

U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION (DOL/ETA)	NOTICE OF AWARD (NOA)
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Under the authority of the **National Apprenticeship Act 29 U.S.C. 50; Public Law 115-245**, this grant or agreement is entered into between the above named **Grantor Agency** and the following named **Awardee**, for a project entitled - **Building State Capacity to Expand Apprenticeship through Innovation**.

Name & Address of Awardee:
Higher Education Coordinating Commission
255 Capitol St. NE
Salem, OREGON 97301-0103

Federal Award Id. No. (FAIN): AP-35124-20-60-A-41
CFDA #: 17.285- Apprenticeship USA Grants
Amount:\$450,000.00
EIN: 371737848
DUNS #: 079806658

Accounting Code: 1630-2020-0501741920BD202001740024195AP001A0000AATELSAATELS-A90600-410023-ETA-DEFAULT TASK-

Payment Management System DOC#: AP35124Q41

The Period of Performance shall be from **July 01, 2020 thru June 30, 2023**.
Total Government's Financial Obligation is **\$450,000.00** (unless other wise amended).

Payments will be made under the Payments Management System, and can be automatically drawn down by the awardee on an as needed basis covering a forty-eight (48) hour period.

In performing its responsibilities under this grant agreement, the awardee hereby certifies and assures that it will fully comply with all applicable Statute(s), and the following regulations and cost principles, including any subsequent amendments:

Uniform Administrative Requirements, Cost Principles, and Audit Requirements:

2 CFR Part 200; Uniform Administrative Requirements, Cost Principles, and Audit Requirements; Final Rule
2 CFR Part 2900; DOL Exceptions to 2 CFR Part 200;

Other Requirements (Included within this NOA):

Condition(s) of Award (if applicable)
Federal Award Terms, including attachments

Contact Information

The Federal Project Officer (FPO) assigned to this grant is Joshua Hodges. Joshua Hodges will serve as your first line point of contact and can be contacted via e-mail - hodges.joshua@dol.gov. If your FPO is not available, please call your Regional Office at 415-625-7900 for assistance.

The awardee's signature below certifies full compliance with all terms and conditions as well as all applicable Statutes(s), grant regulations, guidance, and certifications.

Signature of Approving Official - **AWARDEE**

Signature of Approving Official - **DOL / ETA**

See SF-424 for Signature
No Additional Signature Required



BRINDA RUGGLES, June 26, 2020
GRANT Officer

PROGRAM COMPLIANCE NOTIFICATION LETTER

Building State Capacity to Expand Apprenticeship through Innovation (ETA-TEGL-15-19)

Dear State Apprenticeship Expansion Grantee:

Congratulations on your award! You are receiving this Program Compliance Notification Letter, which outlines the programmatic compliance requirements for your Building State Capacity to Expand Apprenticeship through Innovation Grant (ETA-TEGL-15-19) also referred to as **“State Apprenticeship Expansion (SAE) 2020.”** This notification letter does not include individual programmatic findings from your grant but serves as notification of programmatic compliance requirements, and directs grantees on how to ensure adherence to these requirements. 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.

This Program Compliance Notification Letter provides information on the following:

- Key required activities grantees must ensure are incorporated into their grant;
- Key activities or costs that are not allowable;
- Links to existing grantee guidance (such as FAQs, Funding Opportunity Announcement, and administrative/financial trainings); and
- Grantee guidance on performance expectations and reporting mechanisms.

Additionally, during the first quarter of your grant, the Office of Apprenticeship (Program Office) will conduct an in-depth review of grant performance goals and work with Federal Project Officers and grantees on addressing performance issues, where identified.

Key Compliance Items of Note

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

- **State Apprenticeship Expansion (SAE) 2020:** SAE 2020 is a new award without specific ties to previous awards, other than the overarching goal of expanding apprenticeship inherent within all apprenticeship grants. This grant may have similar activities, but these must be distinct, both financially and programmatically, from other grants. Guidance may be similar to other grants, but should not be construed as automatically applicable to your grant. All grant program and financial personnel should read the entire grant agreement upon award.

- **Grants funds can only be used to support Registered Apprenticeship Programs (RAPs) and quality pre-apprenticeship programs that lead to RAPs.** Funds awarded were authorized in the Department’s congressionally appropriated funds for fiscal year 2019. These funds “expand opportunities relating to apprenticeship programs registered under the National Apprenticeship Act... through grants, cooperative agreements, contracts and other arrangements, with States and other appropriate entities...” See Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Public Law 115-245, Division B, Title I). Therefore, funds cannot be used to support Industry Recognized Apprenticeship Programs (IRAPs).

- **Tier I Requirements:** Grantees that received Tier I funding must ensure their grants include the following required activities. Please refer to Appendix III of the TEGL which provides details on these required activities:
 - *National Apprenticeship System Building.*
 - States must spend base funding on developing structures that ensure that all RAPs in the State or Territory have the features of high-quality apprenticeship described in 29 C.F.R. parts 29 and 30.
 - *System Alignment for Apprenticeship Expansion.*
 - States must spend a portion of base funding to build state-wide capacity to increase the number and quality of apprenticeships through stronger alignment with the education and workforce systems. Examples include: i. Creating formal opportunities for education and training institutions to gauge individuals’ experience, employability, interests, and aptitudes, and present to them Registered Apprenticeship opportunities that fit their profile; ii. Aligning career and technical education programs with the quality apprenticeship features described in Registered Apprenticeship regulations;
 - *Improving Data Sharing and Data Integrity.*
 - States must spend a portion of the base funding to improve data collection and sharing and data integrity. Examples include: i. Adoption of RAPIDS as the State’s case management system for registration activities; ii. Taking the infrastructural steps necessary for the State to enter a MOU regarding the sharing of data on RAPs and registered apprentices that provides the equivalent disaggregated data that is available to DOL via RAPIDS.

- **Tier II Requirements:** Grantees awarded Tier II funding must ensure their grants satisfy the required goals as identified by policy area and/or topic referenced in Appendix III of the application. These are incorporated within the grant agreement. For performance outcomes and outputs, grantees must reach agreement with the Department on how they will report performance. During the first quarter of the grant, the Department will work with grantees to ensure performance outputs and outcomes are clearly defined and measurable.
- **Performance Reporting Requirements:** Grantees are required to adhere to OMB-approved performance reporting requirements. Performance reporting for these grants aligns with the DOL-Only Performance Accountability Information and Reporting System (OMB Control No. 1205-0521) information collection request (ICR), specifically the requirements identified for apprenticeship grants data reporting into via the Workforce Integrated Performance System (WIPS). As part of quarterly performance reporting, DOL requires grant recipients to conduct data validation to ensure the validity of data submitted to DOL (see TEG-23-19 https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9155). See the table below for links to the approved OMB performance requirements
- **Case Management System:** In addition to appropriate financial management tracking systems 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, which allows for a .csv file export and upload into the Department's Workforce Integrated Performance Reporting System (WIP) data files. It is anticipated that grantees will have access to the WIPS within the second quarter of the grant and will begin submitting data and quarterly program reports into the system at that point. Prior to requiring WIPS report submissions, DOL will provide a series of trainings to assist you with understanding how to navigate the WIPS system and report data to the Department. For the first quarter of the grant, only narrative and financial report will be required.

Consolidated Compliance References	Resource Link	Overview/ Description
Registered Apprenticeship and Pre-Apprenticeship Definitions	https://wdr.doleta.gov/directives/attach/TEGL/TEGL_15-19.pdf See pages 4-5	Outlines the elements of a registered apprenticeship program, also specifically distinguishes pre-apprenticeship elements from that outlined in TEN 13-12.
Frequently Asked Questions for TEGL 15-19	https://www.dol.gov/sites/dolgov/files/ETA/grants/pdfs/TEGL-15-19-Frequently-Asked-Questions.pdf	Provides answers to frequently asked question concerning the grant, including questions concerning allowable activities.
Grantee Handbook	https://www.doleta.gov/grants/award_management.cfm	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	https://www.gpo.gov/fdsys/granule/CFR-2014-title2-vol1/CFR-2014-title2-vol1-part200/content-detail.html	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	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

