

**FEDERAL MEDIATION CONCILIATION SERVICE
LABOR-MANAGEMENT COOPERATION PROGRAM
APPLICATION SOLICITATION FOR LABOR-MANAGEMENT COMMITTEES FY2010**

INTRODUCTION

The following is the FINAL Solicitation for the Fiscal Year (FY) 2010 cycle of the Labor-Management Cooperation Program as it pertains to the support of labor-management committees. These guidelines represent the continuing efforts of the Federal Mediation and Conciliation Service to implement the provisions of the Labor-Management Cooperation Act of 1978, which was initially implemented in FY1981. The Act authorizes FMCS to provide assistance in the establishment and operation of company/plant, area, public sector, and industry-wide labor-management committees which:

- (A) have been organized jointly by employers and labor organizations representing employees in that company/plant, area, government agency, or industry; and
- (B) are established for the purpose of improving labor-management relationships, job security, and organizational effectiveness; enhancing economic development; or involving workers in decisions affecting their working lives, including improving communication with respect to subjects of mutual interest and concern.

The Program Description and other sections that follow, as well as a separately published FMCS Financial and Administrative Grants Manual, make up the basic guidelines, criteria, and program elements a potential applicant for

assistance under this program must know in order to develop an application for funding consideration for either a company/plant, area-wide, industry, or public sector labor-management committee. A copy of the Labor-Management Cooperation Act of 1978 should be reviewed in conjunction with this solicitation.

Program Description

Objectives

The Labor-Management Cooperation Act of 1978 identifies the following seven general areas for which financial assistance would be appropriate:

- (1) to improve communication between representatives of labor and management;
- (2) to provide workers and employers with opportunities to study and explore new and innovative joint approaches to achieving organizational effectiveness;
- (3) to assist workers and employers in solving problems of mutual concern not susceptible to resolution within the collective bargaining process;
- (4) to study and explore ways of eliminating potential problems which reduce the competitiveness and inhibit the economic development of the company/plant, area, or industry;
- (5) to enhance the involvement of workers in making decisions that affects their working lives;
- (6) to expand and improve working relationships between workers and managers; and

(7) to encourage free collective bargaining by establishing continuing mechanisms for communication between employers and their employees through Federal assistance in the formation and operation of labor-management committees.

The primary objective of this program is to encourage and support the establishment and operation of joint labor-management committees to carry out specific objectives that meet the aforementioned general criteria. The term "labor" refers to employees represented by a labor organization and covered by a formal collective bargaining agreement. These committees may be found at the plant (company), area, industry, or public sector levels.

A plant or company committee is generally characterized as restricted to one or more organizational or productive units operated by a single employer. An area committee is generally composed of multiple employers of diverse industries as well as multiple labor unions operating within and focusing upon a particular city, county, contiguous multicounty, or statewide jurisdiction.

An industry committee generally consists of a collection of agencies or enterprises and related labor union(s) producing a common product or service in the private sector on a local, state, regional, or nationwide level. A public sector committee consists of government employees and managers in one or more units of a local or state government, managers and employees of public institutions of higher education, or of employees and managers of public elementary and secondary schools. Those employees must be covered by a formal collective bargaining agreement or other enforceable labor-management

agreement. In deciding whether an application is for an area or industry committee, consideration should be given to the above definitions as well as to the focus of the committee.

In FY2010, competition will be open to company/plant, area, private industry, and public sector committees. Special consideration will be given to committee applications involving innovative or unique efforts. All application budget requests should focus directly on supporting the committee. Applicants should avoid seeking funds for activities that are clearly available under other Federal programs (e.g., job training, mediation of contract disputes, etc.)

