# Women’s Economic Security Act (WESA) and paid family and medical leave (PFML) engagement and education grant, fiscal-year 2025 request for proposal (RFP)

Cover page

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| **Available funding:** | Up to $150,000. |
| **Purpose:** | Promote education, outreach, communication, engagement and training to build worker and employer understanding of workplace rights relating to pregnancy accommodations, express milk in the workplace, pregnancy and parental leave and, beginning Jan. 1, 2026, paid family and medical leave. |
| **Period of performance:** | July 1, 2024, or the date the contract is fully executed, whichever occurs later, until June 30, 2025. |
| **Application due date:** | Applications are due no later than 11:59 p.m., March 11, 2024.  Submit applications by email to [eric.p.olberding@state.mn.us](mailto:eric.p.olberding@state.mn.us).  If you would like to submit an application by mail, contact Eric Olberding at the email above or call 651-284-5377. |
| **Informational webinars** | Informational webinars will be held on Tuesday, Feb. 20, at 2 p.m., and on Tuesday, Feb. 27, at 1 p.m. |
| **Questions:** | Questions may be submitted by phone or email.  Submit questions no later than 4 p.m., May 1, 2024, Central Standard Time. Questions and answers will be posted Monday, Feb. 20, Feb. 26 and March 4 at [dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant](https://www.dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant).  Contact: Eric Olberding  Email: [eric.p.olberding@state.mn.us](mailto:eric.p.olberding@state.mn.us) or phone: 651-284-5377.  If needed, our agency has access to Language Line, a free language translation service for limited-English speakers. Call us and we will get in touch with an interpreter at 651-284-5005 or 800-342-5354. |
| **Notification of award:** | Applicant awards will be announced in May 2024. |
| **All RFP and application documents can be found at:** | dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant |

## 1. Name of grant program

Women’s Economic Security Act (WESA) and paid family and medical leave (PFML) engagement and education grant, fiscal-year 2025.

## 2. Purpose of grant: Background, objectives, focus populations and outcomes

### Background

Minnesota workers have a variety of workplace protections to ensure they are treated fairly and compensated appropriately for their work in Minnesota; these laws address wage theft, child labor, accommodations for pregnant or nursing employees and more. As a result of the 2023 legislative session, Minnesota workers will have even greater protections in the workplace. However, certain barriers, including those related to education, income, immigration status, geographic isolation and language access can impact workers’ awareness of, and ability to assert, their rights and access to services that can help. This grant aims to educate employers about their workplace responsibilities under WESA and PFML, and to empower workers, especially those who encounter barriers, by teaching them about their workplace rights and the options available to them when their rights are violated.

The Minnesota Department of Labor and Industry’s (DLI) mission is to ensure Minnesota’s work and living environments are equitable, healthy, and safe. DLI serves employees, employers and the public by regulating buildings and workplaces through education and enforcement. DLI will advance equity by identifying disparities and creating systemic change to better serve and protect all Minnesotans. DLI’s Labor Standards Division protects the rights of workers and levels the playing field for employers who are meeting their legal responsibilities through education, as well as the administration and enforcement of labor and employment laws.

### Objective

This grant funding is to promote education, outreach, communication, engagement and training to build worker and employer understanding of Minnesota laws relating to pregnant workers’ and new parents’ workplace rights to pregnancy accommodations, express milk in the workplace and pregnancy and parental leave. These laws were originally passed or modified under WESA. Grant work will highlight 2023 statutory changes to WESA that broadened employee rights and employer requirements.

In addition, grant work will include education on the PFML law, which goes into effect Jan. 1, 2026, that provides paid time off when a serious health condition prevents Minnesotans from working, when they need time to care for a family member or a new child, for certain military-related events or for certain personal safety issues.

Detailed information about WESA and PFML can be found at [dli.mn.gov/newparents](http://www.dli.mn.gov/newparents) and [mn.gov/deed/programs-services/paid-family](https://mn.gov/deed/programs-services/paid-family/).

### Focus populations

It is the policy of the state of Minnesota to ensure fairness, precision, equity and consistency in competitive grant awards. This includes implementing diversity and inclusion in grantmaking.

