

OFFICE OF WORKFORCE OPPORTUNITY
WIOA POLICY ISSUANCE – 2015-003
Effective Date: July 1, 2021

WIOA STATE LEVEL MONITORING POLICY AND PROCEDURES

Purpose

The purpose of this policy and procedure is to establish a monitoring system which contains acceptable standards for ensuring accountability. The system includes monitoring and implementation of sub-grantee contracts, carrying out monitoring activities at reasonable intervals, and taking prompt and appropriate corrective action when evidence indicates a possible violation of the [Workforce and Innovation Act](#), regulations or policies of the Office of Workforce Opportunity (OWO) and/or State Workforce Innovation Board (SWIB).

Policy

- A. The Director of OWO will be responsible for ensuring compliance with federal requirements to monitor sub-recipients on an annual basis.
- B. Compliance monitoring of each SWIB-operated program and contract will be conducted at least once during the contract year.
- C. Compliance monitoring is conducted to verify contract and program compliance with the terms and conditions of the contract, WIOA, and the policies established by the OWO and the SWIB.
- D. Compliance monitoring will be conducted by reviewing records and documents maintained by the OWO administrative office on each program or contract; conducting onsite reviews of procedures, records, and documents maintained by the contractor or program operations staff; and submitting written reports of findings, including corrective action recommendations if appropriate.
- E. The State Board will certify compliance with WIOA monitoring compliance annually.

Procedure

General Monitoring Procedure

- A. A monitoring tool is developed to ensure all acceptable standards of accountability are reviewed.

- B. Compliance monitoring activities are scheduled in advance with the contract signatory or designated representative or program operations staff. Those responsible for the contract or program operations are also notified as to the purpose, procedure and specific areas to be monitored.
- C. Reports, records and documents, maintained by the OWO administrative office on each contract or program, are reviewed for completeness, accuracy and timeliness of submission. Such reports, records and documents include but are not limited to:
 - 1. The approved contract and modifications thereto and/or program specifications;
 - 2. Correspondence and reports maintained by the contracting officer in the contract program operations file;
 - 3. Transmittal of individual participant records;
 - 4. Previous monitoring reports; and
 - 5. Applicable corrective plans.
- D. Each contract or program is monitored at the site of operation. On-site monitoring may include but not be limited to:
 - 1. An entry interview with the contract signatory or designated representative or program operations staff;
 - 2. A review of applicable written policies and procedures;
 - 3. Staff and participant interviews;
 - 4. A review of participant records, including eligibility documentation;
 - 5. A review of financial procedures, records and documentation; and
 - 6. An exit interview with the contract signatory or designated representative or program operations staff.
- F. A written report is completed on each monitored contract or program and is submitted to the OWO Director and the contract/program operator. The written report includes but is not limited to:
 - 1. Completed applicable sections of the written monitoring tool;
 - 2. Written comments and recommendations on identified deficiencies.
- G. Verbal reports may be made to the Director when apparent deficiencies are identified which may need immediate action. Such deficiencies include but are not limited to:
 - 1. Inaccurate or insufficient financial management procedures;
 - 2. Inaccurate or insufficient participant eligibility determinations;
 - 3. Child labor law violations; or
 - 4. Blatant non-compliance with the terms of the contract or program specifications or with other applicable federal, state, SWIB, or WIOA requirements.

Special Investigations

Special investigations are conducted when information is received which indicates possible fraud, abuse or alleged criminal activity. The investigation is designed to provide the SWIB and the OWO Director with sufficient information to justify a decision to notify appropriate legal authorities.

- A. The OWO Director notifies the SWIB Chair upon receipt of any request to conduct a special investigation and or upon the initiation of any special investigation.
- B. The OWO Director or SWIB Chair appoints specific persons as appropriate to conduct special investigations.
- C. Assistance or advice from other individuals approved by the SWIB Chair or the OWO Director may be solicited during a special investigation.

