

TRAINING AND EMPLOYMENT NOTICE	NO. 11-08
	DATE October 1, 2008

TO: ALL LOCAL WORKFORCE INVESTMENT BOARDS
ALL ONE-STOP CAREER CENTERS
ALL STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE INVESTMENT BOARDS
ALL STATE WORKFORCE LIAISONS

FROM: BRENT R. ORRELL /s/
Deputy Assistant Secretary

SUBJECT: New Online Training Course for Workforce System Administrators and Staff and Faith-Based and Community Organizations on the Faith-Based and Community Initiative and Equal Treatment and Religion-Related Regulations

1. **Purpose.** To inform the workforce investment system of the launch of “Transforming Partnerships: How to Apply the U.S. Department of Labor's Equal Treatment and Religion-Related Regulations to Public-Private Partnerships,” an online training course. This course provides a basic framework for understanding the Faith-Based and Community Initiative and its implementation at the U.S. Department of Labor (Department or DOL). Further, this course provides in-depth training on the equal treatment and religion-related regulations; specifically the new equal treatment regulations at 29 C.F.R. Part 2, Subpart D, and the Workforce Investment Act (WIA) nondiscrimination and programmatic regulations at 29 C.F.R. 37.6(f), 20 C.F.R. 667.266 and 667.275, as well as case law; an understanding of which is crucial to ensure proper implementation of these regulations.
2. **Background.** The Department’s Center for Faith-Based and Community Initiatives (Center) was created when President Bush signed Executive Order 13198 on January 29, 2001. The purpose of the Center, and a key component of the President's Management Agenda for the entire Department, is to remove statutory, regulatory, and procedural barriers that prevent faith-based and community organizations (FBCOs) from partnering with the Department’s programs. In 2001, a review by the Department revealed that both faith-based and community-based grassroots organizations are often under-utilized as partners in the workforce investment system.

In addition to giving a broad overview of the Center and its role and purpose in the Department, this course describes the application of the equal treatment and religion-related regulations, specifically the equal treatment regulations at 29 C.F.R. Part 2, Subpart D, and the WIA nondiscrimination and programmatic regulations at 29 C.F.R. 37.6(f), 20 C.F.R. 667.266 and 667.275, published in 2004. In addition to the new regulations, the Department issued Training and Employment Guidance Letters (TEGLs), including TEGL 17-01, *Incorporating and Utilizing Grassroots, Community-Based Organizations (CBOs), Including*

Faith-Based Organizations (FBOs), in Workforce Investment Activities and Programs http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1376, in 2002, which informed the workforce investment system about the Center and its purpose. Further, the TEGL requested that states take action to broaden the number of grassroots community-based organizations, including faith-based organizations, that partner with the local workforce investment boards and One-Stop Career Centers. In addition, the Department issued TEGL No. 1-05, *New Rules Allowing Use of WIA Title I Financial Assistance for Religious Training and Employment, and Making Other Changes to Religion-Related Regulations Governing Recipients of DOL Support Including the One-Stop Career Center Service Delivery System and the Job Corps* http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2088, in 2005. TEGL 1-05, notified all state workforce agencies and other stakeholders within the One-Stop Career Center service delivery system that amendments to the Department's regulations permit the use, in defined circumstances, of WIA Title I financial assistance for training and employment of WIA participants in religious activities. This guidance explained and interpreted the amendments and also required various implementation actions.

Specifically, this online course will provide users, including workforce system administrators and staff, and faith-based and community organizations with detailed information on the equal treatment and religion-related regulations at the Department, including: 1) how to know if the use of Federal assistance is proper and Constitutional; 2) how to ensure equal opportunity for all organizations, regardless of size or affiliation; 3) how to respect the rights of faith-based organizations; and 4) how to respect the religious liberty of program participants and beneficiaries of Federally-supported services. Further, the course discusses: rules regarding the appropriate use of Federal financial assistance; distinguishing the appropriate uses of "direct" and "indirect" financial assistance; and the prohibition on employment decisions based on religion as outlined in Section 188 of the WIA. The course also includes review questions and answers and other general information on the equal treatment and religion-related regulations. The course will also provide users with suggestions for how to implement the equal treatment regulations in state and local workforce areas, as well as with recommendations for how FBCOs can implement the equal treatment regulations in their partnerships within the workforce system and with sub-awardees, including FBCO use of Federal financial assistance and FBCO services to program participants. The Department has created this online training course in order to support compliance with its regulations by ensuring sufficient knowledge about equal treatment by all relevant staff.

As legal and regulatory barriers have been removed, the Employment and Training Administration (ETA) and the Center have also increasingly focused on ways to integrate FBCOs into the workforce investment system at the state and local level. Therefore, this course is designed to help state workforce agencies, state and local workforce investment boards, and One-Stop Career Centers to identify and work with new partners, expand the number and type of customers the government is able to serve and the types of services the government is able to provide, and to provide education that will ensure compliance with legal requirements, including First Amendment standards.

- 3. Logistics.** For non-Federal users, the online training course is available on ETA's workforce3one Web site at: www.workforce3one.org. The course can be found by typing the key words "equal treatment" in the search box on the upper right hand corner of the page. If you are previously registered on this site, you can find the course directly at: http://www.workforce3one.org/public/_shared/detail.cfm?id=5566&simple=false.

For DOL employees, the online training course is available on the Department's Learning Link database.

- 4. Action Requested.** All local workforce investment boards, one-stop career centers, state workforce agencies, state workforce investment boards, and state workforce liaisons are encouraged to register for and take the online training course entitled "Transforming Partnerships: How to Apply the U.S. Department of Labor's Equal Treatment and Religion-Related Regulations to Public-Private Partnerships."
- 5. Inquiries.** To ask questions regarding the information contained in this Training and Employment Notice or to discuss the online training course, please contact Kristin Fortin in the Center for Faith-Based and Community Initiatives at (202) 693-6457 or at: fortin.kristin@dol.gov or Denise Sudell in the Civil Rights Center at (202) 693-6554 or at sudell.denise@dol.gov.