

## **APPENDIX I: WSTC BOARD VISION, MISSION, GOALS AND ROLE**

### **VISION**

*The Vision of Workforce Solutions for Tarrant County is a well-trained, productive, equitable and fully employed workforce that supports the needs of local employers, promotes regional prosperity and improves quality of life.*

### **MISSION**

*The Mission of Workforce Solutions for Tarrant County is to ensure the successful delivery of innovative workforce solutions and create economic, educational and developmental opportunities that fully engage all employers and career seekers.*

### **GOALS**

- Goal 1: Enhance Governing and Workforce Boards' leadership in meeting the mission of improving workforce quality to support economic development.
- Goal 2: Advance a Workforce Intelligence System to achieve vertical and horizontal alignment with Tarrant County employer and targeted industry demand.
- Goal 3: Exercise proper fiduciary stewardship, budget for new opportunities, and ensure adequate Board oversight of financial concerns.
- Goal 4: Improve the quality of the existing, potential, and future workforce in Tarrant County through strategic partnerships.
- Goal 5: Develop and offer responsive Business Services to help Tarrant County businesses, especially smaller businesses, meet their human resource needs and improve the quality of the workforce available to them.
- Goal 6: Improve the quality of the future workforce to ensure that Tarrant County businesses have a longer-term, vibrant, and qualified talent pipeline.
- Goal 7: Expand the talent pool available to Tarrant County employers by reaching, serving and preparing untapped talent markets.
- Goal 8: Continue to improve the workforce services delivery system to increase the number of Tarrant County workforce system customers employed at higher wages.

## **ROLE**

### **WIOA Requires:**

#### **Align workforce education, training and center services to the needs of employers.**

- Identify existing talent pipelines for current and projected job openings in demand industries.
- Assist employers in back-mapping talent flows and identify providers or processes now supplying the best talent.
- Support employers in communicating their competency and credentialing requirements to training entities, funding entities and job seekers and to enhance mapping of career pathways.
- Request employer validation of mapped career pathways within their industries.
- Empower and incentivize students and workers with employer-validated pathways in demand industries, consumer information on preferred providers, funding, and flexibility to access career pathways.
- Encourage employer engagement in providing work-based learning opportunities.
- Encourage employer engagement in enhancing Workforce Center services.

#### **Further develop partnerships to provide a seamless continuum along career pathways for ALL job seekers.**

- Define WSTC's role on career pathways, identify partners to fill all pathway roles and align programs and employer engagement for a seamless continuum.
- Ensure multiple entry points that enable well-prepared students, as well as targeted populations with limited education or English skills and work experiences, to successfully enter the career pathway. (Targeted populations served by career pathways may include adult education or other lower-skilled adult students, English Language learners, offenders or ex-offenders, high school graduates, disconnected youth, former military personnel, unemployed or under-employed adults, college graduates, and all others).
- Ensure multiple exit points at successively higher levels that lead to self- or family-supporting employment and that are aligned with subsequent entry points.
- Ensure well connected and transparent education, training, support services, and credentials within specific sectors or cross-sector demand occupations.

#### **Allocate resources to maximize outcomes and impact.**

- Expand student and worker access to employer-validated career pathways by directing funding and targeting resources.
- Provide needed supportive services to support successful participation.

### **Tarrant County Workforce System**

#### **Expectations of our Workforce Centers under WIOA:**

- Conduct consistent and non-duplicative assessments of participants' education, skills, and assets/needs.
- Eliminate all artificial barriers (sequence of service, job search requirements, etc.) to enrollment in services at all Workforce Centers.
- Ensure processes to enrollment and service provision are efficient and appropriate for customers who may be working. Reduce the number of trips and appointments necessary to enroll in services. Ensure consistency across centers in processes leading to services.

- Improve the quality and consistency of “Career Services” available in the Centers.
- Utilizing career pathways and industry intelligence, provide professional level career counseling, and career navigation services.
- Provide employer informed Work-Readiness instruction.
- Provide and/or refer participants to support services needed for successful participation.
- Refer to most appropriate entry point for chosen career pathway. (Occupational training, work-based learning, apprenticeships, integrated basic education and skills training, job placement, etc.)
- Expand available Career Services customized to targeted groups based on lessons learned in competitive pilot projects.
- Effectively utilize virtual service strategies.
- Provide Job Placement Assistance.

## APPENDIX II: SERVICE DELIVERY AREA ECONOMIC AND DEMOGRAPHIC DATA FOR TARRANT COUNTY

### POPULATION, AREA SERVED, AND ECONOMIC OVERVIEW

The source of this data in Appendix II is from various reports in Lightcast Developer, which is a labor market analytics platform that combines public and proprietary data to provide detailed insights into workforce trends. It aggregates data from sources like the Bureau of Labor Statistics, U.S. Census Bureau, and state projections, along with millions of job postings and over 100 million resumes.

#### **Population Served:**

Workforce Solutions for Tarrant County (WSTC) is the local workforce development board responsible for operating the public workforce system in Tarrant County, Texas. Its mission is to connect job seekers and employers by providing employment services, training opportunities, and labor market information. WSTC serves a diverse population, including unemployed and underemployed individuals, youth, veterans, people with disabilities, and recipients of public assistance programs such as Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T). In addition, WSTC supports employers across targeted industries by assisting with recruitment, training, and retention efforts to ensure alignment with regional economic priorities and high-demand occupations.

#### **Area Served:**

Tarrant County, Texas is a single workforce development board area covering approximately 902 square miles in the western portion of the Dallas–Fort Worth Metroplex and is home to [41 cities, towns, and municipalities](#). As of 2024, the county’s population was approximately 2.23 million, reflecting growth of about 6.2 percent since 2019.

The county has a diverse and dynamic economy, with key sectors including transportation and logistics—supported by Alliance and Dallas/Fort Worth International Airports—as well as rapidly growing health care, hospitality and leisure, and a strong aerospace industry anchored by employers such as Lockheed Martin, Bell Textron, and related suppliers.

Education is also a significant regional asset, with [20 independent school districts](#) and higher education institutions including Tarrant County College, Texas Christian University, The University of Texas at Arlington, Tarleton State University, Texas Wesleyan University, and the University of North Texas Health Science Center serving the area.

#### **Economic Overview:**

**2,230,708**

Population (2024)

Population grew by 129,426 over the last 5 years and is projected to grow by 131,790 over the next 5 years.

**1,130,578**

Total Regional Employment

Jobs grew by 94,255 over the last 5 years and are projected to grow by 81,116 over the next 5 years.

**\$81.9K**

Median Household Income (2023)

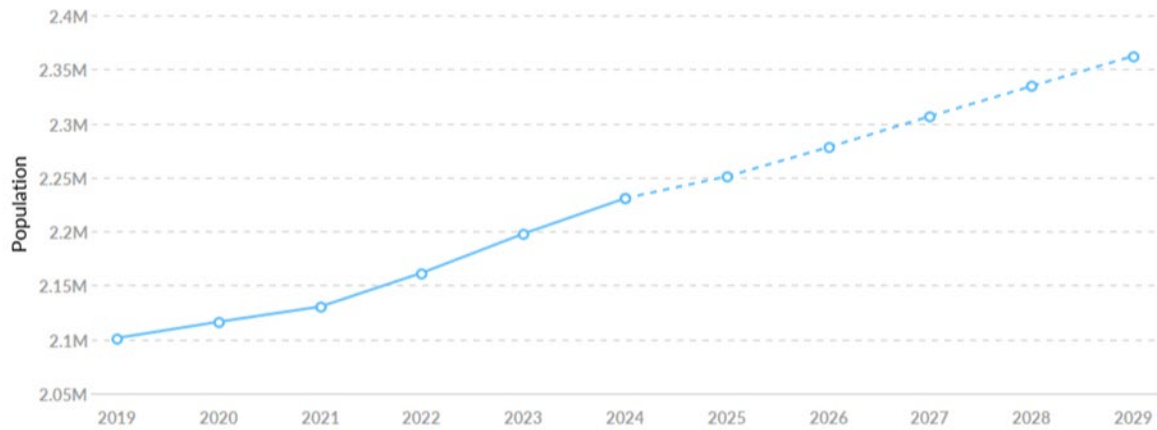
Median household income is \$3.4K above the national median household income of \$78.5K.

## Takeaways

- As of 2024 the region's population increased by 6.2% since 2019, growing by 129,426. Population is expected to increase by 5.9% between 2024 and 2029, adding 131,790.
- From 2019 to 2024, jobs increased by 9.1% in Tarrant County, TX from 1,036,324 to 1,130,578. This change outpaced the national growth rate of 4.4% by 4.7%. As the number of jobs increased, the labor force participation rate increased from 66.4% to 69.8% between 2019 and 2024.
- Concerning educational attainment, 22.6% of Tarrant County, TX residents possess a Bachelor's Degree (1.0% above the national average), and 7.9% hold an Associate's Degree (0.9% below the national average).
- The top three industries in 2024 are Restaurants and Other Eating Places, Education and Hospitals (Local Government), and General Medical and Surgical Hospitals.

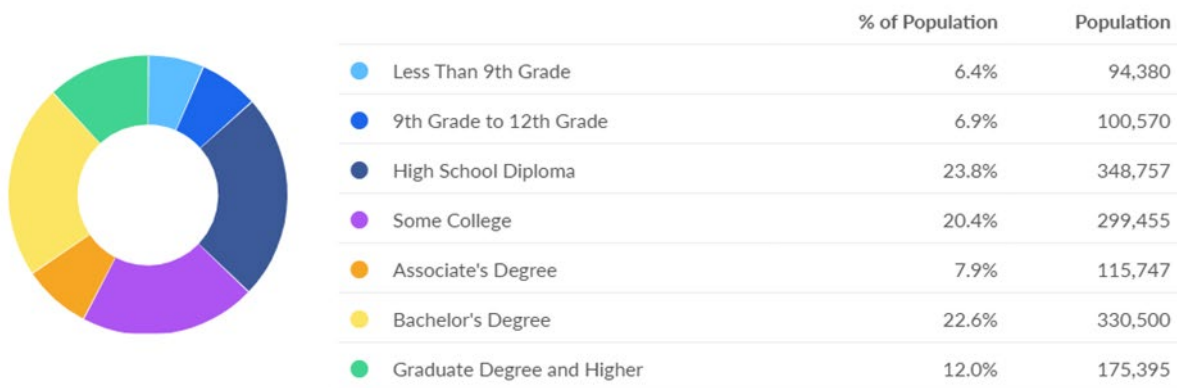
## Population Trends

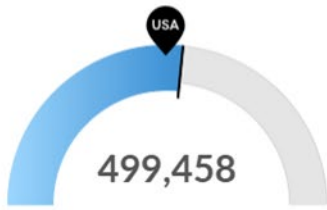
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## Educational Attainment

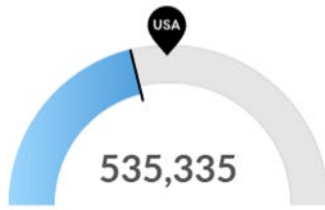
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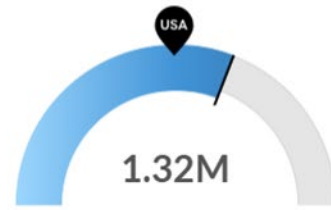
**Millennials**

Tarrant County, TX has 499,458 millennials (ages 25-39). The national average for an area this size is 456,647.