	<p>Additional information on the Uniform Guidance can be found at: https://www.doleta.gov/grants/UniformGuidance.cfm.</p>	<p>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.</p>
<p>Performance Reporting</p>	<p>OMB-approved performance reporting requirements applicable to this and other Registered Apprenticeship grants here: https://www.reginfo.gov/public/do/PRAViewlCR?ref_nbr=201911-1205-008</p>	<ul style="list-style-type: none"> • Supporting Statement: The Supporting Statement is available by clicking View Supporting Statement and Other Documents which will open a secondary page. In the upper left corner of the table under Supporting Statement A, click the link 1205-0521 Supporting Statement 031720 - Clean.docx. • Apprenticeship Quarterly Performance Report (QPR): The Apprenticeship QPR can be accessed by first clicking “All”, then scrolling down on the page to click on the IC Title Program Performance Report (Private Sector) which will open a secondary page, at the top of the list is the proposed Apprenticeship QPR, “ETA_9173_QPR_Apprenticeship_FINAL 3.27.19.xlsx. • Participant Individual Record Layout (PIRL): The PIRL is available by first clicking “All”, then scrolling down on the page to click on the IC Title WIOA Participant Individual Record Layout (PIRL), which will open a secondary page, at the top of the documents list is the proposed PIRL, “PIRL COMBINED 2.28.20.xlsx” Apprenticeship cells are shown under material revisions on the PIRL Combined 2.28.20, and in the column labeled ‘Apprenticeship’. • Additional performance instructions and guidelines, including schema, will be presented during WIPS

		training, and may be updated throughout the period of performance.
Financial Reporting	TEGL 2-16 https://grantsapplicationandmanagement.workforcegps.org/-/media/Communities/grantsapplicationandmanagement/Files/PPT-and-Attachments/TEGL_2-16_acc.ashx	Revised ETA-9130 Financial Report, Instructions, and Additional Guidance. These grants will utilize the BASIC 9130 form.
	https://doleta.gov/grants/award_management.cfm	OGM Financial Links. Provides access to the financial reporting system, and payment management system (PMS) for learning opportunities.

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

TERMS AND CONDITIONS LIBRARY
TABLE OF CONTENTS

1.	Order of Precedence.....	3
2.	Notice of Award	3
3.	Funding Opportunity Announcement.....	3
4.	Federal Project Officer.....	3
5.	Indirect Cost Rate and Cost Allocation Plan	3
6.	Approved Statement of Work	5
7.	Approved Budget	5
8.	Return of Funds.....	6
9.	Evaluation, Data, and Implementation	6
10.	Resources and Information	6
	a. Budget Flexibility	6
	b. Consultants	7
	c. Travel	7
	d. Travel – Foreign	7
	e. Travel – Mileage Reimbursement Rates.....	7
11.	Administrative Requirements	7
	a. Audits.....	8
	b. Changes in Micro-purchase and Simplified Acquisition Thresholds.....	8
	c. Closeout/Final Year Requirements	8
	d. Creative Commons Attributions License	8
	e. Equipment.....	9
	f. Federal Funding Accountability and Transparency Act (FFATA).....	9
	g. Intellectual Property Rights	12
	h. Intellectual Property Rights and the Bayh-Dole Act	12
	i. Personally Identifiable Information	12
	j. Pre-Award	13
	k. Procurement.....	13
	l. Program Income	13
	m. Publicity	13
	n. Recipient Integrity and Performance Matters.....	13
	o. Reports.....	15
	p. Requirements for Conference and Conference Space	16
	q. Subawards.....	16
	r. Supportive Services & Participant Support Costs	16
	s. System for Award Management.....	16
	t. SAM Registration Validation	17
	u. Vendor/Contractor	17
	v. Whistleblower Protection.....	17
12.	Program Requirements.....	18
13.	2019 Federal Appropriations Requirements	18
	a. Fair Labor Standards Act Amendment for Major Disasters.....	18
	b. Health Benefits Coverage for Contraceptives	19
	c. Participant Minimum Age (for all H1-B awards).....	19
	d. Privacy Act.....	19

e. Prohibition on Contracting with Corporations with Felony Criminal Convictions	19
f. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities	19
g. Prohibition on Procuring Goods Obtained Through Child Labor.....	20
h. Prohibition on Providing Federal Funds to ACORN	20
i. Reporting of Waste, Fraud and Abuse.....	20
j. Requirement for Blocking Pornography	20
k. Requirement to Provide Certain Information in Public Communications.....	20
l. Restriction on Health Benefits Coverage for Abortions	20
m. Restriction on Lobbying/Advocacy	21
n. Restriction on the Promotion of Drug Legalization	21
o. Restriction on Purchase of Sterile Needles or Syringes.....	21
p. Salary and Bonus Limitations.....	21
14. Public Policy	22
a. Architectural Barriers.....	22
b. Drug-Free Workplace.....	22
c. Executive Orders.....	22
d. Flood Insurance.....	23
e. Hotel-Motel Fire Safety	23
f. Prohibition on Trafficking in Persons.....	23
g. Veterans’ Priority Provisions.....	25
15. Attachments	25
<i>Attachment A: SF-424</i>	
<i>Attachment B: SF-424a</i>	
<i>Attachment C: Budget Narrative</i>	
<i>Attachment D: Statement of Work</i>	

1. Order of Precedence

In the event of any inconsistency between the terms and conditions of this Notice of Award and other requirements, the following order of precedence shall apply:

- I. The National Apprenticeship Act, 29 U.S.C. 50.
- II. Other applicable Federal statutes.
- III. Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Public Law 115-245, Division B, Title I).
- IV. Implementing Regulations.
- V. Executive Orders.
- VI. OMB Guidance, including the Uniform Guidance at 2 CFR 200 and 2900.
- VII. DOL-ETA Directives.
- VIII. Terms and conditions of this award.

2. Notice of Award

Funds shall be obligated and allocated via a Notice of Award (NOA) grant modification. These obligations and costs may not exceed the amount awarded by the NOA modification unless otherwise modified by the ETA.

3. Funding Opportunity Announcement

The Training and Employment Guidance Letter No. 15-19, https://wdr.doleta.gov/directives/attach/TEGL/TEGL_15-19.pdf, is hereby incorporated into this Notice of Award (NOA). Award recipients are bound by the authorizations, restrictions, and requirements contained in the FOA. Therefore, the expenditure of grant funds by the award recipient certifies that (your organization has read and will comply with all the parts that are contained in the NOA.

4. Federal Project Officer

The DOL/ETA Federal Project Officer (FPO) for this award is:

Name: Joshua Hodges

Telephone: 415-625-7946

E-mail: Hodges.joshua@dol.gov

The FPO 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 modification process.

5. Indirect Cost Rate and Cost Allocation Plan

- A. A current federally approved Negotiated Indirect Cost Rate Agreement (NICRA) or current federally approved Cost Allocation Plan (CAP) has been provided – copy attached. Regarding only the NICRA:

- (1) Indirect Rate approved:
- (2) Type of Indirect Cost Rate:
- (3) Allocation Base:
- (4) Current period applicable to rate:

Estimated Indirect Costs are shown on the SF-424A budget form. If a new NICRA is issued during the life of the grant, it must be provided to DOL within 30 days of issuance. Funds may be re-budgeted as necessary between direct and indirect costs consistent with institutional requirements and DOL regulations for prior approval, however the total amount of grant award funding will not be increased. Any budget changes impacting the Statement of Work and agreed upon outcomes or deliverables require a request for modification and prior approval from the Grant Officer.

- B.**
 - (1) Latest NICRA or CAP approved by the Federal Cognizant Agency¹ (FCA) is not current,
 - (2) No NICRA or CAP has ever been approved by an FCA.

URGENT NOTICE: Estimated indirect costs have been specified on the SF-424A, Section B, Object Class Category “j”, however only N/A will be released to support indirect costs in the absence of a NICRA or CAP approved by the cognizant agency. The remaining funds which have been awarded for Indirect Costs are restricted and may not be used for any purpose until the awardee provides a signed copy of the NICRA or CAP and the restriction is lifted by the Grant Officer. Upon receipt of the NICRA or CAP, ETA will issue a grant modification to the award to remove the restriction on those funds.

The awardee must submit an indirect cost rate proposal or CAP. These documents should be submitted to DOL’s Division of Cost Determination (DCD), or to the awardee’s Federal Cognizant Agency. In addition, the awardee must notify the Federal Project Officer that the documents have been sent. Contact information for the DCD is available at <http://www.dol.gov/oasam/boc/dcd/>. If this proposal is not submitted within 90 days of the effective date of the award, no funds will be approved for the reimbursement of indirect costs. Failure to submit an indirect cost proposal by the above date means the grantee will not receive further reimbursement for indirect costs until a signed copy of the federally approved NICRA or CAP is provided and the restriction is lifted by the Grant Officer. All indirect charges must be returned through the Payment Management System and no indirect charges will be reimbursed.

The total amount of DOL’s financial obligation under this grant award will not be increased to reimburse the awardee for higher negotiated indirect costs.

¹ The Federal agency providing the organization the preponderance of direct Federal funds.

