
U.S. DEPARTMENT OF LABOR
Office of Disability Employment Policy
NOTICE OF AVAILABILITY OF FUNDS
AND
FUNDING OPPORTUNITY ANNOUNCEMENT FOR
Retaining Employment and Talent after Injury/Illness Network
(RETAIN) Demonstration Projects: Phase 2

OCTOBER 15, 2020
U.S. DEPARTMENT OF LABOR
200 Constitution Avenue, NW
Washington, D.C. 20210

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U.S. DEPARTMENT OF LABOR

Office of Disability Employment Policy

NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY ANNOUNCEMENT FOR:

Retaining Employment and Talent after Injury/Illness Network (RETAIN) Demonstration
Projects – Phase 2

ANNOUNCEMENT TYPE: *Initial*

FUNDING OPPORTUNITY NUMBER: *FOA-ODEP-21-01*

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER: *17.720*

KEY DATES: *The closing date for receipt of applications under this Announcement is
January 15, 2021. We must receive applications no later than 4:00:00 p.m. Eastern Time.*

ADDRESSES: *Address mailed applications to:*

*The U.S. Department of Labor
Employment and Training Administration, Office of Grants Management
Attention: Charles Cox, Grant Officer
Reference FOA-ODEP-21-01
200 Constitution Avenue, NW, Room N4673
Washington, D.C. 20210*

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

The U.S. Department of Labor's Employment and Training Administration is responsible for the
Office of Disability Employment Policy's grant award process.

EXECUTIVE SUMMARY

The Office of Disability Employment Policy (ODEP), in collaboration with the Employment and Training Administration (ETA), U.S. Department of Labor (DOL, the Department, or we), and the Social Security Administration (SSA), announce the availability of approximately \$108,000,000 in funds authorized by Section 169, subsection (b)(5), of the Workforce Innovation and Opportunity Act (WIOA), Section 1110 of the Social Security Act, the Consolidated Appropriations Act of 2018, and the Further Consolidated Appropriations Act of 2020 to implement Phase 2 of the RETAIN–Retaining Employment and Talent after Injury/Illness Network–Demonstration Projects. This competition is limited to recipients of RETAIN Phase 1 awards. DOL will award all funds and administer all cooperative agreements.

RETAIN Demonstration Projects test the impact of early intervention strategies on the stay-at-work/return-to-work (SAW/RTW) outcomes of workers who have recently incurred a new injury or illness, or who recently experienced an exacerbation of an existing injury or illness, that presents long-term difficulties for their ability to work. RETAIN projects will address both on-the-job and off-the-job injuries and illnesses.

Central to these projects is the early coordination of health care and employment-related support and services to help injured or ill workers remain in the workforce. Support and services include training in occupational health best practices for participating health care providers, active involvement of a Return-to-Work Coordinator throughout the medical recovery period to facilitate continued employment, enhanced stakeholder engagement and communication, and retraining and rehabilitation services. We anticipate RETAIN services will be low cost to allow for a high volume of service delivery.

To test the impact of these strategies, successful projects will provide services through an integrated network of partners that includes close collaboration between state and/or local workforce development entities, health care systems and/or health care provider networks, and other partners as appropriate.

The RETAIN Demonstration Projects are funded in two phases. This FOA covers Phase 2. The initial period of performance (Phase 1) is underway. In Phase 1, state workforce agencies partnered with state health departments, or equivalent entities generally responsible for managing, regulating, or influencing the provision of health services; health care systems practicing coordinated care and population health management; and the State Workforce Development Board to conduct their pilot demonstrations. During Phase 2, awardees will work with key partners established in Phase 1, establish new partnerships, and expand the pilot projects geographically, in order to increase participant enrollment to a level sufficient for evaluation purposes (see Section III.F.4 for details on evaluation requirements). In general, competitive Phase 2 applicants are those who present a work plan for Phase 2 reflecting growth and learning based on experiences during the Phase 1 pilot, demonstrate a high degree of programmatic readiness to take their projects to scale, and exhibit clear evaluability.

In Phase 1, the RETAIN Programmatic Technical Assistance (TA) Provider assisted awardees with planning, start-up, and pilot requirements and created programmatic readiness reports of the projects, which document the Phase 1 awardees' preparedness to implement the project at full scale in Phase 2. The grant selection panel will review the programmatic readiness reports as part of the application packages during the deliberation process. See Section V.A for additional information on selection criteria. During Phase 2, the TA Provider will continue supporting awardees as they implement their projects and will plan and facilitate annual, in-person meetings of all Phase 2 awardees.

Phase 2 awardees must participate in the RETAIN independent evaluation. In Phase 1, an independent evaluator assisted in evaluation design and created evaluability reports of the projects. Similar to the programmatic readiness reports, the grant selection panel will review the evaluability reports as part of the application packages during the deliberation process. During

Phase 2, the independent evaluator will conduct the formal evaluation of each of the demonstration projects.

More information about the RETAIN Programmatic TA Provider and the independent evaluation follows in Section III.F.

DOL will host a prospective applicant webinar for this competition. The date, time, and other logistical information will be posted on ODEP's website at <https://www.dol.gov/odep>.

I. FUNDING OPPORTUNITY DESCRIPTION

A. PROGRAM PURPOSE

This Announcement solicits applications for RETAIN Phase 2–Implementation cooperative agreements for the RETAIN Demonstration Projects. The purpose of the RETAIN initiative is to implement and evaluate promising early intervention strategies to support injured or ill workers in remaining at or returning to work. The awardees will accomplish this by providing coordinated health and employment services to these workers starting within 12 weeks of work disability onset, and continuing for up to six months after RETAIN program entry.

Successful projects will provide services through an integrated network of partners that includes close collaboration between state and/or local workforce development entities, health care systems and/or health care provider networks, and other partners (e.g., employers or insurers) as appropriate. If health and employment services are required after six months, or if services beyond the scope of the RETAIN program are required, participants will be referred to any available services such as a State Vocational Rehabilitation agency. Such services would not be compensable under RETAIN.

The RETAIN Phase 2 cooperative agreements provide funding to implement the demonstration projects designed and piloted during Phase 1 and require participation in the related independent evaluation. Additional information on the two-phased funding process is provided in Sections II.A and II.B.

As established in Phase 1, the primary goals of the RETAIN Demonstration Projects are as follows:

1. To increase employment retention and labor force participation of individuals who acquire, and/or are at risk of developing, a disability that inhibits their ability to work; and
2. To reduce long-term work disability among project participants, including the need for Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI).¹

The ultimate purpose of the demonstration is to validate and bring to scale evidence-based strategies to accomplish these goals.

¹ See <https://www.ssa.gov/disability/> for more information on SSDI and SSI.

B. BACKGROUND AND INTERVENTION DESIGN

The RETAIN Demonstration Projects will test the effects of the provision of comprehensive, coordinated health and employment-related services and support to workers who have recently acquired an injury or illness, or worsening of an existing condition, that inhibits their ability to continue working. Information about the need for early intervention among this population is detailed in Appendix A of the RETAIN Phase 1 FOA.

This FOA solicits innovative proposals to continue expanding the partnerships and processes developed and established in Phase 1 to efficiently identify individuals when they acquire a condition that has the potential to inhibit their ability to continue working and then assist them in maintaining gainful employment, preferably through their current or most recent employer. Applicants should examine their Phase 1 target population in relation to recent trends in their state and consider new ways to facilitate continued employment (or connection to the labor force) following an injury or illness through early, coordinated health and employment-related services.

In general, Phase 2 applicants will meet the following requirements/criteria:

- Specify a population of workers, geographically expanding upon the Phase 1 population in their state, who experience injuries or medical conditions that put them at risk of developing a disability that inhibits their ability to work (i.e., target population(s)); and
- Build upon and expand the coordinated, comprehensive strategy(ies) established in Phase 1 to connect these workers to participating health care providers and the project's RTW Coordinators to return them to work.

This demonstration should enhance existing standard practices or establish new practices (currently identified as best practices through research) that improve the coordination of health and comprehensive employment services to promote RTW. The RTW Coordinator is critical to the success of RETAIN projects.

Build on Experiences from the RETAIN Phase 1 Pilot and States' Existing Programs

Applicants have the flexibility to develop projects that respond to their state's specific demographic and socio-economic situations while satisfying the requirements described in this Announcement. Projects should build specifically upon the design and lessons learned during RETAIN Phase 1 from continuous quality improvement (CQI) efforts and the pilot. In addition, projects should build upon other existing programs or systems, such as state-based temporary disability insurance (TDI) programs, collaborative health care organizations, paid family leave programs, disability management insurance providers, or workers' compensation (WC) programs in a manner that improves upon, but does not directly duplicate, existing processes or services.

Required Early Intervention Strategies

SAW/RTW programs succeed by returning injured workers to productive work as soon as medically possible during their recovery process and by providing interim part-time or light duty

work and accommodations, as necessary. Studies show that the likelihood of a return to full employment drops significantly after six months of absence, and the odds of a worker ever returning to work drop 50 percent by just the 12th week after injury or illness onset. Indeed, one recent paper suggests that referrals to RETAIN-like health and employment services should not be made if an absence already exceeds 12 weeks.² To examine and confirm these prior assessments, RETAIN's coordinated health and employment services will ideally begin within 12 weeks of work disability onset, and grantees must enroll at least 80 percent of RETAIN participants within this timeframe. Grantees must clearly define the criteria that will allow enrollment in RETAIN after the 12-week period. The Federal Project Officer (FPO) must approve such criteria prior to implementation.

The RETAIN Demonstration Projects are modeled after promising programs operating in Washington State, including the Centers of Occupational Health and Education (COHE),³ the Early Return to Work,⁴ and the Stay at Work programs.⁵ These programs are described in greater detail in Appendix B of the Phase 1 FOA. While these programs operate under the umbrella of the state's WC system and as such are available only to individuals with work-related injuries or illnesses, the RETAIN Demonstration Projects provide opportunities to improve SAW/RTW outcomes for individuals with both occupational and non-occupational injuries and illnesses.

In Phase 1, the following intervention strategies were required:

- RTW Coordinators coordinating health and employment service delivery (including the development and implementation of a plan to support the employee in returning to or staying at work);
- Training participating health care providers in occupational health best practices such as those provided in COHE and alternatives to opioids for pain management;⁶
- Incentivizing participating health care providers to utilize the best practices;
- Early communication amongst all stakeholders to return the worker to the workplace as soon as possible;
- Workplace-based interventions (including accommodations such as lighter and/or modified duties, and adjustments to work schedules, tasks, and the physical worksite, if necessary). Such interventions may be provided with support from the RTW Coordinator;

² http://www.dmec.org/wordpress/wp-content/uploads/2015/08/Zurich-Whitepaper_Early-Intervention-RTW-Best-Practices.pdf; https://www.iaiaabc.org/images/iaiaabc/Return-to-Work_Foundational-Approach-to-Return-to-Function_Final.pdf; <http://www.crfb.org/project/ssdi/implementing-community-focused-health-work-service-hws>.

³ <http://www.lni.wa.gov/ClaimsIns/Providers/ProjResearchComm/OHS/default.asp>.

⁴ <http://www.lni.wa.gov/ClaimsIns/Insurance/Injury/LightDuty/Ertw/Default.asp>.

⁵ <http://lni.wa.gov/Main/StayAtWork/>.

⁶ Health care providers affiliated with COHE receive training in four specific occupational health best practices: (1) submitting a complete Report of Accident (ROA) in two business days or less; (2) developing an activity plan, which communicates the worker's ability to participate in work activities, activity restrictions, and the provider's treatment plans; (3) communicating directly with COHE staff and employers when injured workers are off or expected to be off work; and (4) assessing the injured worker's barriers in returning to work and developing a plan to overcome them.

- Retraining/rehabilitation for workers who can no longer perform their prior job or other available suitable alternate work; and
- Tracking and monitoring the medical and employment progress of participating workers.

These strategies were established and implemented during the pilots. In Phase 2, states are required to continue refining these strategies through CQI to meet the needs and improve employment outcomes of the target population(s). Please note, the FPO must approve any changes to the required elements described here and states must coordinate with the evaluator. With approval of the FPO and in coordination with the evaluator, states may propose and implement additional evidence-based strategies at the beginning of Phase 2.

