

U.S. DEPARTMENT OF LABOR
Bureau of International Labor Affairs

Notice of Availability of Funds and Funding Opportunity Announcement for Improving Respect for Workers' Rights in Agricultural Supply Chains in Honduras and Guatemala, and the *Maquila* Sector in El Salvador

Announcement Type: Initial

Funding Opportunity Number: FOA-ILAB-21-12

Catalog of Federal Domestic Assistance (CFDA) Number: 17.401

Key Dates: The closing date for receipt of applications under this announcement is September 30, 2021. Applications must be received no later than 4:00:00 p.m. Eastern Time.

All technical questions related to the content of this Funding Opportunity Announcement (FOA) must be submitted no later than 10 business days prior to the close date of the FOA.

Award decisions are expected to be made between 9/30/2021 and 12/31/2021. **The Department will make its best efforts to make award decisions within this timeframe, but please be aware that there are a variety of circumstances that may occur that could result in a later or earlier than expected award decision.**

To apply: Submit applications via <https://www.grants.gov/> in response to this funding opportunity number.

For complete application and submission information, including online application instructions, please refer to section IV.

Executive Summary:

The Bureau of International Labor Affairs (ILAB), U.S. Department of Labor (USDOL, or the Department), announces the availability of approximately \$5,000,000 total costs (subject to the availability of federal funds) for a cooperative agreement to fund one technical assistance project with the overarching objective of improving respect for workers' rights¹ in agricultural supply chains in Honduras and Guatemala and the *maquila* sector in El Salvador through a worker-centered approach. The project will prioritize underserved communities² and include a focus on gender and racial equity. In particular, this project will address the systemic violation of internationally-recognized workers' rights in the export-oriented agricultural sector in Honduras and Guatemala and the *maquila* sector in El Salvador.

¹ For ILAB, workers' rights consists of two domains, including the core "international labor standards" (ILS) that all ILO member states have an obligation to respect and promote, as well as acceptable conditions of work (ACW). ILS refers to the "fundamental principles and rights at work" which are: a) effective abolition of child labor; b) elimination of all forms of forced or compulsory labor; c) freedom of association and the effective recognition of the right to collective bargaining; d) elimination of discrimination in respect of employment and occupation. Other important ILO standards deal with key social protection themes of conditions of work, including occupational safety and health, wages and hours of work. See ILAB website, *What Are Workers' Rights?* available from <https://www.dol.gov/agencies/ilab/our-work/workers-rights>.

² In accordance with Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

The project is expected to achieve the following outcomes:

- **Outcome 1:** Increased collective action to exercise workers' rights among agricultural and *maquila* workers, particularly those from underserved communities;
- **Outcome 2:** Improved effectiveness of worker organizations to train, represent and advocate for agricultural and *maquila* workers to attain improved wages, working conditions and job security; and,
- **Outcome 3:** Improved effective engagement by workers and worker organizations with government officials and employers to negotiate, address and resolve workers' rights concerns³.

The project will work with 1) agricultural and *maquila* workers, particularly those not yet affiliated with unions and workers from underserved communities, including Afro-descendant, Garifuna, rural, non-Spanish speaking or indigenous populations, and women; 2) workers' organizations that (currently or seek to) represent the collective interests of workers in agricultural supply chains in Honduras and Guatemala, and in El Salvador's *maquila* sector and their members; and 3) private sector and public sector representatives and entities that serve, interact with, employ or otherwise depend upon agricultural and *maquila* workers in the region. To the extent possible, the project will strengthen information and knowledge management capabilities to help workers' organizations and other stakeholders gather, collect, analyze, store, share and use data to better defend their rights, engage in dialogue, hold responsible parties accountable and enable workers to exercise their rights more effectively.

The duration of the project will be a maximum of 4.5 years (54 months) from the effective date of the award. Eligible applicants may include any commercial, international, educational, or non-profit organizations, including any faith-based organizations, community-based organizations, or public international organizations (PIOs), capable of successfully fulfilling the objectives identified in the Funding Opportunity Description.

Applicants selected for award will be required, within the first six months of award, to carry out additional in-country needs assessments and consultations with partners and relevant stakeholders to assess and identify gaps, risks and opportunities, analyze stakeholder capabilities and interests, understand potential harm and refine and/or validate the proposed project design, including performance indicators and targets, risk mitigation and sustainability strategies. All post award refinements to the project strategy will be subject to approval by USDOL.

³ Priority workers' rights concerns for this project include freedom of association and collective bargaining (FOACB), non-discrimination, and ACW.

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I. FUNDING OPPORTUNITY DESCRIPTION

A. PROGRAM PURPOSE

ILAB leads the U.S. Government's (USG) efforts to improve working conditions and fight labor exploitation around the world. ILAB's mission is to promote a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking. ILAB's Office of Trade and Labor Affairs (OTLA) works to make sure that U.S. trade partners fulfill their promises and play by the rules, and that American workers are able to compete on a level playing field by negotiating strong labor provisions in trade agreements and preference programs, monitoring for compliance, enforcing trade agreement and preference program commitments, and sharing technical expertise. See ILAB's webpage for additional information: <https://www.dol.gov/agencies/ilab>.

This FOA solicits applications to implement one project with the objective of improved respect for workers' rights in agricultural supply chains in Honduras and Guatemala, and the *maquila* sector in El Salvador. The project will prioritize underserved communities and include a focus on gender and racial equity. In particular, this project will address the systemic violation of internationally-recognized worker rights in the export-oriented agricultural sector in Honduras and Guatemala, and the *maquila* sector in El Salvador. Pervasive poor working conditions in these sectors include discrimination and harassment; wages that are insufficient to afford the basic basket of goods and services; long working hours (at times in excess of legal limits or even forced overtime); exposure to health and safety hazards, including inadequate ventilation, excessive heat or toxic chemicals, dust, noise and inadequate protective equipment; inadequate or non-existent employment benefits; restrictions on freedom of association; and persecution of labor organizers and advocates.

Using a worker-centered approach, the project should accomplish the following outcomes:

- **Outcome 1:** Increased collective action to exercise workers' rights among agricultural and *maquila* workers, particularly those from underserved communities;
- **Outcome 2:** Improved effectiveness of worker organizations to train, represent and advocate for agricultural and *maquila* workers to attain improved wages, working conditions and job security; and
- **Outcome 3:** Improved effective engagement by workers and worker organizations with government officials and employers to negotiate, address and resolve workers' rights concerns.⁴

Applicants selected for award will be required, within the first six months of award, to carry out additional in-country needs assessments and consultations with partners and relevant stakeholders. This should include (1) assessing and identifying gaps, risks, and opportunities; (2) analyzing stakeholder capabilities and interests; (3) understanding potential harm; and (4) refining and/or validating the proposed project design, including performance indicators and targets, risk mitigation and sustainability strategies. All post-award refinements to the project strategy will be subject to approval by USDOL. USDOL welcomes applications from organizations that have not previously received an award from USDOL, including minority-led organizations. USDOL expects applicants to allow for equal access to project services by all workers' organizations in target areas and should not enter into exclusivity agreements with any worker organization.

⁴ Priority workers' rights concerns for this project include freedom of association and collective bargaining (FOACB), non-discrimination, and ACW.

This announcement is for the award of one new cooperative agreement with the specific project objective and outcomes outlined in this FOA. As such, applicants may not submit applications to renew or supplement an existing project.

B. PROGRAM AUTHORITY

ILAB is authorized to award and administer grants and cooperative agreements by the Department of Labor Appropriations Act, 2021 (Pub. L. 116-260, Division H, Title I) to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs.

C. BACKGROUND INFORMATION

During the five year period preceding the COVID-19 pandemic, it is estimated that approximately 300,000 people, on average, migrated out of El Salvador, Guatemala, and Honduras annually, with the majority bound for the United States. Difficult and worsening socioeconomic and security conditions—intensified by natural disasters and weak governance—appear to be the strongest push factors driving this out-migration.⁵ Analysts expect the working-age population in El Salvador, Guatemala, and Honduras will continue to increase over the next two decades, since approximately 40 percent of the population is under the age of 20. With shrinking opportunities for decent work, the motivation to migrate is expected to increase exponentially.⁶ This systemic problem has persisted for decades despite long-term efforts to address it.

Underlying factors contributing to this problem include extreme inequality, entrenched poverty, economic instability stemming from shifting supply chain dynamics and climate change, endemic corruption and violence fueled by organized crime and gangs, and abysmal delivery of social services. Factors reinforcing and exacerbating the situation for workers are weak worker rights protections, widespread impunity for worker rights violations, low rates of unionization, the proliferation of short-term employment contracts, and inability of workers' organizations to effectively improve working conditions and labor market outcomes for workers in their countries of origin, particularly for women and workers from indigenous or other underserved communities.⁷

Unfortunately, existing structural factors have been exacerbated by back-to-back hurricanes, Iota and Eta, in November 2020, and the widespread flooding, displacement and joblessness that followed, as well as the COVID-19 pandemic, which intensified the economic vulnerability and job insecurity of already marginalized workers.⁸

Even before the COVID-19 pandemic and major tropical storms of 2020, employment in the agricultural sector and *maquilas* was associated with precarious working conditions, a high degree of instability, widespread discrimination, and limited recourse for workers who experience violations of their rights.⁹ Women, indigenous, Afro-descendant, rural and LGBTQ+ workers and persons with disabilities

⁵ [Central American Migration: Root Causes and U.S. Policy](#), Congressional Research Service, April 22, 2021.

⁶ Ibid.

⁷ United Nations (2020, May) Economic Commission for Latin America and the Caribbean (ECLAC) / International Labour Organization (ILO), “El trabajo en tiempos de pandemia: desafíos frente a la enfermedad por coronavirus (COVID-19)”, *Coyuntura Laboral en América Latina y el Caribe*, No. 22 (LC/TS.2020/46), Santiago, May, 2020. Available at: https://repositorio.cepal.org/bitstream/handle/11362/45557/1/S2000307_es.pdf

⁸ Honduras: Hurricane Eta and Iota - Emergency appeal, Relief Web. <https://reliefweb.int/report/honduras/honduras-hurricane-eta-and-iota-emergency-appeal-n-mdr43007-operation-update-no-2#:~:text=According%20to%20official%20figures%2C%20approximately,floods%20accumulated%20from%20the%20storms>.

⁹ [Central American dry corridor: An exploration of the potential of a job creation strategy for Guatemala and Honduras](#), Federico Fraga, ILO Working Paper No. 23 – 2020.

experience systemic workplace discrimination, work-related violence¹⁰ and inequities in all three countries.¹¹

These vulnerabilities have compounded in the past year, with shrinking productivity, high rates of job loss, diminished hours, earnings and social security contributions for agricultural and *maquila* workers, and increased pay gaps between men and women. The ILO estimates that the reduction in working hours in the Latin America and Caribbean region in 2020 is equivalent to a loss of 26 million jobs.¹² Workers in the *maquila* sector of El Salvador and agricultural supply chains in Guatemala and Honduras have been severely impacted by reduced orders and the resulting job loss and reductions in working hours. Considering the large share of the workforce in such jobs, these losses have had an outsized effect on the rest of the economy, further contributing to the push factors for irregular migration in the region.¹³ Many of those who stay behind are women, who lack access to social safety nets and face widespread gender-based violence, workplace discrimination, labor-intensive and low-wage employment, and inequitable access to resources, land or livelihood opportunities.¹⁴

El Salvador, Guatemala, and Honduras countries have been parties to the Central America Free Trade Agreement (CAFTA-DR FTA) with the United States since 2004. In 2020, the United States imported \$11.3 billion in goods from these countries, especially agricultural and apparel products, which are key drivers of the Central American economies and represent supply chains that are integral to the U.S. market.¹⁵ The leading exports from El Salvador to the United States in 2019 were knit apparel (\$1.6 billion) and woven apparel (\$214 million).¹⁶ In 2019, agricultural exports from Guatemala and Honduras to the United States exceeded \$2.5 billion, led by exports in bananas and plantains, unroasted coffee, other fresh fruit and vegetables, and processed fruit and vegetables.¹⁷

The share of agricultural employment is highest in Guatemala and Honduras, although it has been declining in all three countries since 2000. Bananas and coffee remain the leading agricultural exports. Guatemala has experienced significant growth in banana exports by greatly expanding production through national producers on its southern coast, where wages are lower, conditions of work more precarious, and unions are non-existent. While banana production was once concentrated in the unionized northern region, today 85 percent of employment is in the non-union southern region.¹⁸ Moreover, a recent study of the banana sector found that non-unionized workers earn less than half the hourly pay of unionized workers and work 12 hours more per week. Non-union workers were 81 percent more likely to face verbal abuse than union workers, and 58 percent of women in non-union banana packing plants faced sexual harassment and other forms of gender-based violence at work

¹⁰ *Work-Related Violence Research Project: Overview and Survey Module and Focus Group Findings (Central America)* by David Gimeno and George L. Delclos, The University of Texas, Health Science Center at Houston, School of Public Health, December 2016, funded by U.S. Department of Labor.

¹¹ See ILO Committee of Experts on the Application of Conventions and Recommendations, Reports and observations supervising the application of International Labour Standards for El Salvador, Guatemala and Honduras [in country profiles for Conventions 087, 098, 100 and 169](#).

¹² ILO, *The employment crisis in the pandemic: Towards a human-centred job recovery*, April 8, 2021; available from https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_779223/lang-en/index.htm.

¹³ ILO, ECLAC, Coyuntura Laboral en América Latina y el Caribe Mayo de 2020, Número 22, *El trabajo en tiempos de pandemia: desafíos frente a la enfermedad por coronavirus (COVID-19)*.

¹⁴ *Trade and Gender Linkages: An analysis of Central America*, United Nations Conference on Trade and Development, 2020.

¹⁵ See USTR CAFTA-DR page available from <https://ustr.gov/trade-agreements/free-trade-agreements/cafta-dr-dominican-republic-central-america-fta>.

¹⁶ See USTR Fact Sheet on El Salvador available from <https://ustr.gov/countries-regions/western-hemisphere/el-salvador>.

¹⁷ See USTR Fact Sheet on Guatemala available from <https://ustr.gov/countries-regions/western-hemisphere/guatemala> and the USTR Fact Sheet on Honduras available from <https://ustr.gov/countries-regions/western-hemisphere/honduras>.

¹⁸ *What Difference Does a Union Make? Banana Plantations in the North and South of Guatemala*, by Dr. Mark Anner, University of Pennsylvania, Center for Global Workers' Rights, funded by USAID, January 2021.

compared to eight percent of women at unionized packing plants. Hence, there is considerable evidence for violence and harassment at work, including substantial gender-based violence.¹⁹

Coffee is one of the main export cash crops in Central America and is a sector highly embedded in global value chains.²⁰ Despite efforts to diversify into other crops, more than 245,000 families in Guatemala and Honduras still rely on income from coffee production.²¹ Yet employment in the export coffee sector is undergoing a sharp decline due to drought, unpredictable rainfall patterns, and lower global coffee prices. As the industry struggles to stabilize, workers in coffee growing regions can no longer rely on coffee as a sustainable livelihood and increasingly, they are choosing to migrate to the United States.²²

Apparel is the region's leading export sector, accounting for approximately 15 percent of the region's exports annually, and apparel remains the most significant employer, with approximately 350,000 jobs. Women make up over 70 percent of employment in the sector, predominantly in low-skilled, labor-intensive positions in the assembly stages of production, with limited upgrading of skills over time.²³ With the increasing pressure on speed to market in the apparel industry and the proximity to North American buyers, El Salvador is in a position to considerably grow its global market share. However, persistent concerns with labor conditions, in particular with regards to freedom of association, discrimination, harassment, and acceptable conditions of work in garment factories, have been reported to limit U.S. brands' ability to scale apparel production in the region.²⁴

The United States is the region's leading trade partner, and manufactured products, especially apparel, make up a large share of the region's exports. Trade in manufactured goods has been bolstered by the establishment of export processing zones (EPZs) and the CAFTA-DR FTA, which significantly liberalized trade in goods and services, but also introduced obligations that parties effectively enforce their labor laws with respect to internationally recognized worker rights, including those related to freedom of association, collective bargaining, child labor, forced labor, and acceptable conditions of work.²⁵ Yet, these countries have faced persistent challenges in implementing these labor provisions, relegating the majority of workers to precarious, low-skilled and low-wage positions in the labor market and further contributing to the push factors driving people to migrate.