- C. The organization elected to exclude indirect costs from the proposed budget. Please be aware that incurred indirect costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) must not be classified as direct costs; these types of costs are indirect costs. Only direct costs, as defined by the applicable cost principles, will be charged. Audit disallowances may occur if indirect costs are misclassified as direct.
- D. The organization has never received a negotiated indirect cost rate and, pursuant to the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, has elected to charge a de minimis rate of 10% of modified total direct costs (see 2 CFR 200.68 for definition) which may be used indefinitely. This methodology must be used consistently for all Federal awards until such time as you choose to negotiate for an indirect cost rate, which you may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

If DOL is your FCA, recipients must work with DOL's DCD, which has delegated authority to negotiate and issue a NICRA or CAP on behalf of the Federal Government. More information about DOL's DCD is available at <http://www.dol.gov/oasam/boc/dcd/>. This website has guidelines to develop indirect cost rates, links to the applicable cost principles, and contact information. The DCD also has Frequently Asked Questions providing general information about the indirect cost rate approval process and due dates for provisional and final indirect cost rate proposals at <http://www.dol.gov/oasam/faqs/FAQ-dcd.htm>.

Starting the quarter ending September 30, 2016, all grant recipients with an approved NICRA or de minimis rate must report indirect costs on their FINAL ETA-9130 Form. Please see TEGL 2-16 for additional guidance at https://wdr.doleta.gov/directives/attach/TEGL/TEGL_2-16_acc.pdf

6. **Approved Statement of Work**

This project's narrative is considered as the Approved Statement of Work. It has been included as Attachment D. If there is any inconsistency between items specified in the project narrative and the program statute, appropriation, regulations, Executive Orders, Uniform Guidance, OMB Circulars, and DOL-ETA directives, the order of precedence will prevail.

7. **Approved Budget**

The award recipient's budget documents are attached in this Notice of Award. The documents are: 1) the SF-424, included as Attachment A; 2) the SF-424 A, included as Attachment B; and 3) the Budget Narrative, included as Attachment C. As the award recipient, your organization must confirm that all costs are allowable before creating any expenses. Pursuant to 2 CFR 2900.1, the approval of the budget as awarded does not constitute prior approval of those items specified in 2 CFR 200 or your grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

8. Return of Funds

Effective October 1st, 2017, the U.S. Department of Labor, Employment & Training Administration will no longer be accepting paper checks for any type of returned funds. All return of funds are to be submitted electronically through the Payment Management System (PMS) operated by the U.S. Department of Health and Human Resources via the same method as a drawdown.

If there are questions regarding the return of funds or your organization no longer has access to PMS, contact the U.S. Department of Labor/ETA Office of Financial Administration via email at: ETA-ARteam@dol.gov for further assistance.

9. Evaluation, Data, and Implementation

As the award recipient, your organization must cooperate during the implementation of a third-party evaluation. This means providing DOL or its authorized contractor with the appropriate data and access to program operating personnel and participants in a timely manner.

10. Resources and Information

Additional resources and information to assist you are located on the ETA website at <https://www.doleta.gov/grants/resources.cfm> and on the Grants Application and Management collection page located on WorkforceGPS.org at <https://grantsapplicationandmanagement.workforcegps.org/>. These sites contains information about the Uniform Guidance, grant terms and conditions, financial reporting, indirect costs, recipient training resources, and other relevant information.

a. Budget Flexibility

Federal 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 Statement of Work and agreed upon outcomes or deliverables require a request for modification and prior approval from the Grant Officer.

As directed in 2 CFR 200.308(e), for programs where the Federal share is over the simplified acquisition threshold (currently \$250,000), the transfer of funds among direct cost categories or programs, functions and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget as last approved by the Federal awarding agency, the recipient must receive prior approval from the Grant Officer. Any changes within a specific cost category on the SF424(a) do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of total budget as noted above. It is recommended that your assigned FPO review any within-line changes to your budget prior to implementation to ensure they do not require a modification. For programs where the Federal share is below the simplified acquisition threshold, recipients are not required to obtain the Grant Officer's approval when transferring funds among direct cost categories. This includes transferring direct costs to the indirect cost category contained on the SF424(a).

b. Consultants

For the purposes of this award, the ETA Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to \$710 per day (representing an eight hour work day). Any fees paid in excess of this amount cannot be paid without prior approval from the Grant Officer.

c. Travel

This award waives the prior approval requirement for domestic travel as contained in 2 CFR 200.474. For domestic travel to be an allowable cost, it must be necessary, reasonable, allocable and conform to the non-Federal entities written policies and procedures. All travel must also comply with 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 US Flag air carrier if service provided by such carrier is available.

d. Travel – Foreign

Foreign travel is not allowable except with prior written approval. Prior written approval must be obtained from the Grant Officer through the process described in 2 CFR 200.407 and 2 CFR 2900.16. 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 US Flag air carrier if service provided by such carrier is available.

e. Travel – Mileage Reimbursement Rates

Pursuant to 2 CFR 200.474(a), all award recipients must have policies and procedures in place related to travel costs; however, for reimbursement on a mileage basis, this Federal award cannot be charged more than the maximum allowable mileage reimbursement rates for Federal employees. The 2019 mileage reimbursement rates are:

Modes of Transportation	Effective/Applicability Date	Rate per mile
Privately owned automobile	January 1, 2020	\$0.58
Privately owned motorcycle	January 1, 2020	\$0.55

Mileage rates must be checked annually at www.gsa.gov/mileage to ensure compliance.

11. Administrative Requirements

The signed SF-424, Application for Federal Assistance, has been included as an attachment to this grant. The individual that signed the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B (available at <http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>). You do not need to submit the SF-424B form separately.

a. Audits

Organization-wide or program-specific audits shall be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance which apply to audits for fiscal years beginning on or after December 26, 2014. DOL awards recipients including for-profit and foreign entities that expend \$750,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501. OMB's approved exception at 2 CFR 2900.2 expands the definition of 'non-Federal entity' to include for-profit entities and foreign entities. For-profit and foreign entities that are recipients or subrecipients of a DOL award must adhere to the Uniform Guidance at 2 CFR 200.

b. Changes in Micro-purchase and Simplified Acquisition Thresholds

The Office of Management and Budget memorandum (M-18-18), issued on June 20, 2018, increased the threshold for micro-purchases under Federal financial assistance awards from \$3,500 to \$10,000 and the threshold for simplified acquisitions under Federal financial assistance awards from \$100,000 to \$250,000. Please note that these two threshold increases were effective for all Employment and Training (ETA) grantees as of October 1, 2018. All ETA grantees should carefully review the above-referenced memorandum and make any necessary updates to their financial and administrative policies, procedures and systems as a result of these threshold increases.

c. Closeout/Final Year Requirements

At the end of the grant period, the award recipient will be required to close the grant with the ETA. As the award recipient, your organization will be notified approximately 15 days prior to the end of the period of performance that the closeout process will begin once the grant ends. The information concerning the recipient's responsibilities at closeout may be found at 2 CFR 200.343. During the closeout process, the grantee 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 documentation that is required is a Negotiated Indirect Cost Rate Agreement or Cost Allocation Plan issued by the grantee's Federal cognizant agency. Documentation for those approved to utilize a de minimis rate for indirect costs is demonstrated through the grant agreement. Not having documentation for direct or indirect costs will result in costs being disallowed and subject to debt collection. The only liquidation that can occur during closeout is the liquidation of accrued expenditures (NOT obligations) for goods and/or services received during the grant period (2 CFR 2900.15).

d. Creative Commons Attributions License

As required at 2 CFR 2900.13, any intellectual property developed under a competitive award process must be licensed under a Creative Commons Attribution 4.0 (CC BY) license, which allows subsequent users to copy, distribute, transmit and adapt the copyrighted work and attribute the work in the manner specified by the recipient. For general information on CC BY, please visit <http://creativecommons.org/licenses/by/4.0>. The Instructions for marking your work with CC BY can be found at http://wiki.creativecommons.org/Marking_your_work_with_a_CC_license.

e. Equipment

Award Recipients must receive **prior approval** from the Grant Officer to purchase any equipment as defined in the Uniform Guidance at 2 CFR 200.33 (current threshold is \$5,000). Prior approval is required only when the acquisition cost is \$5,000 or more regardless of the non-Federal entity's capitalization threshold. Equipment purchases must be made in accordance with 2 CFR 200.313 or 2 CFR 200.439.