Many injured or ill workers could remain in their jobs or the workforce if they received timely, effective supports, such as those listed above. While some workers require more extensive vocational counseling services, rehabilitation, retraining, and follow-up services, many workers can return to work with supports and accommodations or modification of job duties provided primarily through the employer and the RTW Coordinator.

RTW Coordinators will monitor all cases and provide services as needed, primarily through coordination efforts, stakeholder communication and RTW encouragement (especially for employers). RTW Coordinators will also facilitate access to employment services. RTW Coordinators may be located in a place of the applicant's choosing, but must have access to health and employment data to effectively accomplish their role.

Systems Leadership: Collaboration among Workforce Development System, Health Care System, and Other Systems such as Vocational Rehabilitation to Keep People Working

Strong leadership from the workforce development system, including an effective partnership with the health care system, is critical to implementing these strategies and achieving both desired employment and health outcomes. Health care systems will play a key role in delivering appropriate care to improve SAW/RTW outcomes among the target population. Framing and embracing employment as a positive health outcome will facilitate effective partnerships between the workforce development and health care systems.

Under the Workforce Innovation and Opportunity Act's (WIOA) Vocational Rehabilitation (VR) State Plan provisions, state VR agencies have the option to provide these types of services and give priority to individuals who are otherwise eligible for VR program services and who are at imminent risk of losing their jobs unless they receive additional post-employment services. In most instances, however, when VR resources are limited, states operate under an established order of selection giving people with the most significant disabilities priority for VR services. In such instances, and when states choose not to prioritize individuals at risk of losing their jobs, the workforce development system can provide these services to adults through Title I of WIOA.

It is important that the workforce development system play a strong leadership role by providing return-to-work expertise and employment-related services to both individuals and employers and coordinating closely with health care entities to address workers' health-related needs. This will minimize the human and business-related costs associated with work disabilities.

C. PROGRAM AUTHORITY

This program is authorized by Section 169, subsection (b)(5) of WIOA; the Consolidated Appropriations Act of 2018; the Further Consolidated Appropriations Act of 2020; and Section 1110 of the Social Security Act, 42 U.S.C. 1310(a)(1).

D. DEFINITIONS

- *Accessible*: for the purposes of this FOA, the term “accessible” requires work products to be usable by assistive technologies and meet the criteria outlined in Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended by the Workforce Investment Act of 1998 (P.L. 105-220); the Web Content Accessibility Guidelines 2.0 (WCAG 2.0) Level AA; or as specified in subsequent updates to the preceding criteria.
- *Continuous Quality Improvement*: a quality management process that encourages all team members to ask, “How are we doing?” and “Can we do it better?” on an ongoing basis. CQI is applied in health care settings, but for the purposes of RETAIN the CQI team includes all stakeholders.⁷ See Appendix C of the Phase 1 FOA for additional information.
- *Gainful Employment*: Employment situation where the employee receives consistent work and payment from the employer.
- *Health Care System*: the Agency for Healthcare Research and Quality (AHRQ) at the U.S. Department of Health and Human Services offers the following definition of a health system: an organization with at least one hospital and at least one group of physicians that provides comprehensive care (including primary and specialty care) which are connected with each other and with the hospital through common ownership or joint management. AHRQ acknowledges that the definition of a health system has evolved over time, and will continue to do so, and provides additional examples on its website. DOL recognizes that health care systems look different in various parts of the country, and allows flexible interpretations of the definition.
- *Labor Force*: sometimes referred to as the work force, the U.S. Bureau of Labor Statistics (BLS) defines this term as the number of the civilian non-institutionalized population 16 years and older classified as either employed or unemployed (persons who had no employment during the prior week, but were available for and made specific efforts to find work during the previous four weeks).
- *Labor Force Participation Rate*: BLS defines the Labor Force Participation Rate as the number of people in the labor force as a percentage of the civilian non-institutionalized population 16 years old and over. In other words, it is the percentage of the population that is either working or actively seeking work.⁸
- *Stay-at-Work/Return-to-Work (SAW/RTW)*: SAW/RTW strategies and programs allow employees to resume working, with or without work restrictions, when medically appropriate and help employers maintain valued employees while minimizing long-term health-related absences and optimizing productivity.

⁷ https://www.healthit.gov/sites/default/files/tools/nlc_continuousqualityimprovementprimer.pdf.

⁸ https://www.bls.gov/cps/cps_htgm.htm#definitions.

- *Systems Change*: changes in organizational culture, policies, and procedures within individual organizations or across organizations that enhance or streamline access and reduce or eliminate barriers to needed services by a target population.
- *Theory of Change*: the conceptual thinking behind how a particular intervention or action will lead to specific results.
- *Work Disability*: an illness, injury, or medical condition that has the potential to inhibit or limit continued employment or labor force participation.
- *Workforce Development System*: a system that makes available the WIOA core programs, the other one-stop partner programs, and any other programs providing employment and training services as identified by a State or Local Workforce Development Board.
- *Work Time-Loss*: the period of time a worker is absent due to an injury or illness. For the purposes of RETAIN, the injury or illness may be work-related or non-work-related.

II. AWARD INFORMATION

A. AWARD AMOUNT AND PERIOD OF PERFORMANCE

The RETAIN Demonstration Projects are structured in two competitive phases.

- Phase 1, RETAIN Planning and Pilot—30-month period of performance (underway)⁹
- Phase 2, RETAIN Demonstration/Implementation—48-month period of performance¹⁰

The Phase 2 period of performance is 48 months (four years). Subject to the availability of funding, we anticipate up to five projects will be incrementally funded over the course of the period of performance to reach a maximum of \$21,600,000 per project.¹¹ This equates to approximately \$108,000,000 in total for the entirety of all Phase 2 awards. A total of \$71,900,000 is currently available for up to five awards.

Applicants may not apply for more than the ceiling of \$21,600,000 (total funding per grant), with up to \$14,380,000 per grant being available in the first year. Applications with budgets exceeding the ceiling will be deemed non-responsive and will not be considered. See [Section V](#) for information on the selection criteria. Budget requests (i.e., the SF-424 and SF-424A) and justifications must reflect the funding anticipated to be available for each year of the grant. See [Section IV.B](#) for information on the budget portion of the application.

⁹ Phase 1 had an initial period of performance of 18 months, beginning September 26, 2018, and ending March 31, 2020. In July 2019, DOL determined it appropriate to extend the period of performance by two months until May 31, 2020, at no additional cost to the government. In December 2019, DOL and its partners determined it necessary and appropriate to further extend the period of performance by 10 months with additional resources. The current Phase 1 period of performance ends on March 31, 2021.

¹⁰ In December 2019, when the Phase 1 period of performance was extended, DOL and its partners also deemed it beneficial to the projects and the evaluation to extend the Phase 2 period of performance from the length indicated in the Phase 1 FOA. The extension to the Phase 2 period of performance will allow projects an additional six months to enroll participants, thereby increasing the opportunity and the likelihood of meeting evaluation sample size requirements.

¹¹ The RETAIN Phase 1 FOA indicated up to four projects would be funded in Phase 2. Additional funding was allocated to RETAIN, and DOL is therefore able to fund up to five projects.

DOL anticipates that the period of performance for RETAIN Phase 2 awards will begin in March 2021. As such, the start date for Phase 2 will be no later than March 31, 2021. Projects will be allowed a six-month period for administrative start-up, during which it is anticipated that necessary contracts will be executed and any key personnel openings will be filled. Projects will begin enrolling participants and providing services no later than six months after Phase 2 awards are initiated. See Section III.D for information about enrollment during the administrative start-up period.

All Phase 2 awards made under this Announcement are subject to the availability of federal funds.

B. AWARD TYPE

Funding for both phases of the project is provided through cooperative agreements, requiring close cooperation and coordination between DOL and the awardees. DOL will have substantial involvement in the administration of the cooperative agreement, and input and approval must be obtained prior to conducting most activities. DOL's involvement in cooperative agreement administration during Phase 2 will include the following:

- Monthly conference calls with awardees throughout the period of performance;
- Prior approval of any RETAIN-related subcontracts arising after cooperative agreements are awarded;
- Prior approval of all key personnel appointments and changes;
- Participation in site visits to project areas;
- Providing advice and consultation to project development and management;
- Providing awardees with technical and programmatic support, including training in DOL grant administration monitoring systems, and standard procedures regarding DOL management of cooperative agreements;
- Reviewing, at reasonable times, select cooperative agreement documents pertaining to the project, including but not limited to required metrics, status and technical progress reports, and quarterly financial reports. DOL will provide the states with the format for the technical progress reports within 45 days of award; and
- Oversight of select content for print and online resources developed through project activities such as clearing topics for material production and final document production (e.g., press releases, fact sheets, outreach flyers, training materials, information about the project on the applicant's website).

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

Only recipients of RETAIN Phase 1 cooperative agreements are eligible for RETAIN Phase 2 funds.

The eligibility requirements above are incorporated in the Application Screening Criteria specified in Section III.C.1.

Consortia of states may not apply in the current cycle of RETAIN (Phases 1 and 2). See Section III.F.2 for information on other required and recommended state and local partnerships.

1. Responsibilities of the Lead Applicant

The lead applicant will serve as the awardee and have overall fiscal and administrative responsibility for the cooperative agreement, including performance of any sub-awardees. Fiscal responsibility may not be delegated. Administrative responsibilities, such as project management, coordination, or delivery of health or employment-related intervention services, may be delegated only with approval from DOL. As part of their responsibility for the cooperative agreement, lead applicants must serve as the following:

1. the primary point of contact with DOL to receive and respond to all inquiries or communications under this FOA;
2. the entity with authority to draw down funds;
3. the entity responsible for submitting to DOL all required work products under the cooperative agreement, including all related technical and financial reports, regardless of which partnership member performed the work;
4. the entity that may request or agree to a revision or amendment of the cooperative agreement;
5. the entity with overall responsibility for carrying out programmatic functions, including collecting required project data, of the cooperative agreement, as well as the stewardship of all expenditures under the cooperative agreement;
6. the entity responsible for coordinating and fully cooperating with the independent evaluator and RETAIN Programmatic TA Provider; and
7. the entity responsible for working with DOL to close out the cooperative agreement.

B. COST SHARING OR MATCHING

Although this FOA does not require matching, cost sharing, or other financial contributions from the applicant or any of the collaborative partners in the proposal, applicants are encouraged to leverage resources in the context of their strategic partnerships because it increases stakeholder investment in the project outcomes at all levels, strengthens the impact of the project itself, and increases the likelihood of success and sustainability. Proposals that choose to include leveraged resources will be evaluated on the amount of leveraged resources and the extent to which they are likely to broaden the impact of the project and improve the likelihood of success and sustainably.

See Section IV.B.2.

C. OTHER INFORMATION

1. Application Screening Criteria

Use the checklist below as a guide when preparing the application package to ensure that the application meets all of the screening criteria. This checklist is only an aid for applicants and should not be included in the application package. We urge applicants to use this checklist to ensure that applications contains all required items. If an application does not meet all of the screening criteria, it will not move forward through the merit review process.

Application Requirement	Instructions	Complete?
The deadline submission requirements are met	<u>Section IV.C</u>	
Eligibility	<u>Section III.A</u>	
If submitted through Grants.gov, the components of the application are saved in any of the specified formats and are not corrupt. (<i>We will attempt to open the document, but will not take any additional measures in the event of problems with opening.</i>)	<u>Section IV.C</u>	
Application federal funds request does not exceed the ceiling amount of \$22,100,000.	<u>Section II.A</u>	
SAM Registration	<u>Section IV.B.1</u>	
SF-424, Application for Federal Assistance, including a DUNS Number	<u>Section IV.B.1</u>	
SF-424A, Budget Information Form	<u>Section IV.B.2</u>	
Budget Narrative	<u>Section IV.B.2</u>	
Project Narrative	<u>Section IV.B.3</u>	
Detailed Work Plan and Project Logic Model	<u>Section IV.B.4</u>	
Visual Depiction of Participant Work Flow	<u>Section IV.B.4</u>	
Resumes of Proposed Key Personnel	<u>Section IV.B.4</u>	
Organization Chart	<u>Section IV.B.4</u>	
Letter of Support and Commitment from the Governor's Office	<u>Section IV.B.4</u>	

Letters of Commitment or Signed MOUs with RETAIN Leadership Team Members and Local Workforce Development Boards	<u>Section IV.B.4</u>	
Letters of Commitment from Target Worker Population Recruitment Partners	<u>Section IV.B.4</u>	

2. *Number of Applications Applicants May Submit*

We will consider only one application from each Phase 1 awardee. If we receive multiple applications from the same Phase 1 awardee, we will consider only the most recently received application that met the deadline. If the most recent application is disqualified for any reason, we will not replace it with an earlier application.

