***WIOA Title I-B Formula & Statewide Discretionary Grants to LWDBs***

**PY 25 Determination**

No Issues Identified

Noted Practice

Item(s) to Address

Questioned Costs

Disallowed Costs

Findings

N/A

| **Item** | **Description** | **Questions for Confirmation, Review & Discussion** | **Documents to Review** |
| --- | --- | --- | --- |
| **1.1** | **Design & Governance of LWDB**   * **20 CFR 679.310** implements WIOA sec. 107 by defining the LWDB and its functions. * **20 CFR 679.310 (g)** The CEO (chief elected official) must establish by-laws, consistent with State policy for LWDB membership, that at a minimum address all seven components. * **20 CFR 679.370** Functions of the Local Workforce Development Board * **WIOA Sec. 107 (e)** SUNSHINE PROVISION   (e) SUNSHINE PROVISION.—The local board shall make available  to the public, on a regular basis through electronic means and  open meetings, information regarding the activities of the local  board, including information regarding the local plan prior to  submission of the plan, and regarding membership, the designation  and certification of one-stop operators, and the award of grants  or contracts to eligible providers of youth workforce investment  activities, and on request, minutes of formal meetings of the local  board.   * **WIOA Sec. (107) (12)(A)** BUDGET. The local board shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official.   **WIOA I-B Policy 5610 rev1** – Local Board Member Appointment Criteria, July 1, 2015  Section 107(b) (1) of the Workforce Innovation and Opportunity Act (WIOA) requires the Governor, in partnership with the State Workforce Development Board, to establish criteria for use by local Chief Elected Officials to appoint members of local boards in their areas. The U.S. Department of Labor (DOL), , further requires state policy outlining the criteria and process for local board member appointment.  **WIOA I-B Policy 5609** **rev 1**– Local Workforce Development Area Designation, January 27, 2017  Section 106(b) of the Workforce Innovation and Opportunity Act (WIOA) requires the Governor to designate local workforce development areas (local areas). The Governor, in consultation with the State Workforce Development Board (SWDB), must develop a policy and procedure for initial and subsequent designation of existing and new local areas.  **WIOA Sections** 106(b), 106(e), 116(g)(2)(A), and 184(b)(1) 20 CFR 679.220, 679.230, 679.240, 679.250, 679.260, 679.280, 679.290, 683.630, and 683.640 | WIOA Section 107(b)(1) |WIOA Section 107 (i) | 20 CFR 679.120, 679.310, 679.320, 679.330, 679.340, 679.350, and 679.360 | * Were there changes to the By-Laws since the last monitoring visit? * Does the Board have representation as required by WIOA? * How many vacancies are there on the Board? * How long has/have seat(s) been vacant? * Does the LWDB have an adopted budget to establish fiscal year spending authority? (and supplemental budget, if applicable) * Was the budget approved by Chief Elected Official(s) and the LWDB according to statute? * Are the sunshine provisions being followed (i.e., is the required information available on the LWDB website?) * If the fiscal agent and LWDB are separate entities, the monitors will look for evidence the LWDB voted to authorize the fiscal agent to perform the functions listed in WIOA § 679.420(c)(1)-(3). * Monitors will review Chief Elected Official(s) by-laws, designation agreements, and consortium agreements to see if they define the subcommittees for the LWDB. If they do, the monitors will seek board by-laws and/or board minutes where the LWDB approved or concurred with the committee created by the Chief Elected Official(s). * Is it clear in agreements that the LWDB chooses its own chair? Are there any documents that state the chair is chosen or approved by the Chief Elected Official(s)? * Monitors will look for any agreement that states the hiring and termination of the LWDB ED is at the discretion of the Chief Elected Official(s). Such an agreement would fail a compliance check.   If Chief Elected Official(s) run the hiring process, monitors will be looking for involvement of LWDB members, e.g. what qualifications are they seeking in an ED, something that reflects board involvement in hiring process and decision. | As part of the Sunshine Provision, the LWDB shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including:  Information about the Local Plan, or modification to the Local Plan, before submission of the plan; (Was there a public comment period? Were public comments received? Were there board meetings in advance of finalizing the plan where public comment was discussed?)  List and affiliation of Local WDB members;  Selection of One-Stop Operators;  Award of grants or contracts to eligible providers of workforce investment activities including providers of youth workforce investment activities;(Board minutes reflecting LWDB action to approve providers)  Minutes of formal meetings of the Local WDB; and  Documented items (preferably in by laws of consortium) consistent with § 679.310(g)  *As part of the governance review, the ESD Monitoring Unit will be reviewing the following:*  Copy of any governing coalitions/consortiums/designation agreements  List of any vacancies by category and how long the vacancy has been unfilled.  Copy of Board adopted budget & supplemental budget (if applicable)  Copy of chief local elected official approval/concurrence of budget (examples include emails from Chief Elected Official(s) or designee, Board minutes from chief elected official consortium meeting where budget is approved, Minutes from Board meeting where the Chief Elected Official(s) is present, and budget is approved)  Copy of Board minutes where budget is adopted  If an entity is performing more than one role at the local level is there a signed agreement between the Chief Elected Official(s), LWDB chair, and director of that organization as required in 20 CFR 679.430? (This can take the form of an agreement between the Chief Elected Officials and the LWDB delineating the roles of the LWDB and the fiscal agent that reflects final decision-making authority for WIOA required LWDB actions resides with the LWDB. Such an agreement must include language ensuring that all parties will follow existing conflict of interest policies) |