Being awarded this grant **does not** automatically mean you are approved for the equipment specified in a recipient's budget or statement of work unless it is specifically approved by the Grant Officer. If not specified above, the recipient must submit a detailed list describing the purchase to the FPO for review within 90 days of the Notice of Award date. We strongly encourage recipients to submit requests for equipment purchase 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. This may not be the same as the last twelve months of the period of performance. If any approved acquisition has not occurred prior to the last funded year of performance, approval for that item(s) is rescinded.

f. Federal Funding Accountability and Transparency Act (FFATA)

1. Reporting of first-tier subawards.

- I. *Applicability.* Unless your organization is exempt as provided in paragraph [4.] of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph [5.] of this award term).
- II. *Where and when to report.*
 - I. You must report each obligating action described in paragraph [1.i.] of this award term to <https://www.fsrs.gov>.
 - II. For subaward information, you must report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
- III. *What to report.* You must report the information about each obligating action that the submission instructions posted at <https://www.fsrs.gov> specify.

2. Reporting Total Compensation of Recipient Executives.

- I. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - I. the total Federal funding authorized to date under this award is \$25,000 or more;
 - II. in the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - III. The public does not have access to information on 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)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <https://www.sec.gov/answers/execomp.htm>.)
 - II. *Where and when to report.* You must report executive total compensation described in paragraph [2.a.] of this award term:
 - a. As part of your registration profile at <http://www.sam.gov>.
 - b. By the end of the month following the month in which this award is made, and annually thereafter.
3. Reporting of Total Compensation of Subrecipient Executives.
 - I. *Applicability and what to report.* Unless you are exempt as provided in paragraph [4.] of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
 - I. 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 financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - II. The public does not have access to information on 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)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <https://www.sec.gov/answers/execomp.htm>.)
 - II. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph [3.a] of this award term:
 - I. To the recipient.
 - II. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
4. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

 - a. Subawards, and

- b. The total compensation of the five most highly compensated executives of any subrecipient.
5. Definitions.
- For purposes of this award term:
- a. *Entity* means all of the following, as defined in 2 CFR part 25:
 - I. A Governmental organization, which is a State, local government, or Indian tribe;
 - II. A foreign public entity;
 - III. A domestic or foreign nonprofit organization;
 - IV. A domestic or foreign for-profit organization;
 - V. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
 - b. *Executive* means officers, managing partners, or any other employees in management positions.
 - c. *Subaward*:
 - I. This term is used as a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - II. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.330]).
 - III. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
 - d. *Subrecipient* means an entity that:
 - I. Receives a subaward from you (the recipient) under this award; and
 - II. Is accountable to you for the use of the Federal funds provided by the subaward.
 - e. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - I. *Salary and bonus.*
 - II. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - III. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - IV. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
 - V. *Above-market earnings on deferred compensation which is not tax-qualified.*
 - VI. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

g. Intellectual Property Rights

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, 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. Therefore, program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

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

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

h. Intellectual Property Rights and the Bayh-Dole Act

All small business firms, and non-profit organizations (including Institutes of Higher Education) must adhere to the Bayh Dole Act, which requirements are provided at 37 CFR 401.3(a) and at <https://doleta.gov/grants/pdf/BayhDoleGrantTerm.pdf>. 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. These requirements are in addition to those found in the Intellectual Property Rights term provided in this document.

i. Personally Identifiable Information

Award recipients 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 Training and Employment Guidance letter (TEGL) 39-11, Guidance on the Handling and Protection of Personally Identifiable Information (PII), found at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872.

j. Pre-Award

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

k. Procurement

The Uniform Guidance Procurement Standards at 2 CFR 200.317-326 require all award recipients and subrecipients to conduct procurement transactions in a manner that promote practical, open and free competition. If the award recipient specifies the entity that will provide the goods or services in their statement of work, then the DOL ETA's description of award does not provide the justification for such sole-source procurement.

l. Program Income

The Addition method as described in 2 CFR 200.307 must be used in allocating any program income generated for this grant award. Award recipients must expend all program income prior to drawing down additional funds as required at 2 CFR 200.305(b) (5) and 2 CFR 200.307(e). Any program income found remaining at the end of period of performance must be returned to the ETA. In addition, recipients must report program income on the quarterly financial report using ETA-9130 form.

YouthBuild program, please refer to 20 CFR 688.590 for guidance on program income.

m. Publicity

No funds provided under this grant shall be used for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film 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. Nor shall grant funds be used to pay the salary or expenses of any recipient or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive Order proposed or pending before the Congress, or any state government, state legislature, or local legislative body other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a state, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

n. Recipient Integrity and Performance Matters

1. If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the award recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph

2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings about which you must report. Submit the information required about each proceeding that:
 - a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
 - b. Reached its final disposition during the most recent 5-year period; and
 - c. Is one of the following:
 - I. A criminal proceeding that resulted in a conviction, as defined in paragraph 5. of this award term
 - II. A civil proceeding that resulted in a finding of fault and liability and paying a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - III. An administrative proceeding, as defined in paragraph 5. of this award term, that resulted in a finding of fault and liability and your payment of either monetary fine or penalty of \$5,000 or more or a reimbursement, restitution, or damages in excess of \$100,000; or
 - IV. Any other criminal, civil, or administrative proceeding if:
 - (A) It could have led to an outcome described in paragraph 2.c.I, II, or III of this award term;
 - (B) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
 - (C) The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.
3. Reporting procedures. Enter in SAM Entity Management area (formerly CCR), or any successor system, the FAPIIS information that SAM requires about each proceeding described in paragraph 2. of this award term. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM (formerly CCR) because you were required to do so under Federal procurement contracts that you were awarded.
4. Reporting frequency. During any period of time when you are subject to the requirement in paragraph 1. of this award term, you must report FAPIIS information through SAM no less frequently than semiannually following your initial report of any proceedings for the most recent 5-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report.
5. Definitions. For purposes of this award term:
 - a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., 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. It does not include audits, site visits, corrective plans, or inspection of deliverables.

- b. Conviction, for purposes of this award term, 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.
- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes —
 - I. Only the Federal share of the funding under any award with a recipient cost share or match; and
 - II. The value of all options, even if not yet exercised.

o. Reports

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

- a. **Quarterly Financial Reports.** All ETA recipients are required to report quarterly financial data on the ETA-9130 Form. ETA-9130 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 final financial report must be submitted no later than 90 calendar days after the grant period of performance ends. A closeout report will be submitted during the closeout process. For additional guidance on ETA's financial reporting, reference Training and Employment Guidance Letter (TEGL) 02-16 and https://www.doleta.gov/grants/pdf/ETA-9130_Financial_Reporting_Resources.pdf

The instructions for accessing both the on-line financial reporting system and the HHS Payment Management System can be found in the transmittal memo accompanying this Notice of Award.

- b. **Quarterly Narrative Progress Reports.** Recipients are required to submit a narrative quarterly and final report 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.
 - 1. 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 grant's activities. It must summarize project activities, employment outcomes and other deliverables, and related results of the project.
 - 2. The 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.
 - 3. The recipient shall utilize standard reporting processes and electronic reporting systems to submit their quarterly progress reports as provided by ETA.

p. Requirements for Conference 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. 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.

q. Subawards

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

The provisions of the Terms and Conditions of this award will be applied to any subrecipient under this award. The recipient is responsible for monitoring the subrecipient, ensuring that the Terms and Conditions are in all subaward packages and that the subrecipient comply with all applicable regulations and the terms and conditions of this award (2 CFR 200.101(b)(1)).

r. Supportive Services & Participant Support Costs

When supportive services are expressly authorized by a program statute, regulation, or FOA, this award waives the prior approval requirement for participant support costs as described in 2 CFR 200.456. Costs must still meet the basic considerations at 2 CFR 200.402 – 200.411. Questions regarding supportive services and participant support costs should be directed to the FPO who is assigned to the grant.

s. System for Award Management

1. Requirement for System of Award Management (SAM)

Unless you are exempt from this requirement under 2 CFR 25.110, you as the award recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

2. Requirement for unique entity identifier

If you are authorized to make subawards under this award, you:

- i. Must notify potential subrecipients that no entity (*see* definition in paragraph [3] of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
- ii. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

3. Definitions

For purposes of this award term:

- i. *System of Award Management (SAM)* is the Federal repository where award recipients register to do business with the U.S. government. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
- ii. *Unique entity identifier* means the code that is unique to a registered entity in order to complete its registration on SAM.
- iii. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - a. A Governmental organization, which is a State, local government, or Indian Tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization; and
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- iv. *Subaward*:
 - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
 - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
- v. *Subrecipient* means an entity that:
 - a. Receives a subaward from you under this award; and
 - b. Is accountable to you for the use of the Federal funds provided by the subaward.

t. SAM Registration Validation

ETA advises grant recipients registered in SAM to log into SAM and review their registration information, particularly their financial information and points of contact. Further, the DUN and EIN numbers must remain active until the grant award closeout process is fully completed. See TEN 18-17 for additional guidance.

u. Vendor/Contractor

The term “contractor”, sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required to implement a Federal program. (2 CFR 200.23) These goods or services may be for an organization's own use or for the use of the beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.330. When procuring contractors for goods and services, DOL ETA recipients and subrecipients must follow the procurement requirements 2 CFR 200.319, which calls for free and open competition.

v. Whistleblower Protection

This grant and employees working on this grant are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712. The recipient shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation (48 CFR

3.908; note that for the purpose of this term and condition, use of the term "contract," "contractor," "subcontract," or "subcontractor" in section 3.908 should be read as "grant," "grantee," "subgrant," or "subgrantee"). The recipient shall insert the substance of this clause in all subgrants and contracts over the simplified acquisition threshold.