In 2020, Honduras was named by the International Trade Union Confederation (ITUC) as one of the ten worst countries for workers,²⁶ due to the government's actions to circumvent collective bargaining rights. This has thwarted union registration, enabled employers to fire union representatives without repercussion, and contributed to impunity for violence against trade unionists. In Guatemala and Honduras, the pervasive climate of repression, physical violence and intimidation is compounded by the governments' failure to pursue a backlog of cases of murders and other violent crimes against workers and trade unionists. In El Salvador, the Ministry of Labor continues to be criticized for violating union statutes and due process, and allowing for the registration of illegitimate unions. Employers in all three

¹⁹ Ibid.

²⁰ *Trade and Gender Linkages: An analysis of Central America*, United Nations Conference on Trade and Development, 2020.

²¹ *Promoting sustainable economic growth in coffee growing regions of Honduras and Guatemala*, Global Affairs Canada (2018); available at <https://www.tfocanada.ca/global/coffee-honduras-guatemala.pdf>.

²² Central American Migration: Root Causes and U.S. Policy, Congressional Research Service, April 22, 2021.

²³ Penny Bamber and Stacey Frederick, "[Central America in Manufacturing Global Value Chains \(GVCs\)](#)", prepared by the Duke Global Value Chains Center (GVCC) for the Inter-American Development Bank, April 30, 2018.

²⁴ United Nations (2020, May) Economic Commission for Latin America and the Caribbean (ECLAC) / International Labour Organization (ILO), "El trabajo en tiempos de pandemia: desafíos frente a la enfermedad por coronavirus (COVID-19)", *Coyuntura Laboral en América Latina y el Caribe*, No. 22 (LC/TS.2020/46), Santiago, May, 2020. Available at: https://repositorio.cepal.org/bitstream/handle/11362/45557/1/S2000307_es.pdf.

²⁵ See USTR CAFTA-DR page available from <https://ustr.gov/trade-agreements/free-trade-agreements/cafta-dr-dominican-republic-central-america-fta>.

²⁶ International Trade Union Confederation, *2020 ITUC Global Rights Index: The World's Worst Countries for Workers*.

countries routinely refuse to engage in collective bargaining and avoid paying workers the wages and benefits they are due.²⁷

The laws in all three countries provide for the right of most formal sector workers to form and join independent unions, to strike, and to bargain collectively; however, government institutions, such as the Ministries of Labor and the labor courts, do not effectively investigate, prosecute, or punish employers who violate freedom of association and collective bargaining laws and judicial procedures are subject to lengthy delays and appeals.²⁸ Laws and decrees originally intended to spur growth in nascent export-oriented industries have often contributed to a substantial shift from full-time, permanent work to short-term, temporary contracts.

Governments in the region do not effectively enforce laws on OSH or wages, and this situation worsened during the pandemic. *Maquilas* and agricultural processing facilities reported numerous outbreaks of COVID-19, and unions reported massive layoffs and cancelation of contracts in the *maquila* sector during the pandemic without providing welfare benefits. Employers failing to provide a safe workplace were rarely sanctioned. Moreover, many employers in the agricultural sector reportedly condition payment of the minimum daily wage on excessive production quotas that workers generally are unable to meet. While most formal sector workers are entitled to social security, both public- and private-sector employers routinely fail to pay into the social security system. These violations, particularly common in export and agricultural industries, result in limiting or denying employees' access to the public health system and reducing or underpaying workers' pension benefits.²⁹

Governments in El Salvador, Guatemala, and Honduras have recently implemented legal and administrative reforms aimed at improving labor law compliance and strengthening labor inspection. However, overall worker understanding and use of the mechanisms remains limited, even among unionized workers. Beyond labor inspection and legal processes, collective bargaining and other forms of social dialogue are tools that Central American unions could use more effectively to address worker rights concerns. However, unions in the export-oriented *maquila* and agriculture sectors lack the membership needed to gain greater leverage in negotiations with employers. Legal and capacity constraints are obstacles to organizing large numbers of workers in these sectors—particularly women, youth, and workers from indigenous or other underserved communities. Low union density in the *maquila* and agricultural sectors also makes it more difficult for workers to draw attention to problems and compel corrective action from government or employers.

II. AWARD INFORMATION

A. AWARD TYPE AND AMOUNT

Funding will be provided in the form of a cooperative agreement. Approximately \$5 million total costs is expected to be available to fund approximately one award. Applicants may apply for a ceiling amount of up to \$5 million total costs. Awards made under this announcement are subject to the availability of federal funds. In the event that additional funds become available, USDOL reserves the right to use such funds to select additional recipients from applications submitted in response to this announcement.

In addition to its normal consultative role as grantor, ILAB's substantial involvement in program activities may focus on elements that are essential to meet program requirements and assure

²⁷ <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>.

²⁸ Ibid.

²⁹ Ibid.

achievement of program objectives and outcomes. ILAB's involvement will include, but not be limited to:

- Liaising with in-country USG officials and host country governments on matters related to the project.
- Collaborating substantially on the project strategy and implementation, as well as the development of the project document package.
- Collaborating substantially on the development and implementation of the monitoring and evaluation plan and all of its components.
- Providing highly specialized input on the technical definitions and concepts of workers' rights, international labor standards, occupational safety and health (OSH), industrial relations, social dialogue, collective bargaining, freedom of association, acceptable conditions of work, stakeholder compliance, non-discrimination, labor courts, labor administration, labor inspection, labor law and judicial reform, legal and policy frameworks, and effective enforcement, among others.
- Being substantially and actively involved in designing research, service provision, and/or capacity building activities jointly with the recipient.

B. PERIOD OF PERFORMANCE

The period of performance is a maximum of 4.5 years (54 months from the effective date of the award. This performance period includes all necessary implementation and start-up activities. Only allowable costs incurred during the period of performance may be charged to the federal award (2 CFR 200.1 Period of performance).

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

The following organizations are eligible to apply:

U.S. organizations:

- Nonprofits, including any faith-based organizations or community-based organizations
- Public/State Controlled Institutions of Higher Education
- Private Institutions of Higher Education
- For-Profit Organizations

Non-U.S. organizations:

- Non-U.S. Entities, including PIOs, as described in 2 CFR 200.1 and nonprofits from El Salvador, Guatemala, and Honduras.

Applicants do not need previous experience managing federal awards, but they must speak persuasively about their ability to leverage other previous experience and bring it to scale in support of a large federal investment.

The following types of organizations **are not** eligible to apply nor to participate as subrecipients/contractors:

- Organizations designated by the U.S. Government to be associated with terrorism.
- Organizations designated by the U.S. Government to have been debarred or suspended.
- Organizations planning to charge a fee (profit) associated with a project funded by a USDOL award.

- Foreign governments and entities that are agencies of, or operated by or for, a foreign state or government are not eligible to apply. However, they may be eligible to participate as a subrecipient in certain instances, subject to USDOL approval. NOTE: If an exception to this subrecipient eligibility criterion might be appropriate, the application must include a detailed justification for the possible exception. **USDOL funds are not intended to duplicate existing foreign government efforts or substitute for activities for which such governments have already assumed responsibility.** USDOL will make eligibility decisions on a case-by-case basis after receiving the application.

B. COST SHARING OR MATCHING

This program does not require cost sharing or matching funds. Including such funds is not one of the application screening criteria and applications that include any form of cost sharing or match will not receive additional consideration during the review process. Instead, the agency considers any resources contributed to the project beyond the funds provided by the agency as leveraged resources. Section IV.B.2 provides more information on leveraged resources.

(e.g., 2 CFR 200.306 Cost sharing or matching and 2 CFR 200 Subpart E Cost Principles).

C. OTHER INFORMATION

1. Application Screening Criteria

Use the following checklist as a guide when preparing the application package to ensure that the application has met all of the screening criteria. Note that this checklist is only an aid for applicants and should not be included in the application package. It is recommended to use this checklist to ensure that the application contains all required items. If the application does not meet all of the screening criteria, the application will not move forward to the merit review process.

Application Requirement	Instructions	Complete?
The deadline submission requirements are met	Section IV.B.3.a.	
Eligibility	Section III.A	
The components of the application are saved in any of the specified formats and are not corrupt. (USDOL will attempt to open documents, but will not troubleshoot any problems related to opening files)	Section IV.B.3.b.	
Application does not exceed the ceiling amount of \$5 million total costs	Section II.A	
Applicant has registered with the System for Award Management (SAM) and maintains an active account	Section IV.B.2.a	
Completed and signed SF-424, Application for Federal Assistance including a DUNS Number	Section IV.B.2.b	
SF-424A, Budget Information Form	Section IV.B.2.c	
Technical Proposal	Section IV.B.1	
Attachments to Technical Proposal • Abstract • Work Plan	Section IV.B.1.e	

• Sustainability Strategy Template • Relevant Grant and/or Contract Experience • Evidence of Country Presence • Key Personnel Signed Commitment Letters (2) • Resume for Key Personnel (2) • Resume for Other Required Professional Personnel (4) • Project Management Organizational Chart		
Outcomes-based budget	Section IV.B.2.d.	
Budget narrative	Section IV.B.2.d.	

2. Number of Applications to Be Submitted

Multiple applications from an organization are not allowed. If multiple applications are received, the most recent application submitted by the deadline will be accepted. If the most recent application is disqualified for any reason, USDOL will not replace it with an earlier application. Applicant entities are not precluded from participating as partners on another entity's application.

IV. APPLICATION AND SUBMISSION INFORMATION

A. HOW TO OBTAIN AN APPLICATION PACKAGE

This FOA, found at www.grants.gov, contains all of the information needed to apply for funding. Applicants should note that it includes hyperlinks to external forms and resources. Applicants are required to comply with all parts of the FOA, including those parts found at the hyperlinks.

B. CONTENT AND FORM OF APPLICATION SUBMISSION

Applications submitted in response to this FOA must consist of two separate and distinct parts: (1) a Technical Proposal, including attachments; and (2) a Cost Proposal, including the SF-424 Application for Federal Assistance and related forms identified as follows. It is the applicant's responsibility to ensure that the funding amount requested is consistent across all parts of the application. If the funding amount is not consistent, the amount requested on the SF-424 will be considered for the purpose of the award.

1. Technical Proposal

Applicants should use their technical expertise to propose how to meet the requirements of the FOA and may provide justification for their choices as they see fit within the requirements of the FOA.

All pages of the application must be numbered. All required documents (including attachments) must be submitted in English. Any additional documentation submitted that is not required or specifically requested under this announcement will not be considered during the merit review process.

Technical Proposals must be no more than 50 single-sided, double-spaced pages (8.5 x 11 inches with 1-inch margins). If any page limits required by this FOA for any part of the application are exceeded, the content that exceeds the page limit will not be considered during the merit review process. Font style must be Times New Roman and font size must be 12-point. The Cover Page, Acronyms List, Table of Contents, required attachments to the Technical Proposal, and the Cost

Proposals do not count toward the page limit and do not have any spacing restrictions. Different fonts and font sizes may be used for tables, text boxes, and graphics. However, it is the applicant's responsibility to ensure that they are legible and meet electronic submission requirements. Documents which cannot be read or accessed by the Department will not be considered during the merit review process. Please see section IV.B.3. for the file format requirements for electronic submissions.

The following instructions provide all of the information needed to complete the Technical Proposal. Applicants should carefully read and consider each section, and include all required information. The Technical Proposal will be evaluated using the evaluation criteria identified in section V. Application Review Information. Applicants must use the same section headers identified in this FOA for each section of the Technical Proposal:

a) Abstract (Executive Summary)

Applicants must submit as an attachment an abstract summarizing the proposed project, including, but not limited to, the scope of the project, the project objective, and proposed outcomes, sub-outcomes, outputs, and activities. The description of the proposed project must include the applicant's name, project title, a description of the geographic area, population(s) to be served, number and description of individuals, groups and institutions to be served (giving particular attention to underserved, underrepresented, and historically marginalized communities or groups), and the funding level requested. The abstract is limited to two double-spaced single sided 8.5 x 11 inch pages with 12-point text font, Times New Roman font style, and 1-inch margins. When submitting in Grants.gov, this document must be uploaded as an attachment to the application package and specifically labeled "Abstract."

b) Table of Contents

The table of contents must list all required documents and include their corresponding page numbers.

c) Project Narrative

The Project Narrative must describe in detail the applicant's response to the FOA. At minimum, the Project Narrative must contain the following sections:

(1) Problem Analysis (up to 5 points)

- (a) Scope of the Problem:** Applicants will be evaluated based on the extent to which their analysis demonstrates a systemic understanding of the worker rights problem that the proposed project is designed to address. Applicants must describe in both quantitative and qualitative terms the need for assistance, including the nature, scope and root causes of the problem, and the consequences of not addressing the need. The analysis must reflect all the relevant conditions that are holding the problem in place, complicating or reinforcing it, including relevant cultural, economic, social, demographic, technological, historical, political, or environmental factors contributing to the problem. The problem analysis must demonstrate a cogent assessment of the boundaries of the "system" the project is seeking to transform, identify specific leverage points (transforming structures or processes) within the system that could drive change with respect to the problem, how they interact with one another and any related factors or barriers to change.

Applicants must identify significant gaps in laws, policies, programs, and coordination efforts that contribute to the identified problem and that need to be addressed.

- (b) Population / Institutions Served:** The analysis must include discussion of specific actors within the system (individuals, groups, institutions, coalitions, or networks) that have influence and/or interest in addressing the problem, giving particular attention to underserved, underrepresented, and historically marginalized communities or groups. This discussion should clearly describe how the targeted population(s) to be served in the project will meet the requirements of this FOA by increasing their access to and/or demand for services, benefits, protections or programs associated with improved workers' rights. The analysis must address considerations of harm and equity sufficient to demonstrate the applicant's understanding of how the problem affects different groups, with particular attention to gender and racial equity. For projects involving institutional strengthening, the problem analysis should clearly describe institutional barriers (or "pain points") encountered by the target population(s) in accessing services, benefits, protections or programs associated with improved workers' rights. The problem analysis must be supported by relevant empirical data, including citations.
- (c) Proposed Geographic Scope:** The applicant must identify and provide a justification for the proposed target service area(s) and the number of individuals and institutions/groups that the applicant expects to serve. Applicants may choose one or more of the following scopes: local (municipal or provincial), regional (contiguous area within country and/or multi-country), sectoral or supply chain (within country and/or multi-country), national, multi-country (contiguous or non-contiguous). Within the chosen geographic scope, applicants must identify the specific site(s) where awarded applicants will implement project interventions.

(2) Project Design

(a) Project Strategy and Sustainability Strategy (up to 25 points)

The project-level objective is to improve respect for workers' rights³⁰ in agricultural supply chains in Honduras and Guatemala and the *maquila* sector in El Salvador through a worker-centered approach. The project will prioritize underserved communities³¹ and include a focus on gender and racial equity. In particular, this project will address the systemic violation of internationally-recognized worker rights in the export-oriented agricultural sector in Honduras and Guatemala and the *maquila*

³⁰ For ILAB, workers' rights consists of two domains, including the core "international labor standards" (ILS) that all ILO member states have an obligation to respect and promote, as well as acceptable conditions of work (ACW). ILS refers to the "fundamental principles and rights at work" which are: a) effective abolition of child labor; b) elimination of all forms of forced or compulsory labor; c) freedom of association and the effective recognition of the right to collective bargaining; d) elimination of discrimination in respect of employment and occupation. Other important ILO standards deal with key social protection themes of conditions of work, including occupational safety and health, wages and hours of work. See ILAB website, *What Are Workers' Rights?* available from <https://www.dol.gov/agencies/ilab/our-work/workers-rights>.

³¹ In accordance with Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

sector in El Salvador. In support of achieving the objective, the project should be designed to achieve the following outcomes:

The overarching project objective is to improve respect for workers' rights in agricultural supply chains in Honduras and Guatemala and the *maquila* sector in El Salvador through a worker-centered approach. In support of achieving the objective, the project should complement (and not duplicate) other ILAB projects and accomplish the following outcomes:

- **Outcome 1:** Increased collective action to exercise workers' rights among agricultural and *maquila* workers, particularly those from underserved communities.

Applicants should propose evidence-based interventions to increase the ability and willingness of workers to take effective collective action; build the capacity of workers and leaders (especially women and workers from underserved communities) to affiliate with, form, and strengthen worker organizations in agricultural communities; and increase the membership of worker organizations, in Honduras and Guatemala, including those representing seasonal workers, and *maquila* workers in El Salvador.

