

# ILAB/OCFT Funding Opportunity Announcement

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

**Notice of Availability of Funds and Funding Opportunity Announcement for Project to Reduce Child Labor, Forced Labor, and Other Forms of Labor Exploitation of Workers in the Chile Pepper and Tomato Sectors in Mexico.**

**Announcement Type:** Initial

**Funding Opportunity Number:** FOA-ILAB-21-16

**Catalog of Federal Domestic Assistance (CFDA) Number:** 17.401

**Key Dates:** The closing date for receipt of applications under this announcement is November 9, 2021. Applications must be received no later than 4:00:00 p.m. Eastern Time.

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

Award decisions are expected to be made by January 31, 2022. **Department will make its best efforts to make award decisions within this timeframe, but please be aware that there are a variety of circumstances that may occur that could result in a later or earlier than expected award decision.**

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

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

## **Executive Summary:**

The Bureau of International Labor Affairs (ILAB), U.S. Department of Labor (USDOL, or the Department), announces the availability of approximately **\$7 million** total costs (subject to the availability of federal funds) for one cooperative agreement to fund a technical assistance project in Mexico to reduce child labor, forced labor, and other forms of labor exploitation in the chile pepper and tomato sectors. The project-level objective is to increase use of worker protection mechanisms<sup>1</sup> in the chile pepper and tomato sectors including in the states of Baja California, Baja California Sur, and Chihuahua.

The project should be worker-focused and achieve the following outcomes:

- **Outcome 1:** Increased mobilization<sup>2</sup> of labor stakeholders<sup>3</sup> to address labor violations; and

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<sup>1</sup> For the purpose of this Funding Opportunity Announcement, “worker protection mechanisms” can include a variety of initiatives that better protect workers, including, but not limited to, social protection mechanisms, labor complaint mechanisms, formal recruitment channels, formal employment services, migrant resource centers, mechanisms to protect worker health and safety, etc.

<sup>2</sup> For the purpose of this Funding Opportunity Announcement, “mobilization” refers to a process whereby local groups are assisted in clarifying and expressing their needs and objectives and in taking collective action to attempt to meet them. It emphasizes the involvement of the people themselves in determining and meeting their own needs.

<sup>3</sup> For the purpose of this Funding Opportunity Announcement, the term “labor stakeholders” refers to a variety of actors related to labor or employment, including but not limited to government officials, employers, workers, workers organizations, agricultural outreach workers, community leaders, and civil society organizations.

- **Outcome 2:** Increased engagement of workers in the chile pepper and tomato sectors to address violations of their labor rights.<sup>4</sup>

In support of Mexican Labor Law<sup>5</sup> and the U.S.-Mexico-Canada Agreement<sup>6</sup> (USMCA), this project will include efforts to eliminate child and forced labor, improve working conditions, empower workers, and increase economic resiliency of vulnerable households. The project will employ a holistic approach to addressing violations of labor laws as a means of combating child labor, forced labor, and other forms of labor exploitation.

Applicants must describe how they will strengthen worker voice to address forced labor and/or child labor in the tomato and chile pepper sectors. Applicants must also explain how worker-driven approaches and worker-focused capacity building will be integrated into the strategy. The project will support the Mexican government's efforts to increase workers' knowledge of labor rights and improve workers' access to effective judicial and non-judicial remediation of labor law violations. The project will reach workers, including migrant workers in agricultural fields and in processing plants, throughout the chile pepper and tomato supply chains<sup>7</sup>, where child and forced labor have been identified as a problem.<sup>8</sup> The project will have a particular focus in states that produce chile peppers and tomatoes, including Baja California, Baja California Sur, and Chihuahua.

The duration of the project will be a maximum of 4.5 years (54 months) from the effective date of the award. Applicants must propose strategies to address child labor, forced labor, and other forms of labor exploitation. The strategies must focus on the tomato or chile peppers sector or both sectors in each of the proposed states. Eligible applicants may include any commercial, international, educational, or non-profit organizations, including any faith-based organizations, community-based organizations, or public international organizations (PIOs), capable of successfully fulfilling the objectives identified in the Funding Opportunity Description.

Applicants selected for award may be required, within the first six months of award, to carry out additional in-country needs assessments and consultations with partners and relevant stakeholders to assess, refine, and/or validate the proposed theory of change, design, and strategies of the project. All post award refinements to the project strategy will be subject to approval by USDOL.

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<sup>4</sup> For the purpose of this Funding Opportunity Announcement, "internationally recognized labor rights" refers to those rights as defined in Article 23.3 of the USMCA Labor Chapter, consisting of (a) freedom of association and the effective recognition of the right to collective bargaining; (b) the elimination of all forms of forced or compulsory labor; (c) the effective abolition of child labor and, for the purposes of the USMCA, a prohibition on the worst forms of child labor; (d) the elimination of discrimination in respect of employment and occupation; and (e) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

<sup>5</sup> Mexico's Federal Labor Law (2021): [http://www.diputados.gob.mx/LeyesBiblio/pdf/125\\_230421.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/125_230421.pdf).

<sup>6</sup> United States- Mexico- Canada Agreement (USMCA); <https://ustr.gov/trade-agreements/free-trade-agreements/united-states-mexico-canada-agreement/agreement-between>.

<sup>7</sup> See DOL's List of Goods Made with Child and Forced Labor (TVPRAList). <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods/>.

<sup>8</sup> The project design should incorporate relevant lessons learned and good practices identified through performance evaluations of other USDOL-funded projects in Mexico and other countries in the region.

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## **I. FUNDING OPPORTUNITY DESCRIPTION**

### **A. PROGRAM PURPOSE**

ILAB leads the U.S. Government's (USG) efforts to improve working conditions and fight labor exploitation around the world. ILAB's mission is to promote a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking. ILAB's Office of Child Labor, Forced Labor and Human Trafficking (OCFT) works to eliminate child labor, forced labor and human trafficking through international research, policy engagement, and technical cooperation. See ILAB's webpage for additional information: <https://www.dol.gov/agencies/ilab>.

This FOA solicits applications to implement a project with the objective of increasing use of worker protection mechanisms in the chile pepper and tomato sectors, including in the states of Baja California, Baja California Sur, and Chihuahua. The overall project goal is to reduce child labor, forced labor, and other forms of labor exploitation in the chile pepper and tomato sectors in Mexico.

The project should be worker-focused and achieve the following outcomes:

- **Outcome 1:** Increased mobilization of labor stakeholders to address labor violations; and
- **Outcome 2:** Increased engagement of workers in the chile pepper and tomato sectors to address violations of their labor rights.

In support of Mexican Labor Law and the USMCA, this project will include efforts to eliminate child and forced labor, improve working conditions, empower workers, and increase economic resiliency of vulnerable households. The project will employ a holistic approach to addressing violations of labor laws as a means of combating child labor, forced labor, and other forms of labor exploitation. Applicants must describe how they will strengthen worker voice to address forced labor and/or child labor in the tomato and chile pepper sectors. Applicants must also explain how worker-driven approaches and worker-focused capacity building will be integrated into the strategy. The project will support the Mexican government's efforts to increase workers' knowledge of labor rights and improve workers' access to effective judicial and non-judicial remediation of labor law violations. The project will reach workers, including migrant workers in agricultural fields and in processing plants, throughout the chile pepper and tomato supply chains, where child and forced labor have been identified as a problem. The project will have a particular focus in states that produce chile pepper and tomatoes, including Baja California, Baja California Sur, and Chihuahua.

The duration of the project will be a maximum of 4.5 years (54 months) from the effective date of the award. Applicants must propose strategies to address labor exploitation. The strategies must focus on the tomato or chile peppers sector or both sectors in each of the proposed states. Eligible applicants may include any commercial, international, educational, or non-profit organizations, including any ethnic or faith-based organizations, community-based organizations, or public international organizations (PIOs), with proven capacity development experience and capable of successfully fulfilling the objectives identified in the Funding Opportunity Description.

Applicants selected for award may be required, within the first six months of award, to carry out additional in-country needs assessments and consultations with partners and relevant stakeholders to assess, refine, and/or validate the proposed theory of change, design, and strategies of the project. All post award refinements to the project strategy will be subject to approval by USDOL.

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

## B. PROGRAM AUTHORITY

ILAB is authorized to award and administer grants and cooperative agreements by the USMCA Supplemental Appropriations Act, 2019 (Pub. L. 116-113, Title IX).

## C. BACKGROUND INFORMATION

Although children under the age of 18 are legally prohibited from working in agriculture in Mexico, child labor is prevalent in the country's agricultural sector, where children frequently perform dangerous tasks.<sup>9</sup> Approximately 638,000 child laborers work in the production of agricultural goods in Mexico.<sup>10</sup> Children's work in agriculture often involves long working hours, use of sharp tools, extreme temperatures, handling pesticides, and carrying heavy loads.<sup>11</sup> These hazards can cause accidents and even death; and exposure to agro-toxins, in particular, can cause deformities or illnesses.

Children from indigenous populations are more likely than other children to work in all sectors, including in agriculture.<sup>12</sup> According to the National Commission on Human Rights, indigenous populations are especially vulnerable to child labor and human trafficking due to low educational levels, linguistic barriers, and discrimination.<sup>13</sup> Indigenous children are also less likely to attend school due to a lack of schools near their homes, lack of educational materials, and lack of instruction in native languages.<sup>14</sup> In addition, some children ages 15 to 17 living in agricultural export-producing communities may be vulnerable to involvement in organized crime as they may not be able to find legal work.<sup>15</sup>

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<sup>9</sup> IPEC Final Evaluation, Stop Child Labor in Agriculture, February 2014, available at: <https://www.dol.gov/agencies/ilab/stop-child-labor-agriculture-contribution-prevention-and-elimination-child-labor>; Instituto Nacional de Geografía y Estadística (INEGI), 2017, Modulo de Trabajo Infantil (MTI), available at: <https://www.inegi.org.mx/programas/mti/2017/>; Los Angeles Times, December 2014, In Mexico's fields, children toil to harvest crops that make it to American tables, available at: <http://graphics.latimes.com/product-of-mexico-children/>; Mesa social contra la explotación de niñas, niños y Adolescentes, 2015, Los rostros del trabajo infantil en México, available at: [https://www.uam.mx/cdi/pdf/publicaciones/memorias\\_mesa.pdf](https://www.uam.mx/cdi/pdf/publicaciones/memorias_mesa.pdf).

<sup>10</sup> Instituto Nacional de Estadística y Geografía (INEGI), 2019, Encuesta Nacional del Trabajo Infantil (ENTI), Indicadores Basicos, available at: <https://www.inegi.org.mx/programas/enti/2019/#Tabulados>; El País, Los niños trabajadores de México, el rostro más débil de la desigualdad, available at: [https://elpais.com/internacional/2015/05/01/actualidad/1430439594\\_949988.html](https://elpais.com/internacional/2015/05/01/actualidad/1430439594_949988.html).

