



## ATTACHMENT E

# Guidelines and Regulations Concerning the Use of Federal Funds for Religious and Sectarian Activities

Employ Milwaukee has compiled the following list of guidelines and regulations concerning religious and sectarian activities that offer direction, and apply to, organizations receiving federal funds.

The government is prohibited from directly funding religious activity. These grants may not be used for religious instruction, worship, prayer, proselytizing or other inherently religious practices. Neutral, secular criteria that neither favor nor disfavor religion must be employed in the selection of grant and sub-grant recipients. In addition, under the WIOA and DOL regulations implementing the Workforce Innovation Opportunity Act, a recipient may not train a participant in religious activities, or permit participants to construct, operate, or maintain any part of a facility that is primarily used or devoted to religious instruction or worship. Under WIOA, “no individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under Title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.”

### **Federal Register / Vol. 68, No. 75 / Friday, April 18, 2003: Legal Rules That Apply to Faith-based Organizations That Receive Government Funds**

The United States Supreme Court has said that faith-based organizations may not use direct government support to support "inherently religious" activities...it means you cannot use any part of a direct Federal grant to fund religious worship, instruction, or proselytization. Instead, organizations may use government money only to support the non-religious social services that they provide. Therefore, faith-based organizations that receive direct governmental funds should take steps to separate, in time or location, their inherently religious activities from the government-funded services that they offer. Such organizations should also carefully account for their use of all government money.

### **Guidance to Faith-Based and Community Organizations on Partnering with the Federal Government, WHITE HOUSE FAITH-BASED AND COMMUNITY INITIATIVES**

**PROHIBITION ON ASSISTANCE FOR FACILITIES FOR SECTARIAN INSTRUCTION OR RELIGIOUS WORSHIP.** - Participants shall not be employed under this title to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).

### **Workforce Development Act §188(a) (3)**

Sectarian Activities. DWE funds may not be used to attempt to support either religious or anti-religious activities. Grants that are issued to ‘faith based’ organizations must document the nonsectarian nature of the activity.

### **Sectarian Activities**

**WIOA funds may be used to train participants in religious activities when the assistance is provided indirectly through an Individual Training Account.**

WIOA funds may not be used for employment in the construction, operation, or maintenance of any part of any facility that is used or will be used for sectarian instruction or as a place for religious worship with the exception of maintenance

of facilities that are not primarily used for instruction or for worship and are operated by organizations providing services to WIOA participants. WIOA Sec. 188(a)(3); 20 CFR Part 683.255; 29 CFR Part 2, subpart D, and 29 CFR Part 37.6(f)(1) (Reference TEGL 1-05 dated July 6, 2005)

Please be advised that any and all complaints that allege violations of any of these guidelines, regulations, or laws will be thoroughly investigated by the Employ Milwaukee staff. If violations are found to have occurred, the provider's contract may be terminated without further notice.

If you would like additional information on this please contact Carrie Hersh, EEO Officer/Complaint Officer, at (414) 270-1726.

**ACKNOWLEDGMENT**

I acknowledge that I have received, read and understood the Employ Milwaukee Guidelines and Regulations Concerning the Use of Federal Funds for Religious and Sectarian Activities.

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

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