- **Outcome 2:** Improved effectiveness of worker organizations to train, represent and advocate for agricultural and *maquila* workers to attain improved wages, working conditions and job security.

Applicants should propose evidence-based interventions to assist worker organizations in promoting safer, healthier, and more prosperous employment with fair wages in agriculture and *maquila* supply chains, and other workers' rights, including the right to organize and bargain collectively. These interventions should focus on improving worker organizations' effectiveness in (a) training, (b) representation, and (c) advocacy activities. Where worker organizations do not exist, the project may propose other strategies to educate workers about their rights as a foundation for future organizing.

- **Outcome 3:** Improved effective engagement by workers and worker organizations with government officials and employers to negotiate, address and resolve workers' rights concerns.³²

Applicants should propose to strengthen existing local, national and/or regional mechanisms for coordination and dialogue in the agricultural sector. The project may work with unions as well as bipartite and tripartite dialogue mechanisms in other sectors, such as the *maquila* sector in Honduras, to identify best practices, lessons learned, and opportunities for cross-sector collaboration.

Applicants must propose a project design that embraces a "local systems approach," which for this project means that sustained impact on workers' rights will be achieved by local and regional system actors and linkages among them, strengthened by worker voice to collectively diagnose the dynamics of the

³² Priority workers' rights concerns for this project include freedom of association and collective bargaining (FOACB), non-discrimination, and ACW.

problem, determine the key leverage points in the system, and implement appropriate interventions to shift the conditions holding the problem in place. At the end of this project, the interventions implemented and the outcomes facilitated by the project and its institutional partners will have shifted conditions that are preventing agricultural and *maquila* workers in the region from engaging in effective social dialogue and exerting their collective influence to attain formal sector jobs that are safe, healthy, prosperous and secure in their home countries.

Other Requirements

Expected Outcomes and Outputs

Applicants must propose a strategy, using a systems approach, to achieve the project-level objective and expected outcomes stated above. Applicants must clearly identify how the project will achieve (or substantially contribute to) these outcomes within the period of performance of the project. In addition, applicants must propose Grantee-defined sub-outcomes and outputs they deem necessary to achieve the outcomes and a rationale (including supporting evidence) for how they contribute to the achievement of the project's overall objective. Together these outcomes are expected to have a lasting impact on the systemic worker rights problem identified in the project objective. Applicants must describe the key outputs produced by the project that will lead to the expected outcomes. In addition, applicants must describe in a narrative format how these outcomes, sub-outcomes and outputs align with their planned interventions. Applications must clearly state expected project results that are specific, measurable, achievable, and reasonable according to the project design and timeline. Project results must include: 1) any results, including appropriate outputs and outcomes that are achieved by the end of the grant period; 2) long-term benefits that include outcomes expected 5+ years after the end of the grant period to demonstrate sustainability.

Scoring under this criterion is based on how completely the narrative project strategy describes the project design, the extent to which it addresses key stakeholders, risks and critical assumptions, and on its relevance to the unmet need described in its Problem Analysis. The logic of the project strategy will be evaluated based on the extent to which the project's interventions can be expected to shift the conditions that are holding the problem in place. Successful applicants will design their project based on existing evidence of the effectiveness and sustainability of their proposed strategy and cite such evidence in their project design.

Applicants must demonstrate how their proposed strategy will address gaps identified in the problem analysis, identify any potential barriers, and describe how the project will work to overcome those barriers. In addition, applicants must clearly describe in their proposed strategy how they will integrate sustainability into their project strategy, beginning in the early stages of project implementation (please see Appendix B for a definition of sustainability). Applicants shall use the Sustainability Strategy Template (please see Appendix G) to show how they plan to build sustainability into their design for applicable outcomes/elements. Successful applicants will have an opportunity to update and elaborate on this template post-award.

As part of its strategy, applicants must undertake an initial assessment of any unique needs of underserved communities, including historically marginalized, underrepresented and vulnerable groups and describe how any identified needs will be addressed.

Applicants must identify in their proposal potential risks to achievement of the project-level objective and/or any of the three project outcomes in the project's target areas, such as climate change, crime and violence, and corruption. In addition, applicants must propose a plan to support efforts to mitigate the impacts of the identified risk(s). Applicants must also explain how they will promote a "do no harm" approach in carrying out project activities and take steps to avoid inadvertently endangering project participants, stakeholders, or staff.

Applicants must include an integrated communication and outreach strategy that will promote respect for workers' rights and support the overall implementation of the project. The communication and outreach strategy must incorporate concrete actions to ensure information and experience exchange among countries to inform adaptive management and scale up project performance. Applicants must describe how the communication and outreach strategy will promote respect and support of the project-level objective and the three outcomes. The communication and outreach strategy must demonstrate how the following are taken into account: (1) audience analysis and messaging tailored to worker organizations, project participants, relevant government officials, and other stakeholders and (2) the role of traditional, digital, and social media in reporting on issues relevant to the project. The cost of the integrated communication and outreach strategy must be reflected in the Outcome-Based Budget and budget narrative. The applicant must set aside funding for a Communications Specialist position with the corresponding level of effort informed by the FOA's requirements under the Personnel section and the communication and outreach needs identified by the applicant.

Applicants may, but are not required to, propose activities that support efforts to reduce the impact of COVID-19 on project staff, participants, and communities in line with the strategies under each outcome and the overall project-level objective. Applicants should in particular, consider the impact of COVID-19 on and specific needs of underserved communities.³³ If applicants propose activities to support efforts to reduce the impact of COVID-19, such activities must also be reflected in the work plan, Outcome-Based Budget, and budget narrative.

Applicants selected for award will be required, within the first six months of award, to carry out additional in-country needs assessments and consultations with partners and relevant stakeholders to assess and identify gaps, risks and opportunities, analyze stakeholder capabilities and interests, understand potential harm and refine and/or validate the proposed project design, including performance indicators and targets, risk mitigation and sustainability strategies. All post award refinements to the project strategy will be subject to approval by USDOL.

³³ Pan American Health Organization (PAHO). Considerations on Indigenous Peoples, Afro-Descendants, and Other Ethnic Groups during the COVID-19 Pandemic. June 4, 2020. <https://iris.paho.org/handle/10665.2/5225>. PAHO. Key Considerations for Integrating Gender Equality into Health Emergency and Disaster Response: COVID-19. June 4, 2020, <https://iris.paho.org/handle/10665.2/52247>.

USDOL has informed host government officials of the proposed project. Applicants are encouraged to consult with the Government of Honduras, El Salvador, and Guatemala to ensure that their proposed strategies are relevant to the countries' needs and supportive of all three governments' efforts to improve respect for workers' rights.

Efforts must be made to avoid duplication and to build upon relevant previous or ongoing activities in Honduras, El Salvador, and Guatemala. Applicants must include a mapping of the landscape of current relevant programming in target countries. Applicants must also demonstrate how they intend to coordinate with other relevant projects and initiatives, including those funded by the host government (where applicable), USDOL, other USG, and other donor governments and organizations. Applicants must include a brief description of the consultative process undertaken in preparing their proposal.

Applicants must demonstrate that they have undertaken an initial assessment of the needs, resources, interests, influence and capabilities of all target groups, institutions, organizations or structures that are deemed vital to sustaining project outcomes, by describing the process of conducting the assessment and the results. The needs assessment and discussion of results should give particular attention to structural inequities and vulnerable groups, and should include a gender analysis, including protecting the rights of pregnant women.

Applicants must plan for long-term sustainability of outcomes in their proposed strategies. The applicant's description of the project strategy should:

- Explain the flow of inputs to activities, activities to outputs, outputs to outcomes, outcomes to the project objective, and the sustained impact on worker rights that the project will contribute to.
- Fully justify proposed interventions by explaining their purpose and the problems they are intended to address. If available, note any applicable research that establishes evidence of a causal relationship or correlation between interventions and expected outcomes. Proposed interventions, including the activities and outputs that comprise them, should be fully described and should be ambitious but realistic given the implementing environment, scope of the problems to be addressed, and proposed budget.
- Demonstrate knowledge of political, gender, cultural, or other traditions and norms pertaining to and impacting the interventions proposed in the target sectors, including how these issues will be considered while implementing project activities.
- Demonstrate the long-term sustainability of all efforts and outcomes in the design of the proposal, including which outcomes have the potential to be sustained after the end of the project and explain how the responsibility for sustaining them is expected to transition to local stakeholders, systems and institutions.
- Identify risks and opportunities inherent in the project design that could impact the likelihood of achieving or sustaining project outcomes, and describe appropriate mitigation and response strategies.
- Recognize possible external factors or shocks and their potential influence on the project, expected outcomes, and their sustainability.

Sustainability must be the centerpiece of the project strategy. “Sustainability” is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn. Applicants must take into account the likelihood that the benefits or effects of a particular output or outcome will continue after donor funding ends. In developing the project strategy, applicants must consult with key stakeholders to ensure that the proposed strategy takes into account the factors, partners and institutions that are likely to have the strongest influence over, and the capacity and willingness to sustain the desired outcomes and impacts. Applicants should embed sustainability success factors into the project design in accordance with the Sustainability Guide available on ILAB’s website at <https://www.dol.gov/agencies/ilab/resources/grants>.

After award, the selected recipients will be required to refine the Sustainability Strategy, report on it in each of their progress reports and modify or update the strategy as needed. Although there are restrictions on the awarding of subawards or contracts to government entities, to the extent possible, recipients should consider engaging relevant government agencies through other mechanisms, as well as partnering with other local organizations or associations to strengthen their capacity.

(b) Project Targets (up to 5 points)

The applicant's Project Targets section will be evaluated based on how well it supports the overall project strategy, as well as for how reasonable project targets are with consideration to the allocation of project resources (e.g., budget, staffing) to support the meeting of those targets. Applicants must describe the target populations, institutions, systems or processes that will be impacted by the project. Applicants must describe how target populations, institutions, sectors and/or geographic areas, etc. reflect the problem to be addressed and the overall strategy being proposed by the Applicant. Consideration must be given to underserved populations, including isolated rural communities, female heads of household, and indigenous peoples.

Applicants must propose specific geographical areas and communities the project will target in El Salvador, Honduras and Guatemala, and justify their selection. The project should target 1) agricultural and *maquila* workers, particularly workers not yet affiliated with unions and workers from underserved communities, including Afro-descendant, Garifuna, rural, non-Spanish speaking or indigenous populations, and women; 2) workers’ organizations that (currently or seek to) represent the collective interests of workers in agricultural supply chains in Honduras and Guatemala, and in El Salvador’s *maquila* sector and their members; and 3) private sector, public sector and government representatives and entities that serve, interact with, employ or otherwise depend upon agricultural and *maquila* workers in the region. Other influential agricultural and *maquila* supply chain actors, such as brands, and other relevant bipartite or tripartite bodies or networks, should be targeted as appropriate in the project design to complement government and employer-focused activities in other related efforts. In particular, applicants should describe how their project strategy will reinforce and collaborate with other USDOL-funded technical assistance, including project activities associated with improving occupational safety and health (OSH) conditions for workers in the target sectors, with a particular focus on injuries, Chronic Kidney Disease of non-traditional causes (CKDnt), and COVID-19 in the agricultural sectors in Honduras and Guatemala; and injuries and COVID-19 in the *maquila* sector in El Salvador. The selection of targets should demonstrate a

strong understanding of the motivations and incentives of each target group or institution and incorporate strategies for addressing motivational gaps, such as workers assuming their voice will make little difference or not recognizing the power of their collective influence; employers who discount the power of workers' collective voice, or assume that improving workers' well-being will hurt the bottom line; and labor inspectors who see no benefit in identifying violations of workers' rights.

The project field office(s) should be located in an area(s) of intervention, so as to minimize travel time and expenses, decrease risks of COVID-19 exposure, provide a significant and continuous project presence near areas of intervention, and strengthen the engagement with and accountability to individuals and organizations in the location. Applicants must provide a justification for their selection of a target geographical area(s), as applicable.

Applicants must describe how geographic areas reflect the problem to be addressed and the overall strategy being proposed by the applicant.

Applicants must put forward a proposed approach to ensure the safety of participants and implementers within the target geographic area(s). Applicants must describe how they will administer services in a safe environment.

OTLA Standard Outcome Indicator Targets

USDOL has established a set of standard outcome indicators that OTLA-funded worker rights projects are expected to achieve or substantially contribute to, which should be sustained after the project ends. Together these indicators measure outcomes that are expected to have a lasting impact on the systemic worker rights problem identified in the project objective.

To receive full points for this section, applicants must include numerical outcome projections for each of the OTLA standard outcome indicators identified in Appendix F and defined in Appendix B. Applicants should complete Appendix F by providing raw numerical targets for each year of the project as well as the cumulative number; otherwise, they will not receive full points. If an applicant considers one or more outcome indicators inapplicable to their project, enter zeroes for the yearly and cumulative targets and provide a justification for excluding it. Percentages, percent increases or other types of data projections are not acceptable.

Project-specific indicator definitions, units of measure and data disaggregation will be agreed post-award in the development of the Performance Monitoring Plan (PMP) and are subject to approval by USDOL. Applicants are not required to describe data disaggregation in their proposals; however, for most projects, outcome indicators for individual-level targets (1a, 2a, 3a, 4a, 5a, 6a, 8a, and 9a) should be disaggregated by tripartite affiliation (worker/civil society representative, and public or private sector representative), as well as sex, race/ethnicity, disability, rural, migration, union membership, LGBTQI+ or other protected status. Where relevant, measures should also be disaggregated by category of worker rights, including Freedom of Association and Collective Bargaining (FOACB); Non-Discrimination with respect to employment; and Acceptable Conditions of Work (ACW). Indicators for institutional-level targets (1b, 2b, 3b, 4b, 5b, 6b, 7b, 8b, and 9b) should be

disaggregated by type of structure (as relevant to the project), from among these seven types:

- Workers' organizations (enterprise-level unions or worker committees, sectoral or national trade unions or confederations of unions, or other civil society organizations)
- Employers' organizations (in-country industry associations, chambers of commerce, international brand or buyer initiatives or associations, other employers' associations)
- Government agencies (labor inspectorates, labor court systems, conciliation, mediation and dispute resolution systems, legal services and justice systems, health and safety regulation, enforcement and compliance promotion systems, other labor ministry or related functions)
- Bipartite groups (worker-manager committees, sectoral dialogue groups)
- Tripartite groups (national tripartite advisory committees or councils, consultative or decision-making bodies)
- Enterprises, farms, factories and workplaces (individual workplaces or affiliated groups of enterprises with shared ownership or sourcing relationships)
- International multi-stakeholder initiatives and coalitions (supply chain and responsible sourcing initiatives, industry or consumer advocacy groups, business & human rights initiatives, responsible shareholder or investor groups)

(3) Monitoring and Evaluation (M&E) Agreement and Capacity Statement (up to 4 points)

The applicant's M&E Agreement and Capacity Statement will be evaluated based on how well it addresses OTLA M&E requirements (outlined below). Applicants must confirm in their proposal their commitment to strong project M&E. They must also confirm their agreement to collaborate with USDOL in developing and revising required M&E deliverables, including the project's Sustainability Strategy and Performance Monitoring Plan (PMP).

M&E requirements include:

- conducting a rigorous process for establishing baseline values for USDOL standard and project-specific indicators. Please see Appendix F for a list of OTLA's standard indicators;
- development and implementation of the PMP, which includes the collection, entering, processing, reporting, and analysis of data on project-specific and USDOL-standard performance indicators throughout the period of performance;
- development of project-specific indicator definitions as part of the PMP development (as applicable);
- baseline and follow-up surveys for key outcomes;
- development and refinement of a sustainability strategy;
- collaboration on required performance evaluations and/or other learning/accountability activities;
- ensuring adequate M&E staffing capacity to support monitoring activities throughout the project's period of performance; and
- an end-of-project analysis of PMP indicator data and final outcomes.

After the award is made, USDOL will work with the recipient to refine performance indicators, their respective targets and plans for data collection, analysis and disaggregation during the development and finalization of a PMP.

The Applicant's M&E section must also include a description of how the work plan will be monitored and reported upon, how deviations from the work plan will be addressed, and, if applicable, special considerations for the externally-managed performance evaluations to occur at the project's mid-point and end-point. Please see OTLA Management Procedures and Guidelines (MPG) for a list of M&E Requirements for projects and other tools and guidance under "Grantee Resources" at <https://www.dol.gov/agencies/ilab/resources/grants>.