<sup>11</sup> Los Angeles Times, In Mexico's fields, children toil to harvest crops that make it to American tables, December 2014, available at: <http://graphics.latimes.com/product-of-mexico-children/>; Organización Internacional del Trabajo, Caracterización del Trabajo Infantil Agrícola en Municipios seleccionados de los Estados de Sinaloa, Oaxaca y Veracruz 2014, available at: [http://www.ilo.org/ipsec/Informationresources/WCMS\\_322758/lang-es/index.htm](http://www.ilo.org/ipsec/Informationresources/WCMS_322758/lang-es/index.htm).

<sup>12</sup> La Jornada de Guerrero. Casi la mitad de jornaleros migrantes son menores de edad, informa Tlachinollan. February 14, 2018. <https://www.lajornadaguerrero.com.mx/index.php/sociedad/justicia/item/1714-casi-la-mitad-de-jornaleros-migrantes-son-menores-de-edad-informa-tlachinollan>; Animal Político. Niños indígenas sufren explotación laboral en SLP. February 4, 2017. <https://www.animalpolitico.com/2017/02/trabajo-ninos-indigenas-rancho/>.

<sup>13</sup> CNDH. Diagnóstico sobre la Situación de Trata de Personas en México 2019. July 9, 2019.

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/DIAGNOSTICO-TDP-2019\\_0.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/DIAGNOSTICO-TDP-2019_0.pdf).

<sup>14</sup> El Economista. Educación en México: insuficiente, desigual y la calidad es difícil de medir. December 25, 2018.

<https://www.economista.com.mx/politica/Educacion-en-Mexico-insuficiente-desigual-y-la-calidad-es-dificil-de-medir-20181225-0028.html>; BBC Mundo. Los 4 problemas de fondo de la educación en México que la mayor inversión de la historia no puede resolver. June 7, 2017. <https://www.bbc.com/mundo/noticias-america-latina-40168555>.

<sup>15</sup> El Sol de Zacatecas. Crimen organizado absorbe trabajo infantil en comunidades rurales. April 29, 2019.

<https://www.elsoldezacatecas.com.mx/local/crimen-organizado-absorbe-trabajo-infantil-en-comunidades-rurales-3440170.html>; InSight Crime. Grupos criminales refuerzan tácticas de reclutamiento infantil en México. July 27, 2019. <https://es.insightcrime.org/noticias/analisis/grupos-criminales-refuerzan-tacticas-de-reclutamiento-infantil-en-mexico/>.

Agricultural workers, many of whom are migrant workers, are regularly exposed to abuse such as discrimination, sexual harassment, labor exploitation, unsafe and precarious conditions of work, and physical violence from employers and other workers.<sup>16</sup> They sometimes are not aware of labor laws to protect them, and they often face labor rights violations, such as salary withholding, restriction of movement, and occupational safety and health infractions.<sup>17</sup> Many indigenous agricultural workers and their families also face unique challenges such as lack of educational opportunities; inability to speak, read, or write in Spanish; discrimination; segregation; and lack of documentation.<sup>18</sup> According to national statistics, one out of 10 agricultural workers who speak an indigenous language is monolingual.<sup>19</sup> These challenges often increase the likelihood of child labor, migration, or increased participation in low wage jobs. In turn, this increases the risk of labor exploitation.<sup>20</sup> Additionally, the health and economic emergency due to the COVID-19 pandemic has increased the vulnerability of agricultural workers.<sup>21</sup>

Mexico is the largest tomato and chile pepper exporter in the world, accounting for 85% of the tomatoes and 72% of the chile peppers imported by the United States.<sup>22</sup> In 2018, USDOL identified that both forced and child labor practices are used in the production of chile peppers and tomatoes.<sup>23</sup> According to reports, including from the U.S. Department of State, there are hundreds of forced labor victims working to produce tomatoes and chile peppers in Mexico. Many of these victims report being recruited by middlemen, called *enganchadores*, who lie to workers about the nature and conditions of the work, wages, hours, and quality of living conditions.<sup>24</sup> According to reports, too few inspections of labor law violations, including the exploitative practices of unregistered labor recruiters, contribute to labor exploitation of agricultural workers.<sup>25</sup> Once on the farms, some men and women work up to 15 hours per day under the threat of dismissal and receive subminimum wage payments or no payment at all.<sup>26</sup> There are reports of some workers being threatened with physical violence or physically abused for

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<sup>16</sup> Red Nacional de Jornaleros y Jornaleras Agrícolas, Violación de Derechos de las y los jornaleros agrícolas en México: Primer Informe, available at: <http://cecig.org.mx/violacion-de-derechos-de-las-y-los-jornaleros-agricolas-en-mexico/>.

<sup>17</sup> Los Angeles Times, In Mexico's Fields, Children Toil To Harvest Crops That Make It To American Tables, December 2014, available at: <http://graphics.latimes.com/product-of-mexico-children/>; Mesa Social Contra la Explotación de Niños y Niñas y Adolescentes, Los Rostros del Trabajo Infantil en México, March 2015, available at: [https://www.uam.mx/cdi/pdf/publicaciones/memorias\\_mesa.pdf](https://www.uam.mx/cdi/pdf/publicaciones/memorias_mesa.pdf); Organización Internacional del Trabajo, Caracterización del Trabajo Infantil Agrícola en Municipios seleccionados de los Estados de Sinaloa, Oaxaca y Veracruz 2014, available at: [http://www.ilo.org/ipec/Informationresources/WCMS\\_322758/lang-es/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_322758/lang-es/index.htm); El País, Mujer y Jornalera, 2018, available at: <https://elpais.com/especiales/2018/campo-mexicano/baja-california/mujer-y-jornalera.html>; La Prensa, Millones de jornaleros, más vulnerables de México, con bajos salarios y son explotados: ONGs, available at: <https://www.la-prensa.com.mx/mexico/millones-de-jornaleros-mas-vulnerables-de-mexico-con-bajos-salarios-y-son-explotados-ong-3564459.html>.

<sup>18</sup> Red Nacional de Jornaleros y Jornaleras Agrícolas, Violación de Derechos de las y los jornaleros agrícolas en México: Primer Informe, available at: [http://cecig.org.mx/wp-content/uploads/2019/03/INFORME\\_RNJJA\\_2019.pdf](http://cecig.org.mx/wp-content/uploads/2019/03/INFORME_RNJJA_2019.pdf); Ariel, Fundación Telefónica, Organización Internacional del Trabajo, El Trabajo Infantil y El Derecho a la Educación en México, 2014, available at: [http://wcmsq3.ilo.org/mexico/publicaciones/WCMS\\_248803/lang-es/index.htm](http://wcmsq3.ilo.org/mexico/publicaciones/WCMS_248803/lang-es/index.htm).

<sup>19</sup> Instituto Nacional de Estadísticas y Geografía (INEGI), 2016. "Estadísticas a propósito del día del trabajador agrícola (15 de mayo) datos nacionales", available at: [http://www.diputados.gob.mx/sedia/biblio/usieg/comunicados/25ene19/economia/18\\_diadeltabajadoragricola\\_230118-18.pdf](http://www.diputados.gob.mx/sedia/biblio/usieg/comunicados/25ene19/economia/18_diadeltabajadoragricola_230118-18.pdf).

<sup>20</sup> Red Nacional de Jornaleros y Jornaleras Agrícolas, Violación de Derechos de las y los jornaleros agrícolas en México: Primer Informe, available at: [http://cecig.org.mx/wp-content/uploads/2019/03/INFORME\\_RNJJA\\_2019.pdf](http://cecig.org.mx/wp-content/uploads/2019/03/INFORME_RNJJA_2019.pdf).

<sup>21</sup> See <https://campojusto.mx/> - Home Page Accessed June 16, 2021.

<sup>22</sup> From Tridge 2020 Top Import Origins of Tomato to United States, available at: <https://www.tridge.com/intelligences/tomato/US/import>.

<sup>23</sup> "US Identifies 12 Mexican Products Linked to Forced or Child Labor." Mexico News Daily, 19 June 2020, available at: <https://mexiconewsdaily.com/news/12-mexican-products-linked-to-forced-or-child-labor/>; Cultivo de Chile En México, INTAGRI S.C., available at: <https://www.intagri.com/articulos/hortalizas/cultivo-de-chile-en-mexico>.

<sup>24</sup> See [https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print?tid=5716&field\\_exp\\_good\\_target\\_id=All&field\\_exp\\_exploitation\\_type\\_target\\_id\\_1=15413&items\\_per\\_page=10](https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print?tid=5716&field_exp_good_target_id=All&field_exp_exploitation_type_target_id_1=15413&items_per_page=10) and <https://www.state.gov/report/custom/241b903161/>.

<sup>25</sup> Escobar Latapi, Agustin, Martin, Philip, and Stabridis, Omar. "Farm Labor and Mexico's Export Produce Industry." Policy File (2019): Policy File, 2019-10-31. Web. Available at: [https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book\\_V2.pdf](https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book_V2.pdf).

<sup>26</sup> See DOL's List of Goods Made with Child and Forced Labor (TVPR List) - Tomatoes and Chile Peppers, available at: [https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods?tid=5716&field\\_exp\\_good\\_target\\_id=5873&field\\_exp\\_exploitation\\_type\\_target\\_id\\_1=All&items\\_per\\_page=10](https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods?tid=5716&field_exp_good_target_id=5873&field_exp_exploitation_type_target_id_1=All&items_per_page=10).

leaving their jobs.<sup>27</sup> Workers also report finding themselves in overcrowded and unsanitary housing facilities with no access to potable water, latrines, electricity, and medical care.<sup>28</sup> Some workers face growing indebtedness to company stores that often inflate the prices of their goods, forcing workers to purchase provisions on credit and limiting their ability to leave the farms.<sup>29</sup>

In Baja California and Baja California Sur, the rate of child labor is 5.3% and 8.1% respectively.<sup>30</sup> Women comprise 26.4% and 16.2% of agricultural workers in Baja California and Baja California Sur, respectively, compared to the national average of 12%.<sup>31</sup> The two states produce over 12% of Mexico's tomatoes.<sup>32</sup> In Baja California, much of the state's tomato production is concentrated in San Quintín. Many of the farm workers in this region are indigenous migrants from southern Mexican states who are not able to access needed social services.<sup>33</sup> In 2015, violent protests in San Quintín, in response to low wages and inadequate services provided by local governments, resulted in worker-led organizations in Mexico's agriculture sectors securing gains in labor rights protections. A 12-week strike highlighted labor abuses in Mexico's export agriculture sector and led to an agreement to raise wages and guarantee benefits for tens of thousands of farmworkers.<sup>34</sup> Although these advances were deemed significant, some workers continue to face obstacles in accessing benefits and exercising labor rights.<sup>35</sup>

The state of Chihuahua produces about 21% of Mexico's chile peppers, and 98% of Mexico's exports of chile peppers are sent to the United States.<sup>36</sup> Approximately 61% of agricultural workers in the state of Chihuahua are indigenous.<sup>37</sup> Roughly 12,000 women work in Chihuahua's agricultural sector, comprising 7.1% of the workforce compared to the 12% national average.<sup>38</sup> The state of Chihuahua has a rate of child labor of 9.5%,<sup>39</sup> and evidence of forced labor exists. In 2017, federal authorities filed charges against the owner of an onion and chile pepper farm in Chihuahua for forced labor and labor exploitation of 80 indigenous workers. The victims, who disappeared following the initial complaint to state authorities, lived in unhealthy conditions and allegedly earned one-quarter of the minimum wage.<sup>40</sup>

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<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Instituto Nacional de Estadística y Geografía (INEGI), "Comunicado de prensa, Núm. 627/20" December 7, 2020, available at: <http://en.www.inegi.org.mx/contenidos/saladeprensa/boletines/2020/EstSociodemo/ENTI-2019.pdf> (page 9).

