collection and reporting of RAPs and pre-apprenticeships, BOLI will train HECC staff and program staff on accessing the data for analysis and reporting to improve data sharing and data integrity. BOLI already has two trainings developed that will assist HECC and program staff understand RAP requirements: 1) Program Operations for New Programs/New Administrators which assists newly developed RAPs and RAP administrators with understanding regulatory compliance and best practices for program administration, and 2) Oregon Apprenticeship Tracking System training to assist program staff to become competent in using the State's online apprenticeship portal.

Good Jobs Principles

The State Apprenticeship Team will work together to strengthen Oregon's apprenticeship system by embedding Good Jobs Principles throughout. The team will enlist the Columbia-Willamette Workforce Collaborative's (CWWC's) expertise to apply the Quality Jobs Framework to Registered Apprenticeship programs. In 2021, the Columbia-Willamette Workforce Collaborative (CWWC) launched the Quality Jobs Initiative to define and promote Quality Jobs in the Columbia-Willamette region of Oregon and Washington. The initiative established regional guidelines for identifying quality jobs and provides resources for public and private partners to break down barriers and leverage unique funding opportunities to fuel regional growth of quality jobs. A simple principle lies at the heart of the Quality Jobs Initiative: good

jobs—offering competitive wages, benefits, predictable hours, training, and advancement opportunities—benefit both workers and businesses.

Improving Employer Experience

As part of this project, the State Apprenticeship team will assess employer experience with Registered Apprenticeship and pre-apprenticeship in Oregon. Through the results of this assessment, the team will explore system improvements, including new or amended policies, procedures, and regulations, that streamline processes and make Registered Apprenticeship a more attractive model for employers.

Outreach and Communications

The development and dissemination of outreach and communications materials about the benefits of apprenticeship will be critical to this project's apprenticeship expansion goals. The State Apprenticeship Team will review existing materials and conduct a gap analysis to identify additional communications needs. Once those materials are developed, the State Apprenticeship Team will create and implement an outreach plan, identifying priority regions and industries to target. Further, BOLI will receive grant funds to conduct outreach to expand staff capacity in rural areas of the state to encourage and provide technical assistance for the development of Registered Apprenticeship and pre-apprenticeship programs.

Supporting the Oregon Teaching Apprenticeship Program

While this project intends to support the expansion of apprenticeship in a variety of critical sectors, it proposes a direct investment to the Oregon Teacher Standards and Practices Commission to expand the Oregon Teaching Registered Apprenticeship program (OTA). The OTA is structured as a holistic and comprehensive, hybrid 11-step model that integrates rigorous

academic coursework with intensive clinical placements and mentorship by seasoned educators. Apprentices have the flexibility to enter the program at various stages, enabling a seamless transition through the program where incremental increases in responsibility results in a living wage progression. Over a three- to four-year period, participants will work toward earning their bachelor's degree while meeting state-approved educator preparation standards resulting in an Oregon Preliminary Teaching License.

The OTA program expansion will initially target recruitment campaigns focusing on current educational assistants, paraeducators and other aspiring educators from within communities currently being served. Local school districts and their related training partners (Community Colleges and Educator Preparation Providers) will collaborate to expand the applicant pool. Oregon is equally divided into East and West by a geographic structure, the Cascade Mountains. Due to this geographic constraint and lower populations, historically this barrier translated into reduced services to the East. As the program expands from the population center of the Portland Metro, the resources from the grant will allow for an accelerated pace to the expansion frontier and rural communities in Eastern Oregon.

Targeted Industries and Occupations

This project will focus on the expansion of Registered Apprenticeships and pre-apprenticeships that lead to jobs in early learning and care, K-12 education, and behavioral health. The project will expand opportunities in occupations for which Registered Apprenticeships already exist, including child development specialists, early childhood educators, K-12 teachers, certified alcohol and drug counselors, and qualified mental health associates and professionals. The project aims to add Registered Apprenticeships for new occupations in the identified industries.

Benchmarks and measures from SAEF1 and/or SAEF2

The State of Oregon does not have a contract for SAEF 1 or SAEF2.

Populations Impacted

This project intends to serve unemployed, underemployed, dislocated, and incumbent workers.

In particular, the Oregon Teacher Apprenticeship will target incumbent workers, supporting para-professionals in earning a credential and moving into a higher-paying job.

This project also intends to serve rural workers and youths. Rural areas will be targeted in outreach and education efforts, and special focus on developing pre-apprenticeship programs will expose young Oregonians to the benefits of apprenticeship.

Partners

The HECC intends to partner with the following organizations to advance this project:

- Office of the Governor
- Oregon Bureau of Labor and Industry
- Oregon Teacher Standards and Practices Commission
- Oregon Workforce and Talent Development Board
- Local Workforce Development Boards

Budget

Category	Current Budget
Personnel	\$58,000
Fringe Benefits	\$31,250
Travel	\$1,939
Equipment	
Supplies	\$2,100
Contractual	\$760,000
Construction	
Other	\$1,200
Indirect Charges (14.75%)	\$9,614
Total	\$864,103