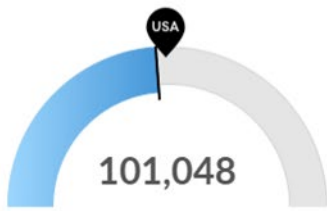
**Retiring Soon**

Retirement risk is low in Tarrant County, TX. The national average for an area this size is 674,514 people 55 or older, while there are 535,335 here.



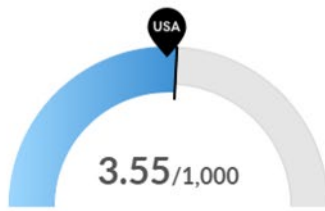
**Racial Diversity**

Racial diversity is high in Tarrant County, TX. The national average for an area this size is 948,907 racially diverse people, while there are 1,317,308 here.



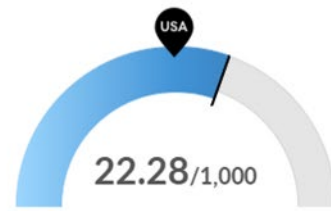
**Veterans**

Tarrant County, TX has 101,048 veterans. The national average for an area this size is 108,126.



**Violent Crime**

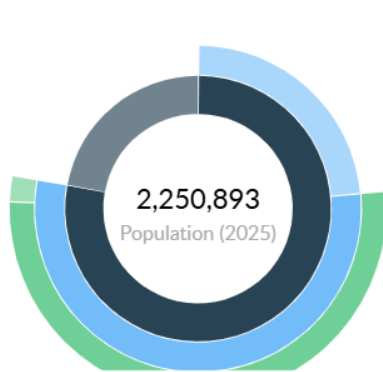
Tarrant County, TX has 3.55 violent crimes per 1,000 people. The national rate is 3.38 per 1,000 people.



**Property Crime**

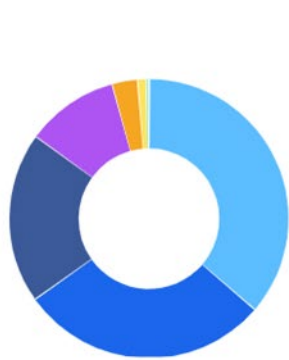
Tarrant County, TX has 22.28 property crimes per 1,000 people. The national rate is 16.44 per 1,000 people.

### Sep 2025 Labor Force Breakdown



	Population
● 16+ Civilian Non-Institutionalized Population	1,750,372
● Not in Labor Force (16+)	527,947
● Labor Force	1,222,425
● Employed	1,171,560
● Unemployed	50,865
● Under 16, Military, and institutionalized Population	500,520

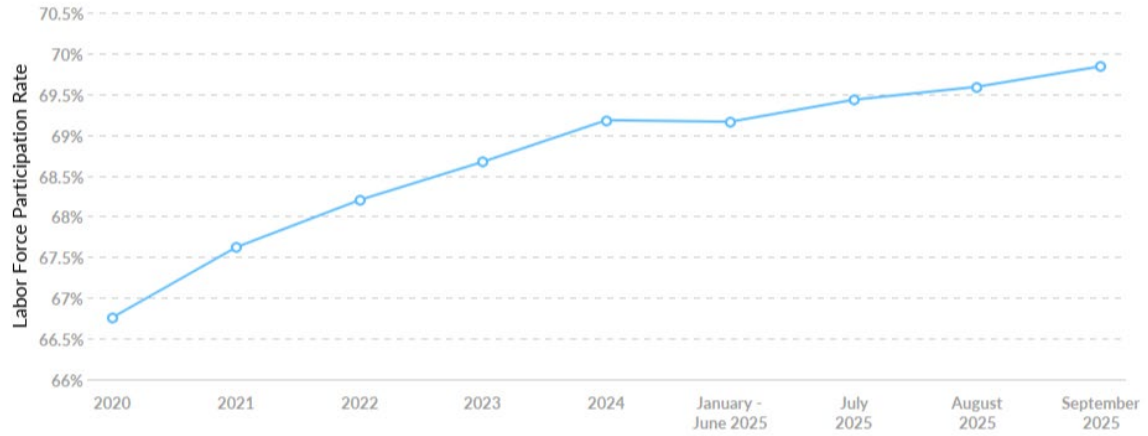
### Business Size



	Percentage	Business Count
● 1 to 4 employees	36.2%	30,977
● 5 to 9 employees	28.9%	24,713
● 10 to 19 employees	19.8%	16,930
● 20 to 49 employees	10.7%	9,173
● 50 to 99 employees	3.0%	2,529
● 100 to 249 employees	1.0%	863
● 250 to 499 employees	0.2%	206
● 500+ employees	0.1%	122

*\*Business Data by DatabaseUSA.com is third-party data provided by Lightcast to its customers as a convenience, and Lightcast does not endorse or warrant its accuracy or consistency with other published Lightcast data. In most cases, the Business Count will not match total companies with profiles on the summary tab.*

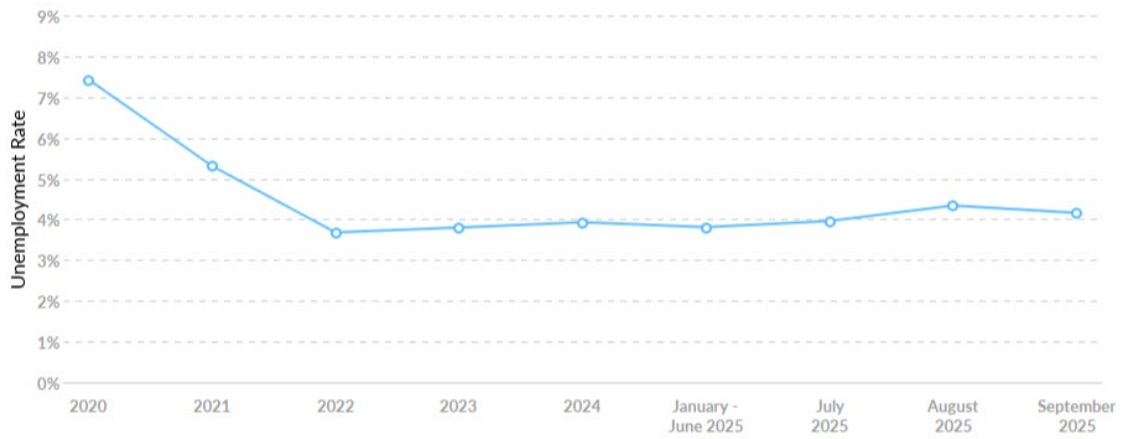
### Labor Force Participation Rate Trends



Timeframe	Labor Force Participation Rate
2020	66.76%
2021	67.62%
2022	68.20%
2023	68.67%
2024	69.18%
January - June 2025	69.16%
July 2025	69.43%
August 2025	69.59%
September 2025	69.84%

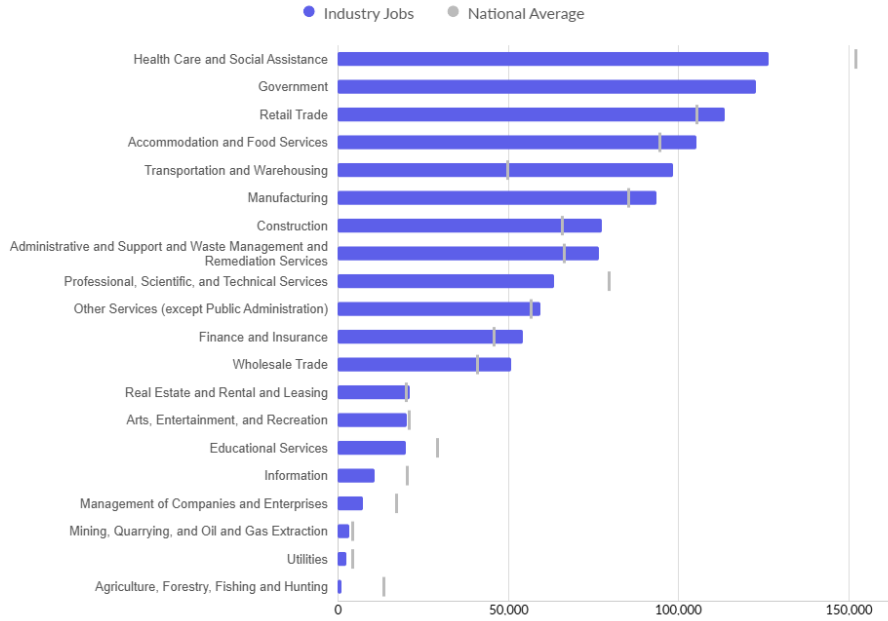
## Unemployment Rate Trends

Tarrant County, TX had a September 2025 unemployment rate of 4.16%, decreasing from 7.43% 5 years before.