<sup>31</sup> "Perfiles Laborales por Entidad Federativa - Baja California", available at:

[http://siel.stps.gob.mx:304/perfiles/perfiles\\_detalle/perfil\\_baja\\_california.pdf](http://siel.stps.gob.mx:304/perfiles/perfiles_detalle/perfil_baja_california.pdf) (page 6) and "Perfiles Laborales por Entidad Federativa - Baja California Sur", available at: [http://siel.stps.gob.mx:304/perfiles/perfiles\\_detalle/perfil\\_baja\\_california\\_sur.pdf](http://siel.stps.gob.mx:304/perfiles/perfiles_detalle/perfil_baja_california_sur.pdf) (page 5).

<sup>32</sup> Escobar Latapi, Agustin, Martin, Philip, and Stabridis, Omar. "Farm Labor and Mexico's Export Produce Industry." Policy File (2019): Policy File, 2019-10-31. Web. Available at: [https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book\\_V2.pdf](https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book_V2.pdf) (page 97).

<sup>33</sup> Escobar Latapi, Agustin, Martin, Philip, and Stabridis, Omar. "Farm Labor and Mexico's Export Produce Industry." Policy File (2019): Policy File, 2019-10-31. Web. Available at: [https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book\\_V2.pdf](https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book_V2.pdf); and Bacon, David. "Indigenous Migrant Farmworkers Demand Change in the Fields: From Baja California to Washington State." Earth Island, 2015, available at:

[https://www.earthisland.org/journal/index.php/magazine/entry/indigenous\\_migrant\\_farmworkers\\_demand\\_change\\_in\\_the\\_fields/%23::~:~:text=Baja%20California%20had%20few%20inhabitants,camps%20across%20the%20narrow%20peninsula](https://www.earthisland.org/journal/index.php/magazine/entry/indigenous_migrant_farmworkers_demand_change_in_the_fields/%23::~:~:text=Baja%20California%20had%20few%20inhabitants,camps%20across%20the%20narrow%20peninsula).

<sup>34</sup> Marosi, Richard. "A Year after a Violent and Costly Strike, Baja Farm Laborers See Uneven Gains." Los Angeles Times, 21 May 2016, available at: <https://www.latimes.com/world/mexico-americas/la-me-baja-farm-labor-snap-story.html>.

<sup>35</sup> Ibid.

<sup>36</sup> Nemesio Nemesio, Isabel Margarita. "La Infancia Jornalera Asegura El Chile Serrano En Las Mesas Mexicanas.", 24 May 2021, available at <https://piadepagina.mx/la-infancia-jornalera-asegura-el-chile-serrano-en-las-mesas-mexicanas/> and Cultivo de Chile En México, INTAGRI S.C., available at: <https://www.intagri.com/articulos/hortalizas/cultivo-de-chile-en-mexico>.

<sup>37</sup> Manjarrez-Domínguez, Carlos-Baudel, Javier Tarango, and Ofelia Adriana Hernández-Rodríguez. "Jornaleros agrícolas migrantes en el Estado de Chihuahua, México: análisis de su entorno y trayectoria generacional." Sociedad, Estado y Territorio 4.2 (2015): 79-108. Available at:

<http://www.coltam.edu.mx/wp-content/uploads/2018/03/35.-Jornaleros-agri%CC%81colas-migrantes-en-el-Estado-de-Chihuahua-1.pdf>

<sup>38</sup> "Perfiles Laborales por Entidad Federativa - Chihuahua", available at: [http://siel.stps.gob.mx:304/perfiles/perfiles\\_detalle/perfil\\_chihuahua.pdf](http://siel.stps.gob.mx:304/perfiles/perfiles_detalle/perfil_chihuahua.pdf) (page 7).

<sup>39</sup> Instituto Nacional de Estadística y Geografía (INEGI), "Comunicado de prensa, Núm. 627/20" December 7, 2020, available at: <http://en.www.inegi.org.mx/contenidos/saladeprensa/boletines/2020/EstSociodemo/ENTI-2019.pdf> (page 9).

<sup>40</sup> US Department of State Human Rights Reports, Custom Reports Excerpts, Mexico. Available at: <https://www.state.gov/report/custom/241b903161/>.



The USMCA includes provisions that require the parties to take measures to prohibit the importation of goods produced by forced labor, to address violence against workers exercising their labor rights, to address gender-based discrimination in the workplace, and to ensure that migrant workers are protected under labor laws.<sup>41</sup> Raising awareness among Mexican workers regarding labor laws, including those established due to the USMCA, is increasingly important as workers become aware of recent legal changes and seek mechanisms to exercise their labor rights.<sup>42</sup>

## **II. AWARD INFORMATION**

### **A. AWARD TYPE AND AMOUNT**

Funding will be provided in the form of a cooperative agreement. Approximately \$7 million total costs is expected to be available to fund *one* award. Applicants may apply for a ceiling amount of up to \$7 million total costs. Awards made under this announcement are subject to the availability of federal funds. In the event that additional funds become available, USDOL reserves the right to use such funds to select additional recipients from applications submitted in response to this announcement.

In addition to its normal consultative role as grantor, ILAB's substantial involvement in program activities will focus on elements that are essential to meet program requirements and assure achievement of program objectives and outcomes. ILAB's involvement may include, but not be limited to:

- Liaising with in-country USG officials and host country governments on matters related to the project.
- Collaborating substantially on the project strategy and implementation, as well as the development of the project document package.
- Collaborating substantially on the development and implementation of the monitoring and evaluation plan and all of its components.
- Providing highly specialized input on the technical definitions and concepts of child labor, forced labor, and human trafficking.
- Being substantially and actively involved in designing research, service provision, and/or capacity building activities jointly with the recipient.

### **B. PERIOD OF PERFORMANCE**

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

## **III. ELIGIBILITY INFORMATION**

### **A. ELIGIBLE APPLICANTS**

The following organizations are eligible to apply.

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<sup>41</sup> Agreement between the United States of America, the United Mexican States, and Canada, Chapter 23: Labor. Available at: <https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/23-Labor.pdf>.

<sup>42</sup> Strozzi, Alejandro. "New Labor Ball Game in Mexico, Coming Soon to Your Company's Union." The National Law Review, 7 Oct. 2019. Available at: <https://www.natlawreview.com/article/new-labor-ball-game-mexico-coming-soon-to-your-company-s-union>.

U.S. organizations:

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

Non-U.S. organizations:

- Non-U.S. Entities, including PIOs as described in 2 CFR 200.46 and nonprofits from Mexico.

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

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

- Organizations designated by the U.S. Government to be associated with terrorism.
- Organizations designated by the U.S. Government to have been debarred or suspended.
- Organizations planning to charge a fee (profit) associated with a project funded by a USDOL award.
- Foreign governments and entities that are agencies of, or operated by or for, a foreign state or government are not eligible to apply. However, they may be eligible to participate as a subrecipient in certain instances, subject to USDOL approval. NOTE: If an exception to this subrecipient eligibility criterion might be appropriate, the application must include a detailed justification for the possible exception. **USDOL funds are not intended to duplicate existing foreign government efforts or substitute for activities for which such governments have already assumed responsibility.** USDOL will make eligibility decisions on a case-by-case basis after receiving the application.

## B. COST SHARING OR MATCHING

Cost sharing or matching are not required for this program. Applications that include any form of cost sharing or matching will not receive additional consideration during the review process. Cost sharing or matching is not one of the application screening criteria. If proposed and approved, cost sharing or matching is subject to all reporting and compliance requirements described in the uniform guidance (e.g., 2 CFR 200.306 Cost sharing or matching and 2 CFR 200 Subpart E Cost Principles).

## C. OTHER INFORMATION

### 1. Application Screening Criteria

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

<b>Application Requirement</b>	<b>Instructions</b>	<b>Complete?</b>
The deadline submission requirements are met	Section IV.B.3.a.	

Eligibility	Section III.A.	
The components of the application are saved in any of the specified formats and are not corrupt. (USDOL will attempt to open documents, but will not troubleshoot any problems related to opening files)	Section IV.B.3.b.	
Application does not exceed the ceiling amount of \$7 million total costs	Section II.A.	
Applicant has registered with the System for Award Management (SAM) and maintains an active account	Section IV.B.2.a.	
Completed and signed SF-424, Application for Federal Assistance including a DUNS Number	Section IV.B.2.b.	
SF-424A, Budget Information Form	Section IV.B.2.c.	
Technical Proposal	Section IV.B.1.	
Attachments to Technical Proposal <ul style="list-style-type: none"> <li>• Abstract</li> <li>• Work Plan</li> <li>• Sustainability Strategy Relevant Grant and/or Contract Experience</li> <li>• Evidence of Country Presence</li> <li>• Key Personnel Signed Commitment Letters (2)</li> <li>• Resume for Key Personnel (2)</li> <li>• Resume for Other Required Professional Personnel (1)</li> <li>• Project Management Organizational Chart</li> </ul>	Section IV.B.1.e.	
Outcome-Based Budget	Section IV.B.2.d.	
Budget Narrative	Section IV.B.2.d.	

## 2. Number of Applications to Be Submitted

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

## **IV. APPLICATION AND SUBMISSION INFORMATION**

### **A. HOW TO OBTAIN AN APPLICATION PACKAGE**

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

## **B. CONTENT AND FORM OF APPLICATION SUBMISSION**

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

### **1. Technical Proposal**

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

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

Technical Proposals must be no more than 50 single-sided, double-spaced pages (8.5 x 11 inches with 1-inch margins). If any page limits required by this FOA for any part of the application are exceeded, the content that exceeds the page limit will not be considered during the merit review process. Font style must be Times New Roman and font size must be 12-point. The Cover Page, Acronyms List, Table of Contents, required attachments to the Technical Proposal, and the Cost Proposal do not count toward the page limit and do not have any spacing restrictions. Different fonts and font sizes may be used for tables, text boxes, and graphics. However, it is the applicant's responsibility to ensure that they are legible and meet electronic submission requirements. Documents which cannot be read or accessed by the Department will not be considered during the merit review process. Please see section IV.B.3. for the file format requirements for electronic submissions.