(4) Work Plan (up to 5 points)

The applicant's Work Plan will be evaluated based on how clearly and realistically it outlines major activities and their related deadlines. The work plan must identify major project activities, deadlines for completing these activities, and person(s) or institution(s) responsible for completing these activities for the entire life of the project, as well as a sustainability plan. The work plan must be included graphically as an attachment and correspond to activities identified in the Project Design, budget and budget narrative. Applicants may choose an appropriate format for their work plan, but the format must include a field/column where the Applicant, if funded, would report on the status of plan items (e.g., not yet started, on track, delayed, completed).

d) Organizational Capacity

This section must describe the qualifications of the proposed applicant and/or any proposed subrecipients to implement the project.

(1) Relevant Grant and/or Contract Experience (up to 6 points)

The applicant's Relevant Grant and/or Contract Experience will be evaluated based on how well it reflects their ability to address the requirements of the FOA (including the ability to meet USDOL monitoring, oversight, and reporting requirements) and implement the applicant's proposed Project Strategy. Applicants must describe any experience they or their proposed subrecipients have with implementing projects relevant to this FOA and provide references for past performance, as well as ask their references to complete and submit a past performance questionnaire. Each of these requirements is further explained in the corresponding bulleted item below. Projects included must have been active within seven years of the issuance date of the FOA and no more than a combined total of six (6) projects for the primary applicant and proposed subrecipients should be provided in the description or used for references.

- Project descriptions should be included in this section of the technical proposal.
- References must be included as an attachment in a Relevant Grant and/or Contract Experience table (see Appendix C for a sample format). USDOL reserves the right to contact any references included in the chart and/or any other references that come to our attention.
- Applicants must ask all listed references to provide information about project performance and administration such as that suggested in the sample past performance questionnaire included as Appendix E. For consideration, references must email this information as a Word document or PDF attachment directly to USDOL at OGM_ILAB@dol.gov by the closing date and time of this announcement. Email submissions must include the following

subject line: FOA-ILAB-21-12, Reference, Applicant [*insert applicant name*] or if applicable Proposed Subrecipient [*insert sub name*], [*insert reference giver's name and organization*]. USDOL is not responsible for reviewing messages that do not include the proper subject line. Failure by references to submit the requested information by the required date and time will result in its omission from the panel review process and may affect how the application is scored. Applicants are encouraged to follow-up with their references directly because USDOL cannot guarantee to confirm receipt of emailed references.

Applicants and/or subrecipients with no relevant past grants and/or contracts experience must include a narrative describing their ability to leverage other previous experience to achieve this FOA's required outcomes. In such cases, applicants must include an attachment indicating that the list of references is not applicable.

(2) Country Presence (up to 5 points)

The applicant's Country Presence section will be evaluated based on how well it demonstrates the applicant's ability to effectively meet USDOL requirements for start-up and implementation of the proposed project. Applicants must describe their organization's (and/or subrecipients') existing presence in-country and ability to start up project activities in the target area(s) upon receiving an award (see section IV.B.1.d.3 for more information on partners). Any documents that demonstrate country presence (e.g., official registration of the applicant's organization and/or subrecipient in the host country, a current Memorandum of Understanding between the applicant and/or subrecipient and the host government) must be included as an attachment to the Technical Proposal.

Applicants must describe their ability and plans to collaborate directly with relevant national, regional and/or local government and non-government agencies, and other organizations as relevant to this project in each country, and their past experience working with these stakeholders.

If the applicant and/or subrecipient does not have country presence the applicant must include a narrative explanation in this section indicating why this is the case and explain how it may impact project implementation. The applicant also must include an attachment indicating that the Country Presence Attachment is not applicable.

(3) Partners (up to 10 points)

The applicant's Partners section will be evaluated based on how well it supports effective implementation of the applicant's project strategy and the needs outlined in their problem analysis section. Applicants must describe their approach for working with worker organizations in the target countries to implement project activities to advance the objective of the project. Where they exist, applicants must describe any established partnerships and how they will be leveraged (either formally or informally) during project implementation, including with worker organizations and local organizations that have capacity and experience working on issues related to the objective of the project. Applicants without established in-country or regional partnerships must describe how they will build local partnerships and/or describe any other partnerships that will be leveraged to achieve the project objective.

Applicants that propose formal project implementation partners (i.e., as subrecipients) must include a brief description of such partners, including a description of the partners' role in implementing the proposed project strategy and how this approach will strengthen the overall proposal. Applicants that propose subrecipients are encouraged to consider organizations that are led by, serving, and/or representing underserved communities. Applicants are responsible for ensuring subrecipients have the administrative capabilities to carry out their proposed strategy and activities. Please see additional requirements under the Management Plan (Sub-section 5). Applicants must provide documentation demonstrating these partners' support and commitment to the project. Examples of support could include, but are not limited to, full- or part-time staff dedicated to implementing project activities, materials, meeting space, and/or equipment. Once the private sectors actor(s) are finalized, they must also commit to institutionalize, replicate, and/or scale up the good practices developed by the project.

Applicants should seek to coordinate and/or collaborate, as appropriate and where possible, with relevant implementing organizations, including at a minimum, other projects funded by USDOL, USAID and the Inter-American Foundation, to promote project objectives. Applicants should consider opportunities for coordinating and/or collaborating with relevant United Nations agencies, relevant projects supported by other donors, or other relevant actors.

In consideration of potential limitations on proposal development as a result of the impact of COVID-19, applicants selected for award will be required, within the first six months of award, to carry out additional in-country needs assessments and consultations in order to confirm the full range of partners needed to support effective implementation of the project. Any related refinements to project strategy will be subject to approval by USDOL.

(4) Personnel (up to 11 points)

(a) Key Personnel

The applicant's Key Personnel section will be evaluated based on how well proposed Key Personnel meet the requirements outlined below and how well their past experience reflects an ability to implement the applicant's proposed project strategy. Key Personnel positions are deemed essential to the successful operation of the project and completion of all proposed activities and deliverables. ILAB retains the authority to approve all key personnel changes throughout the life of the award. Key Personnel must be available to staff the project no later than 45 calendar days after the award should the applicant be selected for award.

Applicants must summarize in the text the candidates' past experience and qualifications to perform the duties of the position and execute the project strategies proposed by the applicant. ILAB encourages applicants to hire national/local staff for key personnel positions. If any of the proposed personnel do not meet all the requirements, applicants must explain how the proposed personnel will still benefit the project and be able to perform the required duties.

Recipients assume full responsibility for ensuring that all Key Personnel have a clear and thorough understanding of USDOL policies, procedures, and requirements and that all documents submitted to USDOL are in fluent English.

ILAB has designated the following position(s) as Key Personnel. Other requirements for each individual position follow:

Project Director:

- Must be directly hired by the recipient, not a subrecipient.
- Devote at least 90 percent level of effort to the project (0.9 full-time equivalent position).
- Minimum of five years of experience in project management, supervision, administration, and implementation of grant or contract requirements, including meeting deadlines, achieving targets, and overseeing the preparation and submission of required reports to the project funder.
- Demonstrated knowledge of OSH programs preferred.
- Experience establishing and maintaining systems for project operations.
- Experience building and maintaining productive relationships with stakeholders (government, employers, and workers in vulnerable communities).
- Experience working with vulnerable communities such as agricultural worker communities in El Salvador, Guatemala, and Honduras.
- Extensive experience working in rural and agricultural areas to ensure project work effectively reaches and includes intended beneficiaries.
- Ability to maintain working relationships with all project stakeholders, including public, private, and civil society partners.
- Fluency in English and Spanish (written and spoken) required.

Monitoring and Evaluation (M&E) Officer:

- Must be directly hired by the recipient, not a subrecipient.
- Devote at least 90 percent level of effort to the project (0.9 full-time equivalent position).
- Minimum of five years of experience in strategic planning and performance measurement, including indicator selection, target setting, reporting, database management, and developing M&E and performance monitoring plans.
- Experience establishing and maintaining systems for performance management.
- Proven success in designing, implementing, and operating project M&E systems.
- Fluency in English and Spanish (written and spoken) required.
- Knowledge of monitoring and evaluation approaches for capacity-building projects.
- Experience working with vulnerable communities such as agricultural worker communities in El Salvador, Guatemala, and Honduras.

Applicants must include as an attachment a signed letter of commitment from each proposed key personnel (as identified in this FOA) indicating their commitment to serve on the project for a stated term of service and their availability to commence work within 45 days of award.

Applicants must also submit as an attachment a resume (4 pages maximum) for each individual being proposed for each position designated as key personnel in this FOA. Each resume must include:

- Educational background, including highest education level attained;
- Work experience covering at least the last five years of employment to the present, including such information as employer name, position title, clearly defined duties, and dates of employment;
- Special experience, capabilities, or qualifications related to the candidate's ability to implement the proposed strategy and perform effectively in the proposed position; and
- Evidence of English fluency and other relevant language skills, if required (includes speaking, listening, reading, writing). For non-native speakers, evidence of fluency may include a TOEFL test score or transcript showing completion of advanced English language coursework.

(b) Other Professional Personnel

The positions listed below are required other professional personnel (but are not considered key personnel). Applicants must identify these required other professional personnel, including proposed level of effort to the project, and submit resumes (4 pages maximum) to USDOL as an attachment to the application. Resumes must include the same information outlined above for key personnel.

Country Coordinators (3):

The applicant must propose three Country Coordinators, who will be responsible for overseeing project activities at the country level. See section (V) below:

- Minimum of three years of experience in a leadership position working with formal and/or informal worker organizations.
- Demonstrated experience in project management and overseeing the work of relevant local staff, consultants, or subcontractors.
- Experience building coalitions with worker organizations, government agencies, the private sector, and local communities to address labor issues.
- Understanding of issues related to workers' rights and supply chains in the specific country.
- Understanding of gender and racial equity issues.
- Ability to meet deadlines, achieve targets, and provide all required inputs to deliverables.
- Must be employed by the recipient, not a subrecipient.
- Fluency in Spanish is required, and working knowledge of relevant local language is preferred.

Communications Specialist (1):

The Communications Specialist must be responsible in overseeing the project's communications strategy implementation. The applicant must propose one Communications Specialist based on their management plan. See subsection (5) below:

- Minimum of three years of professional experience in communications work relevant to this FOA.

- Proven experience developing and implementing communications strategies through a variety of means, such as traditional; digital; radio; social media; and/or storytelling.
- Ability to develop communications strategies using behavioral and social-change communication, including audience segmentation and social mobilization.
- Demonstrated experience managing a team and overseeing the work of consultants and external companies and managing the delivery of multi-media communication products and services is recommended.
- Experience in and knowledge of labor issues is recommended.
- Degree in communications, journalism, marketing, or a related field is preferred.
- Must be employed by the recipient, not a subrecipient
- Fluency in Spanish is required and proficiency in English is preferred.

Applicants may propose additional professional personnel (other than key personnel and required other professional personnel listed above) in their application. Applicants may submit resumes to USDOL for such additional professional personnel, but it is not required. Resumes are needed only for the key personnel and required other professional personnel listed above. There is no minimum required level of effort for such additional professional personnel. Minimum levels of effort are needed only for the key personnel and required other professional personnel listed above. Wherever possible, applicants should hire national/local staff knowledgeable in the areas of intervention who will be responsible for implementing project activities.

(5) Management Plan (up to 9 points)

The applicant's Management Plan section will be evaluated based on how well it demonstrates an ability to support proper oversight, reporting, and implementation of the project strategy. Applicants must discuss their project's management plan, including a narrative description of the structure of the project's management team, key personnel roles and responsibilities, and the lines of authority between key personnel and other project staff responsible for providing services related to project intervention. If other professional personnel are proposed, their role must be explained in the management plan. If any of the project's personnel would be employed by a subrecipient, the applicant must provide a rationale for this arrangement and an explanation of the staffing structure.

Applicants must also include as an attachment a project management organizational chart that provides a visual depiction of the project's management structure and lines of authority among organizations, all key personnel, other professional personnel, and other project staff being proposed. Applicants may choose an appropriate format for their project management organizational chart.

While key personnel must meet or exceed qualifications outlined in Subsection 4 above, applicants must also describe how they intend to continue to support the professional development of applicant's in-country staff, including technical, operational, and managerial development, to meet the project-level objective and outcomes of the project. Applicants must also describe how they would support training for in-country subrecipient staff, as needed, to ensure implementers possess the technical, operational,

and managerial skills needed to carry out the project activities. Applicants may include a training line item for in-country subrecipient staff in the Outcome-Based Budget if they identify a need for training beyond what is normally provided by the subrecipient organizations, but applicants and subrecipients must justify this line item in the budget narrative.

(6) Attachments

The following documents must be included with the application package. Those attachments listed here will be excluded from the technical proposal page limit.

- Abstract
- Work Plan
- Sustainability Strategy
- Relevant Grant and/or Contract Experience
- Evidence of Country Presence
- Signed Commitment Letter for each of 2 Key Personnel
- Resume for each of 2 Key Personnel (4 pages maximum each)
- Resume for each of 4 Required Other Professional Personnel (4 pages maximum each)
- Project Management Organizational Chart

2. Cost Proposal

Applicants must prepare a cost proposal as part of the application. The cost proposal must reflect consistency between the proposed costs and the work to be performed as outlined in the Project Narrative of the applicant's technical proposal.

If an applicant proposes cost sharing, cost sharing information must be included as part of the cost proposal. Cost sharing is not required for this program. Applications that include any form of cost sharing will not receive additional consideration during the review process. Any approved cost sharing will be subject to the same compliance and reporting requirements as any awarded federal funds.

As part of the process of developing a cost proposal, the applicant must have a Data Universal Numbering System (DUNS) number and be registered in System for Award Management (SAM). In addition, the cost proposal must contain the following:

- SF-424 Application for Federal Assistance;
- SF-424A Budget Information;
- Detailed outcome-based budget;
- An accompanying budget narrative; and
- Indirect cost supporting documentation.

(1) DUNS and SAM Registration

All applicants for federal funding opportunities are required to have a DUNS number and must supply their DUNS number on the SF-424. The DUNS number is a nine-digit identification number that uniquely identifies business entities. Entities without a DUNS number can get one

for free through the Dun & Bradstreet (D&B) website:
<http://fedgov.dnb.com/webform/displayHomePage.do>.

As authorized under 2 CFR Part 25, recipient organization must notify potential subrecipients that no organization may receive a subaward unless the organization has provided its DUNS number to the recipient.

Applicants must register with SAM before submitting an application. Instructions for registering with SAM can be found at www.sam.gov. A recipient must maintain an active SAM registration with current information at all times during which it has an active federal award or an application under consideration. To remain registered in the SAM database after the initial registration, the applicant is required to review and update the registration at least every 12 months from the date of initial registration or from the date of subsequent updates to ensure it is current, accurate, and complete. For clarification, the applicant is the entity that meets the eligibility criteria and has the legal authority to apply and to receive the award. If an applicant has not fully complied with these requirements by the time the Grant Officer is ready to make a federal award, the Grant Officer may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

(2) SF-424 Application for Federal Assistance

Applicants must complete the SF-424, Application for Federal Assistance, available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>. The SF-424 instructions are also available on Grants.gov: <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>. The SF-424 must clearly identify the applicant and must be signed by an individual with authority to enter into an award agreement. Upon confirmation of an award, the individual signing the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, signature of the Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B, available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>. The SF-424B is not required to be submitted with the application.

IMPORTANT NOTE for applicants with non-U.S. addresses: On the SF-424, page 1, section 8d, please enter “DC” into the State field and “20210” into the Zip/Postal Code field. This is extremely important for ensuring your application is received by USDOL.

(3) SF-424A Budget Information (Non Construction Programs)

Applicants must complete the SF-424A Budget Information Form, available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>.