D. ELIGIBLE TARGET WORKER PARTICIPANT POPULATIONS

The RETAIN intervention is intended to promote the continued labor force participation of workers who have sustained an illness or injury that inhibits their ability to work. Therefore, the proposed target population must meet the following criteria:

- Must be employed, or at a minimum in the labor force, at the onset of the injury, illness, or condition (work-related or non-work-related) for which they are participating in RETAIN; and
- May not include individuals who have applications for SSDI or SSI benefits pending or who are already receiving such benefits at the onset of the injury or illness.

See Section I.D for definitions of key terms such as labor force participation.

The applicant may choose the target population based on any type of injury or illness or combinations of injuries and illnesses (or other characteristics) so long as the applicant provides evidence that the project meets the following criteria:

- Can reasonably expect to serve sufficient numbers of worker participants within that population;
- Will meet the requirements of the independent evaluation; and
- Will meet the above described eligibility criteria.

Individuals with existing disabilities or chronic conditions are also eligible to receive RETAIN services. They may be eligible to participate based on a new injury or illness or worsening of a pre-existing condition (e.g., reduced functional capacity due to low back pain).

In Phase 1, DOL and SSA were particularly interested in projects serving workers with musculoskeletal (MSK) injuries and disorders, such as low back pain , sprains, or strains resulting from overexertion because, according to Bureau of Labor Statistics 2018 data, those injuries accounted for approximately 30 percent of total work-related injuries in the private

sector requiring days away from work.¹² MSK injuries were the primary diagnosis for 33.2 percent of all SSDI disabled worker beneficiaries in 2018 and for 36.7 percent of all disabled workers awarded SSDI between 2014 and 2018.¹³

In Phase 2, we remain interested in projects serving workers with MSK injuries and disorders and encourage projects to expand their target populations to include workers with additional types of injuries or illnesses, such as those with a high incidence in the geographic area targeted for Phase 2 or those that represent high rates of historic transition to SSI or SSDI.

Projects are expected to continue collecting, sharing, and using data on all enrollees, including those enrolled before and after the 24-month enrollment period, for purposes of CQI and to continue sharing required data with DOL and SSA. However, participants enrolled before (i.e., during the pilot phase) or after the 24-month enrollment period will not be included in the research sample for purposes of the independent evaluation. We anticipate RETAIN services will be low cost to allow for a high volume of service delivery.

During the six month administrative start-up period, health care practices that were active during the pilot may continue to enroll new participants into RETAIN. These participants will be considered Phase 2 enrollees. However, some may not be included in the Phase 2 evaluation sample. The independent evaluator will provide information by April 2021 regarding whether and under what circumstances participants enrolled during the administrative start-up period will be considered part of the evaluation sample.

E. VETERANS PRIORITY FOR PARTICIPANTS

38 U.S.C. 4215 requires grantees to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL. The regulations implementing this priority of service are at 20 CFR Part 1010. In circumstances where an award recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans' priority of service provisions require that the award recipient give the veteran or eligible spouse priority of service by first providing them that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Awardees must comply with DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

F. OTHER AWARD SPECIFICATIONS

1. Allowable Use of Funds during Phase 2, RETAIN Implementation Cooperative Agreement

¹² <https://www.bls.gov/iif/oshwc/case/msds.htm>.

¹³ Social Security Administration, 2019. "Annual Statistical Report on the Social Security Disability Insurance Program, 2018." Accessed online at https://www.ssa.gov/policy/docs/statcomps/di_asr/2018/index.html.

Grant funds can be used to supplement services that are not available inside the workforce system such as coordination of health care and employment services, communication and outreach, and training to employers and health care providers on SAW/RTW best practices.

Allowable expenses under the RETAIN Implementation cooperative agreement include reasonable and necessary expenses to plan for and effectively implement the RETAIN demonstration projects and to support the related independent evaluation. See [Section IV.B.3.a](#) for a list of required activities during Phase 2. These activities and any supporting activities are considered allowable.

Financial incentives for health care providers to adopt occupational health best practices are a key component of the COHE model and are allowable in RETAIN projects.¹⁴ Financial incentives are also allowable for other stakeholder groups, as appropriate and approved by the FPO. RETAIN funds may not be used for the following forms of incentives: raffle, lottery, entertainment, food, and/or beverages. Applicants may spend no more than 10 percent of their total budget in any given year on providing incentives. If it becomes apparent post-award that additional funding for incentives will be necessary to implement the model successfully, the awardee must seek and gain approval from the ETA grants office and ODEP as part of the cooperative agreement. While RETAIN funds may be used to incentivize health care providers to utilize occupational health best practices through a fee-for-service payment model (e.g., a provider could receive an enhanced payment for submitting certain paperwork within a specified timeframe), RETAIN funds may not be used to pay for existing, billable direct health care services. Non-monetary incentives, such as Continuing Medical Education credits for health care providers, are also allowable.

Table 1. Allowable and Not Allowable Use of Funds for Incentives

Allowable	Not Allowable
Fee-for-service financial incentives— <i>up to 10 percent of annual RETAIN budget</i> —for health care providers to adopt occupational health best practices	Raffles, lottery, and/or entertainment
Non-monetary incentives (e.g., continuing education credits)	Food and/or beverages
	Billable direct health care services

Additionally, as stated in [Section III.F.4](#), RETAIN funds may be used to pay for project staff to work with and support the evaluation conducted by the independent evaluation contractor,

¹⁴ Findings from the final evaluation of the pilot indicate that encouraging adoption of occupational health best practices through financial incentives promotes improved disability prevention. See here for more information: <http://www.lni.wa.gov/ClaimsIns/Files/Providers/ohs/3CombinedReportApril222007Final.pdf>.

to connect or establish systems to collect program data elements, and to conduct routine, internal program management activities, such as those within the required CQI plan. Use of RETAIN funds for other evaluative purposes is prohibited.

2. *State and Local Partnerships*

State

The lead applicant must partner and manage a consortium with a number of state-level partners (referred to below as the “RETAIN Leadership Team”), which collectively will provide project leadership to meet program objectives and drive better integration of resources at the local level (see [Section IV.B.3](#)). There are three required partners on the RETAIN Leadership Team:

1. The State Department of Labor, State Workforce Development Agency, or an equivalent entity with responsibility for labor, employment, and workforce development;
2. The State Workforce Development Board;¹⁵ and
3. Health care system(s) practicing coordinated care and population health management.¹⁶

We anticipate the State Workforce Development Board will serve as a key partner to engage employers and shape policies regarding how services such as those provided through RETAIN are carried out by local Workforce Development Boards during and after the RETAIN Cooperative Agreements.

Beyond the required partners, applicants have flexibility to choose the types of entities represented on the RETAIN Leadership Team that are relevant to their proposed target population and scope of the project. In Phase 1, we anticipated that this team would include the following representatives:

- State-level agencies involved in
 - WIOA core programs,
 - Health, mental health, health insurance, and substance abuse,
 - Paid family leave programs, temporary disability insurance programs (where applicable) and/or workers’ compensation;
- State Governor’s office;
- Business-membership or business intermediary organizations;
- Health care systems or provider networks (in addition to the required partner);
- State VR agencies;

¹⁵ Workforce Development Boards direct federal, state, and local funding to workforce development programs. They also oversee the American Job Centers, where job seekers can get employment information, learn about career development training opportunities, and connect to various programs in their geographic area.

¹⁶ The Compendium of U.S. Health Systems, 2016.

- Non-profit organizations or foundations with a history of involvement in coordinated care and/or SAW/RTW-related efforts; and
- Publicly- and privately-funded universities, to the extent that such entities exhibit strong influence on pre-service training and professional credentialing.

In Phase 2, we anticipate many of the same partners will continue from Phase 1. Applicants are, however, free to add or subtract partners in order to strengthen their proposed Phase 2 project. If a project expands its target population for Phase 2, for example, it may find it beneficial to add a partner with strong inroads to that population. Similarly, as a project expands to new areas geographically, it may find it necessary to add new health care partners. Alternatively, a Phase 1 partner's circumstances may change such that they no longer have the capacity to participate during Phase 2, in which case a project may wish to replace that partner. In short, we expect that much of the project's Leadership Team will continue from Phase 1, but justifiable additions or subtractions are acceptable.

Local

The lead applicant must also partner with one or more Local Workforce Development Boards (LWDB), which will implement cooperative agreement activities at the local level. For states with only one LWDB, the commitment of its sole LWDB fulfills this requirement. Applicants are required to show the commitment of one or more LWDBs through a signed memorandum of understanding (MOU).

In addition, relevant partnerships must be established at the local level to support the implementation plan activities. Such additional local entities may include, but are not limited to, the following:

- Health care organizations (including Federally Qualified Health Centers);
- Local health and mental health agencies and providers;
- Private health insurers;
- American Job Centers (sometimes known as One-Stop Career Centers);
- Disability service providers;
- Disability management insurance providers;
- One or more community colleges, technical institutions, four-year colleges/universities, or other education partners that can provide education and training activities should retraining become necessary; and
- One or more business or industry partners (such as business membership associations or Chambers of Commerce) that will participate in defining the program strategies and goals and be actively involved in participating in funded project activities.

As with state partners, we expect that most of the project's local partners will continue from Phase 1 into Phase 2. Justifiable additions or subtractions are acceptable.

3. Program Technical Assistance

DOL contracted with a technical assistance provider (the “RETAIN Programmatic TA Provider” or “TA Provider”) to support planning and pilot activities in Phase 1 and implementation activities in Phase 2 of the RETAIN Demonstration Project cooperative agreements. Awardees are expected to continue utilizing the TA Provider to address their project’s particular needs, such as barriers they may encounter in establishing necessary partnerships, developing appropriate training materials, and in recruiting and enrolling participants. Some of the TA provided will be state-specific, while other TA will be offered to all awardees in a group setting such as a webinar. Grantees must designate a TA liaison to collaborate with the TA Provider. DOL anticipates this liaison will be heavily involved in continuous quality improvement activities and ensuring the project takes advantage of available TA, as well as requesting the development of TA in areas not currently available. DOL recommends a minimum of one full-time equivalent be allocated to performing these tasks.

In Phase 1, the RETAIN Programmatic TA Provider provided general assistance to awardees as they developed implementation plans for both the pilot and Phase 2. Assistance has included, but is not limited to, providing access to subject matter experts (SMEs) with knowledge or experience in the required activities; research on the current evidence base on coordinated health care and/or SAW/RTW interventions (including early interventions) and federal disability programs; providing guidance on partnership development, effective public-private collaboration and coordination, and crafting effective MOUs; communication and outreach support; and developing and integrating data systems. In addition, the RETAIN Programmatic TA Provider is preparing a Programmatic Readiness Report: a report of the Phase 1 awardee’s programmatic readiness for Phase 2, which will be included as part of the Phase 2 application materials. The report is based upon a rubric developed in conjunction with DOL.

The RETAIN Programmatic TA Provider will assist DOL in coordinating meetings and communications with awardees, as requested. The RETAIN Programmatic TA Provider will coordinate meetings, which may include programmatic calls with each awardee and its partners; calls with project directors; and calls that include all awardees and their partners. In Phase 2, the RETAIN Programmatic TA Provider will also plan and implement the logistics and agenda for an annual, in-person awardee meeting. Four such meetings will occur during Phase 2. Projects should include in their budget request funding for participation in the annual meeting. The first such meeting will take place in Washington, D.C. in the summer of 2021. See Section IV.B.2 for logistical details on the first meeting to aid in budgeting.

