

Assurances

Nashville Career Advancement Center (LWIA 9) July 1, 2012 – June 30, 2013

1. The LWIA assures that it will establish, in accordance with section 184 of the Workforce Investment Act, fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the LWIA through the allotments made under sections 127 and 132. (§112(b)(11).)
2. The LWIA assures that it will comply with section 184(a)(6), which requires the Governor to, every two years, certify to the Governor, that –
 - a) The LWIA has implemented the uniform administrative requirements referred to in section 184(a)(3);
 - b) The LWIA has annually monitored local areas to ensure compliance with the uniform administrative requirements as required under section 184(a)(4); and
 - c) The LWIA has taken appropriate action to secure compliance with section 184 (a)(3) pursuant to section 184(a)(5). (§184(a)(6).)

This is the process the LWIB will continue to comply with.

3. The LWIB assures that veterans will be afforded employment and training activities authorized in section 134 of the Workforce Investment Act, to the extent practicable.
4. The LWIB assures that it will comply with the confidentiality requirements of section 136(f)(3).
5. The LWIB assures that no funds received under the Workforce Investment Act will be used to assist, promote, or deter union organizing. (§181(b)(7).)
6. The LWIB assures that it will comply with the nondiscrimination provisions of section 188, including an assurance that a Methods of Administration has been developed and implemented (§188.)
7. The LWIB assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of section 188. (§185.).
8. The LWIB assures that it will comply with the grant procedures prescribed by the Secretary (pursuant to the authority at section 189(c) of the Act) which are necessary to enter into grant agreements for the allocation and payment of funds under the Act. The procedures and

agreements will be provided to the State by the ETA Office of Grants and Contract Management and will specify the required terms and conditions and assurances and certifications, including, but not limited to, the following:

- General Administrative Requirements:

29 CFR part 97 --Uniform Administrative Requirements for State and Local Governments (as amended by the Act)

29 CFR part 96 (as amended by OMB Circular A-133) --Single Audit Act

OMB Circular A-87 --Cost Principles (as amended by the Act)

- Assurances and Certifications:

SF 424 B --Assurances for Non-construction Programs

29 CFR part 37 --Nondiscrimination and Equal Opportunity Assurance (and regulation)

29 CFR § 37.20 CFR part 93 --Certification Regarding Lobbying (and regulation)

29 CFR part 98 --Drug Free Workplace and Debarment and Suspension Certifications (and regulation)

- Special Clauses/Provisions:

Other special assurances or provisions as may be required under Federal law or policy, including specific appropriations legislation, the Workforce Investment Act, or subsequent Executive or Congressional mandates.

9. The LWIB assures that it will comply with Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.)
10. The LWIB assures that funds will be spent in accordance with the Workforce Investment Act, regulations, written Department of Labor Guidance policies, and all other applicable Federal and State laws.
11. The LWIB assures that funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act and their regulations, written Department of Labor Guidance implementing these laws, and all other applicable Federal and State laws and regulations.
12. The LWIB assures compliance with obligations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its accompanying regulations.

13. As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the LWIB assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I --financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
- Age Discrimination in Employment Act of 1967 (29 U.S.C. §623)
- Rehabilitation Act of 1973, Section 504 (29 U.S.C. §794)
- Americans with Disabilities Act of 1990 (42 U.S.C. §12112)
- Uniformed Services Employment and Reemployment Act of 1994 (38 U.S.C. §4311(a))
- Guide to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, U.S. Department of Justice, April 2002.
- WIA §188, and
- The regulations implementing the statutory provisions

The LWIB also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Attestation: The Nashville Career Advancement Center, acting as the Grant Recipient for Metropolitan Nashville Government, hereby agrees to comply with the above mentioned Assurances:

Administrative Entity LWIA 9:

Paul Haynes, Executive Director NCAC **Date**

Chief Local Elected Official / Mayor:

The Honorable Karl F. Dean, Mayor of Nashville **Date**