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

#### **a) Abstract (Executive Summary)**

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

## **b) Table of Contents**

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

## **c) Project Narrative**

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

### **(1) Problem Analysis (up to 5 points)**

Applicants will be evaluated based on their degree of understanding the scope and nature of the problem that forms the basis of the project design. Applicants must describe the need for assistance, including the nature and scope of the problems, and the consequences of not addressing the need. Include relevant cultural, economic, social, labor and/or legal factors contributing to the problem. This information must be supported by relevant empirical data, including citations. Applicants must identify significant gaps in laws, policies, programs and coordination efforts that contribute to the identified problem and that need to be addressed by the project.

### **(2) Project Design (up to 38 points)**

#### **(a) Project Strategy and Sustainability Strategy (up to 30 points)**

The applicant's Project Strategy and Sustainability section will be evaluated based on its responsiveness to the unmet need described in its Problem Analysis.

The overall project goal is to reduce child labor, forced labor, and other forms of labor exploitation in the chile pepper and tomato sectors in Mexico. The project-level objective is to increase use of worker protection mechanisms in the chile pepper and tomato sectors, including in the states of Baja California, Baja California Sur, and Chihuahua. In support of achieving the objective, the project should be designed to achieve the following outcomes and sub-outcomes:

#### **Outcome 1: Increased mobilization of labor stakeholders to address labor violations.**

Under this outcome, the project will work with labor stakeholders to design and implement strategies to increase their capacity to empower workers in the chile pepper and tomato sectors, including by linking workers to social protection systems.

#### **Sub-Outcome 1.1: Increased capacity of labor stakeholders to empower vulnerable workers in the chile pepper and tomato sectors.**

Under this sub-outcome, the project will work with labor stakeholders to develop strategies to strengthen worker voice in order to increase wages, improve the quality of jobs, protect job security, increase access to employee benefits, protect against racial, gender and all other forms of discrimination and sexual harassment, protect workers' health and safety in the workplace, and protect against child and forced

labor.<sup>43</sup> Depending on the applicant's assessment of the implementing environment in each state, applicants should propose relevant strategies, which could include, but are not limited to:

- Identify and map existing labor stakeholders that are relevant to the project's geographical areas.
- Enable labor stakeholders to educate and provide advice to workers about the scope and applicability of relevant labor laws, including laws related to child labor, forced labor, and other working conditions.
- Strengthen the capacity and coordination of labor stakeholders to provide and/or increase access to legal services that assist with the procedural and documentation requirements for workers to file well-supported complaints to Mexico's Secretariat of Labor and Social Welfare (STPS) in order to initiate labor inspections and/or criminal investigations of alleged violations, pursue complaints under the reformed labor justice system, and identify remedies and assist workers pursuing those remedies with STPS or other relevant authorities.
- Enable labor stakeholders to support campaigns and collective community and worker action, as well as monitoring and information sharing, regarding working conditions, child labor, forced labor and other forms of labor violations.

**Sub-Outcome 1.2:** Increased access to social protection mechanisms for workers in the chile pepper and tomato sectors.

Under this sub-outcome, the project will work with labor stakeholders to develop strategies to increase access to social protection programs or mechanisms to better protect workers and children from risk of labor exploitation. Depending on the applicant's assessment of the implementing environment in each state, applicants should propose relevant strategies, which could include, but are not limited to:

- Identify gaps in social programs and obstacles that workers face in accessing existing social programs. Explore strategies to address the gaps.
- Connect workers to relevant services, which may entail building the capacity of relevant programs to receive and support workers. For migrant workers, this could include programs in both sending and receiving communities.
- Address the causes of discrimination, promote racial and gender equality, including regarding wages and gender-based violence.
- Link workers to and/or provide workers with training on life skills and other relevant skills for employment readiness, vocational and technical trainings, and other livelihood opportunities.
- Assess potential collaboration with the Mexican Employment Agency, *Servicio Nacional de Empleo* (SNE), particularly in origin communities,<sup>44</sup> so that workers can learn about and potentially access available jobs through the SNE to reduce exploitation from unregistered labor brokers.

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<sup>43</sup> Statement by President Joe Biden on the House Taking Up the PRO Act, available at: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/09/statement-by-president-joe-biden-on-the-house-taking-up-the-pro-act/>.

<sup>44</sup> For communities of origin, see Escobar Latapi, Agustín, Martín, Philip, and Stabridis, Omar. "Farm Labor and Mexico's Export Produce Industry." Policy File (2019): Policy File, 2019-10-31. Web. Available at: [https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book\\_V2.pdf](https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/mexico%20farm%20book_V2.pdf).

## **Outcome 2: Increased engagement of workers in the chile pepper and tomato sectors to address violations of their labor rights.**

Under this outcome, the project will work with labor stakeholders to design and implement strategies to educate workers in the chile pepper and tomato sectors about labor rights as identified in Mexican Labor Law and the USMCA Labor Chapter, particularly acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health; access to protections against child and forced labor; illegal subcontracting; and other violations of labor rights. These strategies should be worker-driven and propel enforcement of labor law compliance as much as possible. This outcome may also include activities to inform project strategies, such as conducting research or gathering information regarding knowledge of labor rights, working conditions, existing social services, etc.

### **Sub-Outcome 2.1: Increased knowledge of workers in the tomato and chile pepper sectors on their labor rights.**

Under this sub-outcome, the applicant must develop an outreach strategy to make workers aware of their labor rights, the relevance and use of complaint mechanisms, and existing education and legal services. The outreach strategy should:

- Be relevant to the context and conducted in local languages in chile pepper and tomato producing areas.
- Create a platform for worker-to-worker education on labor rights.
- Identify existing media and communication channels available in the geographical area to reach the target populations.
- Consider the differences in literacy rates among the intended audience.

### **Sub-Outcome 2.2: Increased capacity of workers to monitor and report on labor violations in the workplace.**

Under this sub-outcome, the strategies should increase the capacity of workers to address labor violations and create systemic changes for the monitoring and reporting of labor violations in the chile pepper and tomato sectors. Applicants must:

- Assess the existence of viable mechanisms for workers to report violations of labor law.
- Train and empower workers to monitor and report on child labor, forced labor, and other labor conditions.
- Establish or strengthen a system for monitoring and safe reporting by workers on working conditions in their respective job sites.
- Facilitate exchanges among workers who show leadership potential in agricultural workers organizations to develop leadership skills and expose them to U.S. models of worker's empowerment to address child labor, forced labor, other labor violations in the agricultural workplace.<sup>45</sup> A primary focus should be on women and indigenous leaders.

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<sup>45</sup> USMCA reference to article 23.12.

Depending on the applicant's assessment of the implementing environment in each state, applicants should propose relevant strategies, which could include, but are not limited to:

- Establish or strengthen labor-management committees to ensure compliance of labor regulations in the workplace<sup>46</sup>.
- Involve workers in drafting or updating relevant codes of conduct.
- Incorporate child labor and forced labor provisions into existing collective bargaining agreements.

### **Requirements Across Outcomes**

Applicants must propose a strategy, using a results-based management approach, to achieve the project-level objective and expected outcomes stated above. Applicants may suggest additional outcomes they deem necessary to achieve the project-level objective and a rationale for how they contribute to the achievement of the project's overall objective.

Applicants must describe all major areas of project intervention. In describing project interventions, applicants are expected to describe specific outputs and activities and how such activities should logically lead to the project's expected objective and outcomes in an interrelated and holistic manner. Applicants must demonstrate how their proposed strategy will address gaps identified in the problem analysis, identify any potential barriers, and describe how the project will work to overcome those barriers. Applicants must provide evidence of the effectiveness of their proposed strategy. In addition, applicants must clearly describe in their proposed strategy how they will integrate sustainability into their project strategy, beginning in the early stages of project implementation (please see Appendix B for a definition of sustainability). Applicants are not required to develop an integrated sustainability strategy for every outcome and sub-outcome proposed, but only where appropriate. Applicants shall use the Sustainability Strategy Template (please see Appendix G) to show how they plan to build sustainability into their design for applicable outcomes/elements. Successful applicants will have an opportunity to update and elaborate on this template post-award.

As part of their strategy, applicants must undertake an initial assessment of any unique needs of the most at risk and vulnerable groups and describe how any identified needs will be addressed.

USDOL recognizes that a prevalence of violations of acceptable conditions of work is often linked to child labor and/or forced labor in a sector. Therefore, USDOL encourages applicants to pursue holistic approaches to reducing child and forced labor as part of their project strategy.

The strategy must describe how it will strengthen worker voice to address forced labor and/or child labor in the tomato and chile pepper sectors. Applicants must explain how worker-driven approaches and worker-focused capacity building will be integrated into the strategy.

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<sup>46</sup> Article 23.5.5 USMCA Implementing bill "encouraging the establishment of labor-management committees to address labor regulation of the workplace."



As appropriate, project activities should be determined in consultation with key labor stakeholders, including government authorities at all levels, the private sector, unions, workers, and local communities.

Applicants must take into account the impacts of COVID-19 on the implementing context and describe ways that the project can support efforts to reduce the vulnerability of workers, children, and other vulnerable populations.

Applicants selected for award may be required, within the first six months of award, to carry out additional in-country needs assessments and consultations with partners and relevant stakeholders to assess, refine, and/or validate the proposed theory of change, design, and strategies of the project. All post award refinements to the project strategy will be subject to approval by USDOL.

Applicants must identify in their proposal potential risks to achievement of the project-level objective and/or any of the project outcomes in the project's target areas, such as a lack of rule of law, illegal activities, and environmental degradation. In addition, applicants must propose a plan to support efforts to mitigate the impacts of the identified risk(s). Applicants must also explain how they will promote a "do no harm" approach<sup>47</sup> in carrying out project activities and take steps to avoid inadvertently endangering project participants, stakeholders, or staff.

Applicant must describe an integrated approach to promote gender mainstreaming,<sup>48</sup> so that women have an equal voice and representation in the project, under all three outcomes and throughout the life of the project. The integrated approach must also aim to ensure that children, both girls and boys, as well as individuals living with disabilities, including children and youth, have an equal voice and representation in the project under all three outcomes and throughout the life of the project.

Applicants should tailor projects (in areas such as program budget, design, and implementation) to promote the inclusion and meaningful consideration of diverse perspectives, including related to religion, disability, race, ethnicity, actual or perceived biological sex, sexual orientation, and gender identity and/or expression.

Applicants must include in their proposal a detailed communication and outreach strategy that will document project activities and disseminate to relevant stakeholders any good practices, tools, platforms, workshops, and/or other deliverables proposed for development and/or pilot modeling by the project. Associated budgetary costs for the strategy must be detailed in the cost proposal.

Applicants must describe procedures for safeguarding information (i.e., secure communication protocols, witness confidentiality and privacy, and storage of information) collected through the project.

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<sup>47</sup> See [https://www.ilo.org/global/topics/employment-promotion/recovery-and-reconstruction/WCMS\\_742185/lang-en/index.htm#:~:text=o%20Do%20No%20Harm%3A%20Ensuring,strengthening%20peace%20and%20social%20cohesion.](https://www.ilo.org/global/topics/employment-promotion/recovery-and-reconstruction/WCMS_742185/lang-en/index.htm#:~:text=o%20Do%20No%20Harm%3A%20Ensuring,strengthening%20peace%20and%20social%20cohesion.)