4. Evaluation Information

SSA is funding an evaluation contractor (referred to here as the “independent evaluator” or “evaluator”) to conduct an independent evaluation of the RETAIN demonstration projects. All RETAIN awardees are required to participate in this evaluation. The goal of the evaluation is to develop rigorous evidence about effective approaches for serving target populations and the impacts of the demonstration projects. The evaluation will result in a

final report to SSA and DOL regarding the outcomes of the RETAIN demonstration projects across the Phase 2 sites, as discussed below.

a. Scope of the Independent Evaluation and Role of the Evaluation Contractor

The evaluation will include process, participation, impact, and cost-benefit analyses.

Conducting an impact analysis may involve random assignment of eligible participants into a treatment group (which would receive program services or enhanced program services) and a control or comparison group (which would receive no program services or unenhanced program services). Random assignment is a sample selection technique in which individuals are assigned to a treatment or to a control group by lottery. The two groups are compared to detect the difference in post-service outcomes (if any) made by the services or enhanced services, also referred to as the “intervention.” This type of experimental design provides the most rigorous and widely accepted evidence of effectiveness of intervention(s). More information on experimental design and random assignment can be found at the following:

- www.socialresearchmethods.net/kb/desexper.php
- www.socialresearchmethods.net/kb/random.htm

If an experimental design (i.e., random assignment) is not viable or would severely disrupt program operations, the evaluator may utilize nonexperimental approaches to evaluate the project such as a provider-level cluster-based approach or a regression discontinuity design.

The awardees must provide program data in a timely manner (according to the schedule determined by the evaluator), which the independent evaluator will use along with administrative data from SSA and one or more surveys of participants to conduct the evaluation. Awardees are required to administer and collect the data from DOL’s Baseline Participant enrollment forms Part 1 and 2 to facilitate the independent evaluation.

b. Data Collection Activities

The evaluator facilitated data use agreements between grantees and SSA during Phase 1. Awardees will continue to collect and store data specified by DOL, in collaboration with SSA and the evaluator, as part of the RETAIN performance metrics, including those identified in Quarterly Progress Report Appendix A. Other specific required programmatic data elements will be determined by DOL in collaboration with the awardees. We anticipate that these data will also be used for the independent evaluation, with the evaluator receiving extracts (copies) of all programmatic data that awardees collect. See Section VI.C.2 and the Phase 1 Quarterly Progress Report Appendix A for information on required programmatic data elements. In addition, states may work with the evaluator to identify and provide state-level administrative data on enrolled participants that could be used in the analyses.

The receipt of standardized data from all awardees is important to conduct a high quality, rigorous evaluation. To ensure this, the independent evaluator will continue to provide guidance and evaluation-related TA to assist awardees in refining their data collection processes and increasing data quality. This may include guidance on data elements, and data collection plans and aligning systems, among other topics.

In Phase 1, awardees worked with the independent evaluator to enter into separate data use agreements with SSA. If selected for Phase 2, awardees must work with the evaluator to make modifications to the data use agreement in order to submit to SSA and its evaluator the data necessary for the full evaluation in a timely manner. This submission will include extracts (copies) of the following:

- The programmatic data that awardees collect to satisfy their award requirements; and
- Employment, service-provision, and medical data (determined in conjunction with the evaluator) from existing state programs—such as vocational rehabilitation, unemployment insurance, and/or workers’ compensation—on all worker participants in both the treatment and comparison groups.

The evaluator will facilitate the modification to the Phase 1 data use agreements to make the agreements suitable for the Phase 2 data submissions. Awardees must demonstrate that they have the legal authority to share these data with SSA, and must provide any limitations as to how the data may be used, protected, disclosed, or shared.

In order for the evaluator to conduct an accurate and comprehensive cost-benefit analysis, awardees are also required to provide access to records on all parts of project activities, including data related to program costs, and to provide access to project team personnel, as specified by the evaluator.

c. Awardee Requirements with Respect to the Independent Evaluation

The awardee must fully participate in all evaluation activities (e.g., evaluation-related TA, site visits, and conference calls) and must designate an evaluation liaison to collaborate with the evaluator. DOL anticipates this liaison will be heavily involved in programmatic data collection activities and recommends a minimum of one full-time equivalent be allocated to performing programmatic data collection and evaluation liaison activities. Awardees are also expected to analyze process data as part of CQI in order to improve implementation without changing the underlying model. RETAIN awardees may not use grant funding to conduct a separate impact evaluation of their project and must coordinate their CQI analyses with the independent evaluator. See [Section IV.B.3](#) and [Appendix C of the Phase 1 FOA](#) for expectations and more information on CQI. The RETAIN awardees also may not undertake an independent impact evaluation of RETAIN using external funds without concurrence from the RETAIN evaluator to ensure any such activities do not interfere with the overall project evaluation. In addition, if the awardee plans to conduct any surveys during the Phase 2 period of performance (of participants or others, such as employers), they must be coordinated with the evaluator.

With DOL and SSA's approval, the independent evaluator, in collaboration with the awardees, developed each awardee's evaluation design and assisted in developing procedures during Phase 1 and will implement the approved evaluation designs and procedures in Phase 2.

During Phase 1, each awardee worked with the evaluator to refine the proposed implementation plan and enhance its evaluability. The independent evaluator provided awardees with evaluation-related TA on recruitment (including guidance on the tradeoff between sample size and screening and its implications for minimum detectable impacts), enrollment and intake procedures, data collection (including systems development and alignment), and other technical aspects of participation in the evaluation, such as consistency of data collection, rationale and methods for random assignment (if applicable), and methods to avoid sample contamination.

The evaluator is also documenting the evaluability of each project and will submit a report to SSA and DOL highlighting the strengths and weaknesses of each project's ability to implement a rigorous evaluation design. This report will be based on the awardee's performance in Phase 1 to date (including the planning and pilot stages), as well as the awardee's plans for Phase 2. Similar to the programmatic readiness reports prepared by the Program TA provider, the evaluability report will be provided to the grant panel to be considered as one of the selection factors for Phase 2 determinations. (See Section V.B for more detail on the evaluability documentation and Phase 2 selection process.)

Each awardee, as well as the evaluator, will be required to obtain approval from an Institutional Review Board (IRB) prior to Phase 2 implementation. As needed, each awardee will update their IRB package and obtain approval for their Phase 2 activities. The evaluator's IRB will approve the evaluator's data collection plan. The awardee can integrate this evaluator's IRB information into the awardee's IRB submission for final approval.

IV. APPLICATION AND SUBMISSION INFORMATION

A. HOW TO OBTAIN AN APPLICATION PACKAGE

This FOA, found at www.Grants.gov and https://www.doleta.gov/grants/find_grants.cfm, contains all of the information and links to forms needed to apply for grant funding.

B. CONTENT AND FORM OF APPLICATION SUBMISSION

Proposals submitted in response to this FOA must consist of four separate and distinct parts:

1. SF-424 "Application for Federal Assistance";
2. SF-424A "Budget Information Form" and budget narrative;
3. A project narrative; and
4. Attachments to the project narrative.

Applicants must ensure that the funding amount requested is consistent across all parts and sub-parts of the application.

1. SF-424, “Application for Federal Assistance”

- Applicants must complete the SF-424, “Application for Federal Assistance” (available at https://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf).
- In the address field, applicants should fill out the nine-digit (plus hyphen) zip code. Nine-digit zip codes can be looked up on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.
- The SF-424 must clearly identify the applicant and must be signed by an individual with authority to enter into a grant 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, the signature of the Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B (available at <https://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>). Applicants do not need to submit the SF-424B with the application.

- Requirement for DUNS Number

All applicants for federal grant and funding opportunities must 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. If applicants do not have a DUNS Number, they can get one for free through the D&B website: <https://fedgov.dnb.com/webform/displayHomePage.do>.

Grant recipients authorized to make sub-awards must meet these requirements related to DUNS Numbers:

- Grant recipients must notify potential sub-awardees that no entity may receive a sub-award unless the entity has provided its DUNS number.
- Grant recipients may not make a sub-award to an entity unless the entity has provided its DUNS number.

(See Appendix A to 2 CFR section 25.)

- Requirement for Registration with SAM

Applicants must register with the System for Award Management (SAM) before submitting an application. Find instructions for registering with SAM at <https://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 subsequently update its information in the SAM database to ensure it is current, accurate, and complete. For purposes of this paragraph, 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-424A, “Budget Information Form” and Budget Narrative

Applicants must complete the SF-424A Budget Information Form (available at <https://apply07.grants.gov/apply/forms/sample/SF424A-V1.0.pdf>). In preparing the Budget Information Form, applicants must provide a concise narrative explanation to support the budget request, explained in detail below. The SF-424A and budget narrative must reflect the funding anticipated to be available for each year of the grant, as identified in Section II.A.

Budget Narrative: The budget narrative must provide a description of costs associated with each line item on the SF-424A. It must describe how the proposed budget aligns to the project work plan and must identify how each milestone will be adequately funded within the proposed budget. Overhead and administrative costs should be reasonable and clearly identified, such that they can be compared to the level of funding allocated to project service coordination and delivery, including related SAW/RTW activities. It is expected that a majority of project funding will be devoted to project service coordination and delivery.

Applicants must use the following guidance for preparing the budget narrative:

- *Personnel:* List all staff positions by title (both current and proposed). 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 grant, and the total personnel cost for the period of performance.
- *Fringe Benefits:* Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, and retirement.
- *Travel:* Specify the purpose, mileage, per diem, estimated number of in-state and out-of-state trips, and other costs for each type of travel.
 - *Annual Grantee Meeting:* Applicants must include funding to cover the cost of participation in the annual RETAIN grantee meetings. As stated in Section III.F.3, four such meetings will occur during Phase 2, and each meeting will last approximately two full days. DOL anticipates that state participants will include the Project Director, TA liaison, evaluation liaison, a health care practitioner, a workforce system representative, and a RTW Coordinator. The first annual meeting will take place in Washington, D.C. in the summer of 2021. Subsequent

meetings will occur each spring and may take place in Washington, D.C. or a Phase 2 grantee state. For planning purposes, grantees should estimate travel costs based on current Washington, D.C. per diem rates.

- *Equipment*: Applicants must identify each item of equipment they expect to purchase that has an estimated acquisition cost of \$5,000 or more per unit (or if applicant's capitalization level is less than \$5,000, use that capitalization level) and a useful lifetime of more than one year (see 2 CFR 200.33 for the definition of Equipment). They should list the quantity and unit cost per item. Items with a unit cost of less than \$5,000 are supplies, not equipment. In general, we do not permit the purchase of equipment during the last funded year of the grant.
- *Supplies*: Applicants must identify categories of supplies (e.g., office supplies) in the detailed budget and list the quantity and unit cost per item. Supplies include all tangible personal property other than "equipment" (see 2 CFR 200.94 for the definition of Supplies).
- *Contractual*: Under the Contractual line item, applicants must delineate contracts and sub-awards separately. Contracts are defined according to 2 CFR 200.22 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 200.92, 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, applicants must specify the purpose and estimated cost.
- *Construction*: Construction costs are not allowed and this line must be left as zero. Minor alterations to adjust an existing space for grant activities (such as a classroom alteration) may be allowable. We do not consider this as construction and applicants must show the costs on other appropriate lines such as Contractual.
- *Other*: Applicants must 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. They must list any item, such as stipends or incentives, not covered elsewhere here.
- *Indirect Costs*: If applicants include indirect costs in the budget, they must include one of the following:
 - If they have a Negotiated Indirect Cost Rate Agreement (NICRA), 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 applicant's cost allocation base. Also, applicants must provide a current version of the NICRA.
 - If applicants intend to claim indirect costs using the 10 percent de minimis rate, they must confirm that their organization meets the requirements as described in 2 CFR 200.414(f). They must clearly state that their organization has never received a Negotiated Indirect Cost Rate Agreement (NICRA), and that their organization is not one described in Appendix VII of 2 CFR 200, paragraph (D)(1)(b).