State Apprenticeship Expansion Formula, Round 3 (SAEF3) Funding Opportunity Abstract	
Lead Applicant / Organization Name: Higher Education Coordinating Commission	
Lead Applicant Entity Type: State government	
Lead Applicant City and State: Salem, Oregon	
Application Type: Base formula funding	
Project Title: Supporting Emerging Registered Apprenticeship Pathways for Tomorrow's Workforce	
Total Funding Amount Requested: Base Funding: \$864,103.00	
Total Number of apprentices enrolled in RAPs during the life of the grant, if applicable: 90	
Population(s) to be Served: Unemployed, underemployed, dislocated, veterans, and incumbent workers in more rural areas of Oregon.	
List the name of the Required Partner (<i>for States with federally-recognized SAAs</i>): Bureau of Labor and Industry (BOLI)	
List the name(s) of Optional Partners , as applicable:	
Teacher Standards and Practices Commission	Credentialling body for educators in K-12 system
Workforce Talent Development Board	State Workforce Development Board
Local Workforce Development Boards	Local Workforce Development Boards
Oregon State Apprenticeship Team	Cross-agency team comprising staff from the Higher Education Coordinating Commission, Department of Education, and Bureau of Labor and Industries.
<i>[add additional lines as needed]</i>	
Targeted Industry(ies) and/or Occupation(s): K-12 Educators	
Summary of program activities: Create innovative new apprenticeship and pre-apprenticeship programs, expand already established apprenticeship programs statewide, provide transparent high quality apprenticeship programs.	

Subrecipient Roles: List all subrecipients and the roles(activities) they will fill on the proposed project. Roles should be aligned to proposed work Plan.

Teacher Standards and Practices Commission: Build statewide capacity, with a specific focus on rural and frontier communities, partner with local workforce development boards, develop pre-apprenticeship, sustain and expand educator apprenticeships.

Bureau of Labor and Industries: Funding to support BOLI's efforts to provide a streamlined application process for the creation of apprentice and pre-apprenticeship programs. Some applicants for new apprenticeship programs have voiced concerns with the process and lack of clarity in the requirements for the application process. BOLI will provide staffing to determine what is, in an effort to define what should be in an improved process.

List of credential(s) to be awarded:

Oregon Preliminary Teaching License

Public Contact Information

Name: Julia Steinberger

Title: Director, Office of Workforce Investments, Higher Education Coordinating Commission

Address: 3225 25th St SE, Salem, OR 97302

Phone Number: 971-345-1136

Supporting Emerging Registered Apprenticeship Pathways for
Tomorrow's Workforce
Oregon Higher Education Coordinating Commission

Activities

Work Plan Development

The Higher Education Coordinating Commission will lead the development of a collaborative work plan that supports the expansion of Registered Apprenticeship and pre-apprenticeships leading to RAP enrollment, and strategies to align or incorporate Career and Technical Education (CTE) programs with RAPs.

The HECC will re-convene the Oregon State Apprenticeship Team, comprising staff from the HECC's Office of Workforce Investments and Community Colleges and Workforce Development, the Bureau of Labor & Industries' Apprenticeship & Training Division (BOLI-ATD) – Oregon's State Approving Agency – and the Oregon Department of Education's Secondary/Postsecondary Transitions Team. The work plan for expanding Registered Apprenticeship and the pathways into them will be developed by the Oregon State Apprenticeship Team, with guidance from Oregon's State Workforce board and in collaboration with Oregon's local workforce development boards.

Modernizing and Strengthening Oregon's Apprenticeship System

Data-sharing

The HECC and its partners will leverage and build on Oregon's Performance Reporting Information System (PRISM) to strengthen data sharing across offices and agencies. PRISM was established by the Oregon legislature in 2003, and since the passage of the bill, PRISM has been collecting data and producing information and reports about the effectiveness of Oregon's

workforce system programs and services. Recently, data about apprentices from BOLI was integrated into PRISM. This grant will build on these efforts by engaging additional partners in data-sharing efforts and utilizing data to make decisions.

Further, as HECC will be using BOLI's Oregon Apprenticeship Tracking System (OATS) for data collection and reporting of RAPs and pre-apprenticeships, BOLI will train HECC staff and program staff on accessing the data for analysis and reporting to improve data sharing and data integrity. BOLI already has two trainings developed that will assist HECC and program staff understand RAP requirements: 1) Program Operations for New Programs/New Administrators which assists newly developed RAPs and RAP administrators with understanding regulatory compliance and best practices for program administration, and 2) Oregon Apprenticeship Tracking System training to assist program staff to become competent in using the State's online apprenticeship portal.

Good Jobs Principles

The State Apprenticeship Team will work together to strengthen Oregon's apprenticeship system by embedding Good Jobs Principles throughout. The team will enlist the Columbia-Willamette Workforce Collaborative's (CWWC's) expertise to apply the Quality Jobs Framework to Registered Apprenticeship programs. In 2021, the Columbia-Willamette Workforce Collaborative (CWWC) launched the Quality Jobs Initiative to define and promote Quality Jobs in the Columbia-Willamette region of Oregon and Washington. The initiative established regional guidelines for identifying quality jobs and provides resources for public and private partners to break down barriers and leverage unique funding opportunities to fuel regional growth of quality jobs. A simple principle lies at the heart of the Quality Jobs Initiative: good

jobs—offering competitive wages, benefits, predictable hours, training, and advancement opportunities—benefit both workers and businesses.

Improving Employer Experience

As part of this project, the State Apprenticeship team will assess employer experience with Registered Apprenticeship and pre-apprenticeship in Oregon. Through the results of this assessment, the team will explore system improvements, including new or amended policies, procedures, and regulations, that streamline processes and make Registered Apprenticeship a more attractive model for employers.