(4) Outcome-Based Budget and Accompanying Budget Narrative (up to 15 points)

The applicant's Outcome-Based Budget and Accompanying Budget Narrative section will be evaluated based on how well it supports the overall project strategy, as well as for how clear and reasonable the applicant's plans are for allocation of project funds, taking into consideration the nature and scope of proposed project activities, and related costs associated with such activities. The Cost Proposal must include a summary Outcome-Based Budget, along with individual outcome-based budgets for the applicant and each proposed subrecipient. The outcome-based budget and budget narrative should include an overall budget, linked to budgets for each

subrecipient and further organized to show a per country budget within each recipient or subrecipient budget. The outcome-based budget must correspond to the SF-424 and SF-424A. Where category titles differ between the two, the information included must reflect a consistent proposed use of funds. The outcome-based budget (including USDOL funds and any cost sharing funds reported on the SF-424 and SF-424A) must comply with federal cost principles. Allowable costs include those specifically defined in 2 CFR Part 200. Do not show leveraged resources on the SF-424 and SF-424A. You should describe leveraged resources in the Budget Narrative. If selected for funding, the budget and budget narrative will become part of the award, and any costs omitted by the applicant may not be allowed after award. Applicants may not rely on other contracts, grants, or awards to implement the applicant's proposed strategy. The budget and budget narrative submitted with the application must include all necessary funds to implement the proposed project strategy. ILAB will not provide any additional funding to cover unanticipated costs.

In addition to general categories required in all projects, such as personnel, travel, equipment, etc., costs must be presented in a manner that is linked to outcomes, outputs, and activities reflected in the Project Design and Work Plan and demonstrate a cost-effective allocation and best use of project funds. Costs linked to outcomes, outputs, and activities must also be broken down by cost category so that they are determinate as necessary, reasonable, allowable, and allocable to the project, i.e., costs should not be exclusively aggregated under an outcome but must also be readily identifiable by traditional cost type and category. Additionally, the budget must provide a breakdown of total administrative costs into direct and indirect administrative costs and allocate the largest proportion of project resources to project activities rather than to direct and indirect administrative costs. The Grant Officer reserves the right to negotiate project and administrative cost levels. For a sample outcome-based budget, please see <https://www.dol.gov/agencies/ilab/resources/grants>. Applicants may format budgets as they see fit within the requirement for the outcome-based budget described in this FOA.

The cost proposal must also include a **budget narrative** that corresponds to the outcome-based budget. The budget narrative must include a detailed justification, broken down by line item, of all of the applicant's costs included in the outcome-based budget. The budget narrative must be detailed enough so ILAB can understand how each cost is calculated and how each cost directly relates to the proposed project activity. The Budget Narrative should also include a section describing any leveraged resources provided (as applicable) to support grant activities. Leveraged resources are all resources, both cash and in-kind, in excess of this award. Applicants are encouraged to leverage resources to increase stakeholder investment in the project and broaden the impact of the project itself.

As part of the budget narrative, applicants must include a description of their organization's financial stability, the quality of their management systems, their ability to meet the management standards described in 2 CFR 200 and their ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities.

Applicants must use the following guidance in preparing their outcome-based budget:

(1) Personnel

List all staff positions by name, title, and/or proposed role on the project. Give the annual salary of each position, the percentage of each position's time devoted to the project, the amount of each position's salary funded by the award, and the total personnel cost for the period of performance.

The total salaries charged to federal awards are subject to the Standards for Documentation of Personnel Expenses as described in 2 CFR 200.430 Compensation—personal services.

(2) Fringe Benefits

If applicable, provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, retirement, etc.

(3) Travel

Applicants must allocate sufficient funds to finance appropriate in-country and international travel. (Please note that all travel costs paid for with federal funding must comply with the Fly America Act, see section VI.B.3.i.) At a minimum, applicants must allocate funds for:

- Travel by the Project Director and M&E Officer (where applicable) to Washington, D.C. to attend a post-award meeting (New Recipient Orientation). Other key and/or non-key personnel may also be budgeted, and in this case, a justification should be included; and
- Travel by the Project Director based in the field to meet annually with ILAB officials in Washington, D.C. or another site determined by ILAB. M&E Officers (where applicable) must also be budgeted for travel to Washington, D.C. at least once during the life of the project in addition to the New Recipient Orientation. Other personnel may also be budgeted, and in this case, a justification should be included.

(4) Equipment

Identify each item of equipment that has an estimated acquisition cost of \$5,000 or more per unit (or if the applicant's capitalization level is less than \$5,000, use the applicant's capitalization level) and a useful lifetime of more than one year (see 2 CFR 200.1 for the definition of Equipment). List the item, quantity, and the unit cost per item in the budget narrative, including justification.

(5) Supplies

Identify categories of supplies (e.g., office supplies) in the detailed budget and list the item, quantity, and the unit cost per item. Supplies include all tangible personal property other than "equipment" (see 2 CFR 200.1 for the definition of Supplies). **In general, applicants should not propose to purchase supplies or equipment for use by a host government to cover costs that would normally be the responsibility of the host government. Any such proposed expenditure would be subject to DOL approval post-award.**

(6) Contractual

Under the Contractual line item, delineate contracts and subawards separately. Contracts are defined according to 2 CFR 200.1 as a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal

award. A subaward, defined by 2 CFR 200.1, means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program.

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

(7) Other

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

(8) Project M&E

Applicants must allocate funds to cover the costs associated with project M&E activities. Projects must set aside at least 5 percent of the project budget's total direct costs to cover the costs associated with project M&E activities. These costs are separate from and do not include, any personnel costs related to such activities. This amount must be included as its own line item/category within the outcome-based budget. Allocations associated with M&E must include, at a minimum:

- The development and implementation of a data collection system to systematically collect and report on the data necessary to measure achievement against the performance indicators and analyze results.
- The development and implementation of a system and process for validating monitoring information.
- Support to project M&E processes including project staff in-country travel, costs of hosting workshops (meeting rooms, etc.), training for partners, and other logistical/administrative costs.
- Meeting reporting requirements as discussed in the FOA.
- Funds sufficient to provide administrative support for USDOL-funded and managed external interim and final performance evaluations. The project will be responsible for certain support costs for each evaluation, such as translation of the evaluation report from English into the local language, providing ground transportation for the external evaluator, hosting an evaluation stakeholders meeting, in-country transportation and accommodation costs for staff and other stakeholders' participation in the meeting, and other activities as agreed upon with ILAB.
- Collecting baseline data follow-up surveys, and other data collection as necessary, for the project.

Note:

Costs associated with M&E personnel must be included under the personnel line item and not be included in this budget section. M&E Personnel costs must not be included as part of the required M&E allocation identified above; M&E personnel costs must be treated as an additional cost.

Costs associated with any non-M&E-related travel or research or special studies, as may be required by the FOA or proposed by the project, should not be included in this M&E budget, and must be budgeted for separately.

This budget guidance establishes a minimum amount of funds that must be set aside for M&E activities; the applicant may propose additional funds as needed, based on cost estimates for required activities.

(9) Audits and Attestation Engagements (See Section VI. B. 2.)

(a) Single Audits

Include costs for meeting the single audit requirements (as described in 2 CFR 200 Subpart F Audit Requirements) as direct or indirect costs, whichever is appropriate, in accordance with allowable cost allocation procedures.

(b) Attestation engagements for non-PIOs (See Section VI. B. 2.)

Attestation engagements may be required by USDOL to provide additional project oversight of the recipients' validation and monitoring processes, including internal and financial controls and reporting processes. Projects must include a minimum of \$100,000 in direct costs to conduct a possible attestation engagement. If selected for an attestation engagement, the project may be required to hire an independent contractor to conduct the work, and will be provided with specific requirements for this activity by USDOL. If the project is not selected for an attestation engagement, USDOL will provide guidance on re-programming these funds prior to the end of the project. USDOL also reserves the right to directly contract the attestation engagement. In this case, projects may still be responsible for certain support costs, which include, but are not be limited to, providing ground transportation for the attestation engagement contractor, interpretation for the attestation engagement contractor, and in-country transportation and accommodation for staff who may need to accompany the contractor to facilitate meetings and interviews.

(c) Project-specific audits for PIOs

Project-specific audits may be required by USDOL to provide additional project oversight of the recipients' validation and monitoring processes, including internal and financial controls and reporting processes. If a PIO has existing internal requirements or prohibitions that would not allow USDOL's external attestation engagements, the PIO may request an exception to the normal attestation engagement process. If an exception will be requested, applicants must include sufficient direct costs in their budget for a project-specific audit to be conducted by their organization's designated external auditor. In this case, the applicant PIO must also include a copy of the internal requirement or regulation prohibiting an attestation engagement as part of its application package. If an

exception with supporting documentation is not requested, then the attestation engagement requirements outlined above will apply.

(10) Contingency Provisions

Applicants must not budget for unforeseen costs or contingency provisions except in unusual circumstances as described in 2 CFR 200.433, Contingency Provisions. Instead applicants are encouraged to prepare budgets with reasonable estimated cost projections and to request re-budgeting approval during the life of the project as needed.

(11) Value Added Tax (VAT)

Foreign VAT taxes charged for the purchase of goods or services that a non-federal entity is legally required to pay in country are an allowable expense under federal awards. After notifying USDOL, the recipients and subrecipients shall make every effort to apply for and receive VAT exemption in the country or countries in which the project operates [2 CFR 200.470(c)].

The recipient will report on the progress of its application for VAT exemption in its Technical Progress Reports. See the MPG for further guidance on VAT exemptions.

(12) Housing

If included in the budget, provide in the budget narrative a justification for any proposed housing costs, housing allowances, and/or personal living expenses. In accordance with federal cost principles, personnel housing and personal living expenses are only allowable as direct costs in the project budget. USDOL funds may only be used to pay for the housing costs, housing allowances, and personal living expenses (e.g., dependents' allowance) of project staff if they (1) are separately accounted for as direct costs of the project necessary for the performance of the project and (2) receive prior approval from USDOL. Applicants must provide a brief explanation as to why such costs are considered necessary for the performance of the project, consistent with the organization's established policies, and reasonable for the country where the staff person will reside.

(13) Funds to Host Country Governments

Generally, recipients may not provide any funds from a USDOL award to a foreign government or entities that are agencies of, or operated by or for, a foreign state or government, ministries, officials, or political parties, except in cases consistent with the guidance in the MPG. If, in rare cases, funds are proposed to support a host country government, they must be itemized and described in detail in the budget narrative. Such funds must not duplicate existing foreign government activities, substitute for such activities, or be used for the foreign government's purchase of equipment or supplies to support those activities for which the foreign government (whether at the national, local, district, provincial or other level of government) has already assumed responsibility. Prior approval from USDOL is required for any costs budgeted in this category for activities for which such governments have already assumed responsibility.

(14) Security

Incorporating known security considerations and related costs into the budget, design, and implementation of USDOL-funded projects is critical for ensuring the safety and well-being of both participants and staff, including in the design and conduct of monitoring and evaluation activities.

(15) Indirect Costs

Applicants may request indirect costs according to federal regulations. Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. Indirect cost charges must be based on allowable (i.e., necessary, reasonable, conforming, consistent and documented) costs based on the applicable cost principles.

e) Indirect Cost Supporting Documentation

The following supporting documentation is required:

- For organizations with a negotiated indirect cost rate agreement (NICRA) approved by the Federally Cognizant Agency (FCA): Please provide an explanation of how the indirect costs are calculated. This explanation should include which portion of each line item, along with the associated costs, are included in the cost allocation base. Also, provide a current version of the NICRA.
- For organizations with no budgeted/claimed indirect costs: Please certify that all requested costs are directly allocable to the proposed project and not supported from any other source.
- For organizations that do not have a current negotiated (including provisional) rate, with exceptions noted in 2 CFR 200.414(f), and wish to request a de minimis indirect cost rate of 10 percent of modified total direct costs (MTDC) as defined in 2 CFR 200.1: Please confirm that the organization meets the requirements as described in 2 CFR 200.414(f). Clearly state that the organization does not have a current negotiated (including provisional) rate and is not one described in 2 CFR 200, Appendix VII (D)(1)(b). Provide an explanation of which portion of each line item, along with the associated costs, are included in your cost allocation base. If approved, the de minimis rate must be used consistently for all federal awards and may be used indefinitely or until the organization negotiates a rate.
- For organizations with an expired indirect cost rate or a rate not previously approved by the FCA (except those recipients approved for the de minimis rate), please certify that an indirect cost proposal will be submitted to the FCA within 90 days of award to establish a provisional NICRA. This provisional rate may be effective for a period up to two years until a final NICRA is established. Applicants may choose to include estimated indirect costs in the proposed outcomes-based budget. If the application is selected for award, the Grant Officer will release funds in the amount of 10 percent of salaries and wages to support indirect costs until a provisional rate is available.

3. Submission Date, Times, and Process

a) Submission Date and Times

The closing date for receipt of applications under this announcement is September 30, 2021. Applications must be submitted electronically on <https://www.grants.gov/> **no later than 4:00:00 p.m. Eastern Time on the closing date.** USDOL cautions applicants that they should submit applications before the deadline to minimize the risk of late receipt. Applications sent by e-mail, telegram, or facsimile (Fax) will not be accepted.

b) Electronic Submissions

1) How to Submit an Application to USDOL via Grants.gov

As of December 31, 2017, Grants.gov applicants must apply online using Workspace. Workspace is a shared, online environment where members of an applicant team may simultaneously access and edit different webforms within an application. For a complete workspace overview, refer to: <https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

For access to complete instructions on how to apply for funding opportunities, refer to: <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>.

2) Register

Applicants are strongly encouraged to immediately initiate and complete the registration steps at <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Applicants should read through the registration process carefully before registering. These steps may take four weeks or more to complete, and this time should be factored into plans for timely electronic submission in order to avoid unexpected delays that could result in the rejection of an application. The site also contains a [Grants.gov online user guide](#) with registration, search, and application instructions for all users.

3) Authorized Organizational Representative (AOR) Authorization

An application submitted through Grants.gov constitutes a submission as an electronically signed application. The registration and account creation with Grants.gov, with E-Biz Point of Contact (POC) approval from SAM.gov, establishes an AOR. When an application is submitted through Grants.gov, the name of the AOR on file will be inserted into the signature line of the application. Applicants must register the individual who is able to make legally binding commitments for the organization as the AOR; this step is often missed and it is crucial for valid submissions.

4) Email Notifications for Receipt and Validation

When a registered applicant submits an application with Grants.gov, an electronic time stamp is generated when the application is successfully received by Grants.gov. Grants.gov will send the applicant two email messages to provide the status of the application's progress through the system. The first email will contain a tracking number and will confirm receipt of the application by Grants.gov. The second email will indicate the application has either been successfully validated or has been rejected due to errors. Grants.gov will reject applications if the applicant's registration in SAM is expired.

Only applications that have been successfully submitted by the deadline and later successfully validated will be considered. It is the applicant's responsibility to ensure a timely submission.

While it is not required that an application be successfully validated before the deadline for submission, it is prudent to reserve time before the deadline in case it is necessary to resubmit an application that has not been successfully validated. Therefore, enough time should be allotted for submission (two business days) and, if applicable, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if enough time is not allotted and a rejection notice is received after the due date and time, the application will not be considered.

5) File Formats

To ensure consideration, the components of the application must be saved as .doc, .docx, .xls, .xlsx, .rtf or .pdf files. If submitted in any other format, the applicant bears the risk that compatibility or other issues will prevent USDOL from considering the application. USDOL will attempt to open the document, but will not take any additional measures in the event of problems with opening submitted files.

Save all files with descriptive file names that mirror the required application components described in this FOA, including naming the attachments with their corresponding number. File names should be 50 characters or fewer. Be sure to use only standard characters in file names: A-Z, a-z, 0-9, and underscore (_). File names may not include special characters (e.g., &, -, *, %, /, #), periods (.), blank spaces or accent marks, and must be unique (i.e., no other attachment may have the same file name). An underscore (example: my_Attached_File.pdf) may be used to separate components of a file name.

Applications must be submitted in one package because documents received separately will be tracked separately and will not be attached to the application for review.

6) Resources

USDOL strongly advises applicants to use the various tools and documents, including FAQs, which are available on the “Applicant Resources” page at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>.

To receive updated information about critical issues, new tips for users and other time sensitive updates as information is available, subscribe to “Grants.gov Updates” at <https://www.grants.gov/web/grants/manage-subscriptions.html>.

If there is a problem with Grants.gov and an answer is not available in any of the other resources, call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email support@grants.gov. The Contact Center is open 24 hours a day, seven days a week. It is closed on federal holidays. If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number.

c) Hard copy Submissions

No applications submitted in hardcopy by mail or hand delivery (including overnight delivery) will be accepted for this funding opportunity.

C. INTERGOVERNMENTAL REVIEW

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

D. FUNDING RESTRICTIONS

All proposed project costs must be necessary and reasonable and in accordance with federal guidelines. Determinations of allowable costs will be made in accordance with the Cost Principles, now found in the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), codified at 2 CFR Part 200 and at 2 CFR Part 2900. Disallowed costs are those charges to an award that the grantor agency or its representative determines not to be allowed in accordance with the Cost Principles or other conditions contained in the award. Applicants, whether successful or not, will not be entitled to reimbursement of pre-award costs.

