



TITLE: QUALIFIED NONPROFIT AGENCY REQUIREMENTS

1. PURPOSE.

This document sets forth the policy of the U.S. AbilityOne Commission (Commission) regarding qualification requirements for nonprofit agencies (NPAs) to participate in the AbilityOne Program (Program), and responsibilities of the Central Nonprofit Agencies (CNAs) in monitoring and assisting NPAs in meeting the qualifications.

2. APPLICABILITY.

This policy applies to the Commission, designated CNAs, and NPAs.

3. AUTHORITY.

- (a) 41 U.S.C. §§ 8501 – 8506, Javits-Wagner-O’Day (JWOD) Act
- (b) 41 CFR Chapter 51, Committee for Purchase From People Who Are Blind or Severely Disabled

4. DEFINITIONS AND ACRONYMS.

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in Policy 51.102, Definitions of Terms.

5. RESPONSIBILITIES.

- (a) The Commission:
 - i. Determines whether an NPA participating in the AbilityOne Program continues to meet qualification requirements.
 - ii. Approves the process the CNA will use to monitor, review, and evaluate the NPA fulfillment of Program qualification requirements.
 - iii. Oversees the effectiveness of the CNA’s program in monitoring, reviewing, and evaluating the NPAs’ completion of Program qualification requirements.
 - iv. Approves the CNA’s guidance and training programs.
 - v. Conducts inspections as determined necessary.
- (b) The CNA:
 - i. Establishes a process to monitor, review, and evaluate whether NPAs are meeting Program qualification requirements.
 - ii. Monitors, reviews, and evaluates whether NPAs are meeting Program qualification requirements, including through inspections.



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- iii. Provides guidance, training, and technical assistance to NPAs to facilitate their ability to meet Program qualification requirements.
 - iv. Reports to the Commission the results and recommendations of its evaluations of NPAs, including those resulting from inspections and/or assistance visits, in an electronic format directly and fully accessible to the Commission.
- (c) The NPA:
- i. Complies with all Program requirements to remain qualified.
 - ii. Participates in required education and training programs offered by the CNA or the Commission.
 - iii. Transmits information to the CNA in an electronic manner when and as required.

6. POLICY.

- (a) To maintain its Qualified NPA status, each NPA shall:
- i. Submit the Commission's required Annual Representations and Certifications no later than November 1 covering the fiscal year ending the preceding September 30.
 - ii. Maintain documentation of each employee meeting the participating employee requirements, as required by Commission Policy 51.403, effective August 2, 2024.
 - iii. Maintain a record of all direct labor hours performed at the NPA by each employee as required by Policy 51.404.
 - iv. Certify the NPA did not use wage certificates authorized under section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) to pay employees on any contract or subcontract tied to a Procurement List product or service (41 CFR 51-4.2(a)(1)(iv)).
 - v. Reserved. The Commission is developing standards for employee career development.
 - vi. Comply with all applicable Federal, state, and local laws, particularly as required by 41 CFR 51-4.3(b)(2).
 - vii. Report disclosures to its designated CNA, as required by the Commission directive in Policy 51.406, consistent with 41 CFR 51-4.3(b)(3).
 - viii. Notify the Commission, via its associated CNA, of changes to its relationship(s) with other related entities.
 - ix. Remit Program Fees to its designated CNA in a timely manner, after payment by the Government, as required by 41 CFR 51-4.3(b)(9).
 - x. Make records and/or data available at a reasonable time to the Commission and to the designated CNA, as required by 41 CFR 51-4.3(b)(4).
 - xi. Deliver products and services in accordance with the contract requirements while achieving product quality equal to the commercial market and/or service

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performance conforming to good commercial practices.

7. PROCEDURES.

None.

8. EXCEPTIONS.

None.

9. SUPERSESSION.

This Policy supersedes Commission Policy 51.409, dated August 15, 2020.



APPROVED: _____ Date: _____
Kimberly M. Zeich
Executive Director