Applicants choosing to claim indirect costs using the de minimis rate must use Modified Total Direct Costs (see 2 CFR 200.68 below for definition) as their cost allocation base. Applicants must provide an explanation of which portion of each line item, along with the associated costs, are included in cost allocation base. Note that there are various items not included in the calculation of Modified Total Direct Costs. See below the definitions to assist in calculation.

- **2 CFR 200.68 Modified Total Direct Cost (MTDC)** means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each sub-award (regardless of the period of performance of the sub-awards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000. Other items may be excluded only when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

Applicants should note that participant support costs are not included in modified total direct cost. Participant support costs are defined below.

- **2 CFR 200.75 Participant Support Cost** means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences or training projects.

See Section IV.B.4 and Section IV.E.1 for more information. Additionally, the following link contains information regarding the negotiation of Indirect Cost Rates at DOL: <https://www.dol.gov/oasam/boc/dcd/index.htm>.

Note that the SF-424, SF-424A, and budget narrative must include the entire federal grant amount requested for Phase 1 (18 months).

Applicants must not show leveraged resources on the SF-424 and SF-424A. Applicants should describe leveraged resources in the budget narrative. As stated in Section III.B, applicants are not required to include leveraged resources, but are encouraged to do so, and proposals that include leveraged resources will be evaluated on the amount of leveraged resources and the extent to which these leveraged resources are likely to broaden the impact of the project and improve the likelihood of success and sustainability. For the purposes of this FOA, “meaningful leveraged resources” describes the resources (e.g., funding, systems, staff, programs) of multiple stakeholders being effectively blended in such a way that the program’s impact on participants and program partners is enhanced and the likelihood of sustainability in the absence of federal funding is increased.

Applicants should list the same requested federal grant amount on the SF-424, SF-424A, and budget narrative. If minor inconsistencies are found between the budget amounts

specified on the SF-424, SF-424A, and the budget narrative, DOL will consider the SF-424 the official funding amount requested. However, if the amount specified on the SF-424 would render the application nonresponsive, the Grant Officer will use his or her discretion to determine whether the intended funding request (and match if applicable) is within the responsive range.

3. *Project Narrative*

The Project Narrative must demonstrate the applicant's capability to plan and implement the proposed project in accordance with the provisions of this Announcement. It should provide a comprehensive framework and description of all aspects of the proposed project. It must be succinct, self-explanatory, and well-organized so that reviewers can understand the proposed project. Guidelines for the content of the Project Narrative are provided below.

The Project Narrative is limited to no more than 45 double-spaced single-sided 8.5 x 11 inch pages with Times New Roman 12 point text font and standard 1-inch margins. Applicants must number the Project Narrative beginning with page number 1.

Any materials beyond the specified page limit will not be read or considered in the application review process.

The following instructions provide all of the information needed to complete the Project Narrative. Carefully read and consider each section, and include all required information in applicant's Project Narrative. The agency will evaluate the Project Narrative using the evaluation criteria identified in Section V.B.

Applicants must use the following section headers for the Project Narrative.

1. Abstract
2. Phase 1 Pilot Summary
3. Outcome Goals
4. Comprehensive Description of Phase 1 Outcomes, the Phase 2 Model, Proposed Changes, and Specific Operationalization Plans
 - a. Target Population
 - b. Intervention Strategies
 - i. Return to Work Coordinators
 - ii. Health Care Providers
 - iii. Incentives
 - iv. Early Communication
 - v. Workplace-based Interventions
 - vi. Retraining/Rehabilitation
 - vii. Tracking and Monitoring Progress
 - viii. Other Strategies
 - c. Partnerships
 - d. Activities

- e. Service Flow
 - f. Data Collection and Management Plan
5. Key Personnel
 6. Management and Operational Plan and Lead Applicant's Organizational Capacity
 - a. Management/Operational Plan
 - b. Organizational Capacity of the Lead Applicant
 - c. Risk Management and Opportunities
 - d. Continuous Quality Improvement
 - e. Participation in the Evaluation
 - f. Sustainability

Descriptions of Sections

Each section will be evaluated based on the extent to which the proposal articulates the required components, in addition to any criteria specified in a given section. Point allocations are detailed in Section V.A.

1. *Abstract*

Abstracts from Phase 2 recipients will be adapted for posting on DOL's website and for use in press announcements. The abstract should succinctly describe the activities to be carried out in the Phase 2–Implementation period and the applicant's plan for achieving its proposed outcomes. The abstract must provide an overview of the proposed project and include the following information.

- a. Lead applicant's name and contact information
- b. Project name/title
- c. Funding level requested for the full period of performance (48 months)
- d. Description of proposed geographic areas to be served, including whether the proposed geographic areas include an opportunity zone. See Section V.A for additional information on opportunity zone census tracts.
- e. Description of the proposed target worker population, including the target number of participants in the treatment group that will receive RETAIN services and the comparison group that will receive standard services
- f. Description of the unique services to be provided to the treatment group (i.e., the services above and beyond the standard services available to the comparison group)
- g. The proposed partners and the role that each will play throughout Phase 2

2. *Phase 1 Pilot Summary*

This section must contain a summary of what occurred in the pilot, including a description of the target population, geographic area(s) of focus, specific strategies

utilized, and key lessons learned.¹⁷ Please note any programs or elements of programs that existed prior to RETAIN upon which the project was built. If no such pre-existing program or program elements existed, applicants should so state. Particular emphasis should be placed on the key lessons learned.

3. *Outcome Goals*

Applicants must identify any outcome goals specific to their project in addition to those specified by DOL and SSA (Section I.A) that align to the required Work Plan and Project Logic Model Attachments (Section IV.B.4), such as the following:

- a. Specific health or employment-related goals for the target population and how the RETAIN project will facilitate successful goal attainment;
- b. Systems changes (e.g., health care delivery system, workers' compensation, workforce, or any other related system) to facilitate RETAIN services and promote sustainability; and
- c. Potential policy changes as a result of lessons learned from the RETAIN Phase 2 Demonstration Project. In other words, applicants should identify any specific policy outcomes to which their RETAIN project may lead.

4. *Comprehensive Description of Phase 1 Outcomes, the Phase 2 Model, Proposed Changes, and How Applicants Will Operationalize Plans*

This section must present a comprehensive description of the model proposed for implementation in Phase 2, concisely capture changes to the model and/or its administration relative to Phase 1, and clearly identify how the plan will be operationalized. Applicants must use data collected during the pilot in Phase 1, in aggregate, as supporting evidence in this section. Additionally, supporting evidence should be presented for any key elements of the model that are not specifically required by this FOA.

This section must show how the requested funds and other resources will support the proposed activities and how those activities will lead to the proposed interim outputs and ultimate outcomes. The proposal must also clearly describe how activities will

¹⁷ Required strategies for Phase 1 include the following: (1) RTW Coordinators coordinating health and employment service delivery (including the development and implementation of a plan to support the employee in returning to or staying at work); (2) training participating health care providers in occupational health best practices such as those provided in COHE and alternatives to opioids for pain management; (3) incentivizing participating health care providers to use the best practices; (4) early communication to all stakeholders to return the worker to the workplace as soon as medically possible; (5) workplace-based interventions (including accommodations such as lighter and/or modified duties, and adjustments to work schedules, tasks, and the physical worksite, if necessary); (6) retraining/rehabilitation for workers who can no longer perform their prior job or find other available suitable alternate work; and (7) tracking and monitoring the medical and employment progress of participating workers.

drive integration of resources at the local level and lead to sustainability beyond the period of the RETAIN Phase 2 grant.

Specifically, the following components must be described:

a. Target Population

This subsection must describe the target population to include the following:

- i. Total number of Phase 1 worker participants and enrollment trends over the duration of the pilot phase. Indicate how the Phase 1 project identified and recruited worker participants (e.g., through a health care organization, employer, insurer, or other existing entity), and list the eligibility and/or screening criteria used in enrollment. Identify any challenges, successes, and lessons learned in recruiting and enrolling participants, including changes to original strategies as a result of continuous quality improvement.
- ii. Strategy for identifying, recruiting, enrolling, and sustaining engagement of a sufficient number of worker participants to allow for a valid evaluation of impacts in Phase 2. A successful applicant will describe a feasible strategy with a high likelihood of success that includes the following:
 - How many individuals the applicant plans to recruit and serve through RETAIN in Phase 2. This should align to the expectations of the proposed evaluation design as approved by SSA;
 - How the proposed target population will be identified and recruited (e.g., through a health care organization, employer, insurer, or other existing entity) in Phase 2, criteria that will be used to identify eligible participants, and a projected timeframe for recruitment;
 - Documented commitment of each recruitment source to partner in good faith for the duration of the project, or at least until the applicant meets minimum sample size requirements;
 - The size of the universe from which qualifying participants will be recruited and enrolled in Phase 2 within the specified geographic areas and through the relevant partners (i.e., health care partners, insurers, employers);
 - A strategy for sustaining engagement of participants to follow up (e.g., encouraging ongoing participation in medical and employment services, following through on the RTW plan developed with the RTW Coordinator);
 - A strategy for obtaining informed consent and using CQI to develop a plan to address concerns potential participants may have for not enrolling; and
 - Role of key project staff in the recruitment and enrollment process.

b. Intervention Strategies

The seven required RETAIN intervention strategies are listed below (3.c.i-3.c.viii). For each strategy, the following information must be included:

Regarding Phase 1

- Describe specific approach(es) to implementing the strategy
- Discuss outcomes of the approach(es) to implementing the strategy
- Identify challenges associated with the approach(es)
- Highlight specific lessons learned

Regarding Phase 2

- Describe proposed approaches to implementing the strategy, providing a justification to support any decision to modify approaches used in Phase 1
- Describe how the strategies planned for implementation during Phase 2 differ from standard, non-RETAIN services available to similar workers

If required, additional information to include in the Phase 1 and Phase 2 descriptions for each strategy are included below.

- i. RTW Coordinators coordinating health and employment service delivery (including the development and implementation of a plan to support the employee in returning to or staying at work).
 - Phase 1—describe the number full time employees (FTEs) of RTW Coordinators that served participants, the caseload (total number of cases per coordinator), and any training activities that occurred. Describe the activities of the RTW Coordinators and any improvements made during Phase 1 as a result of program monitoring and CQI.
 - Phase 2—indicate the target number of RTW Coordinators for Phase 2 and a justification as to why the target will be sufficient to serve the needs of the proposed participants. Indicate whether the RTW Coordinators that participated in Phase 1 will continue in Phase 2 and provide details of any plans to recruit and train additional RTW Coordinators in Phase 2.
- ii. Recruiting health care providers to participate in RETAIN and training them in occupational health best practices, including alternatives to opioids for pain management.
 - Phase 1—describe the number of health care providers recruited to participate in Phase 1 and any training activities that occurred.
 - Phase 2—indicate the target number of health care providers for Phase 2 and a justification as to why that target number will be sufficient to serve the needs of the proposed number of participants. Indicate whether the health care providers that participated in Phase 1 will continue in Phase

- 2 and provide details of any plans to recruit and train additional health care providers in Phase 2. If applicable, please explain why any participating Phase 1 health care providers opted against continuing their participation into Phase 2.
- iii. Incentivizing participating health care providers to use occupational health best practices, or incentivizing other stakeholders to actively participate.
 - Phase 1—describe any financial and non-financial incentives (e.g., for health care providers, worker participants, employers) implemented during Phase 1, including the amount, how they were administered, and lessons learned.
 - Phase 2—provide a description and justification of any proposed incentives for Phase 2, including a description of why the incentives are necessary to further grant-related activities. Identify the incentive value(s) and how they will be distributed and tracked.¹⁸
 - iv. Early communication to all stakeholders to return the worker to the workplace as soon as medically possible.
 - Phase 1—include details on the project staff responsible and lessons learned.
 - Phase 2—detail strategies and plans for ensuring early communication among all stakeholders during Phase 2, including responsible project staff.
 - v. Workplace-based interventions (including accommodations such as lighter and/or modified duties, and adjustments to work schedules, tasks, and the physical worksite, if necessary).
 - Phase 1—clearly indicate responsible staff, challenges, successes, and lessons learned. Provide details on any employer outreach strategies to encourage employer participation and collaboration.
 - Phase 2—indicate strategies for encouraging workplace-based interventions to be adopted in Phase 2, including employer outreach strategies.
 - vi. Retraining/rehabilitation for workers who can no longer perform their prior job or find other available suitable alternative work.
 - Phase 1—describe the referral process for workers unable to return to their prior job, including partner roles and strategies.
 - Phase 2—describe the proposed referral process for workers unable to return to their previous job, including partner roles and strategies.
 - vii. Tracking and monitoring the medical and employment progress of participating workers.