Timeframe	Unemployment Rate
2020	7.43%
2021	5.31%
2022	3.68%
2023	3.80%
2024	3.93%
January - June 2025	3.81%
July 2025	3.96%
August 2025	4.34%
September 2025	4.16%

## Largest Industries



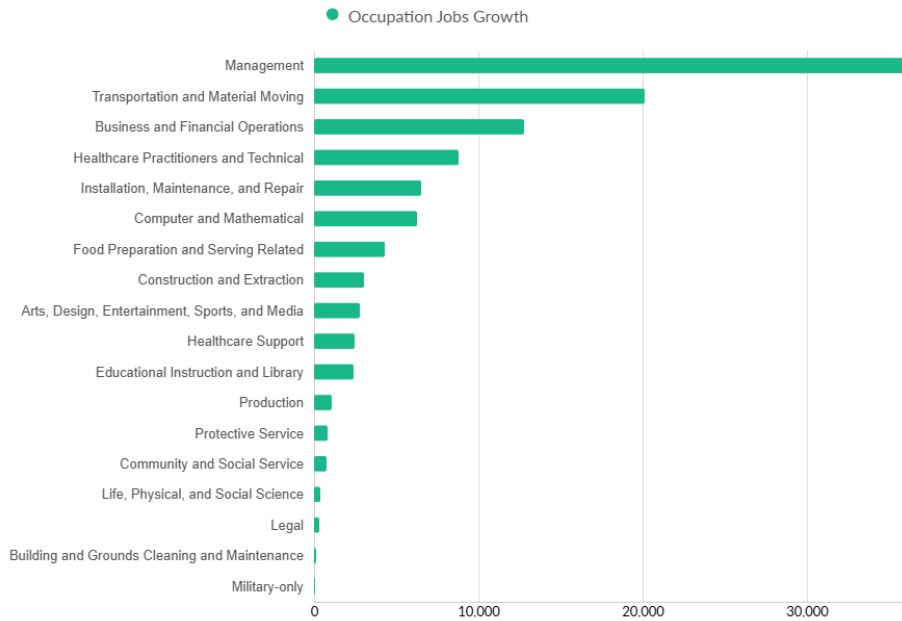
Industry	2019 Jobs	2024 Jobs	National Average in 2024 Jobs	Change in Jobs	% Change in Jobs	2024 Employment Concentration	2024 Earnings Per Worker	2024 GRP
Health Care and Social Assistance	114,097	126,437	151,617	12,340	+11%	0.83	\$85,221	\$13.32B
Government	120,162	122,890	163,954	2,728	+2%	0.75	\$89,434	\$12.91B
Retail Trade	106,654	113,601	104,959	6,947	+7%	1.08	\$49,512	\$12.28B
Accommodation and Food Services	96,265	105,316	94,009	9,051	+9%	1.12	\$30,766	\$5.42B
Transportation and Warehousing	84,945	98,486	49,396	13,541	+16%	1.99	\$103,607	\$17.35B
Manufacturing	89,234	93,532	85,052	4,298	+5%	1.10	\$115,811	\$24.76B
Construction	66,850	77,471	65,633	10,621	+16%	1.18	\$92,045	\$11.28B
Administrative and Support and Waste Management and Remediation Services	66,919	76,721	66,149	9,802	+15%	1.16	\$60,239	\$6.63B
Professional, Scientific, and Technical Services	48,181	63,474	79,134	15,293	+32%	0.80	\$115,978	\$11.52B
Other Services (except Public Administration)	60,433	59,581	56,245	-852	-1%	1.06	\$43,063	\$3.59B
Finance and Insurance	52,804	54,288	45,464	1,484	+3%	1.19	\$129,916	\$18.56B
Wholesale Trade	47,520	50,793	40,501	3,273	+7%	1.25	\$101,926	\$14.10B
Real Estate and Rental and Leasing	17,721	21,312	19,738	3,591	+20%	1.08	\$81,763	\$7.64B
Arts, Entertainment, and Recreation	19,541	20,319	20,487	778	+4%	0.99	\$56,433	\$1.81B
Educational Services	16,235	20,111	28,807	3,876	+24%	0.70	\$63,136	\$1.50B
Information	10,376	10,980	20,163	604	+6%	0.54	\$117,098	\$5.30B
Management of Companies and Enterprises	7,766	7,447	16,964	-319	-4%	0.44	\$116,243	\$1.37B
Mining, Quarrying, and Oil and Gas Extraction	6,222	3,485	3,908	-2,737	-44%	0.89	\$189,273	\$9.04B
Utilities	2,092	2,698	3,891	606	+29%	0.69	\$200,626	\$2.42B
Agriculture, Forestry, Fishing and Hunting	1,952	1,117	13,106	-835	-43%	0.09	\$64,660	\$145.42M

## 121,849 Companies Employ Your Workers

Online profiles for your workers mention 121,849 companies as employers, with the top 10 appearing below. In the last 12 months, 17,912 companies in Tarrant County, TX posted job postings, with the top 10 appearing below.

Top Companies	Profiles	Top Companies Posting	Unique Postings
Lockheed Martin	11,461	Texas Health Resources	3,303
American Airlines Group	8,040	Lockheed Martin	2,747
Texas Health Resources	5,543	HCA Healthcare	2,154
The University of Texas at Arlington	5,238	Medical City Healthcare	2,100
Fort Worth Isd	4,229	Cook Children's Health Care System	1,845
Amazon	3,978	Walmart	1,733
Walmart	3,748	GPAC	1,715
Tarrant County College	3,533	Baylor Scott & White Health	1,504
Cook Children's Health Care System	3,223	JPS Health Network	1,352
Fidelity Investments	3,105	Soliant Health	1,327

## Top Growing Occupations



Occupation	2019 Jobs	2024 Jobs	Change in Jobs	% Change in Jobs	2024 Employment Concentration	Jan 2025 - Dec 2025 Unique Average Monthly Postings	2024 Median Hourly Earnings
Management	60,853	97,135	36,282	+60%	1.14	2,014	\$52.14
Transportation and Material Moving	107,731	127,840	20,109	+19%	1.34	1,422	\$20.28
Business and Financial Operations	55,949	68,766	12,817	+23%	0.93	1,305	\$35.61
Healthcare Practitioners and Technical	53,189	61,997	8,808	+17%	0.94	3,208	\$41.92
Installation, Maintenance, and Repair	43,832	50,342	6,510	+15%	1.15	1,065	\$25.79
Computer and Mathematical	28,098	34,364	6,266	+22%	0.96	844	\$49.70
Food Preparation and Serving Related	95,776	100,099	4,323	+5%	1.11	1,195	\$13.07
Construction and Extraction	51,339	54,353	3,014	+6%	1.07	364	\$23.71
Arts, Design, Entertainment, Sports, and Media	15,448	18,262	2,814	+18%	0.88	360	\$24.22
Healthcare Support	35,308	37,764	2,456	+7%	0.70	736	\$17.19
Educational Instruction and Library	54,269	56,662	2,393	+4%	0.88	648	\$29.79
Production	57,634	58,695	1,061	+2%	0.99	735	\$19.96
Protective Service	18,722	19,521	799	+4%	0.78	251	\$27.57
Community and Social Service	13,495	14,283	788	+6%	0.69	256	\$26.69
Life, Physical, and Social Science	5,859	6,255	396	+7%	0.58	254	\$33.60
Legal	5,961	6,246	285	+5%	0.64	112	\$44.38
Building and Grounds Cleaning and Maintenance	32,887	33,020	133	+0%	0.86	420	\$16.12
Military-only	2,623	2,694	71	+3%	0.44	8	\$20.70

## APPENDIX III: FUNDING CHART

### BUDGET FUNDING

#### ESTIMATED TOTAL FUNDING AVAILABLE FOR FY 2027 WORKFORCE CENTER SERVICES CONTRACT

Fund Source	Personnel Operations		Estimated FY 27 Workforce Center Services Total
	Indirect Profit	Direct Client	
WIOA Adult	1,880,289	1,550,196.58	3,430,485
WIOA Dislocated	1,548,965	1,029,770.00	2,578,735
WIOA Youth	1,114,525	1,919,983.91	3,034,509
Trade	0	-	0
TANF	2,155,309	803,250.00	2,958,559
TANF Summer Youth	0	460,000.00	460,000
SNAP E&T	544,272	48,741.68	593,014
Choices Non-Custodial (NCP)	247,820	28,500.00	276,320
Veterans Services	3,000	-	3,000
Wagner Peyser ES	15,000	-	15,000
Reemployment Services	1,068,447	-	1,068,447
Wagner Peyser 7b Tx Talent Connection	0	-	0
Voc Rehab Navigator	195,965	-	195,965
Voc Rehab Co-Location	16,822	-	16,822
<b>Total</b>	<b>8,790,413</b>	<b>5,840,442</b>	<b>14,630,855</b>

Note

Target amount for proposal budgets.

Information only. Do not budget for direct client amounts.

Estimated total of funds to be managed by contractor in FY 27.

## APPENDIX IV: PROGRAM REQUIREMENTS

**Level of Income Requirements:** Identifiers for determining eligibility of funds contingent upon client income levels.

**Funding sources include:** (1) Workforce Innovation and Opportunity Act (WIOA) (Adult, Dislocated Worker, Youth and Rapid Response); (2) Temporary Assistance for Needy Families (TANF) (Choices) Program; (3) Supplemental Nutrition Assistance Employment & Training Program (SNAP E&T); (4) Wagner Peyer (ES) Program; (5) Veterans Program; (6) Trade Adjustment Act (TAA) Program; National Dislocated Worker Grant Program (NWD); and (8) Non-custodial Parent Programs (NCP).

**Program Summaries:** Program overviews and their corresponding requirements are provided as a level of understanding for the scope of workforce centers services provider operations.

This overview of programs is not intended to be a fully comprehensive list of the requirements which will be applicable for the Selected Proposer.

Proposers must access individual program guides for Workforce Innovation and Opportunity Act (WIOA), Temporary Assistance for Needy Families (Choices), Supplemental Assistance Employment & Training Program (SNAP E&T), Employment Services (ES), and Non-Custodial Parent (NCP) and Trade Adjustment Assistance (TAA) to gain understanding and guidance for implementation of the various programs in Tarrant County. All programs and activities must be implemented in accordance with the associated Texas Workforce Commission Program Guide. Guides can be accessed at:

<https://www.twc.texas.gov/partners/workforce-program-guides>

**(1) Workforce Innovation and Opportunity Act (WIOA)** offers an integrated and comprehensive range of services consisting of workforce development activities benefiting employers, incumbent workers, job seekers, laid-off workers, youth veterans, new workforce entrants and persons with disabilities. WIOA's objective is to promote and improve participant's employment, job retention, earnings, and occupational skills. WIOA has three (3) funding streams serving the following three (3) distinct client populations: Adults, Dislocated Workers, Youth (Primarily Out- of-School Youth Ages 16-24).

- For Adults and Dislocated Workers, WIOA establishes two (2) levels of employment and training services for adults and dislocated workers, career services and training services. Other than a determination of need made using an employment plan, there is no requirement additional services be provided before an individual enrolls in training. If individuals are determined to need training consistent with WIOA 134 (c)(3), the individuals maybe be placed in training services.

WIOA places an emphasis on out-of-school youth enrollments in the Work Experience activity. WIOA requires at least twenty percent (20%) of the total WIOA youth funds (less administrative costs) be expended in this activity.