Required Program Elements

1. Problem Statement - The application should have numbered pages and discuss in detail what specific problem(s) face the company/plant, area, government, or industry and its workforce that will be addressed by the committee. Applicants must document the problem(s) using as much relevant data as possible and discuss the full range of impacts these problem(s) could have or are having on the company/plant, government, area, or industry. An industrial or economic profile of the area and workforce might prove useful in explaining the problem(s). This section basically discusses WHY the effort is needed.
2. Results or Benefits Expected - By using specific goals and objectives, the application must discuss in detail WHAT the labor-management committee will accomplish during the life of the grant. Applications that promise to provide objectives after a grant is awarded will receive little or no credit in this area. While a goal of "improving communication between employers and employees"

may suffice as one overall goal of a project, the objectives must, whenever possible, be expressed in specific and measurable terms. Applicants should focus on the outcome, impacts or changes that the committee's efforts will have. Existing committees should focus on expansion efforts/results expected from FMCS funding. The goals, objectives, and projected impacts will become the foundation for future monitoring and evaluation efforts of the grantee, as well as the FMCS grants program.

3. Approach - This section of the application specifies HOW the goals and objectives will be accomplished. At a minimum, the following elements must be included in all grant applications:
 - (a) a discussion of the strategy the committee will employ to accomplish its goals and objectives;
 - (b) a listing, by name and title, of all existing or proposed members of the labor-management committee. The application should also offer a rationale for the selection of the committee members (e.g., members represent 70% of the area or company/plant workforce).
 - (c) a discussion of the number, type and role of all committee staff persons. Include proposed position descriptions for all staff that will have to be hired as well as resumes for staff already on board; noting, that grant funds may not be used to pay for existing employees; an assurance that grant funds will not be used to pay for existing employees;
 - (d) in addressing the proposed approach, applicants must also present their justification as to why Federal funds are needed to implement the

proposed approach;

- (e) a statement of how often the committee will meet (we require meetings at least every other month) as well as any plans to form subordinate committees for particular purposes; and
- (f) for applications from existing committees, a discussion of past efforts and accomplishments and how they would integrate with the proposed expanded effort.

4. Major Milestones - This section must include an implementation plan that indicates what major steps, operating activities, and objectives will be accomplished as well as a timetable for WHEN they will be finished. A milestone chart must be included that indicates what specific accomplishments (process and impact) will be completed by month over the life of the grant using “month one” as the start date. The accomplishment of these tasks and objectives, as well as problems and delays therein, will serve as the basis for quarterly progress reports to FMCS.

Applicants must prepare their budget narrative and milestone chart using a start date of “month one” and an end date of “month twelve” or “month eighteen”, as appropriate. Thus, if an applicant is seeking a twelve month grant, use figures reflecting month one through twelve. If applicant is seeking an eighteen month grant, use figures reflecting month one through eighteen. If the grant application is funded; FMCS will identify the start and end date of the grant on the Application for Federal Assistance (SF-424) form.

5. Evaluation - Applicants must provide for either an external evaluation or an internal assessment of the project's success in meeting its goals and objectives. An evaluation plan must be developed which briefly discusses what basic questions or issues the assessment will examine and what baseline data the committee staff already has or will gather for the assessment. This section should be written with the application's own goals and objectives clearly in mind and the impacts or changes that the effort is expected to cause.
6. Letters of Commitment - Applications must include current letters of commitment from all proposed or existing committee participants and chairpersons. These letters should indicate that the participants support the application and will attend scheduled committee meetings. A blanket letter signed by a committee chairperson or other official on behalf of all members is not acceptable. We encourage the use of individual letters submitted on company or union letterhead represented by the individual. The letters should match the names provided under Section 3(b).
7. Other Requirements - Applicants are also responsible for the following:
 - (a) the submission of data indicating approximately how many employees will be covered or represented through the labor-management committee;
 - (b) from existing committees, a copy of the existing staffing levels, a copy of the by-laws (if any), a breakout of annual operating costs and identification of all sources and levels of current financial support;

- (c) a detailed budget narrative that clearly identifies each line item and the estimated cost (a complete breakdown of each line item) based on policies and procedures contained in the FMCS Financial and Administrative Grants Manual;
- (d) an assurance that the labor-management committee will not interfere with any collective bargaining agreements;
- (e) an assurance that committee meetings will be held at least every other month and that written minutes of all committee meetings will be prepared and made available to FMCS; and
- (f) an assurance that the maximum rate for an individual consultant paid from grant project can be no more than \$950 for an eight-hour-day. The day includes preparation, evaluation and travel time. Also, time and effort records must be maintained.