<sup>48</sup> For the purpose of this FOA, "gender mainstreaming" is defined as the process of assessing the implications for all genders of any planned action. It seeks to guarantee that the concerns and experiences of all individuals are taken into consideration in the design, implementation, monitoring and evaluation of programs with the aim of achieving gender equality.

Applicants must link to and coordinate efforts carried out under any other USDOL-funded FY21 project to increase compliance with Mexican labor law and international labor standards by the tomato and chile pepper sectors.

USDOL has informed host government officials of the proposed project. Applicants must consult with the Government of Mexico to ensure that their proposed strategies are relevant to the country's needs and supportive of the Government of Mexico's efforts to reduce child labor, forced labor, and other forms of labor exploitation. If applicants propose strategies for collaborating with the relevant government agencies in Mexico, applicants must include as an attachment to their technical proposal letters of support from the relevant host government entity or entities expressing their commitment to work with the organization towards specific outcomes. Letters can be provided from the relevant national, regional and/or local governments based on the level necessary to implement the project strategy.

If applicants propose interventions and activities with host government officials, they must discuss and work with government stakeholders at the national and/or local level, including relevant ministries or government bodies, during the preparation of their applications. The Project Design and Sustainability Strategy must demonstrate evidence of this consultation.

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

### **(b) Project Targets (up to 8 points)**

The applicant's Project Targets section will be evaluated based on how well it supports the overall project strategy, as well as for how reasonable project targets are with consideration to the allocation of project resources (e.g, budget, staffing) to support the meeting of those targets. Applicants must include participant targets, defined as the number of participants to be provided direct services by the project, and must provide a rationale for this number, taking into account the type and cost of services planned, quality considerations, and budget implications, including costs to meet OCFT's requirements for census-type participant monitoring, outlined in Section IV.B.2. Applicants must also provide the initial criteria for eligibility and selection of potential project participants, if applicable.

The project interventions should focus on workers, including migrant workers in agricultural fields and in processing plants, throughout the chile pepper and tomato supply chains, where child and forced labor have been identified as a problem.

The project must use an area-based approach in agricultural areas producing tomato and chile pepper, including in the states of Baja California, Baja California Sur, and Chihuahua. Applicants must provide a justification for their selection of a target geographical area(s), as applicable.

Applicants must describe how geographic areas reflect the problem to be addressed and how it is connected with the proposed agricultural sector and the overall strategy being proposed by the applicant.

Because security concerns are prevalent in many areas of Mexico, applicants must put forward a proposed approach to ensure the safety of participants and implementers within the target geographic area(s). Applicants must describe how they will administer services in a safe environment.

### **(3) M&E Agreement and Capacity Statement (up to 4 points)**

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

M&E requirements include:

- Conducting a rigorous process for establishing baseline values for USDOL standard and project-specific indicators, as applicable. Please see Appendix F for a list of OCFT's standard indicators.
- Development and implementation of the monitoring and evaluation plan, which includes the collection, entering, processing, reporting, and analysis of data on project-specific and USDOL-standard performance indicators throughout the period of performance.
- Development of project-specific definitions (as applicable).
- Implementation of a monitoring system to collect data to monitor the provision of services for all participants, in accordance with USDOL's specific standard indicators.
- Collaboration with ILAB on required performance evaluations and/or other learning/accountability activities.
- Ensuring adequate M&E staffing capacity to support monitoring activities throughout the project's period of performance.

For more information on M&E expectations, please see the most recent Management Procedures and Guidelines (MPG) for OCFT projects and the Monitoring and Evaluation (M&E) Resource Guide for OCFT Projects under "Grantee Resources" at <https://www.dol.gov/agencies/ilab/resources/grants>.

### **(4) Work Plan (up to 5 points)**

The applicant's Work Plan will be evaluated based on how clearly and realistically it outlines major activities and their related deadlines. The Work Plan must identify major project activities, including M&E activities, deadlines for completing these activities, and person(s) or institution(s) responsible for completing these activities for the entire life of the project. The Work Plan must be included graphically as an attachment and correspond to activities identified in the Project Design, Budget and Budget Narrative. Applicants may choose an appropriate format for their Work Plan, but the format must

include a field/column where the applicant, if funded, would report on the status of Work Plan items (e.g., not yet started, on track, delayed, completed).

#### **d) Organizational Capacity**

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

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

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

- Project descriptions should be included in this section of the technical proposal.
- References must be included as an attachment in a Relevant Grant and/or Contract Experience table (see Appendix C for a sample format). USDOL reserves the right to contact any references included in the chart and/or any other references that come to its attention.
- Applicants must ask all listed references to provide information about project performance and administration such as that suggested in the sample past performance questionnaire included as Appendix E. For consideration, references must email this information as a Word document or PDF attachment directly to USDOL at [OGM\\_ILAB@dol.gov](mailto:OGM_ILAB@dol.gov) by the closing date and time of this announcement. Email submissions must include the following subject line: FOA-ILAB-21-16, Reference, Applicant [*insert applicant name*] or if applicable Proposed Subrecipient [*insert sub name*], [*insert reference giver's name and organization*]. USDOL is not responsible for reviewing messages that do not include the proper subject line. Failure by references to submit the requested information by the required date and time will result in its omission from the panel review process and may affect how the application is scored. Applicants are encouraged to follow-up with their references directly because USDOL cannot guarantee to confirm receipt of emailed references.

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

##### **(2) Country Presence (up to 8 points)**

The applicant's Country Presence section will be evaluated based on how well it demonstrates the applicant's ability to effectively meet USDOL requirements for start-up

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

In addition, the project should maintain field offices directly through the recipient or indirectly through a proposed subrecipient(s), at a minimum in Chihuahua and either Baja California or Baja California Sur, so as to minimize travel time and expenses, decrease risks of COVID-19 exposure, provide a significant and continuous project presence near areas of intervention, and ensure the achievement of expected outcomes.

Applicants must describe their ability and plans to collaborate directly with relevant national, regional, and/or local government and non-government agencies, and other organizations as relevant to this project in Mexico, and their past experience working with these stakeholders. Please note that this requirement is different from the required evidence of government support described in Section IV.B.1.c.2.a.

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

### **(3) Partners (up to 8 points)**

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

Applicants that propose formal project implementation partners (i.e., as subrecipients) must include a brief description of such partners, including a description of the partners' role in implementing the proposed project strategy and how this approach will strengthen the overall proposal.

Applicants must also provide documentation showing these partners' commitment to meet the outcomes and/or sub-outcomes of the project.

Applicants should seek to coordinate and/or collaborate, as appropriate and where possible, with relevant implementing organizations, including at a minimum, other projects funded by USDOL, U.S. Agency for International Development (USAID) and other USG agencies to promote project objectives. Applicants should consider

opportunities for coordinating and/or collaborating with other relevant projects supported by other donors, or other relevant actors.

Projects should seek to maintain active and sustained engagement with workers, workers' organizations, and/or community-based and civil society organizations in sending and receiving communities, including by coordinating with efforts carried out under any other USDOL-funded FY21 Project to increase compliance with Mexican labor law and international labor standards in the tomato and chile pepper sectors.

#### **(4) Personnel**

##### **(a) Key Personnel (up to 9 points)**

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

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

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

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

Project Director:

- Must be directly hired by the recipient, not a subrecipient;
- Devote at least 90 percent level of effort to the project (0.9 full-time equivalent position).
- Minimum of five years of experience in project management, supervision, administration, and implementation of cooperative agreement and/or contract requirements (including meeting deadlines, achieving targets, establishing and maintaining systems for managing project operations, and overseeing the preparation and submission of required reports to donor agencies).
- Experience establishing and maintaining systems for managing project operations.
- Experience with designing and implementing results-based monitoring systems for projects focused on capacity building.

- Proven success serving in a leadership role for a project addressing issues of child labor, forced labor, or other labor issues relevant to the project.
- Experience maintaining working relationships with all project stakeholders and engaging in coalition building and public-private partnership promotion.
- Bachelor's degree, Master's degree, or law or Juris Doctor (J.D.) degree reflecting expertise in areas relevant to this project, such as labor law, public policy, sociology, and project management; or, 10 years or more of related work experience.
- Understanding of gender, migration, and equity issues in Mexico.
- Demonstrated experience as an effective public speaker.
- Fluency in English and Spanish is required. Fluency includes speaking, listening, reading, and writing.

Research, Monitoring, and Learning Officer:

- Must be directly hired by the recipient, not a subrecipient.
- Devote at least 90 percent level of effort to the project (0.9 full-time equivalent position).
- Minimum of five years of professional experience in a senior monitoring and evaluation (M&E) position responsible for implementing M&E activities of an international development project(s).
- Proven success in designing, implementing, and operating project M&E systems from project initiation to closeout stages.
- Bachelor's or Master's degree in statistics, demographics, public policy, international development, economics, or related field; or, ten (10) years or more of related work experience. (If qualifying with a Bachelor's degree or work experience, it is preferred that the candidate also hold an advanced certificate in M&E, statistics, or economics).
- Experience in strategic planning and performance measurement, including indicator selection, target setting, reporting, and developing M&E and/or performance monitoring plans.
- Experience with designing and implementing results-based monitoring systems for projects focused on capacity building.
- Ability to facilitate and serve as project liaison for externally managed evaluations.
- Fluency in English and Spanish required.

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

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

- Educational background, including highest education level attained.
- Work experience covering at least the last five years of employment to the present, including such information as employer name, position title, clearly defined duties, and dates of employment.

- Special experience, capabilities, or qualifications related to the candidate’s ability to implement the proposed strategy and perform effectively in the proposed position.
- Evidence of English fluency and other relevant language skills, if required (includes speaking, listening, reading, writing). For non-native speakers, evidence of fluency may include a TOEFL test score or transcript showing completion of advanced English language coursework.

**(b) Other Professional Personnel**

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

**Worker Rights Specialist:**

- At least three years of professional experience in building workers’ capacities to advocate for labor rights, such as but not limited to reporting, awareness raising, policy advocacy, organizing, collective bargaining, negotiating, and worker-driven approaches to social compliance systems.
- Devote at least 50 percent level of effort to the project (0.5 full-time equivalent position).
- Ability to maintain working relationships with all project stakeholders, including coalition building and partnership promotion.
- Experience working with agricultural workers, including migrant and indigenous workers.
- Understanding of key labor issues including child labor, forced labor, and acceptable conditions of work.
- Ability to meet deadlines, achieve targets, and provide all required inputs to deliverables.
- Proficiency in Spanish is required.