12. Program Requirements

The Training and Employment Guidance Letter No. 15-19 contains the program requirements for this award.

13. 2019 Federal Appropriations Requirements

a. Fair Labor Standards Act Amendment for Major Disasters

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 are applied for a period of two years afterwards. 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;

“(B) 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 “(C) 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 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 percent 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.”.

b. Health Benefits Coverage for Contraceptives

Federal funds may not be used to enter into or renew a contract which 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 HealthPlans, 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 individuals’ religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion related services.

c. Participant Minimum Age (for all H1-B awards)

Pursuant to P.L. 115-245, Division B, Title I, Section 104, funds made available under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a) must only be used for training individuals and for the related activities necessary to support such training. This training must be in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and it must be provided only to individuals who are older than 16 years of age and who are not currently enrolled in a school within a local educational agency.

d. Privacy Act

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

e. Prohibition on Contracting with Corporations with Felony Criminal Convictions

The 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.

f. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

The 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 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. Prohibition on Procuring Goods Obtained Through Child Labor

No funds 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 18, 2015. DOL has identified these goods and services here: <http://www.dol.gov/ilab/reports/child-labor/list-of-products/index-country.htm> .

h. Prohibition on Providing Federal Funds to ACORN

These funds may not be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations or successors.

i. Reporting of 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.

j. Requirement for Blocking Pornography

No Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

k. Requirement to Provide Certain Information in Public Communications

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 non-Federal entities 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 part are separate from those in the 2 CFR part 200 and, when appropriate, both must be complied with.

l. Restriction on Health Benefits Coverage for Abortions

Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the abortion due to a pregnancy that is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, including life-endangering physical conditions caused by or arising from the pregnancy itself that would, as

certified by a physician, place the women in danger of death unless and abortion is performed. This restriction does not prohibit any non-Federal entity 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 health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

m. Restriction on Lobbying/Advocacy

No federal funds may be used by a grant recipient, other than for normal and recognized executive-legislative relationships, to engage in lobbying or advocacy activities (including publicity or propaganda purposes or for the preparation of any publication or electronic communication) designed to support or defeat the enactment of federal, state, or local legislation, regulation, appropriations, order, or other administrative action, except in presentation to Congress or a State or local legislature itself or for 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.

n. Restriction on the Promotion of Drug Legalization

No Federal funds 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.

o. Restriction on Purchase of Sterile Needles or Syringes

No Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug.

p. Salary and Bonus Limitations

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 website (<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2019/executive-senior-level>). The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.330. 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 Employment and Training Administration programs. See Training and Employment Guidance Letter No. 5-06 for further clarification, available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262

14. Public Policy

a. 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 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.

b. Drug-Free Workplace

The Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR 182 require that all organizations receiving grants 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 or debarment.

c. Executive Orders

12928: Pursuant to Executive Order 12928, the 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.

13043: Pursuant to Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, 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.

13166: As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency [05/29/2003] Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>.

13513: Pursuant to Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to

conduct initiatives of the type described in section 3(a) of this order.

13788: Pursuant to Executive Order 13788, by drawing down funds, the recipient agrees to comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the “Buy American Act”). Additionally, no funds may be made available to any person or entity that has been convicted of violating the Buy American Act.

For the purposes of this award, the Buy American Act requires the recipient to use, with limited exceptions, only 1) unmanufactured items that have been mined or produced in the United States; and 2) manufactured items that have been manufactured in the United States substantially all from articles, materials, or supplies that were mined, produced, or manufactured in the United States.

These requirements do not apply to 1) items for use outside of the United States, 2) items that are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality; and 3) manufactured items procured under any contract with an award value that is equal to or less than the micro-purchase threshold (currently \$10,000). In order to claim an exception to these requirements under 1 or 2 above, the recipient must get prior approval from the Grant Officer. Prior approval is not needed for purchases under the micro-purchase threshold.

d. 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 FEMA.

e. 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 List at <https://apps.usfa.fema.gov/hotel/> to see if a property is in compliance, or to find other information about the Act.

f. Prohibition on Trafficking in Persons

1. Trafficking in persons.

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

I. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

(A). Engage in severe forms of trafficking in persons during the period of time that the award is in effect;

(B). Procure a commercial sex act during the period of time that the award is in effect; or

- (C). Use forced labor in the performance of the award or subawards under the award.
- II. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
 - (A). Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - (B). Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to you 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.* We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—
 - I. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
 - II. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable 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.*
 - I. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 - II. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - (A). Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - (B). Is in addition to all other remedies for noncompliance that are available to us under this award.
 - III. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
- d. *Definitions.* For purposes of this award term:
 - I. “Employee” means either:
 - (A). An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - (B). Another person engaged in the performance of the project or program under this award and not compensated by you 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 or matching requirements.

II. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

III. "Private entity":

(A). Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

(B). Includes:

i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

ii. A for-profit organization.

IV. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

g. Veterans' Priority Provisions

The Jobs for Veterans Act (Public Law 107-288) requires recipients 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 a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Recipients must comply with the DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

15. Attachments

[Attachment A: SF-424](#)

[Attachment B: SF-424a](#)

[Attachment C: Budget Narrative](#)

[Attachment D: Statement of Work](#)

Attachment A: SF-424

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: <input type="text" value="05/21/2020"/>	4. Applicant Identifier: <input type="text"/>	
5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>	
State Use Only:		
6. Date Received by State: <input type="text" value="05/21/2020"/>	7. State Application Identifier: <input type="text" value="OR"/>	
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="Higher Education Coordinating Commission"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="37-1737848"/>	* c. Organizational DUNS: <input type="text" value="0798066580000"/>	
d. Address:		
* Street1: <input type="text" value="255 Capitol St. NE"/>	Street2: <input type="text"/>	
* City: <input type="text" value="Salem"/>	County/Parish: <input type="text"/>	
* State: <input type="text" value="OR: Oregon"/>	Province: <input type="text"/>	
* Country: <input type="text" value="USA: UNITED STATES"/>	* Zip / Postal Code: <input type="text" value="97301-0103"/>	
e. Organizational Unit:		
Department Name: <input type="text" value="Higher Education Coordinating"/>	Division Name: <input type="text" value="Office of Workforce Investment"/>	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Mrs."/>	* First Name: <input type="text" value="Jennifer"/>	
Middle Name: <input type="text" value="Lee"/>	* Last Name: <input type="text" value="Denning"/>	
Suffix: <input type="text"/>	Title: <input type="text" value="Program Analyst"/>	
Organizational Affiliation: <input type="text" value="Higher Education Coordinating Commission"/>		
* Telephone Number: <input type="text" value="5039473034"/>	Fax Number: <input type="text"/>	
* Email: <input type="text" value="jennifer.l.denning@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. Catalog of Federal Domestic Assistance Number:

17.285

CFDA Title:

Apprenticeship USA Grants

*** 12. Funding Opportunity Number:**

ETA-TEGL-15-19

* Title:

Building State Capacity to Expand Apprenticeship through Innovation

13. Competition Identification Number:

ETA-TEGL-15-19

Title:

Building State Capacity to Expand Apprenticeship through Innovation

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

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Building State Capacity to Expand Registered Apprenticeship through Innovation-Tier I

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

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="450,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="450,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

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 218, Section 1001)**

** 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: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

Attachment B: SF-424A

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2022

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. State Expansion Grant	17.285	\$ 0.00	\$ 0.00	\$ 450,000.00		\$ 450,000.00
2.						
3.						
4.						
5. Totals		\$ 0.00	\$ 0.00	\$ 450,000.00		\$ 450,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	State Expansion Grant				
a. Personnel	\$ 36,732.00	\$	\$	\$	\$ 36,732.00
b. Fringe Benefits	18,727.50				18,727.50
c. Travel	0.00				0.00
d. Equipment	0.00				0.00
e. Supplies	1,401.50				1,401.50
f. Contractual	392,711.00				392,711.00
g. Construction	0.00				0.00
h. Other	428.00				428.00
i. Total Direct Charges (sum of 6a-6h)	450,000.00				\$ 450,000.00
j. Indirect Charges					\$
k. TOTALS (sum of 6i and 6j)	\$ 450,000.00	\$	\$	\$	\$ 450,000.00
7. Program Income	\$ 0.00	\$	\$	\$	\$ 0.00

