

**CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
LABOR COMMISSIONER'S OFFICE**



WORKERS' RIGHTS ENFORCEMENT GRANT

REQUEST FOR APPLICATION

**FISCAL YEAR 2024 – 2025
YEAR 1 OF A 2 YEAR PROGRAM**

FUNDING 2024 – 2026

PUBLIC RECORD

The application for funding and related documents **shall** be public documents and are subject to disclosure under a Public Records Act (PRA) request.

Do **not** submit anything confidential in any part of this application.

APPLICATION DEADLINE:

Received by
5:00 pm on Monday,
April 1, 2024
to email address
WageTheftGrant@dir.ca.gov

Any applicant that fails to email the application by this deadline will **not** be considered for funding.

For assistance with the grant process, contact Workers' Rights Enforcement Grant team at
WageTheftGrant@dir.ca.gov

NOTICE TO PROSPECTIVE APPLICANTS

You are invited to review and respond to this Request for Application (RFA) entitled:

WORKERS' RIGHTS ENFORCEMENT GRANT PROGRAM FISCAL YEAR 2024-2025

The grant period will begin **August 1, 2024**, and end **July 31, 2025**.

This is Year 1 of a 2-Year Program.

In July 2023, per AB102, the state of California appropriated \$18 million to the Department of Industrial Relations (DIR) to implement a Workers' Rights Enforcement Grant Program. The California Labor Commissioner's Office (LCO) will administer this grant.

This program will provide grants totaling \$8,550,000 in 2024-2025 to "eligible public prosecutors." Pursuant to AB102, "prosecutors" is defined as a district attorney, a city attorney, a county counsel or any other city or county prosecutor who has established a workers' rights enforcement program.

The grant funds are to be used to defray costs expended on state labor law enforcement and serve the public purpose to assist workers in combatting wage theft, prevent unfair competition, and protect state revenue. Activities may include evidence gathering, investigations, coordination with community organizations and law enforcement entities, criminal and/or civil prosecutions, resolutions, appeals, and settlements. Only staff salaries and benefits will be funded. No other charges will be allowed.

Two or more eligible "public prosecutors" may coordinate planning and submit a joint application. However, each individual applicant must identify its portion on the budget forms.

Grants under this program shall be awarded on a competitive basis by the LCO. In submitting your application, you shall comply with the instructions found herein.

A. APPLICATION

1. Application shall be a computer-generated PDF emailed to the LCO at WageTheftGrant@dir.ca.gov.
2. Application deadline for submission for 2024-2025 is Monday, April 1, 2024, by 5 PM to email address WageTheftGrant@dir.ca.gov.
3. Entire application submitted **shall not** exceed 10 pages on a computer-generated document in no smaller than 12-point font.
4. The maximum 10-page application shall include the following:
 - a) Grant Request & Contact Information Form (See Item 1)
 - b) Problem Statement (Narrative, see Item 2)
 - c) Wage Theft Experience (Narrative, see Item 3)
 - d) Strategic Plan (Narrative, see Items 4)
 - e) Collaboration With Community Partners (Narrative, see Item 5)
 - f) Expected Outcomes (Narrative, see Item 6)
 - g) Budget (Budget Form, see Item 7)
5. Year 1 grant period runs from August 1, 2024, to July 31, 2025.

B. BUDGET

Statewide in 2024-2025 up to \$8,550,000 will be awarded with an individual applicant maximum amount of \$750,000.

1. A Budget listing the funds requested and how they will be spent shall be included. See Budget Form, Item 7.
2. The **only** expenses allowed will be for staff salaries and benefits (i.e. attorney investigator, paralegal, forensic accountant, support staff). No other expenses are allowed. Some of the examples of expenses **not** allowed include any and all equipment; indirect charges; facility rental; vehicles; conferences; travel; training; computers; printers; desks; chairs and any other items that are not salaries/benefits for employees.
3. Applicant shall complete an annual independent audit of the grant award program for 2024-2025.
4. Audit shall be completed and submitted to the LCO on or before October 31, 2025 via email to the LCO at WageTheftGrant@dir.ca.gov.
5. Applicant will hire an outside independent auditor to determine the applicant used the grant funds awarded for the sole purpose detailed by the applicant in their grant application and as approved and awarded by the LCO.

6. Applicant will maintain an accounting system for grant fund expenditures that conforms to generally accepted accounting principles and practices.
7. Staff funded and working in the grant program shall have a timekeeping system in place to support and substantiate work performed in the program.
8. Applicant may pay for the administrative cost of the annual audit with up to 5% of their grant award.
9. Any grant funds determined by the independent audit to have been improperly spent, shall be returned to the LCO by November 30, 2025.
10. Any grant funds awarded from Year 1 (August 1, 2024 to July 31, 2025) that remain unused as of July 31, 2025, shall be returned to the LCO by October 31, 2025.
11. An applicant may seek approval from the LCO to encumber unused grant funds from Year 1 with a plan (maximum of 3 pages) and budget on how the unused funds will be used consistent with the goals outlined in the Workers' Rights Enforcement Program. The encumbrance plan shall be submitted to the LCO by October 31, 2025.
12. LCO shall decide on the submitted encumbrance plans. In the event the LCO does **not** approve the encumbrance plan submitted, applicant shall return any and all unused grant funds, as of July 31, 2025, to the LCO by November 30, 2025.

C. ANNUAL IMPACT REPORT

1. At the conclusion of Year 1's grant period (July 31, 2025), Applicant shall complete and submit an **Annual Impact Report** to the LCO by July 31, 2025. This Annual Impact Report shall be in PDF format and emailed to the LCO at WageTheftGrant@dir.ca.gov.
2. Annual Impact Report will detail results for the year including but not limited to data on number of investigations; prosecutions criminal/civil; convictions; judgements; restitution ordered and collected; and a narrative summarizing the annual accomplishments with the funds awarded.
3. Annual Impact Report shall be a **maximum** of 5 pages. See Annual Impact Report, Item 8.

D. APPLICATION REVIEW PANEL

Grants under this program shall be awarded on a competitive basis by the LCO. Factors that will be considered include the entire application, problem statement, the success of past performance in tackling the problems with community partners; likelihood of successful and effective results protecting workers with the plan submitted; maximizing recovery to workers; and effective strategies to eliminate exploitative industry trends.

The Labor Commissioner shall convene a review panel that will submit grant award recommendations to the Labor Commissioner. The Labor Commissioner will review the panel's recommendations along with the submitted grant applications, and decide the appropriate awards based upon a competitive basis that seeks to produce maximum protection to workers with the funds awarded.

The LCO review panel will consist of five voting members selected by the Labor Commissioner, as well as community leaders who will serve as advisory non-voting members.

The panel's recommendations to the Labor Commissioner shall be competitively based among recipients with the following considerations:

- a) Effectiveness of submitted application.
- b) Successful criminal and/or civil wage theft investigations, prosecutions, judgements, convictions, and restitution to victims.
- c) History of effective collaboration with law enforcement agencies to strengthen impact and outcomes.
- d) History of effective collaborations with community organizations and leaders to address problems impacting hard to reach populations.
- e) Experience building impactful cases or initiatives in low wage industries or impacting low wage earners.
- f) Experience developing, pursuing, and obtaining restorative justice outcomes.