

## Earned sick and safe time (ESST) 2024 outreach grant request for proposal (RFP)

<b>Available funding:</b>	Approximately \$300,000.
<b>Purpose:</b>	To increase worker knowledge and understanding of Minnesota’s ESST law through outreach, education and technical assistance.
<b>Period of performance:</b>	July 1, 2024, or the date the contract is fully executed, whichever occurs later, until June 30, 2025.
<b>Application due date:</b>	Applications are due no later than 11:59 p.m., March 11, 2024.  Submit applications by email to <a href="mailto:betsy.adamson@state.mn.us">betsy.adamson@state.mn.us</a> .  If you would like to submit an application by mail, contact Betsy Adamson at the email above or call 651-284-5196.
<b>Informational webinars:</b>	Informational webinars will be held on Tuesday, Feb. 21, at 1 p.m., and on Thursday, Feb. 29, at 10 a.m.
<b>Questions:</b>	Questions may be submitted by phone or email.  Submit questions no later than 4 p.m., Mar. 1, Central Standard Time. All questions and answers will be posted Feb. 20, Feb. 26 and March 4 at <a href="https://dli.mn.gov/business/employment-practices/earned-sick-and-safe-time-engagement-and-education-grant">dli.mn.gov/business/employment-practices/earned-sick-and-safe-time-engagement-and-education-grant</a> .  Contact: Betsy Adamson  Email: <a href="mailto:betsy.adamson@state.mn.us">betsy.adamson@state.mn.us</a> or phone: 651-284-5196.  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.
<b>Notification of award:</b>	Applicant awards will be announced in May 2024.

<b>All RFP and application documents can be found at:</b>	<a href="https://dli.mn.gov/business/employment-practices/earned-sick-and-safe-time-engagement-and-education-grant">dli.mn.gov/business/employment-practices/earned-sick-and-safe-time-engagement-and-education-grant</a>
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**1. Name of grant program:**

ESST outreach grant.

**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. This grant aims 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 advances 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 and outreach, as well as the administration and enforcement of labor and employment laws.

*Minnesota’s ESST law*

[Effective Jan. 1, 2024](#), Minnesota’s ESST law requires employers to provide paid leave to employees who work in the state. Sick and safe time can be used for various reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experienced domestic abuse, stalking or sexual assault. An employee earns one hour of sick and safe time for every 30 hours worked and can earn a maximum of 48 hours each year unless the employer agrees to a higher amount. For more information on ESST, visit [dli.mn.gov/sick-leave](https://dli.mn.gov/sick-leave).

**Objective**

The grant program seeks to reach Minnesota workers, especially those who experience barriers that reduce access to legal rights information and remedies available, to educate them about the ESST law through methods that are community-centered, culturally-relevant and accessible.

## 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 ESST grant focuses on outreach, education and technical assistance to the following workers and other individuals throughout Minnesota. It is a priority of this grant to serve:

- those working in low-wage industries or positions;
- those working in high-violation industries which may include, but are not limited to, construction, food service, home health care, janitorial services, agriculture, food processing, manufacturing, childcare, elder care and retail;
- immigrants;
- those living in rural communities;
- those with limited education levels;
- those who have experienced domestic abuse, stalking, or sexual assault;
- others who experience barriers to information about their legal rights and options as workers in Minnesota; and
- organizations who partner with, support or serve the above workers and other individuals, including social workers, health care professionals, patient advocates, victim or survivor advocates, community health workers, community organizers who provide training and counseling, workers' rights organizations, legal aid and unions.

## Grant outcomes

DLI expects grantees to have outcomes that may include but are not limited to the following:

- Grantee organizations have increased their understanding of the new law and their capacity to provide legal rights and remedies information to community members.
- Workers and other individuals:
  - received DLI educational materials and DLI-approved materials;
  - are educated about their ESST rights and remedies available if they experience violations, with methods that are community-based, culturally-relevant, language-specific and otherwise accessible; and
  - are empowered to take meaningful action regarding their ESST rights, including teaching coworkers or other workers about their rights and self-advocating or helping other workers to self-advocate or to file complaints with DLI.
- Service providers have increased their knowledge of ESST rights and have integrated this education into their practices and procedures.

DLI expects through this grant program and partnership with grantees to:

- gain a fuller understanding of the challenges that workers face in accessing their rights and benefits; and
- use findings to inform outreach and enforcement strategies, as well as program operations.

### 3. Grant activities

Applicants can achieve desired outreach, education and technical assistance outcomes through a variety of activities. Applicants may apply for funding to cover outreach, education, technical assistance and support for ESST. Proposals can include but are not limited to any combination of the following types of activities.

#### *Provide information directly:*

- Share resources directly online or in person.
- Host in-person and virtual events, workshops and trainings, including train-the-trainer events.
- Coordinate phone banking, text messaging or door-knocking campaigns.
- Share information at meetings or events.

#### *Provide information indirectly:*

- Develop and share DLI approved ad campaigns (radio, print, social media, etc.).
- Partner with collaborating organizations to distribute information.

#### *Technical assistance:*

- Counsel individual workers on their right to ESST.
- Train community groups and social service agencies on ESST and related workplace rights.

#### *Intakes, complaint and application support:*

- Ask about and listen to workers' grievances, help workers to self-advocate if interested and offer guidance on how to resolve grievances, including contacting DLI for help.

#### *Listening sessions:*

- In collaboration with DLI, host listening sessions with impacted workers on accessing rights and benefits and related challenges.

#### *Partnering:*

- Partner or contract with organizations to facilitate grant work and expand reach.