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

**(5) Management Plan (up to 7 points)**

The applicant’s Management Plan section will be evaluated based on how well it demonstrates an ability to support proper oversight, reporting, and implementation of the project strategy. Applicants must discuss their project’s management plan, including a narrative description of the structure of the project’s management team, key personnel



roles and responsibilities, and the lines of authority between key personnel and other project staff responsible for providing services related to project intervention. If other professional personnel are proposed, their role must be explained in the management plan. If any of the project's personnel would be employed by a subrecipient, the applicant must provide a rationale for this arrangement and an explanation of the staffing structure.

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

#### **e) Attachments**

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

- Abstract.
- Work Plan.
- Sustainability Strategy Template.
- Relevant Grant and/or Contract Experience.
- Evidence of Country Presence.
- Signed Commitment Letter for each of # Key Personnel.
- Resume for each of 2 Key Personnel (4 pages maximum each).
- Resume for each of 1 Required Other Professional Personnel (4 pages maximum each).
- Project Management Organizational Chart.

## **2. Cost Proposal**

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

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

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

- SF-424 Application for Federal Assistance;
- SF-424A Budget Information;
- Detailed Outcome-Based Budget;
- An Accompanying Budget Narrative; and
- Indirect cost supporting documentation.

#### **a) DUNS and SAM Registration**

All applicants for federal funding opportunities are required to have a DUNS number and must supply their DUNS number on the SF-424. The DUNS number is a nine-digit identification number that uniquely identifies business entities. Entities without a DUNS number can get one for free through the Dun & Bradstreet (D&B) website:  
<http://fedgov.dnb.com/webform/displayHomePage.do>.

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

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

#### **b) SF-424 Application for Federal Assistance**

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

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

#### **c) SF-424A Budget Information (Non Construction Programs)**

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

#### **d) Outcome-Based Budget and Accompanying Budget Narrative (up to 10 points)**

The applicant's Outcome-Based Budget and Accompanying Budget Narrative section will be evaluated based on how well it supports the overall project strategy, as well as for how clear and reasonable the applicant's plans are for allocation of project funds, taking into consideration the

nature and scope of proposed project activities and related costs associated with such activities. The Cost Proposal must include a summary Outcome-Based Budget, along with individual Outcome-Based Budgets for the applicant and each proposed subrecipient. In developing the project budget, USDOL encourages applicants to plan for costs, as appropriate, to mitigate the spread of COVID-19 (e.g., provision of personal protective equipment, taking actions to allow for social distancing). The Outcome-Based Budget must correspond to the SF-424 and SF-424A. Where category titles differ between the two, the information included must reflect a consistent proposed use of funds. The Outcome-Based Budget (including USDOL funds and any cost sharing funds reported on the SF-424 and SF-424A) must comply with federal cost principles. Allowable costs include those specifically defined in 2 CFR Part 200. If selected for funding, the Budget and Budget Narrative will become part of the award, and any costs omitted by the applicant may not be allowed after award. Applicants may not rely on other contracts, grants, or awards to implement the applicant's proposed strategy. The Budget and Budget Narrative submitted with the application must include all necessary funds to implement the proposed project strategy. ILAB will not provide any additional funding to cover unanticipated costs.

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

The cost proposal must also include a **Budget Narrative** that corresponds to the Outcome-Based Budget. The Budget Narrative must include a detailed justification, broken down by line item, of all of the applicant's costs included in the Outcome-Based Budget. The Budget Narrative must be detailed enough so ILAB can understand how each cost is calculated and how each cost directly relates to the proposed project activity.

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

Applicants must use the following guidance in preparing their Outcome-Based Budget:

### **(1) Personnel**

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

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

## **(2) Fringe Benefits**

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

## **(3) Travel**

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

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

## **(4) Equipment**

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

## **(5) Supplies**

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

## **(6) Contractual**

Under the Contractual line item, delineate contracts and subawards separately. Contracts are defined according to 2 CFR 200.1 as a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. A subaward, defined by 2 CFR 200.1, means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award

received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program.

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

### **(7) Other**

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

### **(8) Project M&E**

Applicants must allocate funds to cover the costs associated with project M&E activities. Projects must set aside at least 7 percent of the project budget's total direct costs to cover the costs associated with project M&E activities. These costs are separate from and do not include, any personnel costs related to such activities. This amount must be included as its own line item/category within the Outcome-Based Budget. Allocations associated with M&E must include, at a minimum:

- Regular collection and processing of monitoring data, including any necessary travel and staff or consultants needed to conduct ongoing collection and monitoring. Projects providing direct education or livelihood services to children and/or adults will need to budget sufficient funds to monitor participant work status, at a minimum, once every 12 months. Some sectors and industries, such as the agricultural sector, may require data collection and processing once every 6 months to help capture seasonal changes.
- Translation of M&E deliverables, as needed.
- Ongoing training as needed during the project for data collection and processing staff.
- The development and implementation of a system and process for validating monitoring information and reviewing data quality.
- Support to the CMEP process, including project and partner staff travel to, at most, two CMEP workshops, either in-country or in Washington, DC, costs of hosting workshops, and any other logistical/administrative costs.
- Meeting reporting requirements as discussed in the FOA.

In addition to the 7 percent set-aside for ongoing M&E activities, projects must budget for performance evaluation support costs. At least \$70,000 direct costs to support the external interim and final performance evaluations at \$35,000 for each evaluation. Resources permitting, ILAB will directly contract the external evaluators to design and implement the evaluations. However, the project will be responsible for certain support costs for ILAB-contracted evaluations, which may include, but not be limited to, translation of the evaluation report from English into the local language, providing ground transportation for the external evaluation team, independent interpretation for the external evaluation team, hosting a full-day evaluation stakeholders meeting, and in-country transportation and accommodation costs for staff and other stakeholders' participation in the stakeholder meeting. The successful applicant is required to get approval from ILAB for how to budget and re-budget these funds throughout the life of the project.

**Note:**

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

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

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

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

(a) Single Audits

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

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

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

(c) Project-specific audits for PIOs

Project-specific audits may be required by USDOL to provide additional project oversight of the recipients' validation and monitoring processes, including internal and financial controls and reporting processes. If a PIO has existing internal requirements or prohibitions that would not allow USDOL's external attestation engagements, the PIO may request an exception to the normal attestation engagement process. If an exception will be requested, applicants must include sufficient direct costs in their budget for a

project-specific audit to be conducted by their organization's designated external auditor. In this case, the applicant PIO must also include a copy of the internal requirement or regulation prohibiting an attestation engagement as part of its application package. If an exception with supporting documentation is not requested, then the attestation engagement requirements outlined above will apply.

#### **(10) Contingency Provisions**

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

#### **(11) Communications**

In addition to funding set aside for project communication related activities, projects must budget for the creation of visual assets (professional photography and videography) that will help communicate the purpose and impact of the project. These visual assets are a critical medium to increase awareness and understanding about child labor and forced labor and illustrate what works to address it in the context of this project. At least \$50,000 of direct costs should be committed to support the collection and editing of visual assets. The successful applicant is required to get approval from ILAB for how to budget and re-budget these funds throughout the life of the project.

#### **(12) Value Added Tax (VAT)**

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

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

#### **(13) Housing**

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

#### **(14) Funds to Host Country Governments**

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

#### **(15) Indirect Costs**

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

#### **e) Indirect Cost Supporting Documentation**

The following supporting documentation is required:

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



to two years until a final NICRA is established. Applicants may choose to include estimated indirect costs in the proposed Outcome-Based Budget. If the application is selected for award, the Grant Officer will release funds in the amount of 10 percent of salaries and wages to support indirect costs until a provisional rate is available.

### **3. Submission Date, Times, and Process**

#### **a) Submission Date and Times**

The closing date for receipt of applications under this announcement is November 9, 2021. Applications must be submitted electronically on <https://www.grants.gov/> **no later than 4:00:00 p.m. Eastern Time on the closing date.** USDOL cautions applicants that they should submit applications before the deadline to minimize the risk of late receipt. Applications sent by hardcopy, e-mail, telegram, or facsimile (Fax) will not be accepted.

#### **b) Electronic Submissions**

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

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

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

##### **(2) Register**

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

##### **(3) Authorized Organizational Representative (AOR) Authorization**

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

##### **(4) Email Notifications for Receipt and Validation**

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

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

### **(5) File Formats**

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

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

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

### **(6) Resources**

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

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

If there is a problem with Grants.gov and an answer is not available in any of the other resources, call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email [support@grants.gov](mailto:support@grants.gov). The Contact Center is open 24 hours a day, seven days a week. It is closed

on federal holidays. If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number.

### **c) Hardcopy Submissions**

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

## **C. INTERGOVERNMENTAL REVIEW**

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

## **D. FUNDING RESTRICTIONS**

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

## **E. INTELLECTUAL PROPERTY RIGHTS**

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

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

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

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

Separate from the CC BY license to the public, the federal government reserves a paid-up, nonexclusive

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

If applicable, the following standard ILAB disclaimer needs to be on all products developed in whole or in part with award funds:

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

**F. OTHER SUBMISSION REQUIREMENTS**

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

**V. APPLICATION REVIEW INFORMATION**

**A. CRITERIA**

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

<b><u>CRITERION</u></b>	<b><u>REFERENCE</u></b>	<b><u>POINTS</u></b>
Problem Analysis	IV.B.1.c.(1).	<b>5</b>
Project Design		<b>38</b>
Project Strategy		
Sustainability Strategy	IV.B.1.c.(2).(a).	30
Targets	IV.B.1.c.(2).(b).	8
M&E Agreement and Capacity Statement	IV.B.1.c.(3).	<b>4</b>
Work Plan	IV.B.1.c.(4).	<b>5</b>
Organizational Capacity		<b>38</b>

Relevant Grant and/or Contract Experience	IV.B.1.d.(1).	6
Country Presence	IV.B.1.d.(2).	8
Partners	IV.B.1.d.(3).	8
Key Personnel	IV.B.1.d.(4).	9
Management Plan	IV.B.1.d.(5).	7
Outcome-Based Budget and Accompanying Budget Narrative	IV.B.2.d.	<b>10</b>
Total =		100

### **Standards for Evaluating the Applicant’s Response to each Requirement**

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

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

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

## **B. REVIEW AND SELECTION PROCESS**

### **1. Merit Review and Selection Process**

A technical merit review panel will carefully evaluate applications against the selection criteria to determine the merit of applications. Using the point distribution specified above, applications will be evaluated based on how well their technical and cost proposals demonstrate a clear understanding of the needs, gaps, and overall scope of problems, as well as how the application proposes activities that are appropriate, achievable, and where applicable, innovative, in supporting the objective and intended outcomes in this FOA. Up to 100 points may be awarded to an applicant, depending on the

quality of the responses provided. The final scores (which may include the mathematical normalization of review panels where more than one review panel is used) will serve as the primary basis for selection of applications for funding. The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer reserves the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. Such factors may include the geographic distribution of awards, the results of a risk review process (see Section V.B.2), past performance information, the status of open audit findings, and other relevant factors. The Grant Officer may consider any information that comes to their attention.