E. INTELLECTUAL PROPERTY RIGHTS

Pursuant to 2 CFR 2900.13, to ensure that the federal investment of USDOL funds has as broad an impact as possible and to encourage innovation in the development of new learning materials, recipients will be required to license to the public all work created with the support of the award under a Creative Commons Attribution 4.0 (CC BY) license. Work that must be licensed under the CC BY includes both new content created with award funds and modifications made to pre-existing, recipient-owned content using award funds.

This license allows subsequent users to copy, distribute, transmit and adapt the copyrighted work and requires such users to attribute the work in the manner specified by the recipient. Notice of the license shall be affixed to the work. For general information on CC BY, please visit <http://creativecommons.org/licenses/by/4.0>. Instructions for marking your work with CC BY can be found at http://wiki.creativecommons.org/Marking_your_work_with_a_CC_license.

Only work that is developed by the recipient in whole or in part with award funds is required to be licensed under the CC BY license. Pre-existing copyrighted materials licensed to, or purchased by the recipient from third parties, including modifications of such materials, remain subject to the intellectual property rights the recipient receives under the terms of the particular license or purchase. In addition, works created by the recipient without award funds do not fall under the CC BY license requirement.

The purpose of the CC BY licensing requirement is to ensure that materials developed with award funds result in work that can be freely reused and improved by others. When purchasing or licensing consumable or reusable materials, the recipient is expected to respect all applicable federal laws and regulations, including those pertaining to the copyright and accessibility requirements of the Federal Rehabilitation Act.

Separate from the CC BY license to the public, the federal government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the award, including a subaward or contract; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including, but not limited to, curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. The recipient may not use federal funds to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where USDOL has a license or rights of free use in such work. If revenues are generated through selling products developed with award funds, including intellectual property, USDOL treats such revenues as program income. Such program income is added to the award and must be expended for allowable activities.

If applicable, the following standard ILAB disclaimer needs to be on all products developed in whole or

in part with award funds:

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

F. OTHER SUBMISSION REQUIREMENTS

Withdrawal of applications: Applications may be withdrawn by written notice to the Grant Officer at any time before an award is made.

V. APPLICATION REVIEW INFORMATION

A. CRITERIA

USDOL has instituted procedures for assessing the technical merit of applications to provide for an objective review of applications and to assist applicants in understanding the standards against which an application will be judged. The evaluation criteria are based on the information required in the application as described in section IV.B.1. (Technical Proposal including Attachments) and section IV.B.2. (Cost Proposal). Reviewers will award points based on the evaluation criteria described here:

<u>CRITERION</u>	<u>REFERENCE</u>	<u>POINTS</u>
Problem Analysis	IV.B.1.c.(1)	5
Project Design		
Project Strategy and Sustainability Strategy	IV.B.1.c.2.a	25
Project Targets	IV.B.1.c.2.b	5
M&E Agreement & Capacity Statement	IV.B.1.c.(3)	4
Work Plan	IV.B.1.c.(4)	5
Organizational Capacity		
Relevant Grant and/or Contract Experience	IV.B.1.d.(1)	6
Country Presence	IV.B.1.d.(2)	5
Partners	IV.B.1.d.(3)	10
Key Personnel	IV.B.1.d.(4)	11
Management Plan	IV.B.1.d.(5)	9
Outcomes-Based Budget and Accompanying Budget Narrative	IV.B.2.d.	15
Total =		100

Standards for Evaluating the Applicant’s Response to each Requirement

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

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

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

B. REVIEW AND SELECTION PROCESS

1. Merit Review and Selection Process

A technical merit review panel will carefully evaluate applications against the selection criteria to determine the merit of applications. Using the point distribution specified above, applications will be evaluated based on how well their technical and cost proposals demonstrate a clear understanding of the needs, gaps, and overall scope of problems, as well as how the application proposes activities that are appropriate, achievable, and where applicable, innovative, in supporting the objective and intended outcomes in this FOA. Up to 100 points may be awarded to an applicant, depending on the quality of the responses provided. The final scores (which may include the mathematical normalization of review panels where more than one review panel is used) will serve as the primary basis for selection of applications for funding. The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer reserves the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. Such factors may include the geographic distribution of awards, the results of a risk review process (see section V.B.2), past performance information, the status of open audit findings, and other relevant factors. The Grant Officer may consider any information that comes to their attention.

The applicant's signature on the SF-424, including electronic signature via E-Authentication on <https://www.grants.gov/>, constitutes a binding offer by the applicant and constitutes agreement to the terms and conditions. The government may elect to award funds with or without discussions with the applicant.

2. Risk Review Process

Every application will be evaluated to determine the risks posed by the applicant. Prior to making an award, USDOL will review information available through any OMB-designated repository of governmentwide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), D&B, and "Do Not Pay." Additionally, USDOL will comply with the requirements of 2 CFR Part 180 codified at 2 CFR Part 2998 (Non-procurement Debarment and Suspension). This risk evaluation may incorporate results of the evaluation of the applicant's eligibility (application screening) or the quality of its application (merit review). If USDOL determines that an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award.

Criteria to be evaluated include:

- 1) Financial stability;
- 2) Quality of management systems and ability to meet the management standards prescribed in the Uniform Guidance;
- 3) History of performance. The applicant's record in managing awards, cooperative agreements, or procurement awards, if it is a prior recipient of such federal awards, including timeliness of compliance with applicable reporting requirements, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- 4) Reports and findings from audits performed under Subpart F – Audit Requirements of the Uniform Guidance or the reports and findings of any other available audits and monitoring reports containing findings, issues of non-compliance or questioned costs;
- 5) The applicant's ability to effectively implement statutory, regulatory, and other requirements imposed on recipients.

VI. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

Both applicants selected for award and those not selected will be contacted by USDOL.

Selection of an organization as a recipient does not constitute approval of the application as submitted. Before an award is made, USDOL may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support award implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiations and decline to fund the application. USDOL reserves the right not to fund any application related to this FOA. USDOL also reserves the right to withdraw the award if activity does not begin upon award and/or as a remedy for non-compliance as described in 2 CFR 200.339-340.

This project is intended to improve respect for workers' rights in agricultural supply chains in Honduras and Guatemala and the *maquila* sector in El Salvador through a worker-centered approach. The FOA

states that this work is to be performed in El Salvador, Guatemala, and Honduras; however, if ILAB and the recipient determine that performance in El Salvador, Guatemala, and/or Honduras has become impossible as a result of withdrawal of host country government or other required stakeholder support for the project, or for other reasons outside of the project's control, ILAB and the recipient may confer to determine whether it is desirable and feasible to implement the project in a different country and/or sector in Latin America and the Caribbean. This determination will necessitate findings that: 1) based upon available research, the project, as it is described in this document, is warranted to improve respect for workers' rights in supply chains in the newly identified country and/or supply chain; 2) ILAB and the recipient(s) can obtain support from the new proposed host country government or required stakeholder to implement the proposed project; and 3) the recipient has the capacity to implement the project in the proposed country and/or sector within the legally permissible timeframe for implementation of the project. If ILAB and the recipient are unable to make these findings and mutually agree on a modification to the award to implement performance in another country and/or supply chains in Latin America and the Caribbean, either ILAB or the recipient may seek to have the award suspended or terminated pursuant to the applicable termination clauses.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. General Requirements

Recipients and subrecipients under this FOA shall be subject to the terms outlined in this announcement, the award agreement, the MPG, and any other referenced materials. See <https://www.dol.gov/agencies/ilab/resources/grants>. The MPG provides general management procedures and guidance for recipients of ILAB awards in areas that may not be explicitly detailed in the announcement.

Recipients are also subject to applicable U.S. federal laws (including appropriations laws) and regulations, Executive Orders, OMB's Uniform Guidance at 2 CFR Part 200 and 2 CFR Part 2900 (DOL's Supplement to 2 CFR Part 200), applicable OMB Circulars, and USDOL policies. If, during project implementation, a recipient is found in violation of any of the foregoing, remedies may include modification of the terms of the award; disallowance and recovery of costs; termination of the award; and any other action permitted by law.

For the purposes of this announcement and awards, recipients will be the sole entity with the authority to fulfill the following responsibilities:

- Act as the primary point of contact with USDOL to receive and respond to all inquiries, communications and orders under the project;
- Access funds through the Department of Health and Human Services-Payment Management System;
- Submit to USDOL all deliverables, including all technical and financial reports related to the project;
- Request a revision or amendment of the terms and conditions of award or the Project Document (see MPG for description of Project Document); and
- Work with USDOL to close out the project. Each recipient must comply with all applicable Federal regulations and is individually subject to audit.

2. Audits and Attestation Engagements

Recipients must comply with the single audit requirements set forth in Subpart F – Audit Requirements of the Uniform Guidance (2 CFR Part 200) and must comply with the timeframes established in those regulations for the submission of their single audits to the Federal Audit Clearinghouse. Recipients must notify their assigned Grant Officer’s Representative of each single audit conducted within the timeframe of the USDOL-funded project at the time it is submitted to the Federal Audit Clearinghouse.

All recipients are subject to project-specific attestation engagements or project-specific audits of the recipients’ validation and monitoring processes during the life of the award. Attestation engagements will be conducted in accordance with U.S. Government Auditing Standards and project-specific audits will be conducted in accordance with the International Standards on Auditing, and will include auditors’ opinions on (1) compliance with USDOL regulations and the requirements of the award and (2) the accuracy and reliability of the recipient’s financial and performance reports.

3. Administrative Standards

The award(s) and subaward(s) made under this FOA will be subject to the following administrative standards:

Non-Profit Organizations, Educational Institutions, and State, Local and Indian Tribal Governments

- 2 CFR Part 200 (Administrative Requirements, Cost Principles, and Audit Requirements)

For-profit organizations

- 2 CFR Part 200 (Administrative Requirements and Cost Principles)
- 48 CFR Part 31 (Cost Principles)
- 29 CFR 96.32 The Secretary of Labor is responsible for those not covered by 2 CFR 200 Subpart F (Audit Requirements) as discussed in the MPG

Non-U.S. organizations, including foreign organizations and public international organizations

- 2 CFR Part 200 (Administrative Requirements and Cost Principles)
- 29 CFR 96.32 The Secretary of Labor is responsible for those not covered by 2 CFR 200 Subpart F (Audit Requirements) as discussed in the MPG

All organizations

- 29 CFR Part 93 Restrictions on Lobbying
- 29 CFR Part 94 Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- 2 CFR Part 180 and 2 CFR Part 2998 Governmentwide Debarment and Suspension
- 29 CFR Part 2, subpart D Equal Treatment in Department of Labor Programs for Religious Organizations, Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries
- 29 CFR Part 31 Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964
- 29 CFR Part 32 Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
- 29 CFR Part 35 Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor

- 29 CFR Part 36 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance
- 49 U.S.C. 40118 Fly America Act
- The Department of Labor will follow the procedures outlined in the Department's Freedom of Information Act (FOIA) regulations (29 CFR Part 70). If DOL receives a FOIA request for an application, the procedures in DOL's FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See generally 5 U.S.C. § 552; 29 CFR Part 70.
- Standard Terms and Conditions of Award

4. Other Legal Requirements:

a) Religious Activities

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, applies to all federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive federal financial assistance under this grant solicitation and maintain that hiring practice. As stated in 2 CFR 2.32(a), religious organizations are eligible on the same basis as any other organization, to seek DOL support or participate in DOL programs for which they are otherwise eligible. Guidance from DOL is found at: <https://www.dol.gov/agencies/oasam/grants/religious-freedom-restoration-act/guidance>. If a faith-based organization is awarded a grant, the organization will be provided with more information.

b) Lobbying or Fundraising the U.S. Government with Federal Funds

In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. § 1611), non-profit entities incorporated under Internal Revenue Service Code section 501(c) (4) that engage in lobbying activities are not eligible to receive federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. federal, state or local Governments (see 2 CFR 200.450 for more information).

c) Transparency Act Requirements

Recipients must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by section 6202 of Pub. Law 110-252) (Transparency Act), as follows.

- (1) Except for those excepted from the Transparency Act under the following subparagraphs 1, 2, and 3, recipients must ensure that they have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should they receive funding.
- (2) Upon award, recipients will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=8a4a617257e9025e27f94c6df6daf921&mc=true&n=pt2.1.170&r=PART&ty=HTML>.

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

- (1) Federal awards to individuals who apply for or receive federal awards as natural persons (i.e., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- (2) Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- (3) Federal awards, if the required reporting would disclose classified information.

d) Safeguarding Data Including Personally Identifiable Information (PII)

Applicants submitting applications in response to this FOA must recognize that confidentiality of PII and other sensitive data is of paramount importance to the Department and must be observed except where disclosure is allowed by the prior written approval of the Grant Officer or by court order. By submitting an application, applicants are assuring that all data exchanges conducted through or during the course of performance of this award will be conducted in a manner consistent with applicable federal law.

e) Record Retention

Recipients must be prepared to follow federal guidelines on record retention, which require they maintain all records pertaining to award activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR 200.334-.338 for more specific information, including information about the start of the record retention period for awards that are renewed quarterly or annually, and when the records must be retained for more than three years.

f) Use of Contracts and Subawards

Recipients must abide by the following definitions of contract, contractor, subaward, and subrecipient:

Contract: Contract means a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a Federal award. For additional information on subrecipient and contractor determinations, see §200.331. See also the definition of *subaward* in this section. The term as defined in 2 CFR 200.1 does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward (see the following definition of Subaward).

Contractor: Contractor means an entity that receives a contract as defined previously in Contract.

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

Subrecipient: Subrecipient means a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

Recipients must follow the requirements of 2 CFR 200.331-.333 regarding subrecipient monitoring and management. Also see 2 CFR 200.308(c)(6) regarding prior approval requirements for subawards. When awarding subawards, recipients are required to comply with the governmentwide suspension and debarment requirements found in 2 CFR Part 180 and codified by USDOL at 2 CFR Part 2998, including the exceptions described in 2 CFR 180.215 such as exceptions for direct awards to PIOs.

g) Closeout of Award

Any entity that receives an award under this announcement must close its award with USDOL at the end of the period of performance. Indirect costs support for allocated charges to the award are validated at time of closeout using a federally approved NICRA or other applicable rate agreement.

h) Guidance for Grants and Agreements

In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Federal awarding agency will review and consider applications for funding pursuant to this notice of funding opportunity in accordance with the:

- Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register's 85 FR 49506 on August 13, 2020, particularly on:
 - Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR part 200.205),
 - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115—232) (2 CFR part 200.216),
 - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322), and
 - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340).

5. Other Administrative Standards

Except as specifically provided in this FOA, our acceptance of an application and an award of federal funds to sponsor any programs(s) does not provide a waiver of any award requirements and/or procedures. For example, the OMB Uniform Guidance requires that an entity's procurement procedures ensure that all procurement transactions are conducted, as much as practical, to provide full and open competition. If an application identifies a specific entity to provide goods or services, the award does not provide the justification or basis to sole-source the procurement, i.e., avoid competition.

6. Special Program Requirements

a) Evaluation

ILAB may require that the program or project participate in an evaluation of overall performance of ILAB awards and requires the cooperation of the recipient as a condition of award.

b) Performance Goals

Please note that recipients will be held to agreed-upon outcomes and failure to meet those outcomes may result in technical assistance or other intervention by ILAB, and may also have a significant impact on decisions about future awards with ILAB.

C. REPORTING

Recipients must agree to meet USDOL reporting requirements. Recipients must agree to provide the following reports and documents:

1. Quarterly Financial Reports

A Quarterly Federal Financial Report (SF 425, FFR) is required until such time as all funds have been expended or the award period has expired. Quarterly reports are due 30 days after the end of each calendar year quarter. On the final FFR, recipients must include any subaward amounts so final indirect costs can be calculated, if applicable. Recipients must use USDOL's eGrants online electronic reporting system; information and instructions will be provided as part of the final award.

2. Semi-Annual Technical Progress Reports

Recipients must submit a semi-annual technical progress report within 30 days after the end of the months of March and September each calendar year. The report must include information on award activities, performance goals, and milestones. ILAB will provide formal guidance about the data and other information that is required to be collected and reported on either a regular basis or special request basis. ILAB retains the right to require technical progress reports at quarterly intervals. More information on the reports and timeframes for their completion will be included in the cooperative agreement and in the MPG.