- Work Experience (WE), whether paid or unpaid, is a planned, structured learning experience taking place in a workplace for a limited period of time. WE is designed to enhance the employability and work maturity skills of a participant by promoting the development of good work habits and basic work skills. The expected outcome is unsubsidized employment. WE is

based upon the need of the participant documented in the participants’ employment plan. Individual WE positions are designed to move participants quickly into hourly or salaried employment. The activity may not exceed six (6) months. The Selected Proposer is responsible for contacting public or private sector, for profit or non-profit organizations to develop Work Experience Training Provider Agreements. The Selected Proposer will be the employer of record and responsible for the wages paid to the participants.

- WIOA programs and activities must be implemented in accordance with the Texas Workforce Commission Workforce Innovation and Opportunity Act Guidelines for Adults, Dislocated Workers and Youth.

**WIOA Level of Income Requirements:** The WSTC identifies the level of income which constitutes self-sufficiency for adults in certain priority groups. In December 2017, WSTC changed their self-sufficiency level to 200% of the Lower Living Standard Income Level (LLSIL).

**EFFECTIVE MARCH 1, 2025**

Self-Sufficient Wage	
Family Size	Wages
1	\$15,650
2	\$21,150
3	\$26,650
4	\$32,827
5	\$38,746
6	\$45,308
7	\$51,870
8	\$58,432
>8 Add \$6,562 for each family member	

**Additional Information Regarding WIOA Occupational Skills Training**

For occupational skills training, once the Individual Employment Plan (IEP) is developed, a training provider is selected and presented with an Individual Training Account (ITA) to pay for the cost of training if eligible.

Training Services may also be provided through non-WIOA sources (if other funding is available).

Participants are referred to occupational skills training only for occupations which are on the Local Targeted Occupations List for the Workforce Solutions for Tarrant County service area with training providers on the Statewide Eligible Training Providers List. For youth, the WIOA Guidance states occupational skills training which includes priority consideration for training programs that lead to recognized postsecondary credentials that align with in demand industry sectors or occupations in the workforce area.

**A list of Targeted occupations is available on WSTC’s website:** <https://workforcesolutions.net/job-seeker-services/target-occupations/>

Workforce Innovation and Opportunity Act (WIOA) require training providers to apply to a workforce development board for certification to receive WIOA funds. The publicly accessible Statewide List of Certified Training Providers includes all training programs that are currently approved by one or more boards and certified by the Texas Workforce Commission (TWC). Training Providers must submit and receive approval of a Provider Assurance Statement to obtain access to the online application system.

An overview of the Eligible Training Provider System may be found at this link on the TWC website at: <https://www.twc.texas.gov/agency/workforce-development-boards/eligible-training-providers>

**(2) Temporary Assistance for Needy Family (TANF) (Choices)** provides immediate services to individuals applying for and/or receiving cash assistance in an effort to meet the Choices goal, which is to end the dependence of needy parents on public assistance by promoting job preparation, work, and marriage. Strategies for employment, job retention, prevention and reduction of out-of-wedlock pregnancies, and the encouragement of the formation and maintenance of two parent families are the goals for the TANF (Choices) program. Choices services are designed to ensure the workforce needs of local employers are identified, and met, and services provided are consistent with the goals and purposes mandated. Support services including transitional childcare are offered.

**(3) Supplemental Nutrition Assistance Employment & Training Program (SNAP E&T)** offers services to assist food stamp recipients in obtaining employment, including entering employment and training activities promoting long-term self-sufficiency. Employment placement services and supportive services are provided to the General Population (Nonexempt food stamp recipients ages 16 through 59 who are members of a household) and the ABAWD population (Nonexempt Able-Bodied Adults Without Dependents ages 18 to 50) utilizing a systematic process to accomplish expected performance outcomes for our fourteen-county workforce area.

**(4) Wagner Peyser (WP)** focuses on providing a variety of employment related labor exchange services including, but not limited to, job search assistance, job referral, and placement assistance for job seekers, reemployment services to unemployment insurance claimants, and recruitment services to employers with job openings. Depending on the needs of the labor market, other services such as job seeker assessment of skill levels, abilities and aptitudes, career guidance, job search workshops, and referral to training are provided.

**(5) The Trade Adjustment Assistant Act (TAA)** provides financial assistance to individuals who are unemployed due to foreign product competition or the out-sourcing of jobs overseas. Eligible individuals can receive re-employment services, job search/relocation allowances, and job training.

**(6) Veterans' Employment Services (VS)** purpose is to provide quality assistance and priority service to veterans seeking employment; veterans with necessary tools to re-enter the workplace after exiting from military service; and identification of employment opportunities available to veterans through outreach, education and training. The program addresses the unemployment and underemployment among veterans by implementing policies and programs for veterans to obtain employment, job training, counseling and job placement services.

**Additional Programs Referenced:**

**(7) Non-Custodial Program (NCP)** is a collaborative effort of the Texas Workforce Commission, the Office of Attorney General (OAG) of Texas, local workforce boards, Workforce Solutions Centers and family court judges. The program targets low-income unemployed and underemployed NCPs who are behind on their child support payments. The goal of the program is to help NCPs overcome substantial barriers to employment and career advancement while becoming economically self-sufficient and making consistent child support payments.

**Proposer Services - Required:**

**A. Employer Services**

The Selected Proposer will be responsible for: recruitment assistance, out-placement assistance, labor market information, and other customized services upon request. Services should be aligned with the needs of the business customer. The Selected Proposer shall institute a plan for continuous improvement through assessment of the local labor market. Other activities may include conducting seminars/workshops; coordinating with training providers and businesses on skills requirements; provision of space for testing and interviewing; outreach and coordination with economic development activities.

**B. Job Seeker Services**

The primary purpose of the career center is to provide job seekers with easy access to a broad array of services and information to help them get a job, keep a job or get a better job leading to economic self-sufficiency. Services are to be provided through a seamless and integrated system. Services should be customized for each customer seeking assistance, so that the mix and intensity of services provided varies based on the needs of the individual customer.

WSTC expects the Selected Proposer to implement strategies that further promote integration and streamlined services through improved customer flow processes, use of technology, integration of staff, and other innovative solutions to continuously improve the quality of services and customer experience. The goal is for WSTC to be recognized as best in class.

**C. Recruitment and Eligibility Determination including Intake**

Eligibility determination provided in the Workforce Centers **must** meet the requirements of the funding streams supporting the program activities. The Proposer selected to develop and operate the Workforce Centers will have the financial responsibility and liability for eligibility determination for the WIOA, NDWG, TAA and NCP programs. TANF (Choices) and Supplemental Nutrition Assistance Employment & Training (SNAP E&T E&T) eligibility will be determined by the Health and Human Services Commission (HHSC).

All Workforce programs previously described will include verification of program eligibility, data collection and data entry into WorkInTexas data systems.

All participants are to be fully informed about the complete array of program and training options available. Participants are guided to make their own choices within the menu of options available to them in the community.

**D. Assessment of all Eligible Applicants**

The WIOA, TANF, SNAP E&T, NCP and TAA programs require all participants to be assessed prior to receiving services. An assessment instrument approved by WSTC must be used in determining:

- If an individual is eligible to receive services.
- The support services needed to participate in the program.
- The training program into which an individual may be enrolled.

For Choices clients, SNAP E&T, NCP and TAA the Selected Proposer will offer an assessment in accordance with the rules for the program for which the participant has been deemed eligible. This will be the basis for decisions concerning training and service options for individuals. The Selected Proposer must make available other appropriate testing materials based upon an individual's disability.

The Individual Employment Plan (IEP) is the primary tool for WIOA case managers and is used to document and justify progressions through the different services for adults and dislocated workers. The IEP is an ongoing strategy developed jointly by the WIOA customer and a workforce professional that identifies the appropriate combination of services for the participant to achieve his/her employment goals for self-sufficiency. The Individual Service Strategy (ISS) is the primary tool for WIOA out-of-school youth participants. The ISS for youth participants must be linked to one or more indicators of performance, identifies appropriate career pathways that include education and employment goals, prescribes achievement objectives and services for participants, and provide case management, including follow-up for youth.

The Selected Proposer shall, at a minimum, use the WSTC approved assessment documents for all required populations. The Test of Adult Basic Education (TABE) locator and TABE Testing Instrument or SUPERA, shall be used to determine the Choices participant's literacy level.

#### **E. Referral Services**

- The referral of participants to other contractors of the Workforce Solutions for Tarrant County Board Area who provide appropriate basic, individualized career, and/or training services.
- The referral of participants enrolled in a Workforce Solutions for Tarrant County Board Area funded training program to other agencies in the community to supplement support services necessary for the individual to participate in the program.
- The referral of participants to training service providers in accordance with WSTC policies and procedures based upon individual assessments of client skills, occupational interests and other factors.
- The referral of job seekers needing only job development or job placement services to jobs.
- The referral of welfare recipients to unsubsidized jobs or other work activities.

#### **F. Support Services**

Once a person is determined to be eligible for a program and scheduled for enrollment into a program activity, they may also be provided with support services to enable them to take part in the activity. WIOA allows the payment of supportive services to adults, dislocated workers, as well as, in school and out-of-school youth. The provision of supportive services and for WIOA, TANF, SNAP E&T and participants in other programs shall be the responsibility of the Selected Proposer in accordance with applicable WSTC

directives. The Selected Proposer shall be expected to include funding for supportive services in their budget.

### **G. Training**

Provisions of WIOA promote individual responsibility and personal decision-making through the use of “Individual Training Accounts” (ITAs) which allow eligible youth, adult and dislocated worker participants to purchase the training from a list of eligible training providers approved by the State based upon assessment results and customer choice. A copy of the WSTC Directive which outlines policies and procedures for the administration of the Individual Training Account policy are available for review upon request.

### **H. Job Development and Job Placement**

This includes all types of job search assistance, such as workshops, job leads, follow-up sessions, career pathway workshops, job development, job placement, and ongoing follow-up for participants exiting training programs as well as job seekers seeking employment.

### **I. Adherence with Program Requirements**

Many of the above items can be found on-line by visiting Texas Workforce Commissions website at <https://www.twc.texas.gov/> or U.S. Department of Labors website at <https://www.dol.gov/agencies/eta>. WSTC policies and plans are available upon request. In addition, for a detailed listing of programs and requirements visit Texas Workforce Commission (TWC) at: <https://www.twc.texas.gov/programs>

## APPENDIX V: CURRENT SYSTEM STRUCTURE

### Center Locations

WSTC has assumed lease commitments to workforce property locations and the Selected Proposer will be responsible for adhering to previous lease commitments. The WSTC locations that must be staffed and serviced by the Selected Proposer can be found at: <https://21sdztdkf891crqjb19k66so-wpengine.netdna-ssl.com/wp-content/uploads/2020/10/Center-Info-BOOKLET-for-web.pdf>

The non-custodial parent program (NCP) is operated within a space located at the Tarrant County Family Law Center.