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Prescribed by OMB (Circular A -102) Page 1A

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8. State Expansion Grant	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
10. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
11. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
12. TOTAL (sum of lines 8-11)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="37,500.00"/>	\$ <input type="text" value="37,500.00"/>	\$ <input type="text" value="37,500.00"/>	\$ <input type="text" value="37,500.00"/>
14. Non-Federal	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="37,500.00"/>	\$ <input type="text" value="37,500.00"/>	\$ <input type="text" value="37,500.00"/>	\$ <input type="text" value="37,500.00"/>

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. State Expansion Grant	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="0.00"/>
17. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
18. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
19. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
20. TOTAL (sum of lines 16 - 19)	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="150,000.00"/>	\$ <input type="text" value="0.00"/>

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: <input type="text" value="450,000.00"/>	22. Indirect Charges: <input type="text" value="0"/>
23. Remarks: <input type="text" value="Indirect charges are being reflected in Tier II funding."/>	

Attachment C: Budget Narrative

**Advancing Oregon Apprenticeship: State Apprenticeship Expansion
Tier I
Budget Narrative**

Total funding request - \$450,000

Personnel	\$36,732
Fringe Benefits	\$18,727.50
Travel	\$0
Equipment	
Supplies	\$1,401.50
Contractual	\$392,711
Construction	
Other	\$428.00
Indirect Charges	\$0 (this is factored into Tier II)

Higher Education Coordinating Commission

Total Cost: \$57,289

HECC Staffing

Total Cost: 55,459.56

Position Title	Purpose	FTE	Length of Work	Monthly Salary	Monthly Benefits	Total Monthly Cost	Total Cost for 30 Months
Program Analyst	Grant oversight, reporting, monitoring, and administrative functions	0.2	30 Months	\$6,122	\$624.25	\$1,848.65	\$55,459.56

Fringe Benefits are estimated 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) at \$1,272 per FTE per month associated with staffing.

Supplies

Total Cost: \$1,401.50

Supplies related to administering the grant.

Other

Total Cost: \$428

Department of Justice fees for legal review and approval of contracts at \$214 per hour for approximately 2 hours. Oregon law requires contracts over \$150,000 to be reviewed by the Department of Justice.

Contractual

Total Cost: \$392,711

State Apprenticeship Agency (BOLI-ATD) Staffing

Total Cost: \$302,034

Position Title	Purpose	FTE	Length of Work	Monthly Salary	Monthly Benefits	Total Monthly Cost	Total Cost for 30 Months
Administrator, ATD	Coordination with partner agencies	.05	30 Months	\$9,556	\$4,154	\$13,710	\$20,565
Program Operations Manager, ATD	Integrate grant activities with program operations	.10	30 months	\$6,806	\$3,327	\$10,133	\$30,399
Apprenticeship Representative	Targeted expansion activities	1.0	30 months	\$5,450	\$8,369	\$8,369	\$251,070
Total							\$302,034

Fringe Benefits are estimated 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) at \$1,272 per FTE per month associated with staffing.

Travel

Total Cost: \$4,976

- Out-of-state travel to attend national State Expansion Grant conferences estimated at \$800 for airfare, \$800 for hotel, and \$180 for per diem.

- Multiple in state trips to meet with regional partners and programs outside of the Portland-metro area calculated at \$50 per day rental plus \$0.10 per mile.

Improving Program Administration through Data Collection

Total Cost: \$50,000

- Creation of Compliance Review Report; Pre-Apprenticeship tracking; Automation of new program and existing program revisions. Price is based on existing contract with database vendor charging \$130 per hour.

Indirect

Total Cost: \$35,701

10% de minimus rate

Attachment D: Statement of Work

Advancing Oregon Apprenticeship: State Apprenticeship Expansion

Tier I

Project Narrative

Funding under the project will support core apprenticeship expansion activities such as training, technical assistance, program registration, and outreach, in addition to expanding the funding available for pre-apprenticeship programs, and funding multiple registered apprenticeship programs in the information technology and healthcare industries. The project is proposed by the State of Oregon Higher Education Coordinating Commission (HECC), with leadership by Oregon's Governor, Kate Brown, engagement by Oregon's Bureau of Labor and Industries (BOLI), Oregon Employment Department (OED), Oregon Department of Education (ODE), and local workforce and education partners.

Number of Existing RAP Sponsors

Registered Apprenticeship sponsors include the community colleges and community college system. There are currently eight community college sponsors spanning from the Portland Metro area to Southern and Eastern Oregon. Other community colleges have recently indicated a strong desire to create registered apprenticeship programs in their regions. All nine of the Local Workforce Development Boards either currently sponsor programs, or have indicated interest in a partnership. Many of these partnerships are reflected in this proposal.

Current State Capacity of Registered Apprenticeship Programs in Oregon:

Registered Apprenticeship in Oregon is built upon strong partnerships with industry, employers and other state agencies, including the Higher Education Coordinating Commissioner, Bureau of Labor and Industries and the Oregon Employment Department. BOLI has well-established capacity, infrastructure, and expert support for Registered Apprenticeship. ATD regulates the

administration of apprenticeship and works with business, labor, government and education to increase training and employment opportunities. ATD provides technical assistance to local apprenticeship programs across Oregon to ensure that they provide quality training and equal employment opportunities, particularly for women and minorities, in technical and craft occupations. Apprenticeship Representatives are tasked with answering program questions and providing technical assistance on apprenticeship program administration. Moreover, ATD is currently conducting its own targeted outreach to existing apprenticeship programs and prospective employers as a way to gather valuable feedback on our current processes; the aim is to remove bureaucratic barriers to registered apprenticeship while maintaining high quality work-based training programs. ATD is hopeful that this regulatory reform will lead to the growth of registered apprenticeship throughout the state.

Number of Registered Apprenticeship Programs and Key Industries and Occupations for Growth

In 2015, the state's registered apprenticeship landscape included 7,187 apprentices and 141 registered apprenticeship programs statewide. At the time, women comprised 6.3% of registered apprentices and minorities comprised 17.6%. A strong strategic and coordinated effort among state agencies, industry and program sponsors, and with financial assistance from the United States Department of Labor's State Apprenticeship Expansion Grants, has resulted in exponential growth for registered apprenticeship throughout the state. Oregon now has 10,374 apprentices and 164 registered apprenticeship programs statewide. This is a 30% increase in registered apprentices and a 15% increase in registered apprenticeship programs. The recent growth in registered apprenticeship in Oregon goes beyond the number of programs and demographics. Oregon has seen expansion within industry sectors as well. Historically, the building and construction occupations have made up approximately 80% of registered apprenticeship in the

state. Most recently, Oregon registered apprenticeship and pre-apprenticeship has expanded to include manufacturing, information technology and healthcare. Machinist, Lathe Operators, IT Support Specialist, IT Software Developer and Medical Assistants have registered apprenticeship training programs. Moreover, state legislators have also shown interest in expanding the registered apprenticeship model—in this last legislative session, legislators proposed a bill to create a registered apprenticeship pathway for surgical technologist, as well as a successfully passed bill to give the BOLI funding to conduct targeted outreach and recruitment for veterans to enter a registered apprenticeship program.

Demographic Information on Current Apprentices

Based on the most recent data from BOLI, of the 10,374 apprentices: 7.21% are women; 19.86% are people of color. Specifically, the representations are as follow: Hispanic 13.3% (1,382 apprentices); African American 3.2% (332 apprentices); Native American 2.7% (280 apprentices); Asian American 2.4% (245 apprentices). Veterans make up 9.3% (962 apprentices). At this time, the responsibility to track information on persons with disabilities rests on the programs, this information is not tracked with the state registering agency through regular reporting. Programs understand they are required to set a goal of 7% utilization for individuals with disabilities. This is evaluated by BOLI during regularly scheduled compliance reviews.

Current Pipelines into Registered Apprenticeship Programs

Oregon continues to strengthen its pipeline into registered apprenticeship through its efforts in expanding pre-apprenticeship throughout the state. In partnership with BOLI and HECC, staff are conducting rural technical assistance seminars to connect with secondary and post-secondary educational institutions, including high schools, educational services districts and community

colleges, as well as through workforce boards who sponsor active apprenticeship programs. These technical assistance seminars include assistance in the completion of the pre-apprenticeship application and assistance in establishing a meaningful partnership with an existing registered apprenticeship program. All pre-apprenticeship programs that are approved by the Oregon State Apprenticeship and Training Council (OSATC) include a mission to focus on underserved communities, including but not limited to, people of color, women, previous incarcerated individuals and at-risk youth. Approval for pre-apprenticeship program by OSATC is contingent upon the pre-apprenticeship program demonstrating their connection to registered apprenticeship. This is achieved in a variety of ways, including memoranda of understanding whereby graduates of the pre-apprenticeship program are provided with preferential treatment in the application process for the registered apprenticeship program.