| **1.2** | **MOU/IFA**  WIOA emphasizes full and effective partnerships between LWDBs, chief elected officials, and one-stop partners. LWDBs and partners must enter into good-faith negotiations. LWDBs and one-stop partners must establish, in the MOU, how they will fund the infrastructure costs and additional costs of the one-stop centers.  **MOU**  WIOA sec. 121(c)(2)(A) and 20 CFR 678.500(b), 34 CFR 361.500(b), and 34 CFR 463.500(b).  20 CFR 678.500; §678.505: §678.755; and §678.760; §678.715; §678.720; §678.730; §678.740; and §678. 750; and Washington WorkSource System Policy 1013, Revision 4-  One-Stop Memorandum of Understanding (MOU)  **IFA**  Required partner programs and additional partners infrastructure costs:  20 CFR 678.700(c), 678.415, and 678.420(b), 34 CFR 361.700(c), 361.415, and 361.420(b), and 34 CFR 463.700(c), 463.415, and 463.420(b), Washington WorkSource System Policy 1024, Revision 2- Infrastructure Funding Agreements and State Funding Mechanism  TEGL 17-16 – Infrastructure Funding of the One-Stop System  **Job Corps –**  Job Corps FAQ - <https://www.dol.gov/agencies/eta/wioa/faqs/>  TEGL 16-16 Change 1: One-Stop Operations Guidance for the American Job Center Network  **Section 5 of the TEGL 17-16 addresses:**  Required partner programs and additional partners that carry out their program in the local area are required to share infrastructure costs and certain additional costs (20 CFR 678.700(c), 678.415, and678.420(b), 34 CFR 361.700(c), 361.415, and 361.420(b), and 34 CFR 463.700(c), 463.415, and 463.420(b)). All one-stop partners, whether they are required partners or additional partners, ***must contribute to infrastructure costs of the one-stop centers*** based on proportionate use and relative benefits received. The required one-stop partners must provide access to their programs in the comprehensive centers and contribute to the infrastructure costs of those centers. These ***partners also make available each partner program’s applicable career services at the comprehensive one-stop centers and may contribute to shared services and shared operating costs.***  When two or more grant recipients or contractors of a required partner program are carrying out the program in a local area, both of these entities must contribute to infrastructure costs, including at an affiliate center, if those partners are participating in that affiliate center***.*** The financial contributions of one-stop partners through a direct linkage will be different than those one-stop partners with a physical presence, regardless of the type of center.  **Partner Programs with Multiple Grant Recipients:**  Partner programs and additional partners that carry out a program in the local area are required to share infrastructure costs and certain additional costs (20 CFR 678.700(c), 34 CFR 361.700(c), and 34 CFR 463.700(c)). When two or more grant recipients or contractors of a required partner program carry out a program in a local area, these entities are considered one-stop partners and must reach out to the Local WDB and carry out the roles and responsibilities of one-stop partners, including negotiating their share of infrastructure costs.  **Contributions to Affiliate Centers:**  ***Only those one-stop partners that participate in the affiliate one-stop centers would be required to contribute to the infrastructure costs*** for those centers, including in one-stop affiliate centers where “access” to programs, services, and activities are made available through a direct linkage or physical presence.  **WA State Program Policy 7000** **Rev 1**– State Guidance and Instructions for the State Economic Security for All (EcSA) Program  **3.i.** MOU and IFA Requirements Per WorkSource System Policy 1013, Revision 4, One-Stop Memorandum of Understanding (MOU) and WorkSource System Policy 1024, Revision 2, Infrastructure Funding Agreements (IFA), State EcSA programs, if providing direct services through the one stop center(s) (AJCs), must sign the MOU and pay their proportionate share of IFA costs | **MOU**   * Who are the additional partners the grant recipient works with that are not expressly required in the SOW? How do these additional partners contribute to the grant?   Does the MOU include the following information:   * Description of services to be provided through the one-stop delivery system consistent with WIOA Section 121(c)(2)(A), including the manner in which the services will be coordinated and delivered through the one-stop system; * How the costs of such services and the operating costs of such system will be funded (see Attachment I), including:  1. Funding through cash and in-kind contributions (fairly evaluated), which contributions may include funding from philanthropic organization or other private entities, or through other alternative financing options, to provide a stable and equitable funding stream for ongoing one-stop delivery system operations; and 2. Funding of the infrastructure costs of comprehensive, affiliate and specialized one-stops in accordance with subsection (h) under WIOA Section 121.   ***Note****: All mandated partner programs (unless that program does not have a presence in the entire local area) must participate in and contribute to the operation and infrastructure costs of the comprehensive one-stop center(s).*   * Methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities. * Methods to ensure the needs of workers and youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one-stop system. * The MOU must include provisions specifying its duration and the procedures for amending it. The MOU must contain assurances that it will be reviewed and, if substantial changes have occurred, be renewed. The MOU must be renewed not less than once every three years.   ***Note:*** *Per TEGL 16-16 Ch1, renewal of an MOU requires all parties to review and agree to all elements of the MOU and resign the MOU. Amendment or modification of the MOU only requires the parties to review and agree to the elements of the MOU that changed.*   * Signatories-The MOU must contain signatures of the LWDB Chair (or their designee), Chief Elected Official(s), and authorized representatives of each partner program.   **Additional Requirements**:  The following agreements and procedures must also be attached or incorporated in MOU (attached, hyperlinked, or embedded):   * One-Stop Operator Agreement (including disclosure of any potential conflicts of interest arising from relationships of the operator with particular training or other service providers); * The customer complaints procedure; and, * The local dispute resolution procedure   Does the MOU contain the following related to infrastructure funding (20 CFR 678.755