Desk Reviews

Desk reviews are conducted by OWO staff to ensure that the performance objectives of individual contracts and programs are attained within reasonable limits. These performance reviews are used to determine whether program design and program mix are adequate to meet the needs of the eligible population and attain planned objectives. Performance reviews are conducted at regular intervals on each contract or program operating with funds from the SWIB. Participant and financial status reports are reviewed on the basis of actual cumulative data versus plan, actual performance rates versus plan, and actual performance relative to performance standards criteria.

Processing Procedures

- A. The Job Match System (JMS) case management system, the Performance Accountability and Customer Information Agency (PACIA), and OWO/BEA financial systems are used to maintain individual participant data and fiscal data sufficient to generate monthly, quarterly and annual performance reports.
- B. Performance reports are generated by PACIA and/or OWO staff and used for development of performance reviews.
- C. The OWO staff maintains monthly contract and program information and reports sufficient to review performance on participant and fiscal outcomes.
- D. Quarterly performance review summaries on individual National Dislocated Worker Reserve Grants (NDWRG) contracts and programs as well as the Senior Community Service Employment Program (SCSEP) are submitted to OWO by the contractors.
- E. The OWO staff develops and submits reports and recommendations to the board membership relative to attainment of performance goals.
- F. Special inquiry reports may be requested by the OWO Director, or board membership for the purposes of investigating or analyzing specific data or responding to specific performance related inquiries.
- G. Following completion of each program year, contractor staff may develop an annual report of performance for the WIOA funded program, which is shared with the board.

Corrective Action and Follow-up

Corrective action and follow-up is conducted to eliminate reported violations. Corrective action plans are developed and implemented for the purposes of alleviating reported inadequacies in acceptable operating procedures, standards of accountability or program performance standards.

- A. All compliance monitoring findings that require corrective action are reported in writing to the OWO Director.
- B. Compliance monitoring findings, which may require immediate corrective action, are verbally reported to the Director prior to issuing a written report.
- C. Requests for corrective action as a result of performance review findings will be initiated by OWO staff.
- D. The OWO staff will conduct corrective action procedures resulting from performance review findings.
- E. Written responses to recommendations to initiate corrective action may include any of the following:
 - 1. No plan for corrective action with written justification for not initiating such action;
 - 2. A written plan for corrective action which includes dates for implementing and completing such action; or
 - 3. A written explanation of the appropriate action which has been initiated prior to the issuance for the request for corrective action.
- F. OWO staff will be responsible for initiating corrective action requests and follow-up on responses and actions.
- G. Written reports on corrective action activities are distributed as appropriate by the OWO Director.

Sub-recipient Risk Analysis Monitoring:

[2 CRF 200-331 \(b\)](#) requires a formal risk assessment of sub-awards to evaluate each sub-recipients' risk of noncompliance with federal statutes, regulations, and the terms and conditions of the sub award for purposes of determining the appropriate level of sub recipient monitoring required to minimize potential risk.

- A. OWO staff shall within the first quarter after a finalized sub-award agreement is in place conduct a formal risk analysis of the sub recipient's capacity to fully comply with federal statutes, regulations, and the terms and conditions of the sub award. This shall be in addition to first quarter monitoring activities identified above.
- B. At a minimum the risk analysis will assess the following factors:
 - a. Prior experience with the same or similar activities

- b. Audit results – e.g., A1-33 Single Audits, federal audits or other similar formal audits.
 - c. Degree to which new staff or systems have been put in place that may impede successful outcomes.
 - d. Results of previous state and/or federal monitoring
 - e. Good standing reports – federal (SAM) and state Certificate of Good Standing
- C. Other risk factors may be assessed at the discretion of the OWO Director based on unique or specific sub-award requirements considered to have the potential to negatively impact the sub-recipient’s ability to maintain compliance at all time.

WIOA Compliance Requirement:

The Office of Workforce Opportunity staff shall submit a summary report to the Director of OWO for signature annually, certifying that BEA is in full compliance with WIOA regulations specific to monitoring requirements.

ACTION: All staff must be knowledgeable of the contents of this directive.

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