Current gaps, barriers, and challenges to develop or expand RAPs and/or the number of enrolled apprentices in a fiscal year.

ATD is actively identifying and striving to remove barriers through its regulatory reforms. For example, ensuring that agency policies, guidance and rules do not create challenges for programs, particularly for occupations outside of our building and construction industry where the registered apprenticeship model is a new solution to training their workforce. ATD is amending/repealing rules, developing technical manuals for programs, creating field operations manual for staff, and all other marketing materials to ensure accessible language for new occupations. Outside of building and construction, terms such as “Journeyworker,” and “rates” are foreign. Terms like “subject matter expert” or “promotion” resonates more clearly with Information Technology, Healthcare and Manufacturing. Funding and employer motivation to improve training remains a challenge to expanding the registered apprenticeship model. Employers do not want to dedicate the funding, or there is no available funding to support the apprenticeship program. One solution

is to work with industry associations, workforce boards and employers to devise a training incentive fund model for employers. This proposal would be the first time in Oregon that there was a statewide employer incentive model for targeted industries to start registered apprenticeship programs. Further, an incentive model for employers would remedy misconceptions about the registered apprenticeship model—there's a perception that registered apprenticeship is solely for union employers. It would allow employers who otherwise have not established training trusts to offset training expenses; the employer incentive program could subsidize wages and related instruction for registered apprentices.

National Apprenticeship System Building

System Alignment for Apprenticeship Expansion

The State of Oregon has experienced a 13% increase in Registered Apprentices since June 2016, but more work is needed to promote Registered Apprenticeship as Oregon's preferred training model. The promotion and expansion of Registered Apprenticeship is a priority for Oregon's workforce system. Oregon's Workforce Innovation and Opportunity Act (WIOA) State Plan specifically calls on state agencies to expand structured work based learning, and Oregon's Governor Kate Brown recently made Registered Apprenticeship a key feature in her Future Ready Oregon workforce initiative. The promotion of Registered Apprenticeship in the State of Oregon has resulted in the expansion of the training model into the manufacturing, healthcare, and information technology industries, but more resources are needed to scale small regional successes into sustainable statewide programs. Stakeholders often report that creating new registered apprenticeship programs are time intensive and difficult. Industries without registered apprenticeship infrastructure already in place face the most barriers, which is why funding for staff to support these initiatives is essential to getting programs off the ground and into a place

where they can be self-sustaining. Construction stakeholders in rural areas also frequently report the difficulty of attracting and retaining women and people of color. Expanding the funding available for construction pre-apprenticeship programs in the state will allow rural communities to attract more women by creating their own regional strategies for developing a diverse talent pipeline. Providing funding for the upstart costs of creating and administering registered apprenticeship programs in information technology and healthcare as well as expanding funding available for pre-apprenticeship will help the State of Oregon diversify the registered apprentices in the state as well lead to a 10 percent growth in Registered Apprenticeship above Oregon's baseline numbers provided in June 2020. Oregon's state apprenticeship agency, the Bureau of Labor and Industries (BOLI), has well-established capacity, infrastructure, and expert support for Registered Apprenticeship. BOLI's Apprenticeship and Training Division (ATD), Oregon's State Apprenticeship Agency, regulates the administration of apprenticeship and works with business, labor, government and education to increase training and employment opportunities. ATD provides technical assistance to local apprenticeship programs across Oregon to ensure that they provide quality training and equal employment opportunities, particularly for women and minorities, in technical and craft occupations. Funding for staffing needs are necessary to maintain ATD's core functions including program approval, oversight and technical assistance, while also engaging in new expansion activities. ATD will continue to employ a new full-time Apprenticeship Representative who will work in concert with the Apprenticeship Program Liaison at the Oregon Employment Department and the Apprenticeship Education Liaison at the Oregon Department of Education, to provide dedicated staffing and technical assistance for apprenticeship expansion.

Improving Data Sharing and Data Integrity

HECC, BOLI and OED work in partnership to improve data sharing and data integrity. BOLI is now reporting to OED's Performance Reporting Information System (PRISM), a data system which collects and disseminates performance measurement data for individuals receiving workforce series in Oregon. Information collected in PRISM informs decision-making of educators, administrators, and policy makers for program and service delivery. It also produces information about the effectiveness of workforce system programs and services. HECC, BOLI and OED will continue their efforts in system alignment through improving data sharing with one another. In addition to PRISM, BOLI is improving its own data collection in anticipation of providing more robust reporting to USDOL and improve BOLI's ability to efficiently monitor its registered apprenticeship programs. This includes building oversight systems that allow apprenticeship sponsors to update and making changes to their program standards through the newly created electronic signature portal; updating BOLI's database to auto-generate statistical analysis data on demographics in registered apprenticeship. This will expedite the compliance review process and ensure that BOLI is able to conduct timely compliance reviews on its programs. Updates to the electronic signature portal and BOLI's database will improve the utility of the data collected by the agency in that each program will receive consistent information on their progress in meeting their goals for diversifying their workforce. This proposed activity improves BOLI's data integrity and promotes data sharing with its registered apprenticeship programs. Effective program administration depends on quality data collection and reporting. Stakeholder studies indicate that employers and program sponsors find the amount of documentation and paperwork associated with registered apprenticeship to be a barrier to participation in registered apprenticeship. With additional funding, BOLI will improve upon its data collection function and implement database enhancements to provide better data analysis to benefit apprenticeship

program sponsors, assist in tracking program administration activities and improve data sharing capacity with partner agencies. Data tracking between pre-apprenticeship and registered apprenticeship programs is a vital component in demonstrating the success of pre-apprenticeship as a talent pipeline. Currently there is no method of easily reporting the percentage of pre-apprentice graduates who enter and complete a registered apprenticeship program. BOLI will create a database enhancement that will track pre-apprenticeship program information and activities. Preparation for quarterly council meetings takes an inordinate amount of administrative preparation; there is an entire full time Administrative Coordinator whose position is entirely dedicated to preparing council submissions. Many of these duties could be automated through our database through OSATC agenda report that populates each agenda based on the submissions tracked in the database. Other database enhancements would increase BOLI productivity and efficiency, including the ability to track committee actions; ability to track initial licensing; ability to track the history of wages; and the ability to run a “wage update” report based on a date range. This is important information that could be used to determine effective outreach, recruitment and retention strategies for diversifying the workforce. Moreover, the ability to recall past wage data is helpful information and could be used in determining broad policy decisions on targeted outreach to specific industry sectors; the ability to collect wage history would also prove relevant and useful in predicting the impacts of economic booms and recessions. Modernizing information technology and data systems will improve program efficiency and quality through increasing BOLI’s ability to track apprenticeship programs and collect useful data highlighting program successes and areas for improvement. By reducing staff time spent on administrative functions, apprenticeship representative staff will be able to increase the time they are able to spend providing technical assistance to registered apprenticeship programs and outreach activities.

Staffing Plan

The Higher Education Coordinating Commission (HECC) is the lead applicant and will act as the grant administrator. HECC will coordinate all program and fiscal reporting, conduct all procurements, monitor sub-recipients, conduct project management and ensure all deliverables are met. HECC has experience in administering federal grants including WIOA and various discretionary grants. HECC has previously received two State Apprenticeship Expansion Grants as well as an Apprenticeship State Expansion Grant. HECC has the structures in place to administer this expansion grant including staff that have demonstrated experience working with federal grants. HECC has a designated grant manager that oversees all apprenticeship activities who works very closely with procurement and fiscal staff in all phases of grant management. The grant manager will ensure that each sub-recipient receives adequate training related to administering federal grants. HECC assigns a budget manager and an accountant to each grant and those staff along with the grant manager meet monthly to discuss the financial aspects of the grant. HECC will coordinate all project activities with the state apprenticeship agency-The Bureau of Labor and Industries, Apprenticeship and Training Division (ATD), as well as the Apprenticeship Program Liaison that is employed through the Oregon Employment Department. With this partnership, programs will receive a variety of technical assistance while being connected to other services and supports that apprentices could benefit from. Project management of this grant will be a coordinated effort among state agencies and will include monthly check-ins on progress in meeting deliverables and identifying needs. Project managers will hold monthly calls with each sub-recipient to stay up-to-date on project activities and

progress. This will also be a time to provide technical assistance, identify issues and provide feedback. If awarded, the grant manager will develop the appropriate tracking and monitoring systems and implement project management tools to ensure all aspects of the grant are being closely managed.