Outreach and Communications

The development and dissemination of outreach and communications materials about the benefits of apprenticeship will be critical to this project's apprenticeship expansion goals. The State Apprenticeship Team will review existing materials and conduct a gap analysis to identify additional communications needs. Once those materials are developed, the State Apprenticeship Team will create and implement an outreach plan, identifying priority regions and industries to target. Further, BOLI will receive grant funds to conduct outreach to expand staff capacity in rural areas of the state to encourage and provide technical assistance for the development of Registered Apprenticeship and pre-apprenticeship programs.

Supporting the Oregon Teaching Apprenticeship Program

While this project intends to support the expansion of apprenticeship in a variety of critical sectors, it proposes a direct investment to the Oregon Teacher Standards and Practices Commission to expand the Oregon Teaching Registered Apprenticeship program (OTA). The OTA is structured as a holistic and comprehensive, hybrid 11-step model that integrates rigorous

academic coursework with intensive clinical placements and mentorship by seasoned educators. Apprentices have the flexibility to enter the program at various stages, enabling a seamless transition through the program where incremental increases in responsibility results in a living wage progression. Over a three- to four-year period, participants will work toward earning their bachelor's degree while meeting state-approved educator preparation standards resulting in an Oregon Preliminary Teaching License.

The OTA program expansion will initially target recruitment campaigns focusing on current educational assistants, paraeducators and other aspiring educators from within communities currently being served. Local school districts and their related training partners (Community Colleges and Educator Preparation Providers) will collaborate to expand the applicant pool. Oregon is equally divided into East and West by a geographic structure, the Cascade Mountains. Due to this geographic constraint and lower populations, historically this barrier translated into reduced services to the East. As the program expands from the population center of the Portland Metro, the resources from the grant will allow for an accelerated pace to the expansion frontier and rural communities in Eastern Oregon.

Targeted Industries and Occupations

This project will focus on the expansion of Registered Apprenticeships and pre-apprenticeships that lead to jobs in K-12 education. The project will expand opportunities in occupations for which Registered Apprenticeships already exist, including child development specialists, early childhood educators, K-12 teachers, certified alcohol and drug counselors, and qualified mental health associates and professionals. The project aims to add Registered Apprenticeships for new occupations in the identified industries.

Benchmarks and measures from SAEF1 and/or SAEF2

The Bureau of Labor and Industries applied for and was awarded SAEF2. However, the grant has not yet been executed.

Partners

The HECC intends to partner with the following organizations to advance this project:

- Office of the Governor
- Oregon Bureau of Labor and Industry
- Oregon Teacher Standards and Practices Commission
- Oregon Workforce and Talent Development Board
- Local Workforce Development Boards

Budget

Category	Current Budget
Personnel	\$58,000
Fringe Benefits	\$31,250
Travel	\$1,939
Equipment	
Supplies	\$2,100
Contractual	\$760,000
Construction	
Other	\$1,200
Indirect Charges (14.75%)	\$9,614
Total	\$864,103



Oregon

Tina Kotek, Governor

TEACHER STANDARDS AND PRACTICES COMMISSION

250 Division Street N.E. Salem, OR 97301

www.oregon.gov/tspc



March 14, 2025

U.S. Department of Labor
Employment and Training Administration
Washington D.C.

Re: Letter of Support for Oregon's State Apprenticeship Expansion Formula (SAEF) 3 Grant Application

Dear Grant Review Committee,

I am writing on behalf of the Oregon Teacher Standards and Practices Commission (TSPC) to express our enthusiastic support for the State of Oregon's application for the State Apprenticeship Expansion Formula (SAEF) 3 Grant under FOA-ETA-25-31. Our organization recognizes the critical role that registered apprenticeships play in workforce development and is fully committed to supporting Oregon's initiative aimed at enhancing, expanding, and ensuring the quality and growth of apprenticeship programs.

Commitment to Apprenticeship Expansion: TSPC has been actively involved in the development and successful launch of the Oregon Teaching Apprenticeship Program overseen by the Joint Apprenticeship and Training Committee (JATC). We have developed a highly effective program for our apprentices and aim to expand it to more high-need endorsement areas for our rural and frontier districts. The desire to create a pre-apprenticeship pathway will allow Oregon high school students an early entry to the current RAP. We will further support our rural communities by developing personalized recruitment and retention strategies to reduce workforce shortages in those areas.

Collaborative Efforts: TSPC is eager to collaborate with the Higher Education Coordinating Commission's Office of Workforce Investments to further the goals of this grant. We will continue to offer the role of the Administrator for the JATC and the expertise of our Educator Preparation and Pathways Unit, which oversees accountability for all Oregon Educator Preparation Providers (EPPs). We will support data sharing, workshops, and professional development for our JATC members and provide guidance to our Oregon Community Colleges and EPPs that offer the related training instruction. Our strong partnerships will provide the JATC with a collaborative effort to support apprentices in successfully completing their programs.

Expected Impact: We anticipate that the successful implementation of this grant will lead to a significant increase in the number of apprenticeships available, higher completion rates, and skilled educators in Oregon's workforce. This will not only benefit the individuals involved but also enhance the state's economy by meeting the expanding needs of our education system. Our

collective efforts are highly relevant, and the grant will significantly benefit the public and serve the critical needs of Oregon students. We are confident that the funding from this grant will enable Oregon to achieve these objectives and look forward to contributing to this transformative effort.

Therefore, as the acting Executive Director of the Oregon Teacher Standards and Practices Commission (TSPC), I fully support the Higher Education Coordinating Commission's Office of Workforce Investments' application for the SAEF funds and believe it will have a meaningful, measurable, and sustainable impact on Oregon communities.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Goff', with a long horizontal line extending to the right.