### Workforce Center *Current Staffing Chart (12/25)*

Position Title	Alliance	Arlington	Central	Mid-Cities	Resource Connection	TOTAL
Center Manager	0	1	1	1	1	4
Supervisor	1	1	2	2	1	7
Lead Career Counselor (CA2)	0	0	5	1	1	7
Career Counselor(CA1)	0	4	6	2	6	18
Eligibility Specialist Document Processing Coordinator	0	0	0	0	5	5
Triage Specialist	0	0	0	0	1	1
Customer Solutions Facilitator	0	2	2	3	4	11
Customer Solutions Rep	0	0	2	1	2	5
Business Solutions Liaison	1	1	1	11	2	16
Business Solutions Rep	1	1	1	1	1	5
Program Support Specialist	1	4	1	1	1	8
Supervisor, Customer Solutions	0	0	0	0	5	5
Youth Program Manager	0	1	1	1	1	4
Wagner Peyser Employment	0	0	1	0	0	1
Choices Program Manager	0	4	5	5	4	18
TX Veterans Commission	0	0	0	0	1	1
TOTAL	3	3	1	2	2	11
TOTAL	7	22	29	31	38	127

### Non-custodial Parent Program (NCP)—Tarrant County Family Law Center

These staff are assigned out of the Central Workforce Center and are included in those numbers.

### *Collaboration with Other Providers for the Benefit of Tarrant County Customers*

In Tarrant County, we understand that the Workforce Center staff are not equipped to remove all barriers to employment. Some of the barriers that our customers face requires the expertise of a highly skilled individual and sometimes requires us to braid funding. The Board has procured the services of multiple,

qualified organizations to provide services to residents of Tarrant County who are receiving Temporary Assistance for Needy Family (TANF) benefits, Supplemental Nutrition Assistance Employment & Training (SNAP E&T), or who qualify for the Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker, or Youth Programs. These services are expected to complement, not duplicate, the services provided to job seekers through the Tarrant County Workforce Centers. WSTC refers to these services as ancillary or “niche” services. Current ancillary contractors are detailed in Section II, B. 4. of this RFP.

Since its establishment in the late 1990’s, the Tarrant County Workforce Development Board has worked to establish a tradition of partnering with other human services agencies and non-profits in Tarrant County to offer a comprehensive array of services to workforce system clients. Through these partnerships, the Board has been able to engage the community in providing services to clients that have included disability inclusion assistance, mental health and substance abuse evaluation, intensive case management and mentoring, and specialized educational, employment, and supportive services.

## APPENDIX VI: INFORMATION TECHNOLOGY, EQUIPMENT AND SECURITY MANAGEMENT

WSTC Board IT/Facilities Department are responsible for our current Workforce System, which includes 5 locations: Board Administration Office and 4 workforce centers and providing information resources. Please refer to our website [www.workforcesolutions.net](http://www.workforcesolutions.net) for specific locations.

Within our workforce system, all workforce centers are equipped with discovery zones, placement zones, assessment room, workshop rooms, and staff area. Information for each public area at each location is listed below:

- Arlington Workforce Center
  - has a designated customer area, which is located on the 1<sup>st</sup> floor, and a designated staff area, which is located on the 4<sup>th</sup> floor
  - Placement Zone: 12 computers (located on the 1<sup>st</sup> floor)
  - Discovery Zone/Assessment Room: 6 computers (located on the 1st floor)
  - Workshop room: TBD (located on the 1st floor)
- Central Workforce Center
  - Placement Zone: 12 computers
  - Discovery Zone/Assessment Room: 4 computers
  - Workshop room: 12 computers
- MidCities Workforce Center
  - Discovery Zone: 6 computers
  - Placement Zone: 12 computers
  - Assessment Room: 8 computers
  - Workshop room: 12 computers
- Resource Connection
  - Discovery Zone: 3 computers
  - Placement Zone: 12 computers
  - Assessment Room: 6 computers
  - Workshop room: 20 computers

### Information Technology

WSTC Board IT/Facilities are responsible for Board-managed Information Resources, which include

- Technical Support Services
  - The Board's IT/Facilities Department (Board IT) will provide technical support services for Contractor Staff related to Board-managed Information Resources. Board IT will refer any issues affecting Contractor-managed Information Resources to Contractor IT, as necessary. Board IT will escalate issues affecting Agency-managed Information Resources to the Agency, as necessary.
- Infrastructure Services
  - Infrastructure means the system of hardware, software, services, systems, equipment, and components that support the delivery of business systems and IT-enabled processes.

Infrastructure for the framework that processes data within an organization, which allows it to run software, access cloud-based systems, and ensure data security.

- Board IT maintains our current infrastructure which is located at the Board Administration office with a back-up site located in Resource Workforce Center. Current Board-managed infrastructure utilized include, but are not limited to, the Board's:
  - Wide Area Network (WAN) and Local Area Network (LAN)
  - Virtual Private Network (VPN)
  - Virtual Desktop Infrastructure (VDI)
  - Internet Connectivity
  - Connectivity to the Texas Workforce Commission WAN
  - Endpoint detection and response systems
  - File storage and database systems
  - Computing, networking, and telecommunications equipment
  - Telecommunications services, such as email, phone, fax, Wi-fi, and cellular services, and
  - Any infrastructure as a Services (IaaS) or other cloud-based system or service authorized by the Board for under this contract
  
- Application Services/Virtual Web Services

Applications mean all software programs, cloud-based systems, mobile applications, and related systems of services used to support, process, store, manage, or deliver business or operational functions. This includes, but is not limited to, enterprise software, productivity tools, web-based services, and any customer developed or third-party applications, whether hosted on-premises or through a third-party provider (e.g. Software as a Service (SaaS)).

  - Board IT will provide authorized Contractor Staff with the majority of the application required for Contractor Staff to maintain daily productivity. Current Board-managed applications utilized include, but are not limited to, the Board's:
    - Operating system
    - Web browsers
    - Malware protection software
    - Office productivity software, such as Microsoft Outlook. Teams, Word, Excel, PowerPoint, and SharePoint
    - Telecommunications software, such as Zoom and Microsoft Teams
    - Assistive technology software, such as JAWS and ZoomText
    - Microsoft 365 environment or any other Software as a Service (SaaS) or cloud-based system or services authorized by the Board for use under this Contract
    - DocuNav/Laserfiche
    - Any State-owned systems under the stewardship of the Board, such as
      - WorkInTexas
      - RACF Mainframe
      - Tiers
      - TWIST (NCP only)

- Work-in Texas
  - Voss Greeter
  - CTCS (Mainframe)
  - COLTS
  - Virtual Services
    - See our Website at [www.workforcesolutions.net](http://www.workforcesolutions.net) to view:
      - Microsoft Bookings
      - Career Coach
      - Zoom Registration
      - Work-In-Texas
      - DocuSign
      - Textline
- Safeguards for Board Data and Confidentiality of Records
 

Boad Data means records maintained by the Agency of the Board, and records obtained by the Contractor from the Agency or the Board under this Agreement, including (1) records and data compilations provided electronically, on paper, or via online access or emails, (2) records and data compilations that the Contractor has converted into another format or medium (such as handwritten or electronic notes), and (3) records and data compilations incorporated in any manner into Contractor records, files, or data compilations.

  - The Contractor shall maintain sufficient safeguards over all Board Data to prevent unauthorized access to or disclosure of Board Data, and shall ensure that the Contractor and it’s employees, contractors, and subcontractors (“Contractor Staff”) comply with all safeguards and responsibilities of this section.
- Security/Compliance Management
 

WSTC is required to adhere to the Texas Cybersecurity Framework and strive to achieve and maintain an overall score of at least 3.0 maturity level score as mandated by TWC. All WSTC contractors are required to follow the same Texas Cybersecurity Framework and strive to achieve and maintain an overall score of at least 3.0 maturity level score.

  - The Contractor and Contractor Staff shall comply with Appendix A, Requirements for Cybersecurity and Data Handling, and all security-related Agency policy Letters and Guidance, when using Board or Agency Information Resources, Board or Agency-provided data, and/or Board or Agency-administered systems
  - The Contractor shall implement and maintain an information security program for the security of all Board and/or Agency Information Resources, including data, systems, applications, and equipment entrusted to the Contractor, with particular attention to safeguarding of Sensitive Personal Information (SPI), in accordance with Appendix A, Requirements for Cybersecurity and Data Handling.
  - The Contractor agrees to employ and/or retain on an ongoing basis an Information Security Officer responsible for the Contractors’ Information security program.

- The Contractor in the event of a security violation and has any reason to suspect that the security or integrity of the Board’s and/or Agency’s data has been, or maybe, compromised in any way, the Contractor shall:
  - Notify the Board’s Chief Security Officer within twenty-four (24) hours, including weekends and holidays, via email at [cs@workforcesolutions.net](mailto:cs@workforcesolutions.net) or via phone at 817-413-4499 (option 2). Incident Report can also be submitted at the following web address: IT Incident Report.
  - Comply with notification requirements of Section 521.053, Business & Commerce Code, to the same extent as a person who conducts business in this state; and
  - Comply with Board and Agency directives in resolving any incidents
- Access Control & Account Management
 

The Board’s Information Security Unit shall be responsible for coordinating all access control and account management activities related to any Board and/or Agency Information Resource required to fulfill the Contractor’s obligations under this contract

The Contractor is required to follow policy and procedures for Access Control and Account Management.

- Facilities & Property Assets Management
 

Board Property means all Information Resources or purchased with funds awarded under this Contract that must be tracked because they are valuable, sensitive, or prone to theft. Examples of Board Property include, but are not limited to, computers, laptops, tablets, monitors, and printers, at the Board-managed facilities as well as locations utilized for telework/remote work purposes.

Currently Board staff and all Workforce Center Staff are on a virtualized machine. Depending on staff’s role-based designation, workforce staff are assigned an HP T740 Think Client or assigned HP Mobile Thin Client (MT46). Each Workforce Center have been issued approximately 10 HP Mobile Thin Client (MT45), which allows staff to work remotely when approved.

