EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA
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ADVISORY: **TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 03-23**

TO: STATE AND LOCAL WORKFORCE AGENCIES
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND
DIRECTORS
STATE-LEVEL EQUAL OPPORTUNITY OFFICERS
AMERICAN JOB CENTER DIRECTORS
ALL DEPARTMENT OF LABOR COMPETITIVE GRANTEES

FROM: BRENT PARTON /s/
Principal Deputy Assistant Secretary

SUBJECT: Allowable Uses of Funds for Outreach Activities for Federal Formula and
Competitive Grant Awards

1. **Purpose.** This guidance 1) clarifies the allowable uses of Workforce Innovation and
   Opportunity Act (WIOA), its successors, and other competitive grant funds for outreach
   activities; and 2) provides examples of how grantees can use grant funds to effectively and
   equitably conduct outreach to meet the needs of and better engage businesses and jobseekers.

2. **Summary and Background.**

   a. Summary – This Training and Employment Guidance Letter (TEGL) aims to empower
      grantees to maximize the reach of workforce development services by providing clarity
      on how formula and discretionary grant funds can be used to conduct outreach activities.

   b. Background – The public workforce system plays a critical role in connecting talent with
      opportunity, connects diverse customers to employment and training opportunities, and
      helps employers recruit skilled employees that match their employment opportunities. To
      fully communicate the workforce system's value and expand awareness of its services to
      job seekers and employers, the system must conduct effective and targeted outreach.

      WIOA requires grantees to inform the public about services, conduct proactive outreach
      to underserved populations, and make individuals aware of services that can support their
      employment needs. The Uniform Guidance regulates the administrative and financial
      requirements of federal grant funds, including WIOA formula grants and the Department
      of Labor's (DOL) competitive grants; see 2 CFR part 200 and DOL's exceptions at 2
      CFR part 2900. Specifically, 2 CFR 200.421 allows for grantees to recruit program
      participants and to engage businesses by communicating with them. The American Job

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Center (AJC) brand was created to increase awareness of the services of the public workforce system and to facilitate outreach.

ETA hosted listening sessions where workforce professionals requested additional technical assistance on the use of grant funds for allowable outreach activities, including examples. In 2022 and 2023, ETA conducted webinars that provide examples of allowable outreach activities, available at Workforce GPS on the Outreach and Marketing for the Public Workforce Development System resource page.[1] This TEGL seeks to demonstrate the flexible uses of both formula and competitive grant funds to conduct outreach activities and to empower the workforce system to maximize its reach, specifically to those in underrepresented communities who are most in need of employment and training services.

3. **Action Requested.** ETA requests that state workforce agencies, state and local workforce development boards, and competitive grantees review, revise, or develop and implement policies and procedures that guide the allowable use of funds to conduct outreach activities to meet program goals.

4. **Allowable Outreach Activities.** ETA encourages its grantees to conduct outreach activities to meet the needs of its customers and to fulfill grant objectives. In fact, WIOA's Section 188 nondiscrimination and equal opportunity implementing regulations at 29 CFR 38.40 specifically address the affirmative outreach obligations of WIOA recipients.

29 CFR 38.40 states, in pertinent part, that "recipients must take appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities. These steps should involve reasonable efforts to include members of the various groups protected by these regulations including but not limited to persons of different sexes, various racial and/or ethnic national origin groups, various religions, individuals with limited English proficiency, individuals with disabilities, and individuals in different age groups."

In order to achieve this requisite component of affirmative outreach, the regulations contemplate a variety of outreach methods such as: "advertising the recipient's programs and/or activities in the media, such as newspapers or radio programs" or "sending notices about openings in the recipient's programs and/or activities to schools or community service groups."

Grantees may consider creating an outreach plan that details how the purpose of each outreach activity is linked to the program's objectives and indicators and how they would help meet performance outcomes or program objectives. Part of a grantee's success and ability to meet expected performance outcomes will depend on how well it communicates and promotes the benefits of the program's services to the communities it plans to serve. Grantees should make meaningful efforts to ensure outreach activities and/or materials are

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[1] See https://nextlevelnow.workforcegps.org/resources/2023/05/25/21/11/Outreach-and-Marketing-for-the-Public-Workforce-Development-System

inclusive of the community it is trying to recruit and serve. In addition to communicating with potential participants, outreach strategies can include efforts to engage businesses. Grantees can engage in a variety of activities to effectively conduct outreach to their customers and educate the public about the services.

This TEGL aims to provide general guidance for both Federally formula-funded grantees and competitive grantees on how to assess whether certain outreach activities and uses of funds may be allowable and to highlight the flexibilities and opportunities that exist within current funding. It is important to note that this TEGL does not provide an exhaustive list of allowable activities; rather, it gives examples of some of the more common allowable outreach activities.