Tier I Work Plan

Baseline Goal #1	Governance and Operations of High Quality Registered Apprenticeship Programs		
<i>Activity: Promote and expand registered apprenticeship in the workforce system</i>	Ensure that all RAP administration is superior and consistent	<i>Lead/Support Implementer</i>	Bureau of Labor and Industries, Apprenticeship and Training Division
<i>Deliverable (s): Ensure that all RAPs have the features of high-quality apprenticeship</i>	Promote registered apprenticeship as the preferred training model.		
Milestones	Timeframe	Deliverable Dates	
Promote the growth of RAP	Within the first month of contract execution and throughout the life of the grant	Start:	July 1, 2020
Convene statewide representation of industry	Within 4 months of contract execution and throughout the life of the grant	End:	June 30, 2023
Provide technical assistance to newly developed RAPs	Within 6 months of contract execution and throughout the life of the grant	<i>Annual Costs</i>	
		Year 1	<i>\$57,118.50/year to staff and administer apprenticeship program</i>
		Year 2	<i>\$57,118.50/year to staff and administer apprenticeship program</i>
		Year 3	<i>\$57,118.50/year to staff and administer apprenticeship program</i>
		TOTAL	\$171,355.50

Tier I Work Plan

Baseline Goal #2	System Alignment for RAP Expansion		
<i>Activity: Provide dedicated staffing</i>	Remove barriers to apprenticeship and providing technical assistance	<i>Lead/Support Implementer (s)</i>	Bureau of Labor and Industries, Apprenticeship and Training Division
<i>Deliverable (s): Align the workforce and education systems</i>	Increase alignment between education, workforce and industry partners at the state and local levels to expand registered apprenticeship in the state.		
<i>Milestones</i>	<i>Timeframe</i>	<i>Deliverable Dates</i>	
Coordinate technical assistance for apprenticeship expansion with other state agencies	Within the first 6 months of contract execution	Start:	July 1, 2020
Meet with industry partners outside the Portland-metro area to expand apprenticeship opportunities	Within the first 3 months of contract execution	End:	June 30, 2023
Remove barriers to the development of new programs.	Within the first year of contract execution	<i>Annual Costs</i>	
		Year 1	<i>\$57,118.50/year to staff and administer apprenticeship program</i>
		Year 2	<i>\$57,118.50/year to staff and administer apprenticeship program</i>
		Year 3	<i>\$57,118.50/year to staff and administer apprenticeship program</i>
		TOTAL	\$171,355.50

Tier I Work Plan

Baseline Goal #3	Improve Data Sharing and Data Integrity		
Activity: Improve forms, templates and tracking	Improve ability to efficiently monitor registered apprenticeship data	Lead/Support Implementer	Bureau of Labor and Industries, Apprenticeship and Training Division
Deliverable (s): Improve data systems	Improving data sharing and collection		
Milestones	Timeframe	Deliverable Dates	
Develop a new statistical analysis form that auto-populates to ensure accurate metrics for compliance	Within 12 months of contract execution	Start:	July 1, 2020
Create a database enhancement to track pre-apprentices entry into registered apprenticeship	Within 24 months of contract execution	End:	June 30, 2023
Oregon State Apprenticeship and Training Council Meeting Preparation Automation and other Modernization of Data Systems	Within 24 months of contract execution	<i>Annual Costs</i>	
		Year 1	\$25,000
		Year 2	\$25,000
		Year 3	\$0
		TOTAL	\$50,000

Key Partners			
Organization Name	Partnership MOU Status	Website	Contact name/email
Bureau of Labor and Industries	Inter-Agency Agreement in place	https://www.oregon.gov/boli/atd/Pages/index.aspx	Jessica Ponaman, Jessica.ponamon@state.or.us
Oregon Employment Department	Inter-Agency Agreement in place	https://www.oregon.gov/employ/Pages/default.aspx	Shaun Engstrom, shaun.c.engstrom@oregon.gov
Oregon Department of Education	None	https://www.oregon.gov/ode/Pages/default.aspx	Gabby Nunley, gabby.nunley@state.or.us

Tier I Performance Outcomes and Outputs

A. Apprenticeship Employment & Training Apprentice Performance Outcomes			
1	<p>Total participants served</p> <p>Total number of all participants served (receiving a grant-funded service) in the program</p>	<p>Year 1:</p> <p>Year 2:</p> <p>Year 3:</p>	Total: 0
1a	<p>Increasing Diversity in RAP</p> <p>Total percentage of participants served in the program who are veterans and veterans' spouses, as well as those demographic group historically underrepresented within RAPs, including women, people of color, ex-offenders, and persons with disabilities.</p>	<p>Year 1:</p> <p>Year 2:</p> <p>Year 3:</p>	Total: 0
2	<p>Total participants who enter a RAP</p> <p>Note: The total apprentices newly enrolled in education/training activities should not exceed the total apprentices served.</p>	<p>Year 1:</p> <p>Year 2:</p> <p>Year 3:</p>	Total: 0
3	<p>Total registered apprentices who complete a RAP</p>	<p>Year 1:</p> <p>Year 2:</p> <p>Year 3:</p>	Total: 0
4	<p>Total participants who receive a degree, or other type of credential during the period of performance (including RA Completion Certificate)</p>	<p>Year 1:</p> <p>Year 2:</p> <p>Year 3:</p>	Total: 0

B. Expanding Apprenticeship Program Outputs			
1	<p>Total number of newly created Registered Apprenticeship Programs (RAP)</p>	<p>Year 1: 4</p> <p>Year 2: 2</p> <p>Year 3: 1</p>	Total: 7
2	<p>Total number of newly created RAPs in a new industry</p>	<p>Year 1: 3</p> <p>Year 2: 1</p> <p>Year 3: 1</p>	Total:



KATE BROWN
Governor

May 15, 2020

Ms. Brinda Ruggles, Grant Officer
U.S. Department of Labor, Employment and Training Administration
Office of Grants Management
200 Constitution Ave. NW, Room N-417
Washington, D.C. 20210

Re: State Apprenticeship Expansion Grant Commitment Letter

Dear Ms. Ruggles,

As Governor of Oregon, I am committed to developing a thriving statewide economy and a seamless system of education. I support efforts that help both Oregonians and businesses prosper, and apprenticeship maximizes this potential. I am excited about the possibility for an additional \$3 million coming into Oregon from the Department of Labor through the State Apprenticeship Expansion Grant opportunity.

Expanding apprenticeship is something that Oregon has been working on for the past several years through previous federal awards including the State Apprenticeship Expansion grants and the Apprenticeship State Expansion Grant. Oregon is focused on expanding apprenticeship into non-traditional fields and will continue that work if awarded the grant. Those industries include information technology, healthcare, manufacturing and public safety. This is in line with Oregon's state plan for the Workforce Innovation and Opportunity Act as well as the Workforce and Talent Development Board's strategic plan. Expanding apprenticeship is a key priority for the state with goals including advancing equity and inclusion, expanding workforce system partnerships and aligning workforce systems, programs and services.

Funding from this opportunity will focus on creating an employer incentive program, increasing diversity, providing support services to participants and aligning workforce and education systems.

The application is a joint partnership and effort between many state agencies including: the Higher Education Coordinating Commission (HECC), Bureau of Labor and Industries (BOLI), Oregon Employment Department and the Department of Education. HECC is the lead applicant and is designated to receive the funds and administer the grant. HECC will work closely with the Apprenticeship and Training Division within BOLI in carrying out the work.

Thank you for your partnership and this exciting opportunity to expand our work together.

Sincerely,

Governor Kate Brown

Abstract

2020 State Apprenticeship Expansion Grant	
Lead Applicant Organization's Name:	Higher Education Coordinating Commission
Tier I Funding Amount:	\$450,000

Tier I Baseline Goals:

<ol style="list-style-type: none">1. National Apprenticeship System Building2. System Alignment For Apprenticeship Expansion3. Improving Data Sharing and Data Integrity
<p>Short Project Summary:</p> <p>Tier I includes funding for staffing at the lead agency level (HECC) as well as for the state apprenticeship agency, the Bureau of Labor and Industries (BOLI), Apprenticeship and Training Division. BOLI will have dedicated staff committed to apprenticeship expansion and system alignment throughout the state by partnering with local workforce boards, community colleges, educational institutions and other state agencies. Funds will also be used to improve data management systems, including updates to reports and tracking that will expedite the processing of the creation of new programs, updating records for existing programs, and increase ability to provide reports and analysis of program demographics.</p>