For more detailed information and requirements see the following:

- IT and Security Addendum and Appendix A:
  - WSTC Information Security Policy,
  - Acceptable Use of Information Resources Policy
  - Data Handling and Incident Reporting Guide  
(collectively, “Requirements for Cybersecurity and Data Handling”)

## **APPENDIX VII: SPECIAL FEDERAL AWARD TERMS AND CONDITIONS**

### **PART I - WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) TITLE I FUNDING**

Pursuant to the terms of the Federal award, and to 2 Code of Federal Regulations (C.F.R.) §§ 200.101(b)(2) and 200.332(a)(2), these Special Terms and Conditions pass through Terms and Conditions of the Federal award, which are not set forth elsewhere in this grant award. This grant award must be used in compliance with the following Federal Terms and Conditions in addition to the other provisions of this grant award.

#### **A. Availability of Federal Award Terms**

In some cases, Federal grant funds become available to the Texas Workforce Commission (TWC) for award before TWC obtains the associated Federal Award Terms for the monies. When award execution does not allow for delay, TWC may base the Special Federal Award Terms and Conditions for a grant award on the most recent prior Federal Award Terms and Conditions available, and later amend the TWC grant award when updated Federal terms are available. This action is most often used when Federal Award Terms and Conditions are not expected to differ significantly from the most recent prior terms available at the time TWC makes award.

#### **B. Definitions**

As used in these Special Federal Award Terms and Conditions: (1) the term, non-Federal entity, has the meaning defined in 2 C.F.R. Parts 200 and 2900; and (2) the term, subrecipient, has the meaning defined in 2 C.F.R. Part 200.

#### **C. Order of Precedence**

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

1. Workforce Innovation and Opportunity Act (WIOA);
2. Other applicable Federal Statutes;
3. Full-Year Continuing Appropriations and Extensions Act, 2025 (Public Law 119-4), dated March 15, 2025;
4. Implementing Regulations;
5. Executive Orders (EOs) and Presidential Memoranda;
6. Office of Management and Budget (OMB) Guidance, including the Uniform Guidance at 2 C.F.R. parts 200 and 2900;
7. The U.S. Department of Labor (DOL) or Employment and Training Administration (ETA) directives, including but not limited to Adult, Dislocated Worker and Youth Activities program allotments for Program Year 2025 including Training and Employment Guidance Letter (TEGL) No. 11-24.
8. The terms and conditions of the Federal award, as included in this Grant Award as the Special Federal Award Terms and Conditions; and,
9. The terms and conditions of this TWC grant award.

## D. Fund Use

The funds that are provided under this grant award must be expended according to all applicable Federal statutes, regulations and policies, including those of WIOA, the applicable approved WIOA State plan (including approved modifications/amendments to the plan) and any waiver plan approved under WIOA § 189(i)(3), or any Workforce Flexibility (Workflex) plan approved under WIOA § 190; the negotiated performance levels and policies established pursuant to the Labor Secretary's authority under WIOA § 116; and the applicable provisions in the appropriations act(s).

## E. Resources and Information

Additional resources and information are located on the Resources page of the DOL-ETA website at <https://www.dol.gov/agencies/eta/grants/resources> and on the Grants Application and Management collection page located on WorkforceGPS.org at <https://grantsapplicationandmanagement.workforcegps.org/>.

These sites contain information about the Uniform Guidance, grant terms and conditions, financial reporting, indirect costs, recipient training resources, and other relevant information.

## F. Cost Limitation Restrictions

- 1. Administrative Costs.** Administrative costs are defined at 20 CFR 683.215. Limitations on administrative costs are described at 20 CFR 683.205. Under no circumstances may the administrative costs exceed these limits. The award recipient will be monitored for compliance with the administrative cost limits throughout the grant's period of performance. Any amounts that exceed these limitations will be disallowed and subject to debt collection.
- 2. Consultants.** For the purposes of this award, the DOL-ETA Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to \$815 per day (representing an eight-hour workday). Such costs must be reasonable, allocable and allowable to the program. Any fees paid in excess of this amount cannot be paid without prior approval from the DOL-ETA Grant Officer.

Note: Subrecipients having need to exceed the limit must request prior approval to do so by submitting the request to the TWC Grant Manager assigned to this award. TWC will submit such requests to the DOL-ETA Grant Officer, as appropriate.

Subrecipients under this award shall not submit prior approval requests directly to DOL-ETA.

- 3. Equipment and Other Capital Assets.** The prior written approval requirements for equipment (as described in 2 CFR 200.439) are waived in accordance with 2 CFR 200.308(c)(4) and (g) and 20 CFR 683.200, and approval authority is delegated to the Governor for programs funded under Section 127 (Youth) or Section 132 (Adult & Dislocated Worker) of WIOA or under the Wagner-Peyser Act. Notwithstanding this waiver, the Grant Officer reserves the right to reimpose the requirement of prior approval, after providing advance notice to the recipient.

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

- 4. Pre-Award Costs.** All costs incurred by the award recipient prior to the start date specified in the grant award issued by the Department are incurred at the recipient's own expense.
- 5. Travel (Prior Approval).** The Federal award waives the prior approval requirement for domestic travel as contained in 2 C.F.R. § 200.475. For domestic travel to be an allowable cost, it must be necessary, reasonable, allocable and conform to the non-federal entity's written policies and procedures.
- 6. Travel (Fly America Act).** All travel must comply with the Fly America Act (49 U.S.C. § 40118), which states in part that any air transportation, regardless of price, must be performed by, or under a code-sharing arrangement with, a U.S. Flag air carrier if service provided by such carrier is available.
- 7. Travel (Foreign).** Funds that are awarded and authorized to carry out an activity under WIOA subtitle B cannot be used for foreign travel.
- 8. Travel (Mileage Reimbursement Rates).** Pursuant to 2 C.F.R. § 200.475(a), all subrecipients 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 for transportation by privately-owned automobile and privately-owned motorcycle. Mileage rates must be checked annually on the U.S. General Services Administration (GSA) Web site at [www.gsa.gov/mileage](http://www.gsa.gov/mileage) to ensure compliance.

Note: Additional state travel requirements may apply.

## **G. Audits**

The audit provisions contained elsewhere in this grant award are inclusive of Federal award terms requiring that organization-wide or program-specific audits shall be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance. Non-federal entities (as defined in 2 CFR 200.1) that expend \$1,000,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in Subpart F. All audit reports produced under subpart F are submitted through the Federal Audit Clearinghouse. For-profit entities are excluded from the requirements found in Subpart F of the Uniform Guidance (2 CFR 200.501(i)); however, in accordance with 2 CFR 200.503(c), DOL requires for-profit recipients that meet the audit determination threshold outlined in 2 CFR 200.501(a) to conduct a program-specific audit in accordance with generally accepted government auditing standards (GAGAS).

## **H. Closeout Requirements**

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 (NICRA) or Cost Allocation Plan (CAP) issued by the grantee's Federal cognizant agency (FCA). 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. (Note: Unless specified otherwise by TWC, subrecipients must maintain such documentation in accordance with applicable record retention requirements and make it available for review upon request.)

### **I. Personally Identifiable Information**

Grantees must recognize and safeguard personally identifiable information (PII) except where disclosure is allowed by prior written approval of the DOL Grant Officer or by court order. Grantees must meet the requirements in 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](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872).

### **J. Procurement**

All subrecipients must follow the procurement standards in 2 CFR 200.318 through 200.327. When procuring contractors for goods and services, subrecipients must follow the procurement requirements at 2 C.F.R. § 200.319, which calls for full and open competition. Subrecipients must also follow the requirements in WIOA Sections 121(d) and 123.

### **K. Program Income**

The “Addition” method, as described in 2 C.F.R. § 200.307, must be used in allocating any program income generated for this grant award.

Subrecipients must expend all program income prior to drawing down additional funds as required at 2 C.F.R. § 200.305(b)(5) and 2 C.F.R. § 200.307(b). Any program income found remaining at the end of period of performance must be returned to the DOL-ETA.

Note: TWC will recover any program income found remaining at the end of the grant award through the closeout process.

### **L. Requirements for Conference and Conference Space**

Conferences funded in whole or in part by the award are allowable if the conference is necessary and reasonable for the successful performance of the Federal Award. Subrecipients 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 in the requirements and the allowability of costs associated with conferences, refer to 2 C.F.R. § 200.432. Subrecipients will be held accountable to the requirements in 2 C.F.R. § 200.432. Therefore, costs that do not comply with 2 C.F.R. § 200.432 will be questioned and may be disallowed.

### **M. Subawards**

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

The provisions of the Terms and Conditions of this award must be applied to any subrecipient under this award. Each pass-through entity is responsible for monitoring subrecipients, ensuring that the Terms and Conditions and all other information required in 2 CFR 200.332(b) are in all subaward packages and that the subrecipients comply with all applicable Federal statutes, regulations and the Terms and Conditions of this award (2 C.F.R. § 200.101(b) and 332).

### **N. Contracts**

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

which must follow 2 CFR 200.317).

#### **O. 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 subrecipient 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 3.900 through 3.906 of the Federal Acquisition Regulation. The subrecipient shall insert the substance of this clause in all subgrants and contracts over the Simplified Acquisition Threshold.

#### **P. Intellectual Property Rights**

1. 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:
  - (a) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and
  - (b) 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.

2. 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 DOL/ETA 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.
3. 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 C.F.R. § 200.307.
4. 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.”

As required at 2 CFR 2900.13, any intellectual property developed under a discretionary Federal award process must be licensed under an open 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. All small business firms, and non-profit organizations (as defined in the link below, and including Institutions of Higher Education) must adhere to the Bayh-Dole Act, which requirements are provided at 37 CFR 401.3(a) and at the Bayh-Dole Act Required ETA Grant Term document. To summarize, these requirements describe the ownership of intellectual property rights and the government’s nonexclusive, nontransferable, irrevocable, paid-up license to use any invention conceived or first actually reduced to practice in the performance of work under this grant award. These

requirements are in addition to those found in the Intellectual Property Rights term above.

## **Q. Federal Appropriations Requirements**

**1. Fair Labor Standards Act Amendment for Major Disasters.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title I, Section 108 apply. 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 an 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 employer 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.”

**2. 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 of Personal Care’s HMO and OSF Health Plans, Inc.; and 2) any existing or future plan if the carrier

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

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

**4. Prohibition on Contracting with Corporations with Felony Criminal Convictions.** Subrecipients may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a subgrant 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.

**5. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities.** Subrecipients may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a subgrant 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.

**6. Procuring Goods Obtained Through Child Labor.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title I, Section 103 apply. 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 29, 2022. DOL has identified these goods and services at [List of Products Produced by Forced or Indentured Child Labor | U.S. Department of Labor \(dol.gov\)](#).