Selection Criteria

The following criteria will be used in the scoring and selection of applications for award:

- (1) The extent to which the application has clearly identified the problems and justified the needs that the proposed project will address.
- (2) The degree to which appropriate and measurable goals and objectives have been developed to address the problems/needs of the applicant.
- (3) The feasibility of the approach proposed to attain the goals and objectives of the project and the perceived likelihood of accomplishing the intended

project results. This section will also address the degree of innovativeness or uniqueness of the proposed effort.

- (4) The appropriateness of committee membership and the degree of commitment of these individuals to the goals of the application as indicated in the letters of support.
- (5) The feasibility and thoroughness of the implementation plan in specifying major milestones and target dates.
- (6) The cost effectiveness and fiscal soundness of the application's budget request, as well as the application's feasibility in relation to its goals and approach.
- (7) The overall feasibility of the proposed project in light of all of the information presented for consideration; and
- (8) The value to the government of the application in light of the overall objectives of the Labor-Management Cooperation Act of 1978. This includes such factors as innovativeness, site location, cost, and other qualities that impact upon an applicant's value in encouraging the labor-management committee concept.

Eligibility

Eligible grantees include state and local units of government, labor-management committees (or a labor union, management association, or company on behalf of a committee that will be created through the grant), and certain third-party private non-profit entities on behalf of one or more committees to be created through the grant.

Federal government agencies and their employees are not eligible.

Third-party private, non-profit entities that can document that a major purpose or function of their organization is the improvement of labor relations are eligible to apply. However, all funding must be directed to the functioning of the labor-management committee, and all requirements under the Required Program Elements section must be followed. Applications from third-party entities must document particularly strong support and participation from all labor and management parties with whom the applicant will be working. Applications from third-parties which do not directly support the operation of a new or expanded committee will not be deemed eligible, nor will applications signed by entities such as law firms or other third-parties failing to meet the above criteria.

Successful grantees will be bound by 2 CFR 215 i.e. “contractors that develop or draft specifications, requirements, statements of work, and invitations for bids and/or requests for proposals shall be excluded (emphasis added from competing for such procurements).

Applicants who received funding under this program in the last 6 years for committee operations are not eligible to re-apply. The only exception will be made for grantees that seek funds on behalf of an entirely different committee whose efforts are totally outside of the scope of the original grant.

Allocations

The FY2010 appropriation for the Labor-Management Cooperation Grants Program will be a minimum of \$349,000. Additional funding may become available during the solicitation period. The Grant Review Board will review submissions and make recommendations for awards based on merit without regard to category.

In addition, to the competitive process identified in the preceding paragraph, FMCS subject to funds availability, will set aside a sum not to exceed thirty percent of its non-reserved appropriation to be awarded on a non-competitive basis. These funds will be used only to support applications that have been solicited by the Director of the Service and are not subject to the dollar range noted in the Dollar Range & Length of Grants Section. All funds returned to FMCS from a competitive grant award may be awarded on a non-competitive basis in accordance with budgetary requirements.

Dollar Range and Length of Grants

Awards to expand existing or establish new labor-management committees will be for a period of up to 18 months. If successful progress is made during this initial budget period and all grant funds are not obligated within the specified period, these grants may, at the discretion of FMCS, be extended for up to six months.

The dollar range of awards is as follows:

- Up to \$65,000 over a period of up to 18 months for company/plant committees or single department public sector applicants;
- Up to \$125,000 per 18-month period for area, industry, and multi-department public sector committee applicants.

Additionally, FMCS reserves the right under special conditions to award supplemental (continuation) grants subject to funds availability. If awarded the additional amount is added to the current grant amount.