3. Final Technical Report

Recipients must submit a final technical report within 120 days of the period of performance end date. The final technical report is a stand-alone report that provides a complete and comprehensive summary of the achievements during the life of the project.

4. Indirect Cost Rates

For organizations with an expired indirect cost rate or a rate not previously approved by the FCA (except those recipients approved for the de minimis rate): An indirect cost proposal must be submitted to the FCA within 90 days of award to establish a provisional NICRA. This provisional rate may be effective for a period up to two years until a final NICRA is established.

For all organizations with NICRAs: Indirect cost proposals must be submitted on an annual basis to the FCA to obtain federally approved NICRAs for the life of the award, unless the FCA instructs otherwise. These proposals are based on incurred costs and are due six months after the end of each fiscal year.

5. Closeout Reports

Within 120 days of completion of the project the recipient must provide the following project closeout reports:

- Final Technical Progress Report;
- Final Evaluation Report;
- Government Property Closeout Inventory Certification;
- Government Property Inventory List (due 90 days before end of project);
- Final Quarterly Financial Status report (SF-425);
- Final Closeout Financial Status Report;
- Recipient's Release Form; and
- Recipient's Assignment of Refunds, Rebates and Credits

Additional information may be required for some closeout procedures. More information is available after award.

VII. AGENCY CONTACTS

Applicants who have a specific question about this FOA may contact Carlie Ortiz, Office of Grants Management, Ortiz.Carlie@dol.gov. Applicants must specifically reference FOA-ILAB-21-12, and include a contact name, email address and phone number. This announcement is being made available at <https://www.grants.gov/>.

VIII. OTHER INFORMATION

A. OMB INFORMATION COLLECTION

The agency has determined this FOA is not subject to Office of Management and Budget approval under the Paperwork Reduction Act, as fewer than ten (10) responses are anticipated. Send comments regarding this determination to the U.S. Department of Labor, Office of the Chief Information Officer, Attention: Departmental Clearance Officer, 200 Constitution Avenue, N.W., Room N-1301, Washington, DC 20210 or email DOL_PRA_PUBLIC@dol.gov. Note: PLEASE DO NOT RETURN THE COMPLETED APPLICATION TO THIS ADDRESS. SEND IT TO THE SPONSORING AGENCY AS SPECIFIED IN THIS ANNOUNCEMENT. Information collected through this FOA will be used by USDOL to ensure that federal funds are provided to the applicants best suited to perform the functions of these awards. Submission of this information is required in order for the applicant to be considered for award.

IX. APPENDICES

APPENDIX A: ACRONYMS

ACW	Acceptable Conditions of Work
AOR	Authorized Organizational Representative
CAFTA-DR-FTA	Central America Free Trade Agreement
CBA	Collective Bargaining Agreement
CCBY	Creative Commons Attribution 4.0 license
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CFR	Code of Federal Regulations
CMEP	Comprehensive Monitoring and Evaluation Plan
DUNS	Dun and Bradstreet Universal Numbering System
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
ECMS	Electronic Case Management System
EPZ	Export Processing Zones
ETA	Employment and Training Administration
FCA	U.S. Federal Cognizant Agency
FFR	Federal Financial Report
FOA	Funding Opportunity Announcement
FOACB	Freedom of Association and Collective Bargaining
FOIA	Freedom of Information Act
GO	Grant Officer
GOR	Grant Officer's Representative
GSP	U.S. Generalized System of Preferences
HRR	Country Reports on Human Rights Practices
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
ILS	International Labor Standards
ITUC	International Trade Union Confederation
LGBTQI+	Lesbian, gay, bisexual, transgender, queer, and intersex persons
M&E	Monitoring and Evaluation
MPG	Management Procedures and Guidelines
NGOs	Non-governmental Organizations
NICRA	Negotiated Indirect Cost Rate Agreement
OMB	Office of Management and Budget
OSH	Occupational Safety and Health
OTLA	Office of Trade and Labor Affairs
PAHO	Pan American Health Organization
PII	Personally Identifiable Information
PIO	Public International Organization
PMP	Performance Monitoring Plan
SAM	System for Award Management
SF	Standard Form
TPR	Technical Progress Report
USAID	U.S. Agency for International Development
USDOL	U.S. Department of Labor
USG	United States Government
USTR	U.S. Trade Representative
VAT	Value Added Tax

APPENDIX B: DEFINITIONS

1. **“Acceptable conditions of work”** encompasses minimum wages, hours of work, and occupational safety and health. See 19 USC 3813(6)(E); Trade Act of 2002, Section 2113(6) (E), available at: <https://www.gpo.gov/fdsys/pkg/USCODE-2011-title19/html/USCODE-2011-title19-chap24-sec3813.htm>.
2. **“Access”** is the confluence of supply and demand; i.e., the ability and motivation of beneficiaries to consistently and equitably avail themselves of services, benefits, protections, or programs and over time, to continue to avail themselves of services that were previously subsidized, free or provided by the project or program. These services, benefits, protections or programs should be accessible in an effective, predictable, reliable and customer-friendly manner as well as in a manner that is geographically and physically accessible for all customers (including persons with disabilities, rural populations, and those with limited literacy or ICT skills, etc.).
3. **“Accessibility”** refers to the design of products, devices, services, activities, or facilities so people with disabilities can use or participate in them.
4. **“Accommodation”** refers to any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities.
5. **“Activity”** is a distinct, scheduled portion of work performed during the course of a project.
6. **“Actor”** is a stakeholder or party that directly or indirectly influences the system—including individual or collective representatives of governments, civil society, the private sector, universities, individual citizens and others—and that jointly produce a particular development outcome. Actors can be both formal and/or informal, and are often referred to as “stakeholders” in the international development context; however, in some instances “actor” is more appropriate because some actors that may not have a “stake” in a particular initiative or outcomes, but may still wield influence over the initiative or be influenced by it.
7. **“Behavior”** refers to the actions and mannerisms (or avoidance thereof) made by individuals or systems in conjunction with themselves or their environment, which includes the other systems around them as well as the (inanimate) physical environment. It is the computed response of the system or individual to various stimuli or inputs, whether internal or external, conscious or subconscious, overt or covert, and voluntary or involuntary. A behavioral outcome captures the individual or collective adoption of behaviors of individuals or systems promoted by a project or program.
8. **“Behavioral mechanisms”** describe specific changes of behavior at the individual or system level. These can include the choices, reasoning, and decisions that people make as a result of the resources provided by a program. They represent the causal force that explains a specific change in behavior, including group and social phenomena as well as individual psychological mechanisms.
9. **“Beneficiaries”** is defined as the individuals, groups, or organizations, whether targeted or not, that benefit directly or indirectly, from the development intervention.
10. **“Capacity”** refers to the human capital (i.e., the technical knowledge, skills, information, ability to work, technological and managerial capacity) that is required in order to make use of other types of capital (i.e., financial, social, natural and physical). Human capital is necessary, though not on its own sufficient, for

the achievement of workers' rights and positive livelihood outcomes. Building high-quality technical and managerial capacity throughout the service delivery chain and ensuring mechanisms to maintain that capacity is of utmost importance. Capacity building among individual beneficiaries—to implement improved practices, and to manage their resources, technology and information flows to do so—is critical to sustained behavior change.

11. **“Collective action”** applies pooled resources to shared interests. In a labor context, collective action refers to a variety of ways in which workers (or employers) may leverage their common interests at the firm, occupation, or industry level into bargaining power and/or political or economic power in order to achieve desired change. Forms of collective action may involve collective bargaining, strikes and other forms of activism, solidarity or protest.
12. **“Collective bargaining”** is a fundamental right that is rooted in the ILO Constitution and is an essential element of freedom of association. It helps to ensure that workers and employers have an equal voice in negotiations and provides workers the opportunity to seek to improve their living and working conditions. Effective recognition of the right to collective bargaining can contribute to economic development and growth by increasing certainty and stability in the workplace and improving labor-management relations.
13. **“Cooperative agreement”** refers to an award instrument where substantial involvement is anticipated between a federal awarding agency and a non-federal recipient entity during the performance of project activities. The level of monitoring and accountability under a cooperative agreement is less than what is required under a contract, but more than what is required under a regular grant.
14. **“Costs”**
 - a. **“Direct costs”** are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Typical costs charged directly to a federal award, are the compensation of employees who work on that award, their related fringe benefit costs, the costs of materials and other items of expense incurred for the federal award. For more information, please see https://www.ecfr.gov/cgi-bin/text-idx?SID=1ba3ecb08c998a0a9024176aed0ac23a&mc=true&node=pt2.1.200&rgn=div5#se2.1.200_1413.
 - b. **“Indirect costs”** means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. For more information, please see https://www.ecfr.gov/cgi-bin/text-idx?SID=1ba3ecb08c998a0a9024176aed0ac23a&mc=true&node=pt2.1.200&rgn=div5#se2.1.200_1414
 - c. There is no universal rule for classifying certain costs as either direct or indirect (F&A) under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the federal award or other final cost objective. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect (F&A) cost in order to avoid possible double-charging of federal awards. Guidelines for determining direct and indirect (F&A) costs charged to federal awards are provided in 2 CFR 200 Subpart E-Cost Principles.
15. **“Cost sharing” or “matching”** means the portion of project costs not paid by federal funds. See 2 CFR 300.306 Cost sharing or matching for more information.

16. **“Critical assumption”** is a general condition under which the hypothesis or strategy for achieving the project’s objectives will hold true.
17. **“Deliverable”** is any unique and verifiable product, result or capability to perform a service that is required to be produced to complete a process, phase, or project.
18. **“Demand”** refers to improvements in stakeholder demand for and use of services, rights, benefits, protections, programs or mechanisms. Project stakeholders and beneficiaries must perceive that the services meet a felt need. They should be able to see notable improvements in their well-being as a result of the services provided during the project, and should understand what is required to maintain and/or see further improvements. For beneficiaries to maintain “improved” behaviors promoted during a project or to continue using project-initiated services, the perceived benefits must outweigh the perceived costs (such as time and money).
19. **“Do no harm”** means to avoid exposing people to additional risks through our action. This can mean foregoing certain activities of moderate risk or taking additional measures to minimize risks to implementers, targets, beneficiaries, and the wider public. It will often require taking a step back from the planning, implementation or evaluation of an intervention to look at the broader context and to monitor, identify and mitigate potential negative effects on the social fabric, the economy and the environment.
20. **“Duties”** refers to the legal obligations states and public officials have to protect and promote human rights, and ensure that people can realize their rights without discrimination. The overall responsibility of the State includes ensuring the due provision of benefits according to clear and transparent eligibility criteria and entitlements, and the proper administration of the institutions and services. Where benefits and services are not provided directly by public institutions, the effective enforcement of the legislative frameworks is particularly important for the provision of benefits and services.
21. **“Equity”** means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.
22. **“Freedom of association”** is the right of workers and employers to organize to defend their interests, including for the purpose of negotiating salaries, benefits, and other conditions of work. It is a fundamental right that underpins democratic representation and governance.
23. **“Goal”** describes the impact, the ultimate, “big picture” changes, that USDOL/ILAB hopes to achieve through the project.
24. **“Inputs”** are the resources invested that allow programs to achieve desired outputs.
25. **“Institutions”** are social structures that are constructed according to the collective actions of actors in a constrained environment and are continuously altered over time. Institutions are “a set of rules governing interpersonal governance” that are not owned or possessed by a single actor; rather, they are shared by a larger group or society.
26. **“Key stakeholders”** can include, but are not limited to: employers, workers, government administrators, judicial officials, labor inspectors, enforcement units, legislative bodies, parliamentarians, community leaders, national and local policy makers, private sector partners, workers’ and employers’ organizations, industry associations, chambers of commerce, local civil society organizations, religious institutions, international buyers and brands, multi-national corporations, investors, consumers and consumer advocates, and think tanks, among others.

27. **“Leverage points”** are places that you can intervene in a system to bring about change. High-leverage points bring about lasting, system-wide change; low-leverage points bring about limited, temporary change. It is generally more effective and sustainable to act on system structures than respond to events or symptoms. Leverage points also represent opportunities where participants can have greater impact by working together than they can by working alone.
28. **“Linkages”** are the horizontal or vertical linkages, such as those between community-based organizations or individuals and existing public or private sector institutions that can augment resources, refresh capacity, and motivate frontline service providers and beneficiaries to perform a specific role, provide and make use of services and to continue practices promoted by the project. This can also be understood as social capital, i.e, the social resources upon which people draw in pursuit of their livelihood and workers’ rights objectives. These are developed through networks, relationships and connectedness, either vertical (patron/client) or horizontal (between individuals with shared interests) that increase people’s trust and ability to work together and expand their access to wider institutions, such as political or civic bodies; membership of more formalized groups that often entails adherence to mutually-agreed or commonly accepted rules, norms and sanctions; and relationships of trust, reciprocity and exchanges that facilitate cooperation, reduce transaction costs and may provide the basis for informal safety nets. Social capital, in the form of collective labor (power) is one of the most important assets for poor people.
29. **“Mental models”** are deeply ingrained or held pictures (images, assumptions, generalizations or abstractions based on data) that each of us holds in our mind that influences how we understand the world, our work, our families, and so on and how we take actions. Very often, we are not consciously aware of our mental models or the effects they have on our (individual or collective) behavior, particularly in limiting us to familiar ways of thinking. The discipline of managing mental models – surfacing, testing and improving our internal pictures of how the world works – can be a strong driver of transformative change within systems or organizations.
30. **“Monitoring and evaluation”** or “M&E” consists of two basic components —performance monitoring and evaluation— each of which serves distinct purposes. Performance monitoring is the ongoing and systematic tracking of data relating to project activities, outputs, or outcomes and used to determine whether desired results are occurring and whether implementation is on track. Monitoring often relies on indicators, quantifiable measures of a characteristic or condition of people, institutions, systems or processes that may change over time. Evaluation is the systematic collection and analysis of information about the characteristics and outcomes of programs and projects as a basis for assessment of program effectiveness, overall performance, and/or to inform decisions about current and future programming.
31. **“Motivation”** refers to the awareness and recognition of a tangible and immediate benefit to continue to adhere to rules, make use of services or apply practices learned during the project. Motivation and incentives are external to the project and do not rely on project or program inputs. Motivation can be prompted by perceptions of both risks and opportunities in a range of areas, including: financial, economic or trade (productivity, competitiveness, profit, trade flows); political (influence, power, constituents); legal (compliance, deterrents, sanctions); reputational, brand; social (equity, transparency, fairness, accountability, peace, cohesion); and human (competency, physical or mental health, well-being, satisfaction, resilience, risk / harm reduction, environmental, sustainable development for future generations).
32. **“Non-discrimination”** is a fundamental element of international human rights law. A useful definition of non-discrimination is contained in Article 1(1) ILO 111, which provides that discrimination includes: ‘Any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity

or treatment in the employment or occupation.’ Thus, the right to equal treatment requires that all persons be treated equally before the law, without discrimination. The principle of equality and non-discrimination guarantees that those in equal circumstances are dealt with equally in law and practice.

33. “**Occupational safety and health**” encompasses issues related to safe and healthy working environments and efforts to prevent workers from occupational injuries, diseases, and deaths.
34. “**Organizational capacity**” is the ability of an organization to effectively manage its resources and activities in order to fulfill its objective(s). Organizational capacity can include various components, including organizational culture, communication, leadership, strategy, services, products, management structure, skills, human capital, and accountability within its context – the system of other actors that an organization affects and is affected by in carrying out its mission.
35. “**Outcome**” is defined as the higher-level results or effects achieved by project activities, typically in the medium-term or long-term timeframe of the project.
36. “**Output**” is defined as the direct result of a project activity, or the goods or services produced by the implementation of an activity.
37. “**Pain points**” are real or perceived problems, frustrations, or troublesome issues, especially ones experienced by beneficiaries, participants, clients, consumers, customers, or employees. Four common types of pain points are financial, productivity, process, and support pain points. When countering barriers for historically underserved, underrepresented, or marginalized groups and communities, it is important to understand and address pain points that may impede diversity, equity and inclusion goals.
38. “**Participants**” are individuals that have been provided with direct services.
39. “**Partner**” refers to an organization or entity that assists with implementing or coordinating activities under the cooperative agreement but is not in a subrecipient or subcontractor relationship with the recipient. A partner may also be a beneficiary.
40. “**Practice**” refers to prevalent actions or inactions (formal or informal, permitted or not permitted) by an organization or sub-entity (e.g., department, office, team, or groups of people with the same or similar position type). A “practice” outcome captures the adoption of actions (or the avoidance thereof) of an organization or sub-entity promoted by a project or program.
41. “**Process**” or “**process mechanism**” describes a cause-effect relationship across multiple steps in a sequence of interactions in which actors engage in activities, interventions, procedures or structures (that operate in particular contexts) to generate outcomes of interest. Process mechanisms generate changes in outcome under certain context conditions and refer to empirically traceable phenomena. A long-term process outcome captures the increased service utilization resulting from process improvements and increases in level of sustained quality and access in a service delivery environment.
42. “**Program**” is a set of structured activities or a group of related services managed in a coordinated way that convey a benefit not available from managing, delivering or receiving them individually. A program is also a group of projects managed together in order to gain efficiencies on cost, time, technology, etc. ILAB manages foreign assistance projects through two program offices: (1) the Office of Child Labor, Forced Labor and Human Trafficking; and (2) the Office of Trade and Labor Affairs. Project-level evaluation results are used to inform other projects within these programs.

