



### **NOTE TO GRANTEES REGARDING CERTAIN LABOR STANDARDS**

Grantees of Humanities Texas (HTx) should be advised that the National Foundation on the Arts and the Humanities Act of 1965, as amended, obligates HTx and its grantees to ensure that certain labor standards are met.

All professional performers and related or supporting professional personnel on projects financed in whole or in part through federal funds should receive not less than the prevailing minimum compensation resulting from collective bargaining agreements negotiated by various labor organizations as listed in 29 CFR 505.3, the labor standards rule of the Department of Labor.

This rule is directed primarily to those individuals who may be involved in particular kinds of artistic productions; for example, musicians, stage hands, scenery designers, technicians, and electricians. The rule does not include laborers and mechanics employed by contractors or subcontractors on construction projects. Nor does it include ushers, janitors, and those who sell and collect tickets. Finally, the rule does not include "persons employed as regular faculty or staff of an educational institution primarily performing duties commonly associated with the teaching profession."

Hence, it is the interpretation of Humanities Texas that this rule is not applicable to the majority of HTx-funded projects. However, some projects may be covered by this rule, such as those involving media production (a documentary film, for instance), and projects involving certain artistic performance components (dance, for instance).

If your institution would like a copy of the rule, please call the HTx office at 512. 440.1991.

### **NOTE TO GRANTEES REGARDING AMERICANS WITH DISABILITIES ACT**

Grantees of Humanities Texas (HTx) should be advised that the National Endowment on the Arts and Humanities Act of 1965, as amended, obligates HTx and its grantees to ensure that access to public programs is extended to all citizens regardless of physical abilities.

State humanities committees are obligated to develop methods of administering federal funds so as to ensure that handicapped persons are not subjected to discrimination on the basis of handicap either by sub-grantees or by the manner in which funds are distributed.

The legislation states that no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

This requirement pertains to facilities access but also extends to the following examples:

- a publication related to a program or an exhibit catalog may be made usable by the blind and visually impaired through cassette tapes, discs, Braille, and readers.
- a lecture, meeting, or symposium may be made available to deaf and hearing impaired persons through the use of a sign language interpreter or by providing transcripts in advance of the performance.

Please note that costs associated with meeting these ADA requirements are allowable costs that can be included in the grant request.