

POLITICAL ACTIVITY

Workforce Innovation and Opportunity Act Policies and Procedures

EFFECTIVE DATE: April 19, 2019

POLICY #: A401

I. PURPOSE

This policy communicates the Workforce Development Council of Seattle-King County (WDC) local workforce development board policy and operational guidance regarding 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.

II. 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.

III. DEFINITIONS

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

IV. POLICY AND PROCEDURES

- A.** The WDC expects that all entities operating or providing services within the local WorkSource system refrain from engaging in political activity as described in this policy:
 - i.** 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.

- ii. 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).
- iii. Prohibited political activities include, but are not limited to, the following:
 - a. 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; and
 - b. 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.
- iv. All grants and contracts related to state and federal funding will include general conditions to ensure the compliance with these requirements concerning the use of federal funds.
- v. WDC staff and subrecipients who engage in political activities that are allowable within the specific funding source and that have been, or will be, paid for with funds other than state or federal funds must complete a Disclosure of Lobbying Activities form, which the WDC will submit to ESD on behalf of any disclosures within the Seattle-King County Workforce Region. WDC staff and subrecipients are encouraged to consult the report on “Political Activities of Private Recipients of Federal Grants or Contracts” (Congressional Research Service, October 21, 2008) when considering the use of private funds for political activities. this report for additional information, including information on the risks associated with non-federally funded political activities by non-profit organizations.

B. The WDC will not regulate political entities’ activities that occur outside of the WorkSource System.

V. REFERENCES

AUTHORITY	RULE OR REGULATION	REFERENCE AND WEBLINK
WA Employment Security Department	Political Activity Restrictions and Disclosure Requirements	WorkSource System Policy 1018, October 5, 2012
Revised Code of Washington	Legislative activities of state agencies, other units of government, elective officials, employees	RCW 42.17A.635
Revised Code of Washington	Use of Public Resources for Political Campaigns	RCW 42.52.180

Employment Training Administration (DOL)	Employment and Training Administration (ETA) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct	TEGL 2-12
Code of Federal Regulations	Cost Principles for State, Local, and Indian Tribal Governments	2 CFR Part 225 Appendix B
	Cost Principles for Non-Profit Organizations	2 CFR Part 230 Appendix B
	New Restrictions on Lobbying	29 CFR Part 93.100
United States Congress	Workforce Innovation and Opportunity Act	Section 116(c)(4) and Section 122
Congressional Research Service	Advise to on political activities	Report for Congress "Political Activities of Private Recipients of Federal Grants or Contracts" October 21, 2008

VI. HISTORY

VER.	DATE	ACTION AND APPROVALS
V.1	2/14/19	Policy released for public comment
	4/19/19	Policy published