Applicants are reminded that these figures **represent maximum Federal funds only**. If total costs to accomplish the objectives of the application exceed the maximum allowable Federal funding level and its required grantee match, applicants may supplement these funds through voluntary contributions from other sources. Applicants are also strongly encouraged to consult with their local or regional FMCS field office to determine what kinds of training may be available at no cost before budgeting for such training in their applications. A list of our field leadership team and their phone numbers may be obtained from the FMCS web site (www.fmcs.gov) under "Who We Are".

Cash Match Requirements and Cost Allowability

All applicants must provide at **least 10 percent of the total allowable project costs in cash**. Matching funds may come from state or local government sources or private sector contributions, but may generally not include other Federal funds. Funds generated by grant-supported efforts are

considered "project income," and may not be used for matching purposes.

It is the policy of this program to reject all requests for indirect or overhead costs as well as "in-kind" match contributions. In addition, grant funds must not be used to replace private or local/state government funds currently spent for committee purposes. Funding requests from existing committees should focus entirely on the costs associated with the expansion efforts. Also, under no circumstances may business or labor officials participating on a labor-management committee be compensated out of grant funds for time spent at committee meetings or time spent in committee training sessions. Applicants generally will not be allowed to claim all or a portion of existing full-time staff as an expense or match contribution. For a more complete discussion of cost allowability, applicants are encouraged to consult the FY2010 FMCS Financial and Administrative Grants Manual, that can be obtained on the FMCS website (www.fmcs.gov) under "What We Do".

Application Submission and Review Process

The Application for Federal Assistance (SF-424) form must be signed by both a labor and management representative. In lieu of signing the SF-424 form, representatives may type their name, title, and organization on plain bond paper with a signature line signed and dated, in accordance with block 18 of the SF-424 form. The individual listed as contact person in block 6 on the application form will generally be the only person with whom FMCS will communicate during the application review process. Please be sure that person is available once the application has been submitted. Additionally, it is the applicant's responsibility to

notify FMCS in writing of any changes (e.g. if the address or contact person has changed).

We will accept applications beginning March 1, 2010, and continue to do so until June 30, 2010, or until all FY2010 grant funds are obligated. Awards will be made by September 30, 2010. Proposals may be accepted at any time between March 1, 2010 and June 30, 2010, but proposals received late in the cycle have a greater risk of not being funded due to unavailability of funds. Once your application has been received and acknowledged by FMCS, no applications or supplementary materials will be accepted thereafter. Applicants are highly advised to contact the FMCS Grants Program prior to committing any resources to the preparation of a proposal.

FMCS is now requiring applicants to apply through Grants.gov. The official solicitation can be found under funding opportunity number FMCS-2010 or CFDA number 34.002. If you are unable to complete your application on-line, FMCS will accept mailed applications. If mailing an application, please provide an original application which includes a SF-424 form, all the required program elements, plus **three** complete copies, these should be addressed to the Federal Mediation and Conciliation Service, Labor-Management Grants Program, 2100 K Street, NW, Washington, DC 20427. FMCS will not consider videotaped submissions or video attachments to submissions. FMCS will confirm receipt of all applications within 10 days thereof.

All eligible applications will be reviewed and scored by a Grant Review Board. The Board(s) will recommend selected applications for rejection or further

funding consideration. The Director or his/her designee will finalize the scoring and selection process. All FY2010 grant applicants will be notified of results and all grant awards will be made by September 30, 2010. Applications that fail to adhere to eligibility or other major requirements will be administratively rejected by the Director or his/her designee.

Contact

Individuals wishing to apply for funding under this program should review the Federal Mediation and Conciliation Service solicitation that can be obtained from the FMCS website (www.fmcs.gov) under "What We Do". Submissions of applications should first be attempted through Grants.gov. Information or clarification can be obtained by contacting the Federal Mediation and Conciliation Service, Labor-Management Grants Program, 2100 K Street, NW, Washington, D.C. 20427, Linda Gray-Broughton at (202) 606-8181 (lgbroughton@fmcs.gov).