Policy 08-02 establishes the expectation that grant programs intentionally identify how the grant serves diverse populations, especially populations experiencing inequities and disparities.

This grant seeks to reach, but is not limited to:

* pregnant workers and new parents;
* people from communities of color, immigrants, economically disadvantaged individuals, people with disabilities and others from historically underserved communities;
* workers in low wage industries, including workers whose primary language is not English; and
* employers, including industries such as health care and social assistance, hospitality, construction, agriculture, retail and other service industries.

### Grant outcomes

* Promote the workplace rights of pregnant workers’ and new parents.
* Educate employers on their responsibilities under WESA and PFML.
* Include a focus on reaching workers in underserved communities and low wage industries, including workers whose primary language is not English.
* Increase employer compliance with WESA laws overseen by DLI, including industries such as health care and social assistance, hospitality, construction, agriculture, retail and other service industries.
* Increase employee knowledge of WESA and PFML, resources and remedies available to address possible violations of these laws, including related services and resources provided by Labor Standards.
* Promote longer-term worker and infant health by increasing duration of breastfeeding, providing needed workplace accommodations to pregnant employees and ensuring pregnancy and parenting leave from work to focus on childbirth and infant bonding.

## 3. Grant activities

Applicants can achieve desired outcomes through a variety of activities including, but not limited to:

* development and distribution of written materials to employees and employers about WESA and PFML rights and responsibilities;
* development and distribution of online and social media messaging to employees and employers about WESA and PFML rights and responsibilities;
* conducting and participating in trainings, educational events and other types of engagement activities;
* working with health care providers, childcare providers or other related industries that interact with pregnant workers and new parents to provide information about WESA and PFML rights and responsibilities;
* distribution of DLI’s pregnant workers’ and new parents’ right brochure;
* distribution of the required employee notice of WESA rights to employers or employer organizations;
* distribution of PFML materials; and
* other creative ideas to engage and inform employees, employers and the public about WESA and PFML.

## 4. Eligible applicants and minimum eligibility requirements

### Eligible applicants

The grant program seeks proposals from nonprofit organizations, business organizations or associations, nonprofit alternative secondary institutions, nonprofit post-secondary institutions and labor organizations.

Multi-organization collaborations are not eligible for this grant funding.

### Minimum eligibility requirements

Applicants must meet the minimum requirements below to be considered for an award of funding. If an application does not fully meet these requirements, it will not be further reviewed.

To be eligible for funding, applicants must meet the listed criteria:

1. Meet the application deadline.
2. Serve the focus populations listed for this grant program.
3. Be an eligible applicant.

## 5. Funding availability

* Total funds allocated for this grant: $150,000.
* DLI plans to award funding to three to six applicants.

## 6. Eligible and ineligible expenses

Eligible expenses include but may not be limited to:

|  |  |
| --- | --- |
| **Budget categories** | **Examples of allowable expenditures** |
| Personnel | Employee wages and benefits directly related to grant program activities. (For each person provide: Name or role, hourly rate + estimated hourly benefits = total personnel x number of hours on grant = per person total.) |
| Travel | Grant program related staff travel expenses. Use current federal rate for calculations. |
| Supplies and materials | Training materials and supplies directly supporting the grant program. |
| Communications and outreach | Expenses related to media and community and partner outreach. |
| Contract services | Vendor services necessary to provide grant program activities and services. This could include, for example, marketing vendors or payments to contracted project partners. List contractor name and anticipated service. |
| Administrative costs | Administrative costs may include but are not limited to administrative oversight, accounting support, insurance and facility rent or overhead. Administrative costs cannot exceed 10% of the total budget. |

All direct and indirect costs submitted for reimbursement must be allowable by the terms of the grant, reasonable and necessary, rationally allocated and adequately documented. No costs can be double funded using other sources.

Ineligible expenses include but are not limited to:

* fundraising;
* taxes, except sales tax on goods and services and payroll;
* lobbyists, political contributions;
* bad debts, late payment fees, finance charges, or contingency funds;
* parking violations or traffic violations; and
* out-of-state transportation and travel expenses. Minnesota will be considered the home state for determining whether travel is out of state.

Program budgets submitted as part of the grant application are not deemed final until contract execution.