¹⁸ COHE utilizes a sliding scale to incentivize health care providers to utilize specific occupational health best practices. The 2018 fee schedule is available as an example: <http://www.lni.wa.gov/ClaimsIns/Providers/ProjResearchComm/OHS/SettingUp/Files/COHEFeeScheduleJuly2018Final.pdf>. The recommendations in this Graham Center report may also be useful to bear in mind when designing incentive strategies: https://www.graham-center.org/content/dam/rgc/documents/publications-reports/reports/StarfieldSummit%20Annotated%20Bibliography_Payment-FIN.pdf.

- Phase 1—describe the process used to track and monitor medical and employment progress of worker participants, including partner roles. Indicate any tools used to facilitate tracking and monitoring. Note that systems need not be described in detail if they are discussed elsewhere in the project narrative such as the data collection and management system below.
- Phase 2—describe the proposed process for tracking and monitoring medical and employment progress of worker participants in Phase 2, including any process or systems enhancements required for effective scaling.
- viii. Other strategies.
 - Phase 1—Please discuss any strategies utilized in Phase 1 that were not captured under any of the required strategies above. If any of these strategies are not proposed for use in Phase 2, please explain why.
 - Phase 2—Please discuss any strategies newly proposed for Phase 2 and provide a justification for their use.
 - *Note:* if no additional strategies were implemented in Phase 1 and/or none are proposed for Phase 2, please so state.

c. Partnerships

All established and planned partnerships must be described in this section. The applicant must demonstrate that the partnerships proposed are strategic and partnership resources are effectively leveraged in order to increase stakeholder investment in the project at all levels, broaden the impact of the project itself, and increase the likelihood of sustainability. Applicants should describe the following:

- i. The Governor’s commitment to successfully carrying out the project.
 - This must be documented through a signed letter indicating his/her support for the project and his/her support for the involvement of any participating state agencies (see required attachments).
- ii. Capacity of each partner to participate in the RETAIN project, including the following:
 - Identify each key partner, role on the RETAIN Leadership Team, if applicable, and their primary point of contact.
 - a. Documentation through signed MOUs, letters of commitment, subcontracts, or other appropriate partnership vehicles (see required attachments).
 - Documentation of the required health care partner’s relevant experience in evidence-based strategies and systems of care coordination and population health management.
 - Identify relevant, non-Leadership Team partnerships and their role in successfully executing the project’s implementation plan activities.

- iii. Any additional/new resources needed to implement the Phase 2 project and which partner(s) will provide these resources.

d. Activities

This subsection must describe the activities to be carried out by program staff and partners in implementing the demonstration project, along with a timeline and proposed milestones, intermediate outputs, and ultimate outcomes (including policy outcomes). Clearly describe the program staff and partner roles proposed for Phase 2. This must align to the required Detailed Work Plan and Logic Model attachment (See Section IV.B.4).

e. Service Flow

This subsection must provide details on the path or flow of service a participant would follow from the point of injury or illness, through identification as an eligible participant and receipt of RETAIN services until the participant returns to work or experiences another employment result.

- i. This should align to the required attachment of a visual depiction of this process (see Section IV.B.4).

f. Data Collection and Management Plan

This subsection must include a Data Collection and Management Plan based on the list of required programmatic data elements identified in Appendix A of the Quarterly Progress Report established during RETAIN Phase 1 (discussed in Section VI.C.2). In addition to these programmatic data elements, this plan must also detail all other data being submitted to SSA and the evaluator. This must include the following:

- i. Methods of data collection;
- ii. Plans for data storage, including protections for personally identifiable information (PII);
- iii. Methods and timelines for data transfer to DOL, SSA, and the evaluator as detailed in the data use agreement;
- iv. Plans for ensuring data quality;
- v. Plans for auditing to maintain consistency and fidelity; and
- vi. Key staff involved in these processes.

Additionally, this subsection must address the following:

- vii. Identify the data collection process and data sources, how the applicant will collect and report required programmatic data elements, and how the applicant will store and use data for operational purposes; and

- viii. Describe how any existing workforce system and health care provider partner data systems will be used, aligned, and shared for purposes of quarterly performance reporting to DOL, and self-monitoring for CQI.
 - If any new workforce system or health care partners (including providers) are proposed for Phase 2, please describe in detail how data from their data systems will be integrated into the RETAIN project, including a timeline and estimated costs.

5. Key Personnel

All resources and personnel must be identified in this section to include the following:

a. Key Personnel include, at minimum, the following:

- i. Project director/manager
- ii. Lead RTW Coordinator(s)
- iii. Workforce development lead
- iv. Medical director/health care lead
- v. Referral and enrollment lead (includes marketing responsibilities)

A minimum of one key personnel in a leadership position must have a strong health care background (e.g., a medical doctor, a board-certified occupational health physician, an expert in health programs and policy.) Any changes to key personnel after the Phase 2 award must be approved by the FPO prior to taking effect, including filling vacancies.

With respect to key personnel, include the following:

- List of all key personnel (titles and names) and a description of their role(s) and overall responsibilities on the RETAIN project.
- Résumés documenting relevant background/experience must be included as attachments to the Project Narrative (see below).
- Specify the percentage of time dedicated to the project per individual key personnel.
- Describe how the professional qualifications required of all key personnel will ensure proper management of all project activities, including timely reporting and ability to manage strategic partnerships. This can be presented in a table or narrative format, as determined most appropriate by the applicant.

b. Necessary personnel include the following:

- i. RTW Coordinators other than lead(s)
- ii. Evaluation Liaison
- iii. TA Liaison

Necessary personnel are seen as critical to the success of the project, but changes in these positions do not require prior approval from the FPO. With respect to necessary personnel, please describe the responsibilities of these roles on the project and the professional qualifications sought from candidates.

6. Management/Operational Plan and Lead Applicant's Organizational Capacity

This section must explain why the proposed organizational structure is suitable to carry out the project, including how it leverages networks and available resources in support of project goals and the sustainability of the project after federal funding ends. The following section headers are required:

- a. Management/Operational Plan
- b. Organizational Capacity of the Lead Applicant
- c. Health Care Environment
- d. Risk Management and Opportunities
- e. Continuous Quality Improvement
- f. Participation in the Evaluation
- g. Sustainability

a. Management/Operational Plan

The organizational chart (see required attachment below) should align to the information provided in this section. Applicants must explain their project management approach and submit a detailed Management/Operational Plan that includes the following:

- i. Describes the activities and budget for the full period of performance; and
- ii. Includes a detailed timeline for implementation with major milestones and responsible personnel/partners identified. The applicant may present this in a table/chart as an attachment or in a narrative format.

b. Organizational Capacity of the Lead Applicant

Applicants must describe the capacity and experience of the lead applicant to undertake the following:

- i. Successfully operate large, complex demonstration projects or other complex innovation projects (past experience and performance); and
- ii. Collect required programmatic data (from/through partners, as appropriate) and legal ability to share programmatic data with DOL and SSA as specified by DOL and the evaluator.

c. Health Care Environment

Applicants must describe the health care environment in which their current and proposed health care partners operate in terms of coordination, organization, and financial resources and incentives. For example, if a partner operates in a managed care setting, how it is structured in terms of organization, payments, etc. Please identify the impact the environment has or will have on the project.

d. Risk Management and Opportunities

This subsection must include the following:

- i.* Articulate an effective strategy for self-monitoring and risk management.
- ii.* Address the following potential risks to implementing the proposed project in Phase 2:
 - Difficulty recruiting a sufficient number of worker participants or medical providers
 - Hiring key and necessary staff, including RTW Coordinators
 - Engaging employers and getting employer buy-in, etc.
 - Developing and maintaining core partnerships, including data sharing agreements
 - Administrative barriers
 - Receiving IRB approval
 - Other risks identified by the applicant that are not included in the list above.
- iii.* Each identified risk must be accompanied by a proposed plan for addressing or mitigating the risk.
- iv.* Identify any opportunities to accelerate the project's planning or implementation and plans for taking advantage of such opportunities. Opportunities to accelerate the project could include leveraging existing partnerships.

e. Continuous Quality Improvement (CQI)

The CQI plan must clearly align with the required Project Logic Model attachment. This subsection must address the following:

- i.* Describe how CQI was used in Phase 1, including specific examples of improvements made during the pilot as a result of CQI.
- ii.* Articulate an effective CQI plan for Phase 2 and explain any changes to the applicant's approach to CQI compared to Phase 1.

f. Participation in the Evaluation

Applicants must address the following:

- i.* Indicate their commitment and plans to work cooperatively with the independent evaluator to collect and submit data, including personally-identifiable data, to support the independent evaluation.
 - Identify the grantee's evaluation liaison, including the percentage of their time devoted to the project.
- ii.* Demonstrate that they have the legal authority to share the required programmatic data with DOL and SSA, including plans to meet any requirements for individual consent, in a timely manner (e.g., signed data-sharing agreements).
- iii.* Identify any data-sharing agreements currently in place for RETAIN, as well as any new data-sharing agreements that they expect to need in order to share data.
 - Indicate any limitations to how the data may be used, protected, disclosed, or shared.
- iv.* Identify any IRB approval currently in place for RETAIN, as well as any new IRBs or IRB agreements needed for a Phase 2 expansion.

g. Policy Scalability and Replicability

- i.* Applicants must identify policy and practice implications that they anticipate will emerge from their state's RETAIN Phase 2 project, including as a result of systems changes implemented through RETAIN. These may be policies and/or practices at a variety of levels, including local, state, and/or federal government, employer, etc.
- ii.* Applicants must identify any plans and resources necessary to scale and replicate the RETAIN project.

4. Attachments to the Project Narrative

In addition to the Project Narrative, applicants must submit attachments clearly labeled as Attachments. Submitted attachments from the "Required Attachments," "Requested Attachments," and "Supplemental Materials" lists below will not count towards the application maximum page limit. All required attachments will be scored during the selection process, as described in Section V.

Applicants must not include additional materials such as general letters of support. Applicants must submit applications in one package because documents received separately will be tracked separately and will not be attached to the application for review.

Applicants must save all files with descriptive file names of 50 characters or fewer and 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). Applicants may use an underscore (example: my_Attached_File.pdf) to separate a file name.

Required Attachments

- I. Detailed Work Plan and Project Logic Model¹⁹
 - a. Goals
 - b. Outcomes
 - c. Tasks/Activities
 - d. Specific timelines
 - e. Milestones
 - f. Responsible personnel/partners
 - g. Other resources needed
 - h. Master project organizational chart including key responsible individuals for various components and organizational processes for the intervention (e.g., roles and relationship of RTW Coordinators and health care providers)
 - i. This must align to Section 4.d of the Project Narrative.
 - j. Points for the Detailed Work Plan and Project Logic Model as a required attachment and those in Section 4.d are separate, but related. For example, if the Work Plan and Project Logic Model is not included, the points allocated for it will not be awarded and some of the points allocated for Section 4.d may also be withheld.
- II. Visual Depiction of Participant Flow. Provide visual depiction(s) of the “flow” of an eligible individual from point/time of injury, through identification as an eligible participant and receipt of RETAIN services, to successful return to work or transition to other, non-RETAIN services. This should align to and be reflected in Section 4.e of the Project Narrative.
 - a. Points for the visual depiction of participant flow and Section 4.e are separate, but related. For example, if the visual depiction of participant flow is not included, the points allocated for it will not be awarded and some of the points allocated for Section 4.e may also be withheld.
- III. Staffing
 - a. Résumés of all proposed key personnel
 - i. For key personnel positions where résumés are not available (i.e., for positions to be filled after RETAIN Phase 2 grants are awarded), please include a job description.
 - b. Organization chart
 - c. Signed memoranda of understanding and/or letters of commitment
 - i. Letter of support and commitment from the Governor’s office

¹⁹ Sample work plan templates are available on the Internet. Here are a few examples: Victoria State Government Department of Education and Training; New York State Department of Health; and U.S. Centers for Disease Control and Prevention; See these links for additional information on logic models: <https://www.cals.uidaho.edu/edcomm/pdf/CIS/CIS1097.pdf> and <https://www.cdc.gov/std/Program/pupestd/Components%20of%20a%20Logic%20Model.pdf>.