As with all Federal award costs, grantees are encouraged to review the Cost Principles contained in 2 CFR 200.400 – 200.476 of the Uniform Guidance. There you will find the basic criteria that must be met when charging costs to a Federal award--that such costs are necessary, reasonable, and allocable. Additionally, grantees should review other relevant documents, such as state policies and the grant's Statement of Work for any grant-specific policies that govern outreach activities, including the Steven's Amendment requirement (see more information in Attachment I). Many grantees are party to Memoranda of Understanding (MOU) that contain the Infrastructure Funding Agreements (IFA) that may also set out goals or limits to the costs that will be shared jointly by partners for outreach activities. WIOA section 121(h)(4) includes outreach costs in its definition of "infrastructure costs." Attachment I provides specific Uniform Guidance, statutory, and regulatory language related to outreach.

   a. *Defining Advertising and Public Relations*: A common misconception is that Federal workforce development grant funds cannot be spent on outreach, such as advertising and public relations. These activities are not only allowable but are necessary to reach both businesses and jobseekers. The key is to make sure that the grantee is promoting *Federally-funded activities, services, and programs* and is not solely promoting the organization's name recognition or image.

   To apply the requirements in the Uniform Guidance, grantees should understand the definitions of "advertising" and "public relations" at 2 CFR 200.421. This difference is important as there are separate requirements that govern each type of activity.

   Advertising is an allowable cost, and appropriate for outreach for grant activities, services, and programs, as described in 2 CFR 200.421(b). Advertising is allowable through various media strategies, such as print, electronic, digital, radio, social media, billboards/signage, text apps, and Quick Response (QR) code. Allowable activities include promoting program outreach and other specific purposes necessary to meet the requirements of the grant award. The media strategies used to conduct outreach to the public might be personnel or non-personnel costs, and promote the activities of the Federal award. Grantees should ensure compliance with the regulations at 2 CFR

200.421(b) and 200.421(e), their grant award terms, as well as the guidance in Attachment I of this TEGL.

Public relations, on the other hand, includes activities that promote Federally-funded activities, services, and programs, and are typically personnel costs. Some public relations activities include, but are not limited to, attendance at, facilitation of, collaboration with, or participation in job/career/community fairs, rapid response events, one-stop satellite centers/mobile one-stops, community access points, high school/college career day, podcasts and other interviews, etc. While advertising of Federally-funded activities, services, and program offerings might be present at a public relations event, public relations differs from advertising in that staff typically interact directly with the community, public, or press during public relations activities. Public relations are an allowable outreach cost for grant activities, services, and programs. The Uniform Guidance at 2 CFR 200.421(d) describes allowable public relations activities, and at 2 CFR 200.421(e) lists unallowable public relations activities. This TEGL and its attachment provide examples of allowable public relations activities as well as general rules of thumb to apply when determining what public relations are allowable or unallowable.

Grantees, especially in AJCs, may have MOUs that describe the combined costs for advertising and public relations outreach that encompass the services offered by all its partners. Infrastructure costs might include media platforms (print, electronic, radio, social media, billboards/signage, text apps, QR codes, etc.) describing one-stop partner activities, services, and programs. IFA costs may identify instances and potentially additional associated costs for supply purchase customization where these purchases are specific to grant outreach activities. ETA broadly interprets grant outreach activities that promote the activities, services, and programs of the grant award to mean efforts to educate, enroll, employ, or extend referrals to customers with interests in ETA's publicly-funded workforce development system efforts. For example, execution of this strategy might include supplies bearing the one-stop delivery identifier, at 20 CFR 678.900, as well as a QR code or website that is owned, managed, and updated by the grantee and/or signatories to the MOU and directs the public to more information about the AJC and other workforce programs.

b. *General rules of thumb*: The Uniform Guidance regulations and this guidance will not necessarily list every possible scenario. The Uniform Guidance generally governs the administrative and financial uses of funds. Grantees and their fiscal teams should be familiar with those requirements.

The first step in assessing if a cost is an allowable cost to an ETA grant is to determine if the cost is necessary. Some questions to consider are: Is this cost necessary for the performance of the grant? Will this cost assist the organization in achieving its grant's outcomes and goals?