## 7. Reviewing and scoring applications

Funding will be allocated through a competitive process with review by a committee representing content and knowledge. If selected, you may only incur eligible expenditures when the grant contract agreement is fully executed and the grant has reached its effective date.

The committee will be reviewing each application on a 100-point scale. The scoring factors and weight that applications will be judged are based on the:

|  |  |  |
| --- | --- | --- |
| **Scoring factor** | **Scoring criteria** | **Total points possible** |
| Project overview | Clearly summarized goals, outcomes and the major activities and services they will provide to achieve them. | 10 |
| Equity | Sufficiently demonstrated their ability to educate their focus populations about WESA and PFML in a community-centered, culturally-relevant and accessible manner. | 20 |
| Program activities and services | Described in detail work to be performed and planned partnerships that will lead to achieve planned grant outcomes. | 25 |
| Outcomes | Provided both quantitative and qualitative measures for grant program activities and services. The measures are sufficient to demonstrate work was completed.  Outlined a process for how data will be collected. | 10 |
| Work plan | Included a realistic timeline for major program activities, resources, partner roles and grant outcomes. | 25 |
| Staff Experience | Provided information regarding grant program staff’s ability to successfully conduct needed grant work. | 10 |
| Budget and budget narrative | Provided a proposed budget that is appropriate for anticipated uses.  Provided a budget narrative with a detailed account for proposed expenditures. | (Required, unscored) |
|  | **Total score available** | **100** |

## 8. Grantee reporting requirements

The grantee must take part in every other month progress update and technical assistance calls. Additionally, the grantee must submit the following documents:

1. Reimbursement payment request (RPR) For invoicing (template provided by DLI)
2. Expense summary (template provided by DLI)
3. Participant forms
4. Quarterly narrative report (template provided by DLI)
5. Final report (template provided by DLI)

All reports and required supporting documentation must be submitted on a quarterly basis no later than the first of the next month following the end of the reporting quarter. Due dates are as follows:

|  |  |
| --- | --- |
| Activity quarter | Report due date |
| July 1 to Sept. 30 | Nov. 1 |
| Oct. 1 to Dec. 31 | Feb. 1 |
| Jan. 1 to March 31 | May 1 |
| April 1 to June 30 | Aug. 1 |

The final report and final invoice are due 45 business days after the contract end date.

## 9. DLI monitoring of grantee performance

[Minnesota Statutes §16B.97](https://www.revisor.mn.gov/statutes/?id=16B.97) and [Policy 08-10 Grant Monitoring](https://mn.gov/admin/assets/grants_policy_08-10_tcm36-207117.pdf) require the following:

* One monitoring visit during the grant period on all state grants of $50,000 and higher.
* Annual monitoring visits during the grant period on all grants of $250,000 and higher.
* Conducting a financial reconciliation of grantee’s expenditures at least once during the grant period on grants of $50,000 and higher. For this purpose, the grantee must make expense receipts, employee timesheets, invoices and any other supporting documents available upon request by the state.

## 10. Payments to grantee

Per [Policy 08-08](https://mn.gov/admin/assets/08-08%20Policy%20on%20Grant%20Payments%20FY21%20_tcm36-438962.pdf), reimbursement is the preferred method for making grant payments. All grantee requests for reimbursement must correspond to the approved grant budget. The state shall review each request for reimbursement against the approved grant budget, grant expenditures to-date and the latest grant progress report before approving payment. Grant payments shall not be made on grants with past due progress reports unless DLI has given the grantee a written extension. Payments will be made through the state’s State Wide Integrated Financial Tools accounting system.

## 11. Required financial and grantee capacity review

Minn. Stat. §16B.981/[Chapter 62 - MN Laws](https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/62/), Article 7, Section 11, requires that a pre-award risk assessment is conducted for grant awards of $50,000 or more.

All grantees as defined in Minn. Stat. §16B.981 Subd. 1 (c) applying for grants in Minnesota must undergo a financial and capacity review prior to a grant award of $50,000 and higher.

In order to comply with this requirement, the following information and documents will need to be submitted before the grant contract agreement is fully executed.