- ii. Documentation of commitment from RETAIN Leadership Team members, including health care partners
- iii. Documentation of commitment from Local Workforce Development Board(s)
- iv. Documentation of partnerships for recruiting the proposed target population
- d. The required staffing attachments and the Key Personnel section of the Project Narrative are scored separately. The sections are listed separately so that the staffing attachments do not count against the page limit of the Project Narrative. However, the two sections are related and considered as such for scoring purposes.

Requested Attachments

We request the following attachments, but their omission will not cause us to screen out the application. The omission of the attachment will, however, impact scoring; the description of the attachment will note the impact.

- I. Chart/table of the professional qualifications of the key personnel identified in Section V documenting their role(s) in project activities, such as participant recruitment and enrollment, health and employment-related service coordination, evaluation and CQI-related activities, employer outreach. Omission of this attachment will affect scoring of the staffing attachment above.
- II. The evidence base for any changes to the target population since the Phase 1 application (such as evidence of its long-term disability rate or SSDI/SSI transition rate, if available) as documented through reports, papers, or other available data. This evidence base should be reflective of the changes identified in Section 2 of the Project Narrative. There is no need to resubmit the same materials submitted for Phase 1. If there are no changes to the target population and as a result this attachment is not included, scoring of the application will not be negatively affected.
- III. Indirect Cost Rate Agreement: If applicants are requesting indirect costs based on a Negotiated Indirect Cost Rate Agreement approved by their Federal Cognizant Agency, then attach the most recently approved Agreement. (For more information, see Section IV.B.2 and Section IV.E.1.) This attachment does not impact scoring of the application.
- IV. All data sharing agreements currently in place for RETAIN (e.g., between the health care system and the workforce system or other project partners). This attachment does not impact scoring of the application.

Supplemental Materials

- I. Programmatic Readiness Report: As specified in Section III.F.3, the RETAIN Programmatic TA Provider will submit to DOL Office of Grant Management a Programmatic Readiness Report for each Phase 1 awardee detailing the Phase 1

awardee's programmatic readiness to proceed to Phase 2. This report is based upon a rubric developed in conjunction with DOL and will be provided to the grant review panel as part of the Phase 2 application materials.

- II. Evaluability Report: As specified in Section III.F.4.c, the evaluation contractor will submit to the DOL Office of Grant Management an Evaluability Report for each Phase 1 awardee highlighting the strengths and weaknesses of each project's ability to implement a rigorous evaluation design. The report will be based upon the awardee's performance in Phase 1 to date, as well as the awardee's plans for Phase 2.

C. SUBMISSION DATE, TIMES, PROCESS, AND ADDRESSES

We must receive applications under this Announcement by January 15, 2021. Applicants must submit applications either electronically on <https://www.grants.gov> or in hard copy by mail or in hard copy by hand delivery (*including overnight delivery*) no later than 4:00:00 p.m. Eastern Time on the closing date.

Applicants are encouraged to submit their application before the closing date to ensure that the risk of late receipt of the application is minimized. We will not accept applications sent by e-mail, telegram, or facsimile (FAX).

Applicants submitting applications in hard copy by mail or overnight delivery must submit a "copy-ready" version free of bindings, staples or protruding tabs to ease in the reproduction of the application by DOL. Applicants submitting applications in hard copy must also include in the hardcopy submission an identical electronic copy of the application on compact disc (CD) or flash drive. If we identify discrepancies between the hardcopy submission and CD/flash drive copy, we will consider the application on the CD/flash drive as the official submission for evaluation purposes. Failure to provide identical applications in hard copy and CD/flash drive format may have an impact on the overall evaluation.

If an application is physically submitted by both hard copy and through <https://www.grants.gov>, a letter must accompany the hardcopy application stating which application to review. If no letter accompanies the hard copy, we will review the copy submitted through <https://www.grants.gov>.

We will grant no exceptions to the mailing and delivery requirements set forth in this notice. Further, we will not accept documents submitted separately from the application, before or after the deadline, as part of the application.

Address mailed applications to:

U.S. Department of Labor
Employment and Training Administration
Office of Grants Management
Attention: Charles Cox, Grant Officer
Reference FOA-ODEP-21-01

200 Constitution Avenue, NW, Room N4673
Washington, D.C. 20210

Please note that mail decontamination procedures may delay mail delivery in the Washington DC area. We will receive hand-delivered applications at the above address at the 3rd Street Visitor Entrance. All overnight delivery submissions will be considered to be hand-delivered and must be received at the designated place by the specified closing date and time.

Applicants submitting applications through Grants.gov must ensure successful submission at <https://www.grants.gov> no later than 4:00:00 p.m. Eastern Time on the closing date. Grants.gov will subsequently validate the application.

We describe the submission and validation process in more detail below. The process can be complicated and time-consuming. Applicants are strongly advised to initiate the process as soon as possible and to plan for time to resolve technical problems. Note that validation does not mean that their application has been accepted as complete or has been accepted for review. Rather, grants.gov verifies only the submission of certain parts of an application.

- We strongly recommend that before applicants begin to write the application, they immediately initiate and complete the “Get Registered” registration steps at <https://www.grants.gov/web/grants/register.html>.

Applicants should read through the registration process carefully before registering. These steps may take as much time as four weeks to complete, and this 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 the Step-By-Step Guide to Organization Registration to walk applicants through the process.

- We strongly recommend that applicants download the Guide at <https://www.grants.gov/documents/19/18243/GrantsgovOrganizationRegistrationGuide.pdf/be70525d-59aa-45ee-b196-5e8951faca0a> and prepare the information requested before beginning the registration process. Reviewing and assembling required information before beginning the registration process will alleviate last-minute searches for required information and save time.

As described earlier in Section IV.B.1, applicants must have a DUNS Number and must register with SAM.gov before submitting an application.

The next step in the registration process is creating a username and password with Grants.gov to become an Authorized Organizational Representative (AOR). AORs will need to know the DUNS Number of the organization for which they will be submitting applications to complete this process.

- To read more detailed instructions for creating a profile on Grants.gov, visit <https://www.grants.gov/web/grants/applicants/organization-registration/step-3-username-password.html>.

After creating a profile on Grants.gov, the E-Biz point of Contact (E-Biz POC)—a representative from the applicant’s organization who is the contact listed for SAM—will receive an email to grant the AOR permission to submit applications on behalf of their organization. The E-Biz POC will then log in to Grants.gov and approve an individual as the AOR, thereby giving him or her permission to submit applications.

To learn more about AOR Authorization, visit <https://www.grants.gov/web/grants/applicants/organization-registration/step-4-aor-authorization.html>; or to track AOR status, visit <https://www.grants.gov/web/grants/applicants/organization-registration/step-5-track-aor-status.html>.

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 POC approval, 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 their organization as the AOR; this step is often missed and it is crucial for valid submissions.

When a registered applicant submits an application with Grants.gov, an electronic time stamp is generated within the system when the application is successfully received by Grants.gov. Within two business days of application submission, Grants.gov will send the applicant two email messages to provide the status of the application’s progress through the system.

- The first email, sent almost immediately, 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 solely 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, DOL will not consider the application.

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 DOL from considering the application. We will attempt to open the document, but will not take any additional measures in the event of problems with opening.

We strongly advise 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>.

We encourage new prospective applicants to view the online tutorial, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” available through WorkforceGPS at <https://strategies.workforcegps.org/resources/2014/08/11/16/32/applying-for-eta-competitive-grants-a-web-based-toolkit-for-prospective-applicants-438?p=1>.

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

If applicants encounter a problem with Grants.gov and do not find an answer in any of the other resources, they should call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email support@grants.gov.

The Grants.gov Contact Center is open 24 hours a day, seven days a week but it is closed on federal holidays.

Late Applications

For applications submitted on Grants.gov, we will consider only applications successfully submitted no later than 4:00:00 p.m. Eastern Time on the closing date and then successfully validated. Applicants take a significant risk by waiting to the last day to submit through Grants.gov.

We will not consider any hardcopy application received after the exact date and time specified for receipt at the office designated in this notice, unless we receive it before awards are made, it was properly addressed, and it was (a) sent by U.S. Postal Service mail, postmarked not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application required to be received by the 20th of the month must be postmarked by the 15th of that month); or (b) sent by professional overnight delivery service to the addressee not later than one working day before the date specified for receipt of applications. “Postmarked” means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, applicants should request the postal clerk to place a legible hand-cancellation “bull’s eye” postmark on both the receipt and the package. Failure to adhere to these instructions will be a basis for a determination that the application was not filed timely and will not be considered. Evidence of timely submission by a professional overnight delivery service must be demonstrated by equally reliable evidence created by the delivery service provider indicating the time and place of receipt.

D. INTERGOVERNMENTAL REVIEW

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

E. 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 (Uniform Guidance-DOL specific). Disallowed costs are those charges to a grant that the grantor agency or its representative determines not to be allowed in accordance with the Cost Principles or other conditions contained in the grant. Applicants, whether successful or not, will not be entitled to reimbursement of pre-award costs.

1. Indirect Costs

As specified in the Uniform Guidance Cost Principles, indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. An indirect cost rate is required when an organization operates under more than one grant or other activity, whether federally-assisted or not. Applicants have two options to claim reimbursement of indirect costs.

Option 1: Applicants may use a NICRA or Cost Allocation Plan (CAP) supplied by the Federal Cognizant Agency. If applicants do not have a NICRA/CAP or have a pending NICRA/CAP, and in either case choose to include estimated indirect costs in the budget, at the time of award the Grant Officer will release funds in the amount of 10 percent of salaries and wages to support indirect costs. Within 90 days of award, applicants are required to submit an acceptable indirect cost proposal or CAP to the Federal Cognizant Agency to obtain a provisional indirect cost rate. (See Section IV.B.2 for more information on NICRA submission requirements.)

Option 2: Any organization that has never received a negotiated indirect cost rate, with the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, may elect to charge a de minimis rate of 10 percent of modified total direct costs (see 2 CFR 200.68 for definition) which may be used indefinitely. If an applicant chooses this option, this methodology must be used consistently for all federal awards until such time as they choose to negotiate for an indirect cost rate, which they may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

2. Salary and Bonus Limitations

None of the funds appropriated under the heading “Employment and Training” in the appropriations statute(s) may be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation does not apply to contractors providing goods and services as defined in the Audit Requirements of the OMB Uniform Guidance (see 2 CFR

200 Subpart F). Where states are recipients of such funds, states may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including Employment and Training Administration programs. See Public Law 113-235, Division G, Title I, section 105, and Training and Employment Guidance Letter number 05-06 for further clarification: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.

3. *Intellectual Property Rights*

Pursuant to 2 CFR 2900.13, to ensure that the federal investment of DOL funds has as broad an impact as possible and to encourage innovation in the development of new learning materials, the grantee will be required to license to the public all work created with the support of the grant 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 the grant funds and modifications made to pre-existing, grantee-owned content using grant 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 grantee. Notice of the license shall be affixed to the work. For general information on CC BY, please visit <https://creativecommons.org/licenses/by/4.0>.

Instructions for marking applicants' work with CC BY can be found at https://wiki.creativecommons.org/Marking_your_work_with_a_CC_license.

Questions about CC BY as it applies to this specific funding opportunity should be submitted to the ETA Grants Management Specialist specified in Section VII.

