



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 qualification assessments 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.
 - iii. Provides guidance, training, and technical assistance to NPAs to facilitate their



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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. Complete an evaluation at least annually as mandated by 41 CFR 51-4.3(b)(7) and (c)(2) for each participating employee. Each evaluation must be completed by person(s) who are qualified by training and experience.
- 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. Nonprofit agencies must maintain an ongoing placement program, either operated internally or provided by an external organization, in accordance with 41 CFR 51-4.3(c)(8).
 - a. If the NPA chooses to operate its own placement program, it should designate one or more persons qualified by training and/or experience to oversee placement functions. These individuals must be capable of providing policies and procedures for the program, detailing its operations, and presenting data on the agency's placement history.
 - b. If the NPA opts to have another organization provide placement services, the agency must obtain a letter or memorandum of understanding (MOU) from the service provider. This document should confirm the provider's commitment to delivering placement services and outline the qualifications of the individuals responsible for those services. Additionally, the NPA must establish and share policies and procedures for referring employees to the placement provider. The provider, in turn, must report placement outcomes to the NPA at least annually

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- 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.

7. PROCEDURES.

None.

8. EXCEPTIONS.

None.

9. SUPERSESION.

This Policy supersedes the version of Commission Policy 51.402 effective October 1, 2024.



APPROVED: _____ Date: _____

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Executive Director

