



## **POLITICAL ACTIVITY RESTRICTION AND DISCLOSURE REQUIREMENTS**

Spokane WorkSource System Policies and Procedures

**POLICY #: WS809**

Effective Date: December 17, 2012

### **BACKGROUND:**

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

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

### **POLICY:**

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

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

As part of its oversight responsibility, the SAWDC must ensure and expects all entities operating or providing services within the local WorkSource system to comply with this policy.

Prohibited political activities include, but are not limited to, the following:

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

Certification statements are required in all grant and contract general conditions to ensure the compliance with these requirements concerning the use of federal funds.

As stated above, allowances are provided for political activities funded from private sources. However, protections must be put in place to ensure that the activity does not appear to be supported by the WorkSource System or held within WorkSource service delivery environments. A disclosure form (Disclosure of Lobbying Activities) must be filed for political activities allowed under specific, private funding sources. This requirement applies to the SAWDC and its subrecipients. Disclosure forms are submitted to the SAWDC, who will then submit all disclosure forms from the Spokane Workforce Development Area (WDA) to ESD.

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

**DEFINITIONS:**

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

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

**Private Sources:** Funds received from sources other than a federal or state funding.

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

**ATTACHMENTS:**

- Disclosure of Lobbying Activities Form

**REFERENCES:**

- Congressional Research Service (CRS) Report for Congress “Political Activities of Private Recipients of Federal Grants or Contracts” October 21, 2008
- 2 CFR Part 225 Appendix B – Cost Principles for State, Local, and Indian Tribal Governments
- 2 CFR Part 230 Appendix B – Cost Principles for Non-Profit Organizations
- 48 CFR 31.205-22 Contracts with Commercial Organizations
- RCW 42.17A.635 Legislative activities of state agencies, other units of government, elective officials, employees
- RCW 42.52.180 Use of Public Resources for Political Campaigns
- TEGL 2-12 Employment and Training Administration (ETA) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct
- 29 CFR Part 93.100 New Restrictions on Lobbying
- Washington WorkSource System Policy #1018: Political Activity Restrictions and Disclosure Requirements