Only work that is developed by the recipient in whole or in part with grants funds is required to be licensed under the CC BY license. Pre-existing copyrighted materials licensed to or purchased by the grantee from third parties, including modifications of such materials, remain subject to the intellectual property rights the grantee receives under the terms of the particular license or purchase. In addition, works created by the grantee without grant 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 funds provided by these grants result in work that can be freely reused and improved by others. When purchasing or licensing consumable or reusable materials, the grantee is expected to respect all applicable federal laws and regulations, including those pertaining to the copyright and accessibility provisions 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 grant, including a subaward or contract under the grant or subaward; 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 grantee 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 the Department has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, DOL treats such revenues as program income. Such program income is added to the grant and must be expended for allowable grant activities.

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

“This product was funded by a grant awarded by the U.S. Department of Labor. The product was created by the grantee 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.”

4. Travel

Any travel undertaken in performance of this cooperative agreement shall be subject to and in strict accordance with federal travel regulations.

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. SCORING CRITERIA FOR PROJECT NARRATIVES

Phase 2 funding may, at DOL’s discretion, be provided to up to five of the RETAIN Phase 1 recipients that DOL and SSA determine are best prepared to effectively implement the demonstration projects with the requirements described in this FOA and effectively support a rigorous independent evaluation.

Performance in the Phase 1 pilot will be considered as a strong indicator of the project’s likelihood of success. For purpose of this competition, performance in the Phase 1 pilot is intended to encompass not only program measures such as enrollment, but also a number of dimensions of planning and program development.

Applications will be scored on a scale of 0-102 according to the point distribution specified in the table below. Section IV.B.3, Project Narrative, provides a detailed explanation of the information an application must include. Reviewers will rate each criterion based on how fully and convincingly the applicant responds. Specifically, points will be awarded based on the extent to which applicants (1) meet the requirements specified in Section IV.B.3 and Section IV.B.4 and (2) make a compelling case for their proposal based on the project narrative requirements.

Panelists will use Table 1 below to determine the degree to which an application meets or fails to meet the requirements specified in Section IV.B.3, Project Narrative, for each criterion listed in Table 2 (below).

Table 1.

Standard Rating	Definition
Thoroughly Meets	The application thoroughly, fully, and convincingly satisfies all of the stated requirements.
Partially Meets	The application convincingly satisfies some, but not all, of the stated requirements.
Minimally Meets	The application addresses but does not convincingly satisfy any of the stated requirements.
Fails to Meet	The application does not at all satisfy any of the stated requirements.

Table 2.

Criterion	Points
1. Abstract	1
2. Phase 1 Pilot Summary	1
3. Outcome Goals	2
4. Comprehensive Description of Phase 1 Outcomes, the Phase 2 Model, Proposed Changes, and How to Operationalize Plans	
a. Target Population	10
b. Intervention Strategies	6
c. Partnerships	10
d. Activities	6
e. Service Flow	4
f. Data Collection & Management Plan	4

5. Key Personnel	4
6. Management and Operational Plan and Lead Applicant's Organizational Capacity	10
Required Attachments	
7. Detailed Work Plan & Logic Model	8
8. Visual Depiction of Participant Flow	4
9. Staffing	2
10. Budget Narrative	8
Supplemental Materials*	
11. Programmatic Readiness Report	10
12. Evaluability Report	10
Bonus Criterion	
13. Opportunity Zone	2
TOTAL	102

*Note: the Programmatic Readiness Report and the Evaluability Report are provided by the Programmatic TA Provider and the evaluator, respectively, as discussed in Sections III.F.3 and III.F.4.

Opportunity Zone – Priority Consideration (2 points)

Applicants will receive two consideration bonus points if their proposed service delivery area includes a qualified Opportunity Zone. Applicants must state in their abstract if their proposed service delivery area includes a qualified Opportunity Zone as designated by the Secretary of Treasury. Opportunity Zones can be found at <https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx>.

B. REVIEW AND SELECTION PROCESS FOR PHASE 2, RETAIN DEMONSTRATION PROJECT IMPLEMENTATION

A technical merit review panel consisting of federal project staff will carefully evaluate applications against the selection criteria specified in this FOA to determine the merit of applications. These criteria are based on the policy goals, priorities, and emphases set forth in this FOA. Up to 102 points may be awarded to an applicant, depending on the quality of the responses provided. The final scores 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 funds and/or other relevant factors. The Grant Officer may consider any information that comes to his/her attention.

The government may elect to award the grant(s) with or without discussions with the applicant. Should a grant be awarded without discussions, the award will be based on the applicant's signature on the SF-424, including electronic signature via E-Authentication on <https://www.grants.gov>, which constitutes a binding offer by the applicant.

1. Risk Review Process

Prior to making an award, DOL will review information available through its own records and any OMB-designated repository of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), Dun and Bradstreet, and “Do Not Pay.” Additionally, DOL will comply with the requirements of 2 CFR Part 180 codified by DOL at 29 CFR Part 98 [Government-wide Debarment and Suspension (Non-procurement)]. 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 DOL 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 the following:

1. Financial stability;
2. Quality of management systems and ability to meet the management standards prescribed in the Uniform Grant 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 Grant Guidance or the reports and findings of any other available audits and monitoring reports containing findings, issues of non-compliance, or questioned costs; and
5. The applicant’s ability to effectively implement statutory, regulatory, or other requirements imposed on recipients.

Depending on the severity of the findings and whether the findings were resolved, the Grant Officer may, at his/her discretion, elect not to fund the applicant for a grant award regardless of the applicant’s score in the competition.

VI. Award Administration Information

A. AWARD NOTICES

All award notifications will be posted on the ODEP website (<http://www.dol.gov/odep>). Applicants selected for award will be contacted directly before the grant’s execution. Non-selected applicants will be notified by mail or email and may request a written debriefing on the significant weaknesses of their proposal.

Selection of an organization as a grantee does not constitute approval of the grant application as submitted. Before the actual grant is awarded, DOL may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support grant 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. DOL reserves the right not to fund any application related to this FOA.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. Administrative Program Requirements

All grantees will be subject to all applicable federal laws; regulations, including the OMB Uniform Guidance; and the terms and conditions of the award. The grant(s) awarded under this FOA will be subject to the following administrative standards and provisions.

- a. Non-Profit Organizations, Educational Institutions, For-profit entities and State, Local and Indian Tribal Governments—2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and 2 CFR 2900 (DOL’s Supplement to 2 CFR Part 200).
- b. *Appeal* – All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et seq.) and the applicable provisions of the regulations at 20 CFR 675 et seq. Note that 20 CFR part 683 (Administrative Provisions) allows unsuccessful applicants to file administrative appeals.
- c. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)), 29 CFR Part 98 (Governmentwide Debarment and Suspension, and drug-free workplace requirements), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- d. 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.
- e. 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.
- f. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
- g. 29 CFR Part 35—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- h. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- i. 29 CFR Part 38—Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- j. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
- k. Special Terms and Conditions of Award.

2. Other Legal Requirements

- a. Religious Activities

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. Section 2000bb, applies to all federal law and its implementation. If an 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. 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

You must ensure that you 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 the Government Funding Transparency Act of 2008, Pub. Law 110-252, Title VI, Chap. 2, Sec. 6202), as follows.

- Except for those excepted from the Transparency Act under sub-paragraphs 1, 2, and 3 below, you must ensure that you have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should you receive funding.
- Upon award, you 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://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>.

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

- Federal awards to individuals who apply for or receive federal awards as natural persons (e.g., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the previous tax year; and
- 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 of Labor 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 grant will be conducted in a manner consistent with applicable federal law and TEGL NO. 39-11 (issued June 28, 2012). All such activity conducted by DOL and/or recipient/s will be performed in a manner consistent with applicable state and federal laws.

By submitting a grant application, applicants agree to take all necessary steps to protect such confidentiality by complying with the following provisions that are applicable in governing their handling of confidential information.

1. They must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL funded grants are securely transmitted.
2. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. Applicants must not e-mail unencrypted sensitive PII to any entity, including DOL or contractors.
3. Applicants must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. They must maintain such PII in accordance with the ETA standards for information security described in TEGL NO. 39-11 and any updates to such standards we provide. Grantees who wish to obtain more information on data security should contact their Federal Project Officer.
4. They must ensure that any PII used during the performance of their grant has been obtained in conformity with applicable federal and state laws governing the confidentiality of information.
5. They must further acknowledge that all PII data obtained through their DOL award must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient issued equipment, managed information technology (IT) services, and designated locations approved by DOL. Accessing, processing, and storing of DOL grant PII data on personally-owned equipment, at off-site locations, e.g., employee's home, and non-recipient managed IT services, e.g., Yahoo mail, is strictly prohibited unless approved by DOL.
6. Applicant employees and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state laws.
7. Applicants must have policies and procedures in place under which their employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply in their handling of such data as well as the fact that they may be liable for civil and criminal sanctions for improper disclosure.

8. Applicants must not extract information from data supplied by DOL for any purpose not stated in the award agreement.
9. Access to any PII created by the DOL grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.
10. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST-validated software products based on FIPS 140-2 encryption. In addition, wage data may be accessed only from secure locations.
11. PII data obtained by the recipient through a request from DOL must not be disclosed to anyone but the individual requestor except as permitted by the Grant Officer or by court order.
12. Recipients must permit DOL to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that they are complying with the confidentiality requirements described above. In accordance with this responsibility, recipients must make records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.
13. Recipients must retain data received from DOL only for the period of time required to use it for assessment and other purposes, or to satisfy applicable federal records retention requirements, if any. Thereafter, recipients must agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

e. Record Retention

Recipients must follow federal guidelines on record retention, which require them to maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR 200.333-.337 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 non-federal entity (defined as a state, local government, Indian tribe, institution of higher education (IHE), nonprofit organization, for-profit entity, foreign public entity, or a foreign organization that carries out a federal award as a recipient or subrecipient) purchases property or services needed to carry out the project or program under a federal award. The term as used in this FOA 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 definition of Subaward below).

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

Subaward: Subaward means an award provided by a pass-through entity (defined as a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program) 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 provisions at 2 CFR 200.330-.332 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 provisions on government-wide suspension and debarment found at 2 CFR Part 180 and codified by DOL at 29 CFR Part 98.

g. Closeout of Grant Award

Any entity that receives an award under this Announcement must close its grant with ETA at the end of the final year of the grant.

3. Other Administrative Standards and Provisions

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 grant 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.

C. REPORTING

Awardees must agree to meet DOL reporting requirements. Specifically, recipients must submit the reports and documents listed below to DOL electronically.

1. Quarterly Financial Reports

A Standard Form 425, Federal Financial Form (FFR), is required until such time as all funds have been expended or the cooperative agreement period of performance has expired. Quarterly reports are due 30 days after the end of each calendar year quarter. In addition, awardees must include any subaward amounts so we can calculate final indirect costs, if applicable. Awardees must use DOL's Online Electronic Reporting System, and information and instructions will be provided to grantees.

2. Quarterly Performance Reports

Awardees must submit a quarterly progress report within 30 days after the end of each calendar year quarter. The report must include quarterly information on grant activities, performance goals, and milestones. Information on the use of cooperative agreement funding and an assessment of model implementation, lessons learned, quality improvements, services provided, and cost estimates must be included in these reports. Required programmatic data elements specified by DOL during RETAIN Phase 1 in QPR Appendix A will continue to be required for the duration of RETAIN Phase 2. These data elements will be updated as necessary in collaboration with the RETAIN evaluator and the grantees.

The last quarterly progress report will serve as the awardee's Final Performance Report. This report must provide both quarterly and cumulative information on the grant activities. It must summarize project activities, employment outcomes and other work products, and related results of the project, and must thoroughly document the training or labor market information approaches that the recipient used. Submission requirements will be provided to grantees upon award. We will also provide recipients with guidance about the data and other information that is required to be collected and reported on either a regular basis or special request basis.

VII. AGENCY CONTACTS

For further information about this FOA, please contact Marc Purvis, Grants Management Specialist, at (202) 693-3204. Applicants should e-mail all technical questions to purvis.marc@dol.gov and must specifically reference FOA-ODEP-21-01 and along with question(s), include a contact name, fax, and phone number.

VIII. 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.

Signed 10/15/20, in Washington, D.C. by:

Charles Cox

Grant Officer, U.S. Department of Labor