#### *Material development and user testing:*

- Collaborate with DLI and other grantees on educational materials.
- Work with DLI to have materials translated into relevant languages.
- In collaboration with DLI, test new and existing materials and tools with workers. Material development will use a human-centered design approach, meaning that the perspective of communities served are incorporated in all phases of the design process.

### *Other activities:*

- Hire and compensate staff who work on grant activities.
- Staff participation in DLI trainings and grant-related meetings.
- Advertising costs.
- Printing of outreach materials.
- Purchase of office supplies related to the grant.
- Travel expenses directly related to the grant including for meetings, community events and conferences.

## **4. Eligible applicants and minimum eligibility requirements**

### **Eligible applicants**

DLI is seeking proposals from eligible organizations who have experience, connection to and relationships with workers and other individuals identified in the focus populations section above and who have demonstrated capacity and experience providing outreach, education, training, technical assistance and other support to workers.

Eligible organizations include:

- Nonprofit community organizations and may include, but are not limited to:
  - worker advocacy organizations
  - culturally-specific organizations
  - legal services organizations
  - domestic violence or sexual assault assistance organizations
  - faith-based and
  - other community-based organizations throughout Minnesota.

Multi-organization collaborations are not allowed for this funding. Applicants are, however, encouraged to partner with other organizations when appropriate. Letters from partner organizations are welcome but not required.

### **Minimum eligibility requirements**

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

To be eligible for funding, applicants must:

- 1) Meet the application deadline
- 2) Serve at least one of the focus populations listed for this grant program
- 3) Be an eligible applicant

## **5. Available funding**

- Total funds allocated for this grant: approximately \$300,000.

- Award amounts will be up to \$100,000 per organization.
- DLI plans to award funding for approximately six organizations from throughout the state.

## 6. Eligible and ineligible expenses

Eligible expense examples include but are not 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 + est. 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, translation services or payments to contracted project partners. (List contractor name and/or anticipated service)
Administrative costs	Administrative costs may include, but are not limited to, administrative oversight, accounting support, insurance and facility rent or overhead. Staff listed in personnel cannot also be funded through administrative costs. Administrative costs cannot exceed 10% of the total grant budget.

All 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.
- 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

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 following:

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	Listed community partners and provided examples of past success in working with those groups.  Sufficiently demonstrated their ability to educate their focus populations about the ESST law in a community-centered, culturally-relevant and accessible manner.	20
Program activities and services	Described in detail work to be performed to achieve planned grant outcomes, including the role of partner organizations where applicable.	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
	<b>Total score available</b>	<b>100</b>

## 8. Grantee reporting requirements

The grantee must take part in regular technical assistance and training meetings. Additionally, the grantee must submit the following documents on a quarterly basis:

- 1) Reimbursement payment request (RPR) for invoicing (template provided by DLI)
- 2) Expense summary template (template provided by DLI)
- 3) Participant tracking
- 4) Quarterly narrative report (template provided by DLI)
- 5) Final report (template provided by DLI)

All reports, invoices and required supporting documentation must be submitted on a quarterly basis and a final grant report which summarizes all grant activity. 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](#) and [Policy 08-10 Grant Monitoring](#) 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](#), 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 StateWide Integrated Financial Tools accounting system.



## 11. Required financial and grantee capacity review

Minn. Stat. §16B.981/[Chapter 62 - MN Laws](#), 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.

**I. Capacity responses: All potential grantees: Exhibit A**

- a) 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.

**II. Certification: No current principals have been convicted of a felony financial crime in the last ten years: All potential Grantees: Exhibit B**

**III. 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

**IV. Nonprofit grantees documents: 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](#)
- 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

## 12. Audit of grantee's records

Per Minn. Stat. §16B.98, subdivision 8, the 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:**

- A. Any grant-funded services and materials that are expected to cost:
- \$100,000 or more must undergo a formal notice and bidding process.

- 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.
- B. 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](#).
  - Metropolitan Council's Targeted Vendor list: [Minnesota Unified Certification Program](#).
  - Small Business Certification Program through Hennepin County, Ramsey County, and City of St. Paul: [Central Certification Program](#).
- C. 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.
- D. The grantee must not contract with vendors who are suspended or debarred in Minnesota: [Suspended/Debarred Vendor Information](#).
- E. For grant-funded projects that include construction work of \$25,000 or more, prevailing-wage rules apply per [Minn. Stat. §§177.41](#) through [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 single and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat. §16B.98 Subd. 2-3](#) and [08-01 Conflict of Interest in State Grant-Making Policy](#).

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.
- 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](#)

- 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](#)) 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](#)) 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:

- A. As per [Minn. Stat. §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.
- B. 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](#).
- C. 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](#) by providing voter registration services for its employees and for the public served by the grantee.

## 18. Application materials

### Required material to submit with application:

- 1) Application form
- 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 (optional)

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

## 19. How to submit applications

**Email to:** Betsy Adamson at [betsy.adamson@state.mn.us](mailto:betsy.adamson@state.mn.us).

If you would like to submit an application by mail, contact Betsy Adamson at the email above or by phone at 651-284-5196 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 associated with applying to this RFP.

## 20. Questions

- Questions may be submitted by email or phone to:
  - Betsy Adamson, at [betsy.adamson@state.mn.us](mailto:betsy.adamson@state.mn.us) or 651-284-5196.
- Submit questions no later than 4 p.m., March 1, 2024.
- All answers will be posted by March 4, 2024.

## 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 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/earned-sick-and-safe-time-engagement-and-education-grant](https://dli.mn.gov/business/employment-practices/earned-sick-and-safe-time-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