Melissa Goff
Interim Executive Director



February 19, 2025

**U.S. Department of Labor
Employment and Training Administration
Washington D.C.**

Re: Letter of Support for Oregon's State Apprenticeship Expansion Formula (SAEF) 3 Grant Application

Dear Grant Review Committee,

On behalf of the Oregon Education Association (OEA), I am pleased to express our strong support for the State of Oregon's application for the State Apprenticeship Expansion Formula (SAEF) 3 Grant under FOA-ETA-25-31. Our organization recognizes the critical role that registered apprenticeships play in workforce development and is fully committed to supporting Oregon's initiative aimed at enhancing, expanding, and ensuring the quality and growth of apprenticeship programs.

Commitment to Apprenticeship Expansion: OEA has been deeply engaged in the establishment, advocacy, and support of Oregon's teacher apprenticeship program. We have witnessed firsthand the critical role these apprenticeships play in creating pathways to well-paying careers, particularly for individuals from underrepresented and underserved communities. The program has been instrumental in addressing workforce shortages in hard-to-fill positions, such as special education, while also strengthening the pipeline of highly skilled educators in Oregon.

Collaborative Efforts: OEA is committed to working alongside the Higher Education Coordinating Commission's Office of Workforce Investments to advance the objectives of this grant. Our role includes:

- Connecting aspiring educators with school districts and education service districts to address workforce needs.
- Advocating at the state level to ensure legislative and policy support for apprenticeship expansion.
- Facilitating collaboration among key stakeholders to enhance program effectiveness and sustainability.

Expected Impact: The successful implementation of this grant will significantly expand apprenticeship opportunities, improve program completion rates, and diversify Oregon's educator workforce. These outcomes will not only benefit participating individuals but will also strengthen the state's education system and contribute to long-term economic growth.

We are confident that the SAEF 3 Grant will enable Oregon to achieve these objectives, and we look forward to supporting this vital initiative. Thank you for your consideration.

Sincerely,

Cynthia Branger Muñoz
Public Affairs Consultant
Oregon Education Association
cynthia.branger-munoz@oregoned.org

March 25, 2025

Grant Review Committee
U.S. Department of Labor
200 Constitution Ave NW
Washington, DC 20210

RE: State Apprenticeship Expansion Formula Funding Opportunity

Dear Review Committee,

I am writing on behalf of the Workforce and Talent Development Board (WTDB) to express our strong support for the Higher Education Coordinating Commission's (HECC's) application for the State Apprenticeship Expansion Formula Funding grant opportunity. This funding would support projects that address critical workforce shortages and leverage strategic workforce opportunities while expanding apprenticeships across the State of Oregon in underserved communities.

The Advancing Educational Success Through Apprenticeship project is poised to provide significant opportunities for registered apprentices in Oregon. Funding will be administered by the HECC's Office of Workforce Investments to establish apprenticeship pathways within key industries, utilize enhanced data assessment to measure program effectiveness, address workforce needs effectively, and foster partnerships for ongoing success.

The WTDB is committed to working with the HECC and other partners on this project including the Bureau of Labor and Industries (BOLI) as Oregon's State Apprenticeship Agency (SAA), Teacher Standards and Practices Commission (TSPC), Department of Early Learning, and the Oregon Health Authority which are included as enthusiastic state agency partners.

The specialized support available through this project will align with the evolving needs of Oregon's economy. Target industries and occupations will include Educational Services (K-12 Teachers), and the Care Economy (healthcare, childcare, etc.). These industries are vital for the state's economic competitiveness and the well-being of its communities.

The Advancing Educational Success Through Apprenticeship work connects directly to the WTDB's mission which advances Oregon through meaningful work, training, and education by empowering people and employers. This mission requires that the board leads and communicates a long-term vision for Oregon that anticipates and acts on future workforce needs; Advises the Governor and the legislature on workforce policy and plans; Aligns public workforce policy, resources, and

services with employers, education, training and economic development; Identifies barriers, providing solutions, and avoiding duplication of services; Promotes accountability among public workforce partners; and shares best practices and innovative solutions that are scalable statewide and across multiple regions.

The WTDB is excited about this opportunity and strongly encourages committee members to thoughtfully review this grant application for approval. We believe this work would be transformational and significantly impact the lives of countless individuals, families, and communities across Oregon.

Sincerely,

Todd Nell

A handwritten signature in black ink, appearing to read "Todd Nell", with a stylized, cursive script.

Director
Workforce and Talent Development Board

STACY KNUDSON
Superintendent/PreK-5 Principal
sknudson@wallowa.k12.or.us

SARA HAYES
Middle/High School Principal
shayes@wallowa.k12.or.us

WALLOWA SCHOOL DISTRICT

Administrative School District No.12
P.O. Box 425, Wallowa, Oregon 97885
541-886-2061 Elementary/District
541-886-2951 High School • Fax: 541-886-7355
www.wallowa.k12.or.us



February 25, 2025

**U.S. Department of Labor
Employment and Training Administration
Washington D.C.**

**Re: Letter of Support for Oregon's State Apprenticeship Expansion Formula (SAEF) 3 Grant
Application**

Dear Grant Review Committee,

I am writing on behalf of Wallowa School District to express our enthusiastic support for the State of Oregon's application for the State Apprenticeship Expansion Formula (SAEF) 3 Grant under FOA-ETA-25-31. Our organization recognizes the critical role that registered apprenticeships play in workforce development and is fully committed to supporting Oregon's initiative aimed at enhancing, expanding, and ensuring the quality and growth of apprenticeship programs.

