

Fresno Regional Workforce Development Board

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Blake Konczal, Executive Director

OPERATIONAL DIRECTIVE

FRWDB OD # # 02-18

Date Released: January 9, 2018

To: All Fresno Regional Workforce Development Board Providers of Services

From: Blake Konczal, Executive Director

Effective Date: January 9, 2018

Subject: Prohibited Use of Funds

Applicable Program: All

Revision History: Initial Release

This Operational Directive (OD) communicates the federal requirement related to overall prohibited use of federal funds.

Lobbying

Sub-recipients that receive WIOA Title I funds must comply with the restrictions on political activities as specified in WIOA (Public Law 113-128), Section 195. This provision prohibits the use of WIOA Title I funds for publicity or propaganda purposes, or for materials designed to support or defeat the enactment of federal, state, or local legislation; proposed or pending regulation; administrative action; or order issued by the executive branch of any state or local government.

This also includes prohibition of the use of Title I funds for activities designed to influence the enactment or issuance of legislation; appropriations; regulations; administrative action; or an Executive Order proposed or pending before Congress, any state government, state or local legislature, or legislative body.

Union Organization

Sub-recipients that receive WIOA Title I funds must comply with the restrictions related to union organization, as specified in WIOA, Section 181. This provision prohibits the use of funds to assist, promote, or deter union organization.

Marijuana Industry

Uniform Guidance Section 200.331 requires the state, as the pass-through entity, to advise sub-recipients of imposed requirements by federal laws, regulations, and the provisions of contracts or grant agreements, as well as additional requirements imposed by the state.

Although California passed Proposition 64, in accordance with federal law (21 U.S.C 812), marijuana is classified as a Schedule 1 narcotic, and is therefore illegal from a federal standpoint.

All grant agreements between the DOL and the state must follow all applicable federal statute, regulations, and policies.

Therefore, in accordance with federal law, WIOA funds cannot be used to directly or indirectly support the marijuana industry including, but not limited to, use, possession, growth or distribution of marijuana. This applies to WIOA; Wagner-Peyser; Trade Adjustment Assistance; Veterans' Employment and Training Service; and National Dislocated Worker Grant programs and services including, but not limited to, training, employer outreach, hiring events, career counseling, job orders and referrals.

Any questions should be directed to the FRWDB Deputy Director of Program Services or the FRWDB Quality Systems Manager