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

## **2. Risk Review Process**

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

Criteria to be evaluated include:

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

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. AWARD NOTICES**

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

Selection of an organization as a recipient does not constitute approval of the application as submitted. Before an award is made, USDOL may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support award implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiations and decline to fund the application. USDOL reserves the right not to fund

any application related to this FOA. USDOL also reserves the right to withdraw the award if activity does not begin upon award and/or as a remedy for non-compliance as described in 2 CFR 200.339-340.

## **B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

### **1. General Requirements**

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

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

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

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

### **2. Audits and Attestation Engagements**

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

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

### **3. Administrative Standards**

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

- Non-Profit Organizations, Educational Institutions, and State, Local and Indian Tribal Governments.
    - 2 CFR Part 200 (Administrative Requirements, Cost Principles, and Audit Requirements).
  - For-profit organizations.
    - 2 CFR Part 200 (Administrative Requirements and Cost Principles).
    - 48 CFR Part 31 (Cost Principles).
    - 29 CFR 96.32 The Secretary of Labor is responsible for those not covered by 2 CFR 200 Subpart F (Audit Requirements) as discussed in the MPG.
  - Non-U.S. organizations, including foreign organizations and public international organizations.
    - 2 CFR Part 200 (Administrative Requirements and Cost Principles).
    - 29 CFR 96.32 The Secretary of Labor is responsible for those not covered by 2 CFR 200 Subpart F (Audit Requirements) as discussed in the MPG.
- a) 29 CFR Part 93 Restrictions on Lobbying.
- b) 29 CFR Part 94 Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- c) 2 CFR Part 180 and 2 CFR Part 2998 Governmentwide Debarment and Suspension.
- 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) 49 U.S.C. 40118 Fly America Act.
- j) The Department of Labor will follow the procedures outlined in the Department’s Freedom of Information Act (FOIA) regulations (29 CFR Part 70). If DOL receives a FOIA request for an application, the procedures in DOL’s FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See generally 5 U.S.C. § 552; 29 CFR Part 70.
- k) Standard Terms and Conditions of Award.



#### **4. Other Legal Requirements:**

##### **a) Religious Activities**

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

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

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

##### **c) Transparency Act Requirements**

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

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

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

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

##### **d) Safeguarding Data Including Personally Identifiable Information (PII)**

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

#### **e) Record Retention**

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

#### **f) Use of Contracts and Subawards**

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

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

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

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

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

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

### **g) Closeout of Award**

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

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

Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register's 85 FR 49506 on August 13, 2020, particularly on:

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

## **5. Other Administrative Standards**

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

## **6. Special Program Requirements**

### **a) Evaluation**

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

### **b) Performance Goals**

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

## **C. REPORTING**

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

### **1. Quarterly Financial Reports**

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

### **2. Semi-Annual Technical Progress Reports**

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

### **3. Final Technical Report**

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

### **4. Indirect Cost Rates**

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

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

### **5. Closeout Reports**

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

- Final Technical Progress Report.
- Final Technical Report.
- Final quarterly FFR.
- Final cumulative FFR.
- Recipient's Release Form.

- Government Property Closeout Inventory Certification.

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

## **VII. AGENCY CONTACTS**

Applicants who have a specific question about this FOA may contact Ms. Mikki Slade, Office of Grants Management, at [slade.mikki.w@dol.gov](mailto:slade.mikki.w@dol.gov). Applicants must specifically reference FOA-ILAB-21-16, and include a contact name, email address and phone number. This announcement is being made available at <https://www.grants.gov/>.

## **VIII. OTHER INFORMATION**

### **A. OMB INFORMATION COLLECTION**

The agency has determined this FOA is not subject to Office of Management and Budget approval under the Paperwork Reduction Act, as fewer than ten (10) responses are anticipated. Send comments regarding this determination to the U.S. Department of Labor, Office of the Chief Information Officer, Attention: Departmental Clearance Officer, 200 Constitution Avenue, N.W., Room N-1301, Washington, DC 20210 or email [DOL\\_PRA\\_PUBLIC@dol.gov](mailto: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.

**PLEASE DO NOT RETURN YOUR GRANT APPLICATION TO THIS ADDRESS. SEND ONLY COMMENTS ABOUT THE BURDEN CAUSED BY THE COLLECTION OF INFORMATION TO THIS ADDRESS. SEND YOUR GRANT APPLICATION TO THE SPONSORING AGENCY AS SPECIFIED EARLIER IN THIS ANNOUNCEMENT.**

This information is being collected for the purpose of awarding a grant. DOL will use the information collected through this “Funding Opportunity Announcement” to ensure that grants are awarded to the applicants best suited to perform the functions of the grant. This information is required to be considered for this grant.

## **IX. APPENDICES**

### **APPENDIX A: ACRONYMS**

AOR	Authorized Organizational Representative
CFR	Code of Federal Regulations
CMEP	Comprehensive Monitoring and Evaluation Plan
DPMS	Direct Participant Monitoring System
DUNS	Dun and Bradstreet Universal Numbering System
ETA	Employment and Training Administration
FCA	U.S. Federal Cognizant Agency
FFR	Federal Financial Report
FOA	Funding Opportunity Announcement
FOIA	Freedom of Information Act
GO	Grant Officer
GOR	Grant Officer's Representative
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
M&E	Monitoring and Evaluation
MPG	Management Procedures and Guidelines
NGOs	Non-governmental Organizations
NICRA	Negotiated Indirect Cost Rate Agreement
OCFT	Office of Child Labor, Forced Labor, and Human Trafficking
OMB	Office of Management and Budget
PII	Personally Identifiable Information
PIO	Public International Organization
SAM	System for Award Management
SF	Standard Form
STPS	Mexican Secretariat of Labor and Social Welfare (Secretaría de Trabajo y Previsión Social)
TDA	Trade and Development Act
TPR	Technical Progress Report
TVPRA	Trafficking Victims Protection and Reauthorization Act
USAID	U.S. Agency for International Development
USDOL	U.S. Department of Labor
USMCA	U.S.-Mexico-Canada Agreement
VAT	Value Added Tax

## APPENDIX B: DEFINITIONS

1. “**Acceptable conditions of work**” encompasses minimum wages, hours of work, and occupational safety and health. See 19 USC 3813(6)(E); Trade Act of 2002, Section 2113(6) (E), available at: <https://www.gpo.gov/fdsys/pkg/USCODE-2011-title19/html/USCODE-2011-title19-chap24-sec3813.htm>.
2. “**Activities**” are defined as the building blocks that lead to outputs and outcomes that, in turn, comprise projects.
3. A “**child**” or “**children**” are individuals under the age of 18 years.
4. “**Child work status**” definitions include the following categories; projects should begin with these basic definitions, and then defined further for project-level definitions, integrating relevant national legislation:
  - a. “**Working Children**” are those engaged in any activity to produce goods or to provide services for use by others or for own use, regardless of whether they are paid or not and whether they work in a formal or informal setting.
  - b. Children in “**Child Labor**” are a subset of working children. Child labor includes employment below the minimum age as established in national legislation in countries where the project is being implemented (excluding permissible light work) and the worst forms of child labor, including hazardous unpaid household services. Child labor is thus a narrower concept than “**working children**”, as child labor excludes children who do light work for under a permitted number of hours and those who are at or above the minimum age and engage in work not classified as a worst form of child labor.
  - c. Children in the “**Worst Forms of Child Labor**” refers to those activities described and as understood in ILO Convention 182: Worst Forms of Child Labor, 1999. Under Article 3 of the Convention, the worst forms of child labor comprise—
    - (a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
    - (b) The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes;
    - (c) The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
    - (d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.
  - d. Article 3(d) of ILO Convention 182 defines “**hazardous work**” as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Countries must determine what type of work is considered hazardous work by law or regulation. ILO Recommendation 190 includes items countries may wish to consider in determining which types of work are hazardous, including
    - (a) work which exposes children to physical, psychological, or sexual abuse;
    - (b) work underground, under water, at dangerous heights or in confined spaces;
    - (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

- (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

ILO Recommendation 190 goes on to state in Paragraph 4 that, “[f]or the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers’ and employers’ organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.”

5. **“Children at high-risk of entering child labor”** refers to children who experience a set of conditions or circumstances (family environment or situation, proximity to economic activities prone to employ children, etc.) under which the child lives or to which the child is exposed that make it more likely that the child will be employed in child labor (e.g., siblings of working children).
6. **“Cooperative agreement”** refers to an award instrument where substantial involvement is anticipated between a federal awarding agency and a non-federal recipient entity during the performance of project activities. The level of monitoring and accountability under a cooperative agreement is less than what is required under a contract, but more than what is required under a regular grant.
7. **“Costs”**
  - **“Direct costs”** are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Typical costs charged directly to a federal award, are the compensation of employees who work on that award, their related fringe benefit costs, the costs of materials and other items of expense incurred for the federal award. For more information, please see [https://www.ecfr.gov/cgi-bin/text-idx?SID=1ba3ecb08c998a0a9024176aed0ac23a&mc=true&node=pt2.1.200&rgn=div5#se2.1.200\\_1413](https://www.ecfr.gov/cgi-bin/text-idx?SID=1ba3ecb08c998a0a9024176aed0ac23a&mc=true&node=pt2.1.200&rgn=div5#se2.1.200_1413)
  - **“Indirect costs”** means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. For more information, please see [https://www.ecfr.gov/cgi-bin/text-idx?SID=1ba3ecb08c998a0a9024176aed0ac23a&mc=true&node=pt2.1.200&rgn=div5#se2.1.200\\_1414](https://www.ecfr.gov/cgi-bin/text-idx?SID=1ba3ecb08c998a0a9024176aed0ac23a&mc=true&node=pt2.1.200&rgn=div5#se2.1.200_1414)
  - There is no universal rule for classifying certain costs as either direct or indirect (F&A) under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the federal award or other final cost objective. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect (F&A) cost in order to avoid possible double-charging of federal awards. Guidelines for determining direct and indirect (F&A) costs charged to federal awards are provided in 2 CFR 200 Subpart E-Cost Principles.
8. **“Cost sharing” or “matching”** means the portion of project costs not paid by federal funds. See 2 CFR 300.306 Cost sharing or matching for more information.