Commitment to Apprenticeship Expansion: Wallowa School District has been actively involved in workforce development within the education sector as our state is in dire need of passionate, dedicated and qualified educators, especially in our rural and remote geographic location. We have seen firsthand the benefits that apprenticeship programs offer, particularly in providing pathways to well-paying careers for diverse populations, including those from underserved communities in Oregon.

Collaborative Efforts: Wallowa School District is eager to collaborate with the Higher Education Coordinating Commission's Office of Workforce Investments to further the goals of this grant. We can offer expertise, data sharing support, workshop facilitation and/or direct mentorship.

Expected Impact: We anticipate that the successful implementation of this grant will lead to a significant increase in the number of apprenticeships available, higher completion rates, and more skilled educators in Oregon's workforce. This will not only benefit the individuals involved but also enhance the state's economy by meeting the expanding needs of our education system.

We are confident that the funding from this grant will enable Oregon to achieve these objectives and look forward to contributing to this transformative effort. Thank you for considering Oregon's application for the SAEF3 grant. We wholeheartedly support this endeavor and are committed to its success.

Sincerely,

A handwritten signature in black ink, appearing to read 'SK', is written over a large, faint, circular watermark or background graphic.

Stacy Knudson
Superintendent
Wallowa School District #12
541-866-2061
sknudson@wallowa.k12.or.us



Willamette Valley Early Learning JATC

2475 Center Street
Salem, OR 97301
(971) 304-8746
ccrr.apprenticeship@mwvcaa.org

03/18/2025

**U.S. Department of Labor
Employment and Training Administration
Washington D.C.**

**Re: Letter of Support for Oregon's State Apprenticeship Expansion
Formula (SAEF) 3 Grant Application**

Dear Grant Review Committee,

I am writing on behalf of the Willamette Valley Early Learning JATC to express our enthusiastic support for the State of Oregon's application for the State Apprenticeship Expansion Formula (SAEF) 3 Grant under FOA-ETA-25-31. Our organization recognizes the critical role that registered apprenticeships play in workforce development and is fully committed to supporting Oregon's initiative aimed at enhancing, expanding, and ensuring the quality and growth of apprenticeship programs in Early Childhood Education.

Commitment to Apprenticeship Expansion: The Willamette Valley Early Learning JATC along with Child Care Resource & Referral of Marion, Polk, and Yamhill Counties have been actively involved in Our organization is committed to workforce development through the **Early Learning Apprenticeship Program**, MA 2007, which provides hands-on training, and career advancement opportunities for early childhood educators. This initiative supports aspiring professionals by combining on-the-job experience with structured learning, mentorship, and external coaching. By investing in high-quality training and career pathways, we strengthen the early learning workforce and ensure better outcomes for children and families.

We have seen firsthand the benefits that apprenticeship programs offer, particularly in providing pathways to well-paying careers for diverse populations, including those from underserved communities in Oregon.

Collaborative Efforts: The Willamette Valley Early Learning JATC is eager to collaborate with the Higher Education Coordinating Commission's Office of Workforce Investments to further the goals of this grant. We can offer facilitation of apprenticeship, mentorship for apprenticeship models, expertise in the field of Early Learning and Care, and data sharing.

Expected Impact: We anticipate that the successful implementation of this grant will lead to a significant increase in the number of apprenticeships available in the early learning and care industry, higher completion rates, and a more diverse and skilled educators in Oregon's workforce. This will not only benefit the individuals involved but also enhance the state's economy by meeting the expanding needs of our workforce system.

We are confident that the funding from this grant will enable Oregon to achieve these objectives and look forward to contributing to this transformative effort. Thank you for considering Oregon's application for the SAEF3 grant. We wholeheartedly support this endeavor and are committed to its success.

Sincerely,

Julie Smith
Early Learning Coordinator
Willamette Valley Early Learning JATC
julie.smith@mwvcaa.org



TINA KOTEK
GOVERNOR

March 25, 2025

Grant Review Committee
U.S. Department of Labor
200 Constitution Ave NW
Washington, DC 20210

RE: State Apprenticeship Expansion Formula Funding Opportunity

Dear Members of the Grant Review Committee,

As Oregon's Governor, I fully support the Oregon Higher Education Coordinating Commission's (HECC) application for the State Apprenticeship Expansion Formula grant. This application would fund projects to expand apprenticeship across the State of Oregon. This initiative holds immense promise for addressing Oregon's critical workforce needs and providing opportunities for Oregonians in underserved communities. If funded, I believe this project will further progress towards my administration's workforce goals.

This project will be administered by the HECC's Office of Workforce Investments to support and expand Oregon's apprenticeship system. The HECC will use these funds to support the establishment of new apprenticeships, ensure continuous improvement of apprenticeship programs, and modernize the systems and processes that are the backbone of our apprenticeship system.

The designated lead fiscal State entity for the project is the HECC. Bureau of Labor and Industries (BOLI) as Oregon's state apprenticeship agency (SAA) is included as an enthusiastic state partners, along with Teacher Standards and Practices Commission (TSPC), the Department of Early Learning (DELIC), and the Oregon Health Authority.

I urge the Grant Review Committee to carefully consider the application submitted by HECC for approval. This project would make a transformative and outsized impact on workforce development in Oregon's most vital sectors, and a lasting improvement in the lives of thousands of Oregonians.

Thank you for your time and attention.