Another step in assessing an allowable cost to an ETA grant is reasonableness. When testing for reasonableness of a cost, consider the prudent person theory. In the prudent person theory, your organization must consider:

- Would a prudent person use Federal funds to purchase such items?
- Would you have used your own funds to purchase such items?
- Do internal controls (MOU/IFA, policies, sub-recipient agreements, contracts, etc.) exist that designate/describe outreach activities and/or limits?
- Is the ETA grant receiving a benefit and if so, are costs properly allocated based on the relative benefit received?
- If costs are to be shared with other funding streams, are costs being allocated properly?

For example, if your organization distributes commemorative coins that simply list the name of the organization or just the name of the program with no contact information and hands them to the board of directors, a prudent person would view these as not advancing awareness of the program's services or employment for participants. These would be considered memorabilia, gifts or souvenirs, and would not be allowable under the Uniform Guidance. On the other hand, if your organization was trying to inform young parents about program services and attended a community event to promote their DOL-funded grant program and provided a tote bag with the name of the grant program and contact information as a way for individuals to find out about services funded by the grant, a prudent person would find that cost reasonable. The tote bag, used as an outreach tool, would benefit the program by recruiting potential participants using a very low-cost item that would be re-used and seen, and thus help potential participants access those program services. These costs would be reasonably calculated to help increase enrollment as opposed to just commemorating an event or promoting an organization itself and not the grant program and its services.

c. *Ways to Conduct Outreach*: Once you understand the terms used in the Uniform Guidance, and understand how to determine allowability, you can explore the many ways to conduct outreach. Below is a list of several examples of activities and platforms allowed with grant funds.

- *In-Person Outreach*: Attending a local fair with materials about where to go to get help with finding a job, developing a resume, obtaining career advice, and learning interview skills is allowable.

  For each type of special or targeted population, the grantee may need a unique method or strategy for locating, attracting, and retaining participants for your program. If the grantee does not have enough staff, consider conducting outreach through organizations that are willing and able to spread the grant's key messages to their audience.

Consider meeting potential participants at community locations such as libraries, religious institutions, laundromats, grocery stores, fairs, industry events and other local events. Reach out to local businesses like barber shops and hair salons, movie theaters, sporting events, and restaurants and ask them to post and share the organization's poster or sign to educate customers about the program or grant-funded services. Consider which organizations are trusted by local communities, and where information can create subsequent "word-of-mouth" information sharing. Local businesses may also allow grantees to join existing events they are planning, or they may permit grantees to use their location as a venue for outreach and enrollment events to promote the grant's opportunities.

In addition to asking community partners and community leaders to spread the word that grantees are providing services, also ensure that they have enough information about the services being provided and where individuals might find value, so that they are able to refer individuals to the organizations that can best help them.

Other in-person activities you might undertake for outreach include, but are not limited to, attendance at, facilitation of, collaboration with, or participation in job/career fairs, rapid response events, one-stop satellite centers/mobile one-stops, high school/college career days, and other interviews, etc. Consider setting up a recruitment display table so that information about grant related services provided by the organization may be distributed. It is appropriate to have advertising materials to promote the program such as a brochure, pamphlets, or flash drives at a public relations event.

Materials created to achieve grant objectives/outcomes and for the purpose of outreach at in-person events, and to facilitate engagement between staff and the public are allowable. Materials used to educate the public about the award's activities, services, and program offerings are allowable and encouraged.

- *Print*: Printed outreach materials are by far the most popular format for outreach campaigns and are allowable costs. They can include a variety of items such as: advertising and written articles in the local newspaper or neighborhood newsletter, informational postcards, brochures and flyers, doorknob hangers, pamphlets, and leaflets. Other examples may also include bus stop signage, benches, banners, billboards, vehicle wraps, etc. QR codes may also be used in print media to direct potential participants to online information on the grant funded activities, services, or programs. 29 CFR 38.40(b) specifically authorizes use of "notices about openings in the recipient's programs and/or activities to schools and community service groups that serve various populations."

ETA broadly interprets printed outreach materials that promote the activities, services, and programs of the grant award to mean efforts to educate, enroll, employ, and/or extend referrals to customers with interests in ETA's publicly funded workforce development efforts.

- *Radio and TV*: Local radio and TV stations are a great way to advertise grant services and are usually cost effective for media coverage. Grant organizations should research and reach out to members of the media who may cover topics related to its grant award. There may be a specific radio or TV station reporter who covers a particular neighborhood or local community. For media engagement, consider public service announcements (PSAs) and press releases. If there is no advertising budget, sharing radio PSAs or coordinating on-air interviews with local radio stations is another way to build awareness of the services and supports provided by the grant.