43. **“Project”** is a set of complementary activities, over an established timeline and budget, intended to achieve a discrete result. In ILAB, foreign assistance projects are typically carried out through cooperative agreements. ILAB’s MPGs state that monitoring and evaluation requirements apply at the project level.
44. **“Project Objective”** is defined as the highest-level result that the project intends to achieve.
45. **“Public International Organization (PIO)”** is defined by the International Organizations Immunities Act, 22 U.S.C. § 288, et seq. PIO also is defined by 2 CFR 200.1 as an organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organization Immunities Act (22 U.S.C. 288-288f).
46. **“Resources”** are inputs and forms of natural, physical and financial capital, which may initially be provided by the project or program, but eventually must be provided by local system actors, institutions or structures, that are equipped, capable and motivated to provide and maintain replacement resources. Over time, a sustained source of resources for each input previously provided by the project is required for sustainability. These **“replacement resources”** may come from activities that were run profitably using a business model, funds secured through government operating budgets, funds provided by other donor agencies or nongovernmental organizations, contributions by community members in cash or in kind, or other types of innovative finance. Resources in the form of profits (e.g., from agriculture or livestock sales or other income generation) or income from user fees (e.g., fee for service programs) encourage sustained service delivery and also make it possible for some practices requiring purchased inputs, tools or new technology to be maintained. Required resources also include a continued source of technical support and training to ensure that capacity is maintained (see Capacity).
47. **“Risk”** refers to an uncertain event or condition that, if it occurs, has a positive or negative effect on one or more project objectives. A risk that would have a positive effect on one or more project objectives is an opportunity. Risk mitigation is a risk response strategy whereby the project team acts to reduce the probability of occurrence or impact of a negative risk, or increase the probability of occurrence or impact of a positive risk. Risk management includes the processes of conducting risk identification, analysis, response and mitigation planning for risks on a project.
48. **“Root cause”** is the underlying reasons in a system that lead to the emergence of a problem.
49. **“Rules”** are formal laws, regulations and statutes, as well as less formal norms, traditions, incentives and expectations. Rules may or may not be followed by the actors and compliance may or may not be enforced. Rules can also refer to the governance structures that exist, for example, centralized vs. decentralized, or hierarchical vs. flat. Rules can be more powerful drivers of change when combined with other types of incentives.
50. **“Service delivery”** can be defined as any interaction with the public administration or a service-providing NGO during which customers – citizens, workers, residents or enterprises – seek or provide data, handle their affairs, claim their rights or fulfill their duties. The long-term health of a system depends on dynamics and processes that operate toward desired results. These services should be delivered in an effective, predictable, reliable and customer-friendly manner as well as supplied in a manner that is geographically and physically accessible for all customers (including persons with disabilities, rural populations, and those with limited literacy or ICT skills, etc.). Effective service delivery requires that the service provider understands the need to engage and be accountable to the customer; the customer values the service being provided; effective administration in which policy objectives are put into practice coherently, through various regulatory and other mechanisms, to ensure quality public services; and where consistent and equitable access to public services is ensured.

51. **“Stakeholder”** is an individual, group or organization who may affect, be affected by, or perceive itself to be affected by a decision, activity, or outcome of a project.
52. **“Stakeholder analysis”** is the process of assessing a system and potential changes to it as they relate to relevant and interested parties. This information is used to assess how the interests of those stakeholders should be addressed in a project. Stakeholder management includes the processes, procedures, tools and techniques to effectively engage stakeholders in project decisions and execution based on analysis of their needs, interests, and potential impact.
53. **“Structure”** is how parts of a system are organized. Structures are maintained by the values, assumptions and beliefs people have.
54. **“Supply”** refers to the geographic and physical accessibility and availability of services, benefits, protections or programs.
55. **“Supply chain”** is the chain that comprises all organizations and individuals involved in producing, processing, trading, transporting and/or distributing a product or commodity from its point of origin to the company and/or to the final retailer.
56. **“Sustainability”** is the likelihood that the benefits or effects of a particular output or outcome will continue after donor funding ends; and the extent to which the project takes into account the factors, partners and institutions that are likely to have the strongest influence over, capacity and willingness to sustain the desired outcomes and impacts. This includes an examination of the financial, economic, social, environmental, and institutional capacities of the systems needed to sustain net benefits over time and involves analyses of resilience, risks and potential trade-offs.
57. **“System”** is a group of interdependent/interacting parts that form a unified whole to pursue a common goal. In systems thinking, a system is the group of interdependent actors and factors, both formal and informal, forming a complex social problem. No one person or organization has the ability to influence the entire system, but working together, the group can move towards systems change.
58. **“System boundaries”** are the edge or limit of a system, as determined by the observer(s). It is what defines what is inside and outside of the system and should include only actors and factors necessary and sufficient for the system’s purpose. Boundaries can shift over time and should be reassessed and adjusted when needed.
59. **“Systemic problem”** is a complex problem that is a consequence of issues inherent in the overall system, rather than due to a specific, individual, isolated factor. A systemic problem tends to meet a few key criteria, including that relationships between the problem and its causes are indirect and not easy to identify; the problem persists or recurs despite our best long-term efforts to solve it; the actors and factors react and interact with one another and behave in different ways together than they behave individually when separate; and the problem itself reacts to our interventions, requiring us to adapt over time.
60. **“Systems approach”** is an approach that enables a holistic view into the context, dynamics and relationships associated with the system that are holding the complex problem in place. The role of a donor-funded project or activity in a systems approach is to facilitate and strengthen the assets that already exist in the local system and the relationships among those assets.

61. **“Systems change”** means shifting the underlying conditions that are holding the problem in place. Those shifts might include changing actor beliefs, behaviors, and relationships, and/or changing some of the factors like rules, goals, power dynamics, resource flows, etc.
62. **“Touchpoints”** are the individual points of contact between a public sector or civic entity or government agency and an individual or customer looking for information, services or support. “Customer journeys” are a set of end-to-end experiences, defined from the perspective of the customer, that constitute a series of touchpoints over the life cycle of a customer relationship with a given agency or service. Mapping these journeys and understanding their importance is essential to any effort designed to improve service delivery.
63. **“Transforming structures and processes”** Structures are the hardware – the organizations, both private and public – that set and implement policy and legislation, deliver services, purchase, trade and perform all manner of other functions within a system. They draw their legitimacy from the basic governance framework. Processes are the software that determine the way in which structures – and individuals – operate and interact. And like software, they are both crucial and complex: not only are there many types of processes operating at a variety of different levels, but there is also overlap and conflict between them. In addition, they have a direct impact upon whether people are able to achieve a feeling of inclusion and well-being. Because culture is included in this area they also account for other ‘unexplained’ differences in the ‘way things are done’ in different societies (which can include informal and unregulated systems and corruption).
64. **“Underserved communities”** refers to populations who have been historically underserved, marginalized, or denied equitable treatment on the basis of disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with *Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, the term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.
65. **“Worker rights”** in the context of ILAB technical assistance projects refers to both core international labor standards and acceptable conditions of work. The International Labor Organization (ILO) identifies what it calls "fundamental principles and rights at work" that all ILO Members have an obligation to respect and promote, which are: a) effective abolition of child labor; b) elimination of all forms of forced or compulsory labor; c) freedom of association and the effective recognition of the right to collective bargaining; d) elimination of discrimination in respect of employment and occupation. The ILO has adopted these as core "international labor standards" and supervises the application of international labor conventions in each of these areas. Other important ILO standards deal with conditions of work, including occupational safety and health, wages and hours of work, but these standards are not considered "fundamental" or "core" conventions. U.S. trade law adds acceptable conditions of work (ACW) with respect to minimum wages, hours of work, and occupational safety and health to that list, calling them "internationally recognized labor rights.”

APPENDIX C: RELEVANT GRANT AND/OR CONTRACT EXPERIENCE

Name of Applicant/ Subrecipient	Agency/ Donor/ Organization	Agency/ Donor/ Contact Information (Name, telephone, fax, e-mail)	Name of the Project and Instrument Number	Funding Amount (in \$)	Country of Implementation and Period of Performance	Key Accomplishments and Outcomes	Description of how this reference relates to the objective and outcomes of this FOA

APPENDIX D: REQUIREMENTS FOR APPLICATION SUBMISSION

Requirements	FOA Reference	Applicant	Proposed Subrecipient (providing services related to project interventions)
Technical Proposal	Section IV.B.1.	√	
Cost Proposal—Budget Narrative	Section IV.B.2.	√	
Cost Proposal—Outcomes based budget	Section IV.B.2.	√	
Relevant Grant and/or Contract Experience	Section IV.B.1.d.(1). Appendix C	√	√
Documentation of Host Country Presence	Section IV.B.1.d.(2).	√	√
Key Personnel Signed Letters of Commitment & Resumes	Section IV.B.1.d.(4).	√	√
Other Professional Personnel Resumes, if applicable	Section IV.B.1.d.(4).	√	√
SAM Registration	Section IV.B.2.a.	√	
SF-424	Section IV.B.2.b.	√	
SF-424A	Section IV.B.2.c.	√	
Indirect Cost Supporting Documentation	Section IV.B.2.e.	√	√

APPENDIX E: PAST PERFORMANCE QUESTIONNAIRE

Funding Opportunity Announcement number: FOA-ILAB-21-12

Applicant organization name (and proposed sub's name if applicable):

Past performance reviewer's name, title, organization:

Past Performance Review Sheet

Please mark (X) the rating you feel is most appropriate for each factor listed below. Please provide additional explanation as appropriate on the following page. In particular, please provide a brief explanation for any ratings of Unacceptable, Poor, or Exceptional:

	Unacceptable	Poor	Acceptable	Strong	Exceptional	Not Applicable
1. The Applicant's demonstrated ability to meet its project outcomes, in particular related to improving workers' rights in supply chains.						
2. The Applicant's demonstrated experience in building worker organizations.						
3. The quality and timeliness of Applicant's submitted grant, cooperative agreement, and/or contract deliverables.						
4. The responsiveness of the Applicant and its staff to your organization/agency, including the quality and timeliness of communications about such deliverables.						
5. The performance of the Applicant's key personnel on projects, including whether the Applicant has a history of replacing key personnel with similarly qualified staff, and the timeliness of replacing key personnel.						
6. The Applicant's demonstrated ability to manage the financial aspects of the project, including budget expenditures and burn rates, as well as financial requirements and controls.						
Definitions of rating levels: Unacceptable - Performance did not meet minimal expectations (even after repeated comments from your organization), including in terms of quality and/or timeliness. Poor - Performance was weak (e.g., work required significant revision or repeated comments from your organization), but in the end did meet minimal expectations, including in terms of quality and/or timeliness. Acceptable - Performance met but did not exceed expectations (e.g., work required a normal level of revision or comments by your organization), including in terms of quality and/or timeliness. Strong - Performance exceeded expectations (e.g., work required minor revision or comments from your organization), including in terms of quality and/or timeliness. Exceptional - Performance far exceeded expectations (e.g., work required almost no revision or comments from your organization; work products were particularly innovative; organization was among the best performers based on your experience), including in terms of quality and/or timeliness. Not Applicable - You have no experience with the organization on this issue and are unable to rate it.						

Explanation of rating levels:

Factor 1:

Factor 2:

Factor 3:

Factor 4:

Factor 5:

Would you have any reservations about soliciting this grantee in the future or having them perform a critical or demanding program?

APPENDIX F: LIST OF OTLA STANDARD INDICATORS

OTLA STANDARD OUTCOME INDICATORS	ANNUAL TARGETS ³⁴	END OF PROJECT TOTAL
1a. Number (#) of <u>individual</u> actors within a system with improved linkages that enable them to better address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
1b. Number (#) of collective structures or <u>institutions</u> within a system with improved linkages that enable them to better address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
2a. Number (#) of <u>individual</u> actors within a system with increased capacity that enables them to better address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
2b. Number (#) of collective structures or <u>institutions</u> within a system with increased capacity that enables them to better address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
3a. Number (#) of <u>individual</u> actors within a system with replacement resources that enable them to continue to address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
3b. Number (#) of collective structures or <u>institutions</u> within a system with replacement resources that enable them to continue to address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
4a. Number (#) of <u>individual</u> actors within a system with increased motivation to address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
4b. Number (#) of collective structures or <u>institutions</u> within a system with increased motivation to address labor rights issues, claim their rights or fulfill their duties	Y1: Y2: Y3: Y4:	
5a. Number (#) of <u>individual</u> actors within a system demonstrating increased demand for services, benefits, protections or programs associated with improved workers' rights	Y1: Y2: Y3: Y4:	
5b. Number (#) of collective structures or <u>institutions</u> within a system demonstrating increased demand for services, benefits, protections or programs associated with improved workers' rights	Y1: Y2: Y3: Y4:	
6a. Number (#) of <u>individual</u> actors within a system with improved access to services, benefits, protections, or programs associated with improved workers' rights	Y1: Y2: Y3: Y4:	
6b. Number (#) of collective structures or <u>institutions</u> within a system with improved access to services, benefits, protections, or programs associated with improved workers' rights	Y1: Y2: Y3: Y4:	

³⁴ Most projects will have a period of performance of 4.5 years. In these cases, Year 1 should begin 6 months after award (after the needs assessment and baseline data collection are completed). For projects with a different period of performance, recipients should consult with USDOL to confirm appropriate performance cycles for targets and reporting.

OTLA STANDARD OUTCOME INDICATORS	ANNUAL TARGETS ³⁴	END OF PROJECT TOTAL
7a. Number (#) of unique <u>touchpoints</u> or <u>leverage points</u> within a system with improved delivery of services, programs or duties associated with improved workers' rights	Y1: Y2: Y3: Y4:	
7b. Number (#) of collective structures or <u>institutions</u> within a system with improved delivery of services, programs or duties associated with improved workers' rights	Y1: Y2: Y3: Y4:	
8a. Number (#) of <u>individual</u> actors within a system who have utilized more effective services, processes or programs associated with improved workers' rights	Y1: Y2: Y3: Y4:	
8b. Number (#) of collective structures or <u>institutions</u> within a system that have institutionalized more effective services, processes or programs associated with improved workers' rights	Y1: Y2: Y3: Y4:	
9a. Number (#) of <u>individual</u> actors within a system that have adopted behaviors associated with improved workers' rights	Y1: Y2: Y3: Y4:	
9b. Number (#) of <u>institutions</u> , legal entities or organizations that have collectively adopted practices associated with improved workers' rights	Y1: Y2: Y3: Y4:	

APPENDIX G: SUSTAINABILITY STRATEGY TEMPLATE

Outcome [†]	Relevant Sustainability Process or Project Element	Stakeholder(s) to Engage	Timeframe(s) ^{††}	Resources Required ^{†††}

[†] Please note that applicants are not expected to propose sustainability processes or elements for every outcome. Include only outcomes for which there is/are applicable sustainability process(es) or project element(s) as presented in the overall project strategy.

^{††} Please clarify when a process or a project element related to sustainability will start and for how long it will continue.

^{†††} Please clearly indicate what resources (monetary, human resources, and others) are needed to carry out a sustainability process successfully. These should be fully reflected in the proposal budget.

Signed August 12, 2021, in Washington, D.C. by:

Evan Hughes

Grant Officer, Employment and Training Administration