**7. 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 designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

**8. Requirement for Blocking Pornography.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 520 apply. No Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

**9. Requirement to Provide Certain Information in Public Communications.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 505 apply. 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:

- (a) The percentage of the total costs of the program or project which will be financed with Federal money;
- (b) The dollar amount of Federal funds for the project or program; and
- (c) 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 2 C.F.R. Part 200 and, when applicable, both must be complied with.

**10. Restriction on Health Benefits Coverage for Abortions.**

As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 506 and 507 apply. Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the abortion is 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 an 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.

**11. Restrictions on Lobbying/Advocacy.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 503 apply. No federal funds may be used to pay the salary or expenses of any grant recipient, or an agent acting for such recipient, related to any activity designed to influence the enactment of the legislation, appropriations, regulation, administrative action, or executive order proposed or pending before the Congress or any state government, state legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a state, local or tribal government in policymaking and administrative processes within the executive branch of that government.

**12. Publicity.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 503 apply. The subrecipient is not authorized to use any funds provided under this grant award—other than for normal and recognized executive- legislative relationships-- for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, 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.

**13. Restriction on the Promotion of Drug Legalization.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 509 apply. 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 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.

**14. Restriction on Purchase of Sterile Needles or Syringes.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 526 apply. No Federal funds shall be used to

purchase sterile needles or syringes for the hypodermic injection of any illegal drug. This limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection use, and such program is operating in accordance with State and Local law.

**15. Restrictions Against the Creation or Research of Embryos.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title V, Section 508 apply. No federal funds shall be used for (1) the creation of a human embryo or embryos for research purposes; or (2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR § 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. § 289g(b)). For purposes of this section, the term “human embryo or embryos” includes any organism, not protected as a human subjected under 45 CFR 46 as of March 23, 2024, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

**16. Salary and Bonus Limitations.** As provided in Pub. L. 119-4, the requirements of Pub. L. 118-47, Division D, Title I, Section 105 apply. 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 U.S. Office of Personnel Management website (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>).

The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 C.F.R. §200.331. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, 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. Refer to TEG L No. 10-24 for further clarification.

When preparing indirect cost proposals, recipients and subrecipients must disclose salary breakdowns to their Federal cognizant agency (FCA) or pass-through entity so that they can properly assess compliance of 10-24. An example of proposed salary breakdowns is provided in Exhibit B at (XLS), as part of A Guide for Indirect Cost Rate Determination, Section III, Examples of Exhibits to Support Indirect Cost Proposals in CPDD’s website.

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

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

Note: For additional information about the salary and bonus limitation, refer to TWC Workforce Development Letter 28-07, Change 1, and any subsequent issuances.

## **R. Public Policy**

**1. Architectural Barriers.** The Architectural Barriers Act of 1968, 42 U.S.C. §§ 4151 et seq., as amended, the Federal Property Management Regulations (see 41 C.F.R. Part 102-76), and the Uniform Federal Accessibility Standards issued by GSA (see 36 C.F.R. Part 1191, Appendices 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.

**2. Drug-Free Workplace.** The Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 702 et seq., and 2 C.F.R. Part 182 require that all organizations receiving grants from any Federal agency maintain a drug-free workplace. Refer to the Drug-Free Workplace Certification applicable to this grant award for notification and other requirements. Failure to comply with these requirements may be cause for suspension or debarment.

### **3. Executive Orders.**

**A. Subcontracting/Subgranting Opportunities to certain Entities and Individuals (EO 12928).** Pursuant to EO 12928, subrecipients are 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.

**B. Seat Belt Use (EO 13043).** Pursuant to EO 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, subrecipients 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.

**C. Civil Rights Act of 1964 - Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.** Pursuant to Title VI of the Civil Rights Act of 1964 and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, award 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, 68 FR 32290 (May 29, 2003); see also Appendix to 29 CFR 38.9 - Guidance to Recipients. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Award 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 LEP.gov.

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

### **4. Domestic Preferences for Procurements and the Build America, Buy America Act.**

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

For purposes of the paragraph above:

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

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

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

**5. Hotel-Motel Fire Safety.** Pursuant to 15 U.S.C. § 2225a, subrecipients 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 (Pub. L. 101-391, as amended). Subrecipients 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.

**6. Pay-for-Performance Contract Strategies.** If Grantee is a Local Workforce Development Board (LWDB) and elects to set aside funds for pay-for-performance (PFP) contract strategies under 20 C.F.R. § 683.520, a separate grant agreement must be created to administer those funds. In such event, the LWDB Grantee must notify TWC to enable TWC to provide sufficient notice to the Grant Officer, through its Federal Project Officer (FPO), of any LWDB's decision to reserve up to 10% of its total local Adult/Dislocated Worker or Youth allotment for PFP contract strategies so that a new grant agreement can be issued to cover those funds.

**7. Prohibition on Trafficking in Persons.** Grant award funds shall be used in compliance with the federal requirements against Prohibition on Trafficking persons found in the Trafficking Victims Protection Act

of 2000 (TVPA), as amended (22 U.S.C. 7104b) and the award term established by 2 C.F.R. § 175.200, which includes compliance with the following terms:

a) Provisions applicable to a recipient that is a private entity: 1. Under this award, Grantee, subrecipients and their respective employees are prohibited from engaging in:

i. Severe forms of trafficking in persons;

ii. The procurement of a commercial sex act during the period of time that this award or any subaward is in effect;

iii. The use of forced labor in the performance of this award or any subaward; or

iv. Acts that directly support or advance trafficking in persons, including the following acts:

(A) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;

(B) Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless:

(1) Exempted from the requirement to provide or pay for such return transportation by DOL; or

(2) The employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;

(C) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;

(D) Charging recruited employees a placement or recruitment fee; or

(E) Providing or arranging housing that fails to meet the host country's housing and safety standards.

2. DOL as the awarding agency may unilaterally terminate this award or take any remedial actions authorized by 22 U.S.C. § 7104b(c), without penalty, if any private entity—

i. Is determined to have violated a prohibition in paragraph a)1. of this award term; or

ii. Has an employee who is determined to have violated a prohibition in paragraph a)1. of this award term through conduct that is either—

(A) Associated with performance under this award; or

(B) Imputed to Grantee or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 C.F.R. Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by DOL at 2 C.F.R. Part 2998.

b) Provision applicable to a recipient other than a private entity:

1. Grantee must inform TWC immediately of any information Grantee receives from any source alleging a violation of a prohibition in paragraph a) of this award term.

i. Is determined to have violated a prohibition in paragraph a)1. of this award term; or

ii. Has an employee who is determined to have violated a prohibition in paragraph a)1. of this award term through conduct that is either-

(A) Associated with performance under this award; or

(B) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 29 CFR Part 98.

c) Provisions applicable to any recipient: 1. The recipient must inform DOL and the DOL Office of the Inspector General immediately of any information you (the recipient) receive from any source alleging a violation of a prohibition in paragraph a)1. of this award term.

2. DOL's right to unilaterally terminate this award as described in paragraph a.2 or b.1 of this award term: i. Implements the requirements of 22 U.S.C. 78, and

ii. Is in addition to all other remedies for noncompliance that are available to DOL under this award.

3. The award recipient must include the requirements of paragraph a)1. of this award term in any subaward the award recipient makes to a private entity.

d) *Definitions.* For purposes of this award term:

1. "Employee" means either:

(a) An individual employed by Grantee 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 Grantee or a subrecipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost-sharing requirements.

2. "Private entity" means any entity, including for-profit organizations, nonprofit organizations, institutions of higher education, and hospitals. The term does not include foreign public entities, Indian Tribes, local governments, or states as defined in 2 C.F.R. § 200.1.

3. "Severe forms of trafficking in persons," "commercial sex act," "sex trafficking," "Abuse or threatened abuse of law or legal process," "coercion" "debt bondage," and "involuntary servitude" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

**8. Veterans' Priority Provisions.** The Jobs for Veterans Act (38 U.S.C. § 4215) requires subrecipients to provide priority service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the DOL. The regulations implementing this priority of service can be found at 20 C.F.R. 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. Subrecipients must comply with the DOL guidance on veterans' priority. ETA's TEGL No. 10-09 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.

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

**10. Equal Participation of Faith-Based Organizations and Written Notice of Beneficiary Protections.** Pursuant to 29 C.F.R. §§ 2.30-2.41:

(a) A faith-based organization that participates in this award program retains its independence from Federal, State, and local Governments and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law.

(b) A faith-based organization may not use direct Federal financial assistance, whether received through an award or subaward, to support or engage in any explicitly religious activities. An organization receiving Federal financial assistance also must not, in providing services funded by DOL, or in conducting outreach activities related to such services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

(c) *Notice to beneficiaries of programs supported by direct Federal financial assistance.* Any faith-based organization providing services to beneficiaries under programs supported by direct Federal financial

assistance from DOL, and any entity responsible for disbursing Federal funds as part of a program of indirect Federal financial assistance administered by DOL, must give the written notice shown below to beneficiaries and prospective beneficiaries:

Name of Organization:

Name of Program:

Type of Federal Financial Assistance: **DIRECT**

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

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

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

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

## **PART II - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDING**

Pursuant to OMB Uniform Guidance (2 CFR Part 200) provisions at 2 CFR §§ 200.101(b)(2) and 200.332(a)(2), these Special Federal Terms and Conditions for Temporary Assistance for Needy Families (TANF) grants pass through Terms and Conditions specific to the Federal award, which are not set forth elsewhere in this Texas Workforce Commission (TWC) grant award. These grant funds awarded by TWC must be used in compliance with the following Federal Terms and Conditions in addition to the other provisions of this TWC grant award.

### **1. Availability of Federal Award Terms**

In some cases, Federal grant funds become available to the TWC for award before TWC obtains the associated Federal Award Terms for the monies. When award execution does not allow for delay, TWC may base the Special Federal Award Terms and Conditions for a grant award on the most recent prior

Federal Award Terms and Conditions available, and later amend the TWC grant award when updated Federal terms are available. This action is most often used when Federal Award Terms and Conditions are not expected to differ significantly from the most recent prior terms available at the time TWC makes the award.

## **2. Federal Funding Disclosure Statement**

This TWC grant award must be used in compliance with Section 632 of Public Law 117-328, the “Consolidated Appropriations Act, 2023,” which reads:

When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in

whole or in part with Federal money, all recipients receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state:

- a. the percentage of the total costs of the program or project which will be financed with Federal money;
- b. the dollar amount of Federal funds for the project or program; and
- c. percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

## **3. Prohibition Against Profit**

Unless exempted by 45 CFR §75.101, program regulations, and/or the terms and conditions of the award:

a. Recipients are subject to the limitations set forth in 45 CFR §75.216, Special provisions for awards to commercial organizations as recipients (45 CFR §75.216(b) Prohibition against profit), which states that, “...no HHS funds may be paid as profit to any recipient even if the recipient is a commercial organization. Profit is any amount in excess of allowable direct and indirect costs.”

b. Recipients are subject to the limitations under 45 CFR §75.400, Policy Guide (45 CFR §75.400(g)), which states “The non-Federal entity may not earn or keep profit resulting from Federal financial assistance, unless explicitly authorized by the terms and conditions of the Federal award. See also §75.307.”