Sincerely,

Governor Tina Kotek



BUREAU of LABOR & INDUSTRIES
1800 SW 1st Ave., Suite 500
Portland, OR 97201

Oregon Bureau of Labor and Industries
1800 SW 1st Ave., Suite 500
Portland, OR 97201

March 14, 2025

U.S. DOL, Employment and Training Administration
200 Constitution Avenue NW
Washington, DC 20210
Attn: SAEF3 Grant Program Office

Dear SAEF3 Grant Review Committee,

The Oregon Bureau of Labor and Industries (BOLI) is pleased to submit this letter for the State Apprenticeship Expansion Formula (SAEF3) grant funding. In partnership with the Oregon Higher Education Coordinating Commission (HECC), we seek to leverage this opportunity to enhance and expand Oregon's registered apprenticeship programs, aligning with the state's workforce development goals and the broader objectives of the U.S. Department of Labor.

BOLI, as Oregon's State Apprenticeship Agency (SAA) through the Apprenticeship & Training Division (ATD) in partnership with the Oregon State Apprenticeship & Training Council (OSATC), are committed to fostering a skilled, knowledgeable, and adaptable workforce. Our collaboration with HECC (acting as the lead agency for the application), the state's coordinating body for postsecondary education and training, positions us uniquely to integrate apprenticeship opportunities with educational and workforce development pathways, ensuring that Oregonians gain access to high-quality training and sustainable career opportunities.

Our proposed plan builds on Oregon's established apprenticeship framework, which currently supports over 12,000 apprentices across diverse industries such as construction, education, healthcare, and advanced manufacturing.

This initiative aligns with Oregon's strategic priorities to increase educational attainment and workforce participation, as outlined in HECC's mission to support pathways to post-secondary success. By funding BOLI's programmatic oversight of apprenticeships with HECC's extensive network of educational institutions and workforce partnerships, we aim to create scalable models that not only meet the immediate needs of Oregon employers and employees but also contribute to national registered apprenticeship expansion goals.

We look forward to working with the HECC through this collaborative opportunity to advance Oregon's registered apprenticeship ecosystem with the support of the U.S. Department of Labor.

Sincerely,

Jody Robbins, Apprenticeship State Director
Oregon Bureau of Labor and Industries

Attachment E: Payment Management System Access Letter

(For payment draw-down and financial reporting)



Dear Recipient:

Congratulations on your recent award. This document provides instructions on how to access your organization's funding, as well as how to submit quarterly ETA-9130 Financial Reports. Award recipients accomplish both tasks using the Payment Management System (PMS), operated by the U.S. Department of Health and Human Services (HHS).

All grant recipients must have an ID.me account to gain access to PMS.

Establishing your ID.me account is the first step in the PMS process. User access requests for grant recipients will only be approved if you have an ID.me account. If you have questions related to creating an ID.me account or need technical assistance with accessing PMS via ID.me, instructions and additional guidance can be found at https://xms.hhs.gov/help/job-aids/help_pages.html.

For Existing PMS Users

If your organization has previously received a grant or cooperative agreement with ETA, a PMS account already exists, and it's where you can find your new grant award funding. The front page of your grant award will have the following information to help access your funding in PMS:

- The last eight digits of the Federal Award Identification Number (item 12) of the new grant or cooperative agreement (e.g., XX123456),
- Award amount (item 20), and
- The PMS Employer Identification Number (EIN) (item 3) (e.g., 1123456789X1) where the new grant or cooperative agreement funding resides under a payee account (e.g., 5h43B).

Recipients may add or amend account access and banking information using the links below.

- To add or remove PMS account access for your organization, please visit:
<https://pms.psc.gov/grant-recipients/user-access.html>
- To add a bank account to your PMS account, please visit:
<https://pms.psc.gov/grant-recipients/banking-add-change.html>
- Information on rejected banking requests, please visit:
<https://pms.psc.gov/grant-recipients/banking-add-change.html>

For new PMS Users

When issuing a grant award, a PMS account has been set up for your organization. A payee account (e.g., 5h43B) also has been established, and it's where you can find funding for your new grant award. The front page of your grant award will have the following information to access your account:

- The last eight digits of the Federal Award Identification Number (item 12) of the new grant or cooperative agreement (e.g., XX123456),
- Award amount (item 20), and
- The PMS Employer Identification Number (EIN) (item 3) (e.g., 1123456789X1) where the new grant or cooperative agreement funding resides under a payee account (e.g., 5h43B).

As a new PMS user, you will need to add or amend account access and banking information using the links below.

- To add or remove PMS account access for your organization, please visit:
<https://pms.psc.gov/grant-recipients/user-access.html>
- To add a bank account to your PMS account, please visit:
<https://pms.psc.gov/grant-recipients/banking-add-change.html>

All banking requests must include the SF-1199A Direct Deposit Sign-up form.

- When completing the SF-1199A, the Claim or Payroll ID Number is the organization's 12-digit PMS Employer Identification Number (EIN) which must match the 12-digit PMS EIN on the grant or cooperative agreement document.

Submitting Federal Financial Reports in PMS

Recipients must report quarterly financial data on the ETA-9130 Financial Report, which is due as shown below:

Quarter End Date	Quarterly ETA-9130 Due Date
March 31	May 16
June 30	August 15
September 30	November 15
December 31	February 15

A final financial report for the last quarter of the period of performance must be submitted no later than 120 calendar days after the expiration of the grant period of performance. Additional information on financial reporting can be found in TEGL No. 16-22 and TEGL No. 16-22, Change 1.