1. **Capacity responses: All potential grantees: Exhibit A**
2. Describe your history of performing the work that will be funded by the grant:
   * This includes describing your organization’s current staffing, current budget and agency capacity to successfully conduct and administer grant programming.
3. **Certification: No current principals have been convicted of a felony financial crime in the last ten years: All potential Grantees: Exhibit B**
4. **Evidence of good standing: For-profit and nonprofit potential grantees: Exhibit C** 
   * For-profit and nonprofit grantees: Filed and up to date with the Secretary of State
5. **Nonprofit grantees as applicable**: **Exhibit D**

* Most recent Form 990 or Form 990-EZ
* Most recent audited financial statement of a charitable organization which has received total revenue in excess of $750,000 for the 12 months of operations covered by the statement per [Minn. Stat. §309.53](https://www.revisor.mn.gov/statutes/cite/309.53)
* Most recent board-reviewed (or managing group if applicable) financial statements, description of internal controls over business expenditures and outcomes of grant funds, if awarded, and evidence of exemption

The submission of inaccurate or misleading information may be grounds for disqualification from the grant contract agreement award and may subject an organization to suspension or debarment proceedings, as well as other remedies available to the state, by law.

Based on Minn. Stat. §16B.981/[Chapter 62 - MN Laws](https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/62/), Article 7, Section 11, Subd. 3-5 establishes the authority for a granting agency to:

* Provide or require enhanced grant oversight.
* Request additional information from a potential grantee to determine whether there is a substantial risk that the potential grantee cannot or would not perform the required duties of the grant agreement.
  + The potential grantee has 30 business days to respond.
* Develop a plan to address the risk or concerns identified.
* Not award the grant.
  + The granting agency must provide notice of this determination to not award the grant to the grantee and the commissioner of administration.
  + The notice must include the following:
    - The reason for postponing or not awarding the grant.
    - The timeline for the process for contesting the agency’s decision.

## 12. Audit of grantee’s records

Per [Minn. Stat. §16B.98](https://www.revisor.mn.gov/statutes/?id=16B.98) Subdivision 8, the grantee’s books, records, documents and accounting procedures and practices of the grantee or other party that are relevant to the grant or transaction are subject to examination by the granting agency and either the legislative auditor or the state auditor, as appropriate. This requirement will last for a minimum of six years from the grant contract agreement end date, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

## 13. Grantee requirements when bidding grant-related work

1. **For nongovernmental organizations:**
2. Any grant-funded services and materials that are expected to cost:

* Between $25,000 and $99,999 must be competitively awarded based on a minimum of three verbal quotes or bids.
* Between $10,000 and $24,999 must be competitively awarded based on a minimum of two verbal quotes or bids or awarded to a targeted vendor.

1. The grantee must take all necessary affirmative steps to assure that targeted vendors from businesses with active certifications through these entities are used when possible:

* [State Department of Administration's Certified Targeted Group, Economically Disadvantaged and Veteran-Owned Vendor List](https://mn.gov/admin/osp/government/procuregoodsandgeneralservices/tgedvo-directory/).
* Metropolitan Council’s Targeted Vendor list: [Minnesota Unified Certification Program](https://mnucp.metc.state.mn.us/)
* Small Business Certification Program through Hennepin County, Ramsey County and the city of St. Paul: [Central Certification Program](https://www.stpaul.gov/departments/human-rights-equal-economic-opportunity/contract-compliance-business-development/central).

1. The grantee must maintain:

* Written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.
* Support documentation of the purchasing and bidding process utilized to contract services in their financial records, including support documentation justifying a single or sole source bid, if applicable.

1. The grantee must not contract with vendors who are suspended or debarred in Minnesota: [Suspended/Debarred Vendor Information](https://mn.gov/admin/osp/government/suspended-debarred/).
2. For grant-funded projects that include construction work of $25,000 or more, prevailing-wage rules apply per [Minn. Stat. §§177.41](https://www.revisor.leg.state.mn.us/statutes/?id=177.41) through [177.44](https://www.revisor.leg.state.mn.us/statutes/?id=177.44). These rules require that the wages of laborers, workers and mechanics should be comparable to wages paid for similar work in the community as a whole.