- *Websites*: The organization or program website is an excellent way to provide practical information about how to obtain services to participants and to community members that are seeking to engage with your organization. The organization will benefit from keeping the website current and easy to navigate, especially if using QR codes that direct to the site to remind people of the activities, services, and programs of a specific event. Note that all websites funded with federal funds must meet the accessibility requirements established by section 508 of the Rehabilitation Act of 1973. See Section 4e of this TEGL for more information about ensuring accessibility of online/electronic and hard copy materials.

- *Email Communication*: Email remains a useful way to disseminate information to participants and to potential partners in and outside the public workforce system. Signature lines can include an additional website link, QR code, or description of an upcoming event or workforce activities, services, and/or program offerings. Use plain language wherever possible.

- *Text Messaging (SMS) Applications*: Grantees can continue outreach to program participants with text messaging applications. These may be particularly well-suited to grantees who need to communicate with participants in real time (e.g., those that pair participants with case managers). Additionally, this modality is a way to remind participants of upcoming appointments or outstanding documents, to promote a new program/service offering, or to blast out employment opportunities. Text messaging applications can also bolster traditional and effective word-of-mouth outreach by prompting participants who may be in the company of other potential eligible candidates to speak about the opportunity, to put it on their social media accounts, or to forward the text to others who may benefit. Another advantage of some texting tools are functions that can automate messages to go out at certain times to groups of people, and even to track analytics such as if and when people open the messages or click on

links. Such data can be helpful for programs to use to adapt their outreach. As with all activities, grantees must ensure participant data privacy. Also, it is important to review the data privacy policies of these text messaging applications and other social media platforms.

- *Social media*: The use of grant funds to create social media accounts, such as Instagram, Facebook, LinkedIn, and other platform accounts to promote the grant services offered, raise awareness of the program, and strengthen relations with the community is an effective way to virtually connect with customers regardless of distance. This is not an exhaustive list; however, grantees must comply with the grant award terms, especially those for prohibited platforms/vendors. For instance, the grantee can follow other local community-based organizations on social media, like their Facebook stories, congratulate their progress on LinkedIn, and share photos and short clips of them on its Instagram (and do not forget to tag them!). These are all cost-effective ways to create a social media presence online. Please note there may be Federal or state laws that prohibit the use of certain platforms, so grantees should be aware of any restrictions before use. In addition, grant award terms may prohibit certain activities, such as lobbying. These restrictions apply to social media activity as well. For more ideas on how to develop social media strategies, view the webinar: [Yes, WIOA Can! Post, Like, Follow, Share! Using Social Media as an Outreach and Marketing Tool.](#)

- *Quick Response Codes also known as QR Codes*. QR codes are a square holding a barcode-like graphic, comprised of machine-readable information. When someone uses a cell phone to take a picture of the QR code, the phone recognizes the machine-readable information, and can then go to a specific website. QR codes are a quick way to disseminate information and are used in every facet of life, from viewing a menu at a restaurant to shopping. These codes can provide information about a product or service, which is then delivered quickly to a user's device. QR codes require minimal space, are easy to scan, can store a good amount of information, and can be used to link to text, digital business cards, multimedia, and social media channels.

- *Influencers*: Influencers are people that have often amassed large followings via different types of media platforms and use their power of influence to communicate information. Influencers may be able to assist grantees in conducting outreach activities by communicating to potential participants what programs and services they offer. Grantees using a contracted personality should provide details/speaker's notes to the influencer to promote the Federal award's activities, services, and programs. When considering whether to use an influencer for outreach, one should consider the Uniform Guidance's Cost Principles. Other things that might be considered are the influencer's reputation, follower base, any state or local vetting requirements, the receptivity of potential participants, the

technology access of participants, and the cost/benefit compared to a more traditional outreach modality. Influencer use is an outreach strategy that may be a powerful recruitment tool when assessed and used properly.

- *Blog and Podcast Interviews*: These platforms are usually interactive content that may be individually or serially posted and can discuss a Federally-funded activity, service, or program offering to a specifically targeted audience. They are typically short in length, and access to some podcasts may require a subscription service. The frequency of use, potential participant cost, and availability of ongoing content should all be considered when undertaking this outreach modality.

- *Mobile American Job Centers (AJCs) or workforce service delivery vehicles*: To reach people where they live, shop, and gather, particularly in more rural areas, grantees may consider purchasing a vehicle to conduct outreach as well as provide employment and training services. The Uniform Guidance considers motor vehicles as general-purpose equipment, which are allowable under the Cost Principles. Costs to repair and maintain the vehicle are also allowable. The costs of the vehicle and its maintenance must meet all the "factors of allowability" outlined in 2 CFR 200.403, and in some circumstances, prior written approval from DOL-ETA may be required. If the motor vehicle benefits two or more programs, the cost of the mobile AJC and the costs to maintain the vehicle must be allocated to the other programs based on the relative benefit received (2 CFR 200.405(d)).