Recipients must submit financial reports through PMS. Recipient staff who are submitting/certifying financial reports on behalf of their organization must log in to PMS and update their permissions to request access to the financial report forms.

- For general instructions on financial report submission, visit:
<https://pms.psc.gov/grant-recipients/ffr-updates.html>
- Grant Recipients' financial reports can be found by: *Login PMS → select "Menu" → Federal Financial Reporting → Federal Financial Reporting.*
- A Financial Report User Guide can be found by: *Login PMS → select "Menu" → Federal Financial Reporting → FFR Grantee User Guide.*

PMS Help Desk

If you need assistance with your PMS account, information on the PMS Helpdesk can be found at <https://pms.psc.gov/support/help-desk.html>.

- Please contact the PMS Help Desk at (877) 614-5533 or PMSSupport@psc.gov
- Recipients may also submit a service ticket online and access more services using the Self-Service Web Portal at: https://gditshared.servicenowservices.com/hhs_pms

Attachment F:
Negotiated Indirect Cost Rate Agreement

NEGOTIATED INDIRECT COST RATE AGREEMENT

NON-FEDERAL ENTITY

Oregon Higher Education Coordinating
Commission
3225 25th Street SE
Salem, OR 97302

UEI: EP99SZE353U6

EIN: 37-1737848

DATE: 4/30/2024

FILE REF.: This
replaces the agreement
dated 10/20/2023

The indirect cost rate(s) contained in this Agreement are for use on grants, contracts, and other agreements with the Federal Government. This Agreement was negotiated by **Oregon Higher Education Coordinating Commission** (non-Federal entity) and the **U.S. Department of Labor** in accordance with the authority contained in the Federal Acquisition Regulation (FAR) for commercial entities, or Title 2 of the Code of Federal Regulations, Part 200 for nonprofit and state/local entities. This Agreement is subject to the limitations in Section II, A, below.

When applicable, the rates presented in this Agreement may only be applied to: (1) cost-reimbursement contracts and (2) actual costs for materials in time-and-materials (T&M) contracts. Any indirect rates for labor costs in T&M, labor-hour and fixed-price contracts must be negotiated with the Contracting Officer during pre-award in accordance with FAR Part 15.404-1(c).

SECTION I: RATES

<u>TYPE</u>	<u>APPROVAL</u>	<u>FROM</u>	<u>TO</u>	<u>RATE</u>	<u>BASE</u>	<u>LOCATION</u>	<u>APPLY TO</u>
Indirect	Fixed	07/01/2024	06/30/2025	14.75%	MTDC-3	Loc-1	AP-11

(SEE SPECIAL REMARKS)

BASE

MTDC-3: Total direct costs excludes equipment, capital expenditures, charges for patient care, tuition remission, scholarships and fellowships, participant support costs and the annual portion of each subaward and subcontract in excess of \$25,000.

LOCATION

Loc-1: All Locations

APPLY TO

AP-11: All programs except the U.S. Department of Education programs that require a restricted rate per 34 CFR 75.563 and 34 CFR 76.563.

TREATMENT OF FRINGE BENEFITS: Fringe benefits are specifically identified to each employee and/or are charged individually as direct or indirect cost (as applicable). See Special Remarks section of this Agreement for more details.

TREATMENT OF PAID ABSENCES: Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal cost for salaries and wages. Separate claims are not made for the cost of these paid absences.

SECTION II: GENERAL

A. LIMITATIONS

Use of the rate(s) contained in the Agreement is subject to all statutory or administrative limitations and is applicable to a given Federal award or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated upon the following conditions:

1. No costs other than those incurred by the non-Federal entity or contractor were included in its indirect cost pool as finally accepted and that such incurred costs are legal obligations of the non-Federal entity and allowable under the governing cost principles.
2. The same costs that have been treated as indirect costs have not been claimed as direct costs.
3. Similar types of costs have been accorded consistent treatment.
4. The information provided by the non-Federal entity or contractor which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially inaccurate by the Federal government. In such situations, the rate(s) may be subject to renegotiation at the discretion of the Federal government.
5. The rates cited in this Agreement are subject to audit.
6. Indirect costs charged to Federal grants/contracts by means other than the rate(s) cited in this Agreement should be adjusted to the applicable rate(s) cited herein and be applied to the appropriate base to identify the proper amount of indirect costs allocable to the program.
7. Contracts/grants providing for ceilings as to the indirect cost rate(s) or amount(s) which are indicated in Section I above, will be subject to the ceilings stipulated in the contract or grant agreements. The ceiling rate or the rate(s) cited in this Agreement, whichever is lower, will be used to determine the maximum allowable indirect cost on the contract or grant agreement.
8. Administrative costs consist of all Direct and Indirect costs associated with the management of a non-Federal entity's programs. Non-Federal entities should refer to their contracts/grants terms and specific program legislation for the applicable definition of Administrative Costs and any related limitations.

B. ACCOUNTING CHANGES

This agreement is based on the accounting system purported by the non-Federal entity or contractor to be in effect during the Agreement period. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this Agreement require prior approval from the Cost & Price Determination Division (CPDD). Such changes include, but are not limited to changes in the charging of a particular type of cost from indirect to direct. Failure to obtain approval may result in cost disallowances.

C. NOTIFICATION TO FEDERAL AGENCIES

A copy of this document (original, and revised (if applicable)) is to be provided by the non-Federal entity or contractor to other Federal funding sources as a means of notifying them of the Agreement contained herein.