## 14. Conflicts of interest

State grant policy requires that processes are in place to prevent individual and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat.§16B.98 Subd. 2-3](https://www.revisor.mn.gov/statutes/?id=16B.98) and [08-01 Conflict of Interest in State Grant-Making Policy](https://mn.gov/admin/assets/OGM%20Policy%2008-01%20Conflict%20of%20Interest%20in%20State%20Grant-Making%2001.01.2022_tcm36-515734.docx).

Organizational conflicts of interest occur when:

* a grantee or applicant is unable or potentially unable to render impartial assistance or advice to the department due to competing duties or loyalties; and
* a grantee’s or applicant’s objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties.

## 15. Public access to applicant’s data

[Per Minn. Stat. § 13.599](https://www.revisor.mn.gov/statutes/?id=13.599)

* Names and addresses of grant applicants and amount requested will be public data once proposal responses are opened.
* All remaining data in proposal responses (except trade secret data as defined and classified in [§13.37](https://www.revisor.mn.gov/statutes/?id=13.37)) will be public data after the evaluation process is completed. For the purposes of this grant, data will be considered public when all the grant contract agreements have been fully executed.
* All data created or maintained by DLI as part of the evaluation process (except trade secret data as defined and classified in [§13.37](https://www.revisor.mn.gov/statutes/?id=13.37)) will be public data after the evaluation process is completed. For the purposes of this grant, data will be considered public when all the grant contract agreements have been fully executed.

## 16. Affirmative action and non-discrimination requirements for grantees:

1. As per [Minn. Stat. §363A.02](https://www.revisor.mn.gov/statutes/?id=363A.02) the grantee agrees not to discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status in regard to public assistance, membership or activity in a local commission, disability, sexual orientation, familial status or age in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative steps to employ, advance in employment, upgrade, train, and recruit minority persons, women, and persons with disabilities.
2. The grantee must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Minnesota Rules, part [5000.3500](https://www.revisor.mn.gov/rules/?id=5000.3500).
3. The grantee agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

## 17. Grantee voter registration requirement

The grantee will comply with [Minn. Stat. §201.162](https://www.revisor.mn.gov/statutes/?id=201.162) by providing voter registration services for its employees and for the public served by the grantee.

## 18. Required application materials

**Required material to submit with application:**

1. Application form (use either the application for single organizations or collaborations)
2. Exhibit A: Capacity responses
3. Exhibit B: Certification
4. Exhibit C: Evidence of Good Standing
5. Exhibit D: Nonprofit grantee form and documentation

**Optional material to submit with application:**

1. Signed letters of support from partner organizations

Do not submit any other materials (binders, photos, etc.). Unrequested materials will not be reviewed.

## 19. How to submit applications

**Email to:** Eric Olberding at [eric.p.olberding@state.mn.us](mailto:eric.p.olberding@state.mn.us)

If you would like to submit an application by mail, contact Eric Olberding at the email above or by phone at 651-284-5377 for additional information.

**All applications must be received no later than 11:59 p.m. Central Standard Time, on March 11, 2024**. If applications are mailed, they must be postmarked by March 11, 2024. Late applications will not be considered. The applicant will incur all costs incurred in applying to this RFP.

## 20. Questions

* Questions may be submitted by phone or email to:
  + Eric Olberding at 651-284-5377 or [eric.p.olberding@state.mn.us](mailto:eric.p.olberding@state.mn.us)
* Submit questions no later than 4 p.m. Central Standard Time, on March 1, 2024
* All answers will be posted by March 4, 2024, at [dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant](http://www.dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant).

## 21. Review process and timeline

The review committee will evaluate all eligible and complete applications received by the deadline. DLI will review all committee recommendations and is responsible for award decisions.

* Applications due no later than 11:59 p.m. Central Standard Time on March 11, 2024.
* Applicants notified of award: May 2024.
* Budgets and workplans approved, contracts finalized: May to June 2024.
* Grant work begins: July 1, 2024, or the date the contract is fully executed, whichever occurs later.

## 22. Attachments

The following materials can be found at [dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant](https://www.dli.mn.gov/business/employment-practices/womens-economic-security-act-wesa-engagement-and-education-grant):

* RFP
* Application form
* Exhibit A: Capacity responses
* Exhibit B: Certification
* Exhibit C: Evidence of Good Standing
* Exhibit D: Nonprofit grantee form