9. “**Direct services**” are interventions that include educational and livelihood services provided by the project that can be directly matched to an individual child or adult household member (for livelihood services). (For more information, please see “direct educational services” and “livelihood services.”)
10. “**Evaluation**” refers to the systematic collection and analysis of information about the characteristics and outcomes of the program including project conducted under the program, as a basis for making judgements and evaluations regarding the program; improving the program effectiveness; and, informing decisions about current and future programming.
11. “**Forced labor**” under international standards (derived from ILO Convention 29) means all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor. According to the 20<sup>th</sup> International Conference of Labour Statisticians Guidelines, a person is classified as being in forced labor if engaged during a specified reference period in any work that is both under the threat of menace of a penalty and involuntary. Threat and menace of any penalty are the means of coercion used to impose work on a worker against a person’s will. Involuntary work refers to any work taking place without the free and informed consent of the worker. Forced child labor is also a worst form of child labor under ILO Convention 182.
12. “**Gender mainstreaming**” is defined as the process of assessing the implications for all genders of any planned action. It seeks to guarantee that the concerns and experiences of all individuals are taken into consideration in the design, implementation, monitoring, and evaluation of programs with the aim of achieving gender equality.
13. “**Household**” consists of all persons—related family members and all unrelated persons—who occupy a housing unit and have no other usual address. For the purposes of this project, a household must include at least one eligible child who is “at high-risk of entering child labor” or “engaged in child labor.”
14. “**Internationally recognized labor rights**” refers to those rights as defined in Article 23.3 of the USMCA Labor Chapter, consisting of (a) freedom of association and the effective recognition of the right to collective bargaining; (b) the elimination of all forms of forced or compulsory labor; (c) the effective abolition of child labor and, for the purposes of the USMCA, a prohibition on the worst forms of child labor; (d) the elimination of discrimination in respect of employment and occupation; and (e) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.
15. “**Key stakeholders**” can include, but are not limited to: parents, educators, community leaders, national and local policy makers, key opinion leaders, private sector partners, workers and employers organizations, local civil society organizations, religious institutions, think tanks, among others.
16. “**Labor stakeholders**” refers to a variety of actors related to labor or employment, including but not limited to government officials, employers, workers, workers organizations, agricultural outreach workers, community leaders, and civil society organizations.
17. “**Livelihood**” is defined as a means of living, and the capabilities, assets (including both material and social resources, such as, food, potable water, health facilities, educational opportunities, housing, and time for participation in the community), and activities required for it. A livelihood encompasses income, as well as social institutions, gender relations, and property rights required to support and sustain a certain standard of living. It includes access to and benefits derived from social and public services provided by the state, such as education, health services, and other infrastructure. ILAB child and forced labor elimination projects focus on ensuring that households can cope with and recover from

stresses and shocks and maintain or enhance present and future capabilities and assets in a way that helps them overcome the need to rely on the labor of their children to meet basic needs.

18. **“Mobilization”** refers to a process whereby local groups are assisted in clarifying and expressing their needs and objectives and in taking collective action to attempt to meet them. It emphasizes the involvement of the people themselves in determining and meeting their own needs.
19. **“Monitoring and evaluation”** consists of two basic components —performance monitoring and evaluation— each of which serves distinct purposes. Performance monitoring is the ongoing and systematic tracking of data relating to project activities, outputs, or outcomes and used to determine whether desired results are occurring and whether implementation is on track. Monitoring often relies on indicators, quantifiable measures of a characteristic or condition of people, institutions, systems or processes that may change over time. Evaluation is the systematic collection and analysis of information about the characteristics and outcomes of programs and projects as a basis for assessment of program effectiveness, overall performance, and/or to inform decisions about current and future programming.
20. **“Occupational safety and health”** encompasses issues related to safe and healthy working environments and efforts to prevent workers from occupational injuries, diseases, and deaths.
21. **“Outcome”** is defined as the higher-level results or effects achieved by project activities, typically in the medium-term or long-term timeframe of the project.
22. **“Output”** is defined as the direct result of a project activity, or the goods or services produced by the implementation of an activity.
23. **“Participants”** are children and households that have been provided with direct educational and livelihood services.
24. **“Project”** is defined as a set of complementary activities, over an established timeline and budget, intended to achieve a discrete result. In ILAB, foreign assistance projects are typically carried out through cooperative agreements. ILAB’s MPGs state that monitoring and evaluation requirements apply at the project level.
25. **“Project objective”** is defined as the highest-level result that the project intends to achieve.
26. **“Programs”** represent a group of projects managed together in order to gain efficiencies on cost, time, technology, etc. ILAB manages foreign assistance projects through two offices: (1) the Office of Child Labor, Forced Labor and Human Trafficking; and (2) the Office of Trade and Labor Affairs. Project-level evaluation results are used to inform other projects within these programs.
27. **“Public International Organization (PIO)”** is defined by the International Organizations Immunities Act, 22 U.S.C. § 288, et seq. PIO also is defined by 2 CFR 200.46 as an organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organization Immunities Act (22 U.S.C. 288-288f).
28. **“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.

29. **“Sustainability”** is achieved when outcomes and impacts (and sometimes activities) are maintained or even expanded after a project withdraws its resources through the exit process. A sustainability strategy should represent all the elements of project design that take sustainability into account and should increase the likelihood that project outcomes and impacts and (where relevant) activities continue. For the purpose of this FOA, a sustainability strategy is inclusive of an exit strategy which is an explicit plan guiding the process of withdrawing resources and support from beneficiary communities. Sustainability plans are based on assumptions (which may be implicit or explicit) about mechanisms by which project activities and benefits will be sustained; the validity of these assumptions is a determinant of the success of a sustainability plan.
30. **“Supply chain”** is the chain that comprises all organizations and individuals involved in producing, processing, trading, transporting and/or distributing a product or commodity from its point of origin to the company and/or to the final retailer.
31. **“Worker protection mechanisms”** can include a variety of initiatives that better protect workers, including, but not limited to, social protection mechanisms, labor complaint mechanisms, formal recruitment channels, formal employment services, migrant resource centers, mechanisms to protect worker health and safety, etc.
32. **“Youth”** are individuals between the ages of 12 and 18 according to Mexico’s General Law on Children’s and Adolescents’ Rights and for the purposes of this announcement. Please note that older children between the ages of 12 and 18, are defined both as “children,” per the above-definition of that term, and “youth,” per this definition.

**APPENDIX C: RELEVANT GRANT AND/OR CONTRACT EXPERIENCE**

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

**APPENDIX D: REQUIREMENTS FOR APPLICATION SUBMISSION**

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

## APPENDIX E: PAST PERFORMANCE QUESTIONNAIRE

**Funding Opportunity Announcement number:** FOA-ILAB-21-16

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

**Past performance reviewer's name, title, organization:**

### Past Performance Review Sheet

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

	Unacceptable	Poor	Acceptable	Strong	Exceptional	Not Applicable
1. The applicant's demonstrated ability to meet its project outcomes, in particular related to reducing labor exploitation, including forced and child labor in agriculture.						
2. The applicant's demonstrated experience in strengthening worker voice and mobilizing labor stakeholders to reduce labor exploitation, including forced and child labor.						
3. The quality and timeliness of applicant's submitted grant, cooperative agreement, and/or contract deliverables.						
4. The responsiveness of the applicant and its staff to your organization/agency, including the quality and timeliness of communications about such deliverables.						
5. The performance of the applicant's key personnel on projects, including whether the applicant has a history of replacing key personnel with similarly qualified staff, and the timeliness of replacing key personnel.						
6. The applicant's demonstrated ability to manage the financial aspects of the project, including budget expenditures and burn rates, as well as financial requirements and controls.						
<b>Definitions of rating levels:</b> <b>Unacceptable</b> - Performance did not meet minimal expectations (even after repeated comments from your organization), including in terms of quality and/or timeliness. <b>Poor</b> - Performance was weak (e.g., work required significant revision or repeated comments from your organization), but in the end did meet minimal expectations, including in terms of quality and/or timeliness. <b>Acceptable</b> - Performance met but did not exceed expectations (e.g., work required a normal level of revision or comments by your organization), including in terms of quality and/or timeliness. <b>Strong</b> - Performance exceeded expectations (e.g., work required minor revision or comments from your organization), including in terms of quality and/or timeliness. <b>Exceptional</b> - Performance far exceeded expectations (e.g., work required almost no revision or comments from your organization; work products were particularly innovative; organization was among the best performers based on your experience), including in terms of quality and/or timeliness.						

**Not Applicable** - You have no experience with the organization on this issue and are unable to rate it.

**Explanation of rating levels:**

**Factor 1:**

**Factor 2:**

**Factor 3:**

**Factor 4:**

**Factor 5:**

**Factor 6:**

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

## APPENDIX F: LIST OF OCFT STANDARD INDICATORS

INDICATOR	PROJECT TYPE
C1. Number (#) of countries with increased capacity to address child labor, forced labor, trafficking in persons, or other violations of workers' rights	Most Recipients
E1. Number (#) of children engaged in or at high risk of entering child labor provided an education or training service	Recipients providing education services
E2. Number (#) of children engaged in or at high risk of entering child labor provided formal education services	Recipients providing education services
E3. Number (#) of children engaged in or at high risk of entering child labor provided non-formal educational services	Recipients providing education services
E4. Number (#) of children engaged in or at high risk of entering in child labor provided vocational training services	Recipients providing education services
L1. Number of <u>households</u> receiving livelihood services	Recipients providing livelihood services
L2. Number (#) of <u>adults</u> provided employment services	Recipients providing livelihood services
L3. Number (#) of <u>children</u> provided employment services	Recipients providing livelihood services
L4. Number (#) of <u>adults</u> provided economic strengthening services	Recipients providing livelihood services
L5. Number (#) of <u>adults</u> provided other livelihood services	Recipients providing livelihood services
L6. Number (#) of <u>individuals</u> provided with a livelihood service	Recipients providing livelihood services
OS. Number (#) of individuals engaged in or at high risk of entering child labor or forced labor, or who have experienced other violations of workers' rights, provided with services other than education or livelihood services to address child labor, forced labor, or other labor abuses	Recipients providing services other than livelihood, education, or training services
T1. Number (#) of individuals provided with training or other support to improve enforcement of, or compliance with child labor, forced labor, or other worker rights laws or policies.	Recipients providing trainings in response to capacity-building needs
T2. Number (#) of educators trained	Recipients providing trainings to educators in response to capacity-building needs
POC1. Percentage (%) of direct service participant children engaged in child labor a. POC2. Percentage of direct service participant children engaged in hazardous child labor b. POC3. Percentage of direct service participant children engaged in other worst forms of child labor	Recipients providing services to children (livelihood, education, or other services)
POC4. Percentage (%) of direct service participant children who regularly attend school	Recipients providing direct services to children (livelihood, education, or other services)
CR. Percentage (%) of vocational or other employment-related training participants who complete their program	Recipients providing direct education services
<b>OPTIONAL OCFT INDICATORS</b>	
POH1. Percentage (%) of livelihood service participant households with at least one child engaged in child labor a. POH2. Percentage of livelihood service participant households with at least one child engaged in hazardous child labor b. POH3. Percentage of livelihood service participant households with at least one child engaged in other worst forms of child labor	Recipients providing direct livelihood services
POH4. Percentage (%) of livelihood service participant households with all children of compulsory school age regularly attending school	Recipients providing direct livelihood services



**APPENDIX G: SUSTAINABILITY STRATEGY TEMPLATE**

Outcome <sup>†</sup>	Relevant Sustainability Process or Project Element	Stakeholder(s) to Engage	Timeframe(s) <sup>††</sup>	Resources Required <sup>†††</sup>

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

<sup>††</sup> Please clarify when a process or a project element related to sustainability will start and for how long it will continue.

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

Signed September 9, 2021, in Washington, D.C. by:

Bradley Sickles

Grant Officer, Employment and Training Administration