D. DEFINITION OF RATES

1. Final rate means an indirect cost rate applicable to a specified past period which is based on the actual costs of the period. A final rate is not subject to adjustment.
2. Provisional rate or billing rate means a temporary indirect cost rate applicable to a specified period which is used for funding, interim reimbursement, and reporting indirect costs on Federal awards pending the establishment of a final rate for the period.
3. Predetermined rate means an indirect cost rate, applicable to a specified current or future period, usually the organization's fiscal year. The rate is based on an estimate of the costs to be incurred during the period. A predetermined rate is not subject to adjustment.
4. Fixed rate means an indirect cost rate which has the same characteristics as a predetermined rate, except that the difference between the estimated costs and the actual costs of the period covered by the rate is carried forward as an adjustment to the rate computation of a subsequent period.

The Special Remarks section in this agreement may include the carry-forward amount of the applicable fiscal years.

Central service costs (commonly known as State-Wide Cost Allocation Plan costs, or SWCAP costs), when applicable and allowed, may be included in the fixed rate. If the approved SWCAP costs are not available, then those proposed costs can be used to calculate the carry-forward amount. Appropriate State and Federal agencies responsible for negotiating the SWCAP must be informed if proposed SWCAP costs are used so that adjustments between the proposed and approved SWCAP costs can be made in subsequent period.

5. G&A rate – If published in Section I, it is the acronym for “General and Administrative” type of indirect expenses. G&A means any management, financial, and other expense which is incurred by, or allocated to, a business unit and which is for the general management and administration of the business unit as a whole.

E. SPECIAL REMARKS

1. Provisional/Final Rate approval and impact to closeout adjustments:

When seeking initial reimbursement of indirect costs using the provisional/final rate methodology, a provisional proposal must be submitted within 90 days of receiving a Federal award (financial assistance, grants, cooperative agreements, and cost reimbursable contracts) that requires accounting for actual costs incurred. The non-Federal entity or contractor must submit an indirect cost rate proposal within six (6) months after the end of their fiscal year to establish a final rate.

Once a final rate is negotiated, billings and charges to Federal awards must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the non-Federal entity or contractor may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the non-Federal entity or contractor will be required to reimburse the funding agency for the excess billings.

Non-Federal entities or contractors receiving a Federal cost reimbursable contract(s) - Must adhere with FAR 52.216-7(d)(2)(v), to settle final indirect cost rates typically on an annual basis:

“The contractor shall update the billings on all contracts to reflect the final settled rates and update the schedule of cumulative direct and indirect costs claimed and billed, as required in paragraph (d)(2)(iii)(I) of this sections, within 60 days after settlement of final indirect cost rates.”

In addition, the contractor shall provide to the Contracting Officer the noted cumulative costs schedule within 60 days of the execution of this agreement.

If the non-Federal entity or contractor has completed performance under any of the contracts covered by this Agreement, a final invoice or voucher must be submitted no later than 120 days from the date on which this Agreement is executed, following guidance from FAR 52.216-7(d)(5) and FAR 52.216-7(h).

Non-Federal entities receiving Federal awards (financial assistance, grants, and cooperative agreements) – Note that even if Federal awards are administratively closed prior to the settlement of final indirect cost rates, non-Federal entities still must comply with the following 2 CFR Part 200 clauses stating, in part:

§200.344 Post-closeout adjustments and continuing responsibilities

(a) The closeout of a Federal award does not affect any of the following:

- (1) The right of the Federal awarding agency or pass-through entity to disallow costs and recover funds on the basis of a later audit or other review. The Federal awarding agency or pass-through entity must make any cost disallowance determination and notify the non-Federal entity within the record retention period.
- (2) The obligation of the non-Federal entity to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments.

§200.345 Collection of amounts due

- (a) Any funds paid to the non-Federal entity in excess of the amount to which the non-Federal entity is finally determined to be entitled under the terms of the Federal award constitute a debt to the Federal Government.
 - (b) Except where otherwise provided by statutes or regulations, the Federal awarding agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (31 CFR parts 900 through 999). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.
2. Fringe benefits include the following: Social Security, Workers Compensation Insurance, Mass Transit, Health Insurance, Retirement.

3. Equipment is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition. The capitalization threshold for equipment is \$5,000.
4. The indirect salaries approved as part of the Rate/CAP in Section I comply with the applicable ETA TEGL 5-06 and/or Job Corps salary and bonus restrictions.
5. Fixed Rate: For the Fixed rates established in this agreement, the carry-forward amounts are as follows:

All Programs: \$996,499 Over-recovery

ACCEPTANCE

BY THE NON-FEDERAL ENTITY

Oregon Higher Education Coordinating Commission
3225 25th Street SE
Salem, OR 97302

(Non-Federal Entity)



(Signature)

Ben Cannon

(Name)

Executive Director

(Title)

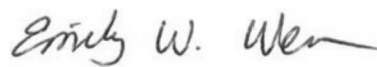
5/2/2024

(Date)

BY THE COGNIZANT AGENCY FOR INDIRECT COSTS, ON BEHALF OF THE U.S. FEDERAL GOVERNMENT

U.S. Department of Labor
Cost & Price Determination Division
200 Constitution Ave., N.W., C-4511
Washington, DC 20210

(U.S. Federal Government Agency)



(Signature)

for
Victor M. López

(Name)

Chief, Cost & Price Determination Division

(Title)

4/30/2024

(Date)

Negotiated By: Emily Wen
Office Phone: (202) 693-4107
Email: wen.emily.w@dol.gov

(Proposal #: 00002239)