  ETA encourages grantees to leverage relationships with other partners that serve the same community or partners and that may have the same purpose or mission when purchasing, staffing, and maintaining a mobile AJC unit.

d. *Outreach in Multiple Languages*: Grantees can use funds to create materials in multiple languages or to procure translation and interpretation services. It is important when developing outreach strategies to make sure all potential participants, including those that speak languages other than English, are aware of services available. Access to vital information, which may include certain outreach materials, in a language the participant can understand is key to promote and ensure equity.

Offering materials translated into the languages used in the community is a key effort to improve outreach and, indeed, may be required depending on the circumstances. *See* 29 C.F.R. 38.9. Additionally, as a method to make information accessible to people that speak languages not frequently used in the community, consider expanding outreach efforts to individuals who have Limited English Proficiency (LEP) through the use of a language access guide (called the "I Speak Card"). The "I Speak Card is a language identification card/poster that will assist in identifying a preferred language for potential participants that speak a language other than English, so they can obtain the necessary assistance. Organizations can use such a card to pinpoint the appropriate speakers for anyone that requests services through your

organization. Also, visit the LEP website (https://www.lep.gov/) for tips on addressing language barriers. Lastly, consider partnering with local communities that serve a diverse population for assistance in drafting culturally competent outreach materials in a variety of languages as this will help build a stronger relationship and presence with the local community.

e. *Accessibility:* Grantees must make information about their services accessible to individuals with disabilities by providing auxiliary aids and services, including information in alternative formats, and can use funds to ensure outreach materials (including, for example, printed materials, forms, and presentations) are accessible. In addition, when developing, procuring, maintaining, or using electronic and information technology with Federal funds, including websites and electronically stored documents or information, grantees should provide access to and use of information and data for individuals with disabilities that is comparable to what is provided for individuals without disabilities. Grantees can refer to Government Services Administration's (GSA) website on electronic and information technology accessibility (www.Section508.gov) as a resource. GSA is the government's technical advisor for digital accessibility and provides guidance and training in numerous areas. Document creation software like Microsoft Word has tools and accessible design templates that can help to create accessible content from the start. Moreover, when designing websites, accounting for accessibility at the outset is much easier than readjusting the site later to make it accessible for customers. Also, please note that specific accessibility standards apply to QR codes. DOL's Office of Disability Employment Policy, DOL's Civil Rights Center, and ETA have created a WIOA 188 guide to nondiscrimination for individuals with disabilities, available at https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/section-188-workforce-innovation-opportunity-act/guide. The guide provides several examples of making materials, spaces, and services more fully accessible for individuals with disabilities.

As noted above, this guidance provides multiple examples but does not address every potential scenario. ETA encourages grantees to review their outreach plans and consider the examples provided in order to most effectively reach and best serve jobseekers and employers.

5. <u>**Inquiries.**</u> Please direct inquiries to the appropriate Regional Office.

6. <u>**References.**</u>

- Workforce Innovation and Opportunity Act (WIOA), Pub. L. 113-128, 29 U.S.C. 3101 *et seq.*
- The Nondiscrimination and Equal Opportunity Provisions (Section 188) of WIOA: https://www.ecfr.gov/current/title-29/subtitle-A/part-38
- Rehabilitation Act of 1973, Pub. L. 93-112, 29 U.S.C. 701 *et seq.*
- Uniform Guidance, 2 CFR Part 200, and DOL's exceptions, 2 CFR Part 2900

- TEGL No. 16-16, *One-Stop Operations Guidance for the American Job Center Network*, https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-16-16
- TEGL No. 17-16, *Infrastructure Funding of the One-Stop Delivery System*, https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-17-16
- Training and Employment Notice No. 24-18, *Updated Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide*, https://www.dol.gov/agencies/eta/advisories/training-and-employment-notice-no-24-18
- ETA webinar titled *Yes, WIOA Can! Post, Like, Follow, Share! Using Social Media as an Outreach and Marketing Tool* held January 11, 2023. Available at https://www.workforcegps.org/events/2023/01/11/19/49/Outreach-and-Marketing-for-the-Public-Workforce-Development-System-2
- ETA webinar titled *Outreach and Marketing for the Public Workforce Development System: Exploring the Possibilities!* held on October 11, 2022. Available at https://www.workforcegps.org/events/2022/10/11/18/35/Outreach-and-Marketing-for-the-Public-Workforce-Development-System-Exploring-the-Possibilities

7. **Attachment.**

- Attachment I. Legislative, Regulatory and Uniform Guidance Language Related to Outreach