



WorkSource System Policy
WorkSource Standards & Integration Division

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, the WorkSource Standards & Integration Division sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information notices, and technical assistance.

Policy Number: 1018
To: Washington WorkSource System
Date of Publication: October 5, 2012
Subject: Political Activity Restrictions and Disclosure Requirements

1. Purpose:

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

2. Background:

There are many political activities (including lobbying) that will result in a misapplication of funds (disallowed costs) if paid for or reimbursed by federal funds. Congress and the federal government, along with the Washington State Legislature and Ethics Board, have enacted numerous laws and regulations detailing the prohibition against using federal or state funds for political activities, including but not limited to, lobbying, campaigning on behalf of a candidate and/or hosting campaign events.

3. Policy:

State and local organizations that receive federal or state funds, including staff and partners for these organizations, are prohibited from using federal grant or contract money for political activities. These organizations are also prohibited from receiving reimbursements from federal contracts or grants for the costs of such activities.

Entities that do not receive federal funds, including but not limited to WorkSource partners, are also prohibited from participating in political activities when these activities take place under the auspices of the WorkSource system or within its environment (i.e. at a WorkSource Center or Affiliate Site or in

the service delivery environment of WorkSource).

As part of its oversight responsibility, WDCs must ensure there is an expectation that all entities operating or providing services within the local WorkSource system comply with this policy. WDCs are not expected to regulate these entities' activities that occur outside of the WorkSource System. Prohibited political activities include, but are not limited to, the following:

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

Certification statements are required in all grant and contract general conditions to ensure the compliance with these requirements concerning the use of federal funds. A disclosure form ([Disclosure of Lobbying Activities](#)) must be filed for political activities (allowable within the specific funding source) that have been, or will be, paid for with funds other than state or federal funds. This requirement applies to WDCs and subrecipients, and WDCs should submit the disclosure form to ESD on behalf of any disclosures within their WDA.

IMPORTANT NOTE: The report on "Political Activities of Private Recipients of Federal Grants or Contracts" (Congressional Research Service, October 21, 2008) is a good source of information for non-profit organizations to consult when considering the use of private funds for political activities. WDCs and other organizations should consult this report (included in the references section) for additional information, including information on the risks associated with non-federally funded political activities by non-profit organizations.

4. **Definitions:**

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

Organizations that Receive Federal Funds - entities that receive federal funds by way of grants, contracts, or cooperative agreements. This includes the Employment Security Department and Workforce Development Councils (WDCs), WDC sub-recipients, and WorkSource Partners.

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

5. **References:**

- [Congressional Research Service \(CRS\) Report for Congress "Political Activities of Private Recipients of Federal Grants or Contracts" October 21, 2008](#)
- [2 CFR Part 225 Appendix B – Cost Principles for State, Local, and Indian Tribal Governments](#)
- [2 CFR Part 230 Appendix B – Cost Principles for Non-Profit Organizations](#)

- [48 CFR 31.205-22 Contracts with Commercial Organizations](#)
- [RCW 42.17A.635 Legislative activities of state agencies, other units of government, elective officials, employees](#)
- [RCW 42.52.180 Use of Public Resources for Political Campaigns](#)
- [TEGL 2-12 Employment and Training Administration \(ETA\) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct](#)
- [29 CFR Part 93.100 New Restrictions on Lobbying](#)

6. Supersedes:

WIA Policy 3456 – Lobbying Restrictions and Disclosure Requirements.

7. Website:

<http://www.wa.gov/esd/1stop/policies/systems.htm>

8. Action:

WDCs must implement this policy and should develop local guidance to reflect the requirements contained within this policy. If local guidance currently exists, WDCs should review and update existing guidance as appropriate to ensure compliance.

WDCs should consider utilizing the following options to ensure compliance:

- Incorporating assurances in grants and contract documents for any sub-recipient funding disbursements;
- Issuing comments/findings in sub-recipient monitoring reports if there are any issues noted.

WDCs should distribute this policy broadly throughout the local system to ensure compliance with its requirements. Source documents that are referenced in this guidance should be consulted for details necessary to understand more specific requirements, including how these restrictions apply to different types of organizations.

Direct Inquiries To:

*WorkSource Standards & Integration Division
Employment Security Department
PO Box 9046
Olympia, WA 98507
(360) 725-9500*

Approved:

X 