



## Workforce Innovation and Opportunity Act Policies and Procedures

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# WIOA LOBBYING RESTRICTIONS AND DISCLOSURE REQUIREMENTS

**Policy Number: 3007**

**Effective Date: 07-01-2015**

**Supersedes: Lobbying Restriction and Disclosure Requirements Policy #WFC 03-18-2013**

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### **PURPOSE**

This policy addresses the restrictions on political activities paid with federal or state funds and the disclosure requirements for other allowable political activities if paid with private funds. The purpose of this policy is to ensure all organizations receiving federal or state funds are aware that these restrictions apply to all political activities.

### **BACKGROUND**

All WIOA grant recipients, subrecipients, contractors and service providers must comply with the restrictions on lobbying specified in WIOA Sec. 195 and codified in 29 CFR Part 93. There are many political activities (including lobbying) that will result in a misapplication of funds (disallowed costs) if paid for or reimbursed by federal funds. These include cost prohibitions related to staff costs and travel. Congress and the federal government, along with the Washington State Legislature and Ethics Board, have enacted numerous laws and regulations detailing the prohibition against using federal or state funds for political activities, including but not limited to, lobbying, campaigning on behalf of a candidate and/or hosting campaign events.

Unless expressly authorized in federal or state law, organizations or entities receiving federal funds from grants, contracts or cooperative agreements do not lose their rights as organizations to use their own private, non-federal resources for "political" activities just because they also receive these federal funds. These organizations are prohibited, as this policy mandates, from using any federal grant or contract money for such purposes. These organizations must use private or other non-federal or state money, receipts, contributions or dues for such activities.

### **POLICY**

WIOA subrecipients, service providers, staff, partners and other local organizations that receive federal or state funds through grants, subawards or contracts with the Tacoma-Pierce County Workforce Development Council (dba WorkForce Central) are prohibited from using these funds for political activities. These organizations are also prohibited from receiving reimbursements from federal grants or contracts for costs of such activities.

Entities that do not receive federal funds, including but not limited to WorkSource partners, are also prohibited from participating in political activities when these activities take place under the auspices of

the WorkSource system or within its environment (i.e. at a WorkSource Center, Affiliate Site, Connection Site or in the service delivery environment of WorkSource).

As part of its oversight responsibilities WorkForce Central requires that all entities operating or providing services within the local WorkSource system comply with this policy. However, WorkForce Central will not regulate or review entities' activities that occur outside of the WorkSource system.

Prohibited political activities include, but are not limited to, the following:

- Attempts to influence the outcomes of any federal, state, or local election, referendum, initiative, or similar activity through in-kind or cash contributions, endorsements, or publicity.
- Establishing, administering, or contributing to, or paying the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcomes of elections.

**ACTION:** Reference documents noted in this policy should be consulted for details on how these restrictions apply to different types of organizations.

WorkForce Central includes Certification Statements as part of all subaward and contract General Conditions to ensure compliance with these requirements concerning the use of federal funds. This Certification Statement describes how to access the federal disclosure form (<https://www.whitehouse.gov/sites/default/files/omb/grants/sfillin.pdf>). This form must be filed with WorkForce Central for political activities (allowable within a specific funding source) that have been or will be paid for with funds other than state and federal funds. This requirement applies to all subrecipients, service providers, staff, partners and local organizations. WorkForce Central is required to submit any disclosure details within this local area to the Employment Security Department.

#### **DEFINITIONS:**

WorkSource Service Delivery Environment – any location in which WorkSource-identified services are delivered. The service delivery environment includes, but is not limited to, WorkSource offices, Affiliate and Connection sites, and other locations where services identified as a WorkSource service or paid for in whole or in part by federal funding are provided.

Political Activities – lobbying or advocating for legislative programs or changes; campaigning for, endorsing, or contributing to political candidates or parties.

Organization that Receives Federal Funds – entities that receive federal funds by way of grants, subawards, contracts or cooperative agreements. This includes WorkForce Central subrecipients, services providers, contractors and WorkSource partners.

#### **REFERENCES**

- [WIOA Sec. 195](#)
- [Proposed 20 CFR 683.200](#)

- [Congressional Research Service \(CRS\) Report for Congress – “Political Activities of Private Recipients of Federal Grants or Contracts” – October 21, 2008](#)
- [48 CFR 31 205-22 – Contracts with Commercial Organizations](#)
- [29 CFR Part 93.100 – New Restrictions on Lobbying](#)
- [RCW 42.17A.635 – Legislative activities of state agencies, other units of government, elective officials, employees](#)
- [RCW 42.52.180 – Use of Public Resources for Political Campaigns](#)
- [TEGL 2-12 – Employment and Training Administration \(ETA\) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct](#)
- [WorkSource System Policy #1018 – Political Activity Restrictions and Disclosure Requirements](#)
- <http://www.whitehouse.gov/sites/default/files/omb/grants/sflll.pdf>

**INQUIRIES**

**Direct Inquiries To:**

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**APPROVED**



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 Linda Nguyen, WFC CEO

Date: 11/30/15

**APPROVED BY WDC**

NA: Minor changes only;  
 Date WIA to WIOA references updated

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