## **4. Equal Treatment for Faith-Based Organizations**

Recipients are subject to the requirements of 45 CFR §87, Equal Treatment for Faith-Based Organizations. Pursuant to 45 CFR §87, this TWC grant award, subawards, or contracts under the TANF program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under these programs.

This provision shall not be interpreted to prohibit making subawards to or contracting for goods or services with any religious institution or entity.

The full text is located at: <https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-87>

## **5. Pro-Children Act of 1994 Smoking Prohibitions**

In accordance with Title X, Part C of Public Law 103-227, the “Pro-Children Act of 2001,” (20 U.S.C. §7181-7844), smoking may not be permitted within any indoor facility (or portion of such facility) owned or regularly used for the provision of health, day care, education or library services to children under the age of 18, if the services are funded by Federal programs whether directly or through State or local governments. Federal programs include grants, cooperative agreements, loans and loan guarantees, and contracts. The law does not apply to children’s services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions or facilities and used inpatient drug or alcohol

treatment, or facilities where WIC coupons are redeemed.

The above language must be included in any subawards that contain provisions for children's services and that all sub-grantees shall certify compliance accordingly. Failure to comply with the provisions of the law may

result in a civil monetary penalty of up to \$1,000 per violation and/or the imposition of an administrative compliance order on the responsible entity.

## **6. Human Trafficking Provisions**

This TWC grant award is subject to the requirements in Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. §7104). The full text of this requirement is found on the HHS Web site at: <https://www.acf.hhs.gov/grants/award-term-and-condition-for-trafficking-in-persons>.

## **7. Construction Prohibitions**

Unless superseded by program-specific regulations, this TWC grant award may not be used for construction or the purchase of land.

## **8. Telecommunications**

Title 2 CFR §200.216, Prohibition on certain telecommunications and video surveillance services or equipment.

- a. Recipients and subrecipients are prohibited from obligating or expending loan or grant funds (to include direct and indirect expenditures as well as cost share and program) to: (1) Procure or obtain; (2) Extend or renew a contract to procure or obtain; or (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Pub.L. 115- 232, Section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei
  - b. Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- i. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
  - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
  - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

## **9. Changes in Micro-purchase and Simplified Acquisition Thresholds**

The National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2018 increased the micro-purchase threshold to \$10,000 and the Simplified Acquisition Threshold (SAT) to \$250,000. In accordance with 41 U.S.C. §1902(f), changes to the thresholds are not effective until implemented in the Federal Acquisition Regulations (FAR). However, pursuant to 2 CFR §200.102, OMB has issued an exception that allows the increased thresholds to be used pending codification in the FAR, effective June 20, 2018. In addition, the

National Defense Authorization Act for Fiscal Year 2017, establishes a uniform process by which institutions of higher education, or related or affiliated nonprofit entities, nonprofit research organizations or independent research institutes can request a micro-purchase threshold above \$10,000. Prior to requesting a higher threshold, please contact the Grants Management Specialist identified on your notice of award or award letter for instructions to submit the request.

#### **10. Non-Discrimination Legal Requirements for Recipients of Federal Financial Assistance**

The project must be administered in compliance with federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex. This includes taking reasonable steps to provide meaningful access to persons with limited English proficiency and providing programs that are accessible to and usable by persons with disabilities. The HHS Office for Civil Rights provides guidance on complying with civil rights laws enforced by HHS. See <https://www.hhs.gov/civil-rights/for-providers/provider-obligations/index.html> and <https://www.hhs.gov/civil-rights/for-individuals/nondiscrimination/index.html>.

a. For guidance on meeting your legal obligation to take reasonable steps to ensure meaningful access to your programs or activities by limited English proficient individuals, see [Section 1557: Ensuring Meaningful Access for Individuals with LEP | HHS.gov](#) and <https://lep.gov>.

b. For information on your specific legal obligations for serving qualified individuals with disabilities, including providing program access, reasonable modifications, and taking appropriate steps to provide effective communication, see <https://www.hhs.gov/civil-rights/for-individuals/disability/index.html>.

c. HHS funded health and education programs must be administered in an environment free of sexual harassment, see <https://www.hhs.gov/civil-rights/for-individuals/sex-discrimination/index.html>.

d. For guidance on administering your project in compliance with applicable federal religious nondiscrimination laws and applicable federal conscience protection and associated anti-discrimination laws, see <https://www.hhs.gov/conscience/conscience-protections/index.html> and [Religious Freedom | HHS.gov](#).

#### **11. Salary Limitation—Federal Executive Level II**

Federal funds for these grant programs consistently include a provision as part of the Consolidated Appropriations Act (e.g., Public Law 115-31, May 5, 2017) from Congress that the amount that “shall be used to pay the salary of an individual, through a grant or other extramural mechanism” including non-federal share, must not exceed the amount of the Federal Executive Level II salary for that calendar year. This amount is published annually by the U.S. Office of Personnel Management and can be found on their website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2017/executive-senior-level/> under the “Rates of Pay for the Executive Schedule” link. This amount reflects an individual’s base salary (including any portion of the salary that is paid for with indirect costs), exclusive of fringe benefits and any income that an individual may be permitted to earn outside of the duties of the non-Federal entities’ organization. This salary limitation also applies to subawards, contracts, and subcontracts under an ACF grant or cooperative agreement.

#### **12. Drug-Free Workplace**

The Drug-Free Workplace Act of 1988, 41 U.S.C. §§8101-8106, requires that all organizations receiving grants from any Federal agency maintain a drug-free workplace. Refer to the Drug-Free Workplace Certification applicable to this grant award for notification and other requirements. Failure to comply with these requirements may be cause for suspension or debarment. Government-wide requirements

for Drug-Free Workplace for Financial Assistance are found in 2 CFR Part 182; HHS implementing regulations are set forth in 2 CFR Part 382.400. All recipients of ACF grant funds must comply with the requirements in Subpart B - Requirements for Recipients Other Than Individuals 2 CFR §382.225. View the rule at this link: <https://www.govinfo.gov/app/details/CFR-2001-title45-vol1>

### 13. 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 subrecipient 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 3.903; note that for the purpose of this term and condition, use of the term “contract,” “contractor,” “subcontract,” or “subcontractor” in section 3.903 should be read as “grant,” “grantee,” “subgrant,” or “subgrantee”). The subrecipient shall insert the substance of this clause in all subgrants and contracts over the Simplified Acquisition Threshold.

### 14. Mandatory Disclosures

This TWC grant award is subject to the requirements in 31 U.S.C. 3321, 41 U.S.C. 2313, and provisions found in Federal regulations at 45 CFR §75.113 and Appendix XII of this part, and 2 CFR Parts 180 and 376. Applicants and recipients must disclose, in a timely manner, in writing to Office of Grants Management (OGM), with a copy to HHS Office of Inspector General (OIG), all information related to violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the OGM and the HHS OIG at the following addresses:

The Administration for Children and Families  
U.S. Department of Health and Human Services  
Office of Grants Management  
ATTN: [Insert Name of assigned Grants Management Specialist]  
330 C Street, SW., Switzer Building Corridor 3200  
Washington, DC 20201

AND

U.S. Department of Health and Human Services  
Office of Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator  
330 Independence Avenue, SW., Cohen Building  
Room 5527  
Washington, DC 20201  
Fax: (202) 205-0604 (Include “Mandatory Grant Disclosures” in subject line) or  
Email: MandatoryGranteeDisclosures@oig.hhs.gov

Failure to comply may result in any noncompliance remedies in accordance with 45 CFR §75.371, including debarment and suspension. (See also 2 CFR Parts 180 and 376, and 31 U.S.C. 3321). For more information on FAPIIS, please see the Appendix XII of Part 75 - Award Term and Condition for Recipient Integrity and Performance Matters.

### 15. Debarment and Suspension

2 CFR 376 implements the government-wide debarment and suspension system guidance (2 CFR Part 180) for HHS' non-procurement programs and activities. "Non-procurement transactions" include, among other things, grants, cooperative agreements, scholarships, fellowships, and loans. ACF implements the HHS Debarment and Suspension regulations as a term and condition of award. Recipients may decide the method and frequency by which this determination is made and may check the Excluded Parties List System (EPLS) located at <https://www.sam.gov>, although checking the EPLS is not required.

#### **16. Award Term and Condition for Unpaid Federal Tax Liability**

This grant is subject to the requirement contained in Section 744 of the "Consolidated Appropriations Act, 2022," (Division E-Financial Services and General Government Appropriations Act, 2022, Title VII, General Provisions — Government-Wide), which says "None of the funds made available by this or any other Act may be used to 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, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government."

#### **17. Freedom of Information Act (FOIA)**

Applications funded by federal grant programs are subject to disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. §552. Each released application will receive appropriate redaction of specific information to protect personal privacy and competitively sensitive commercial information. Learn more about [filing a FOIA request](#).

#### **18. Requirements for Recipient Electronic and Information Technology**

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794(a)), states that no otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department. To assist recipients in these compliance obligations, HHS suggests implementing the Section 508 standards when the recipient anticipates public use of its electronic and information technology. Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d(a)(1)(A)) requires that when Federal agencies develop, procure, maintain, or use electronic and information technology, individuals with disabilities have access to and use of information and data that is comparable to that provided to the public who are not individuals with disabilities.

#### **19. Award Term for System Award Management and Unique Entity Identifier**

This award is subject to requirements as set forth in System Award Management (SAM) and Unique Entity Identifier (UEI) Requirements (2 CFR 25.110).

##### **a. Requirement for SAM:**

Unless exempted from this requirement under 2 CFR 25.110, the recipient must maintain current information in the SAM. This includes information on recipient's immediate and highest level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or federal financial assistance within the last three years, if applicable, until recipient submits the final financial report required under your award or receive the final payment, whichever is later. Recipient must

review and update the information at least annually after the initial registration, and more frequently if required by changes in information.

**b. Requirements for UEI:**

If recipient is authorized to make subawards, recipient must:

- i. notify potential subrecipients that no entity may receive a subaward from unless the entity has provided its UEI.
- ii. not make a subaward to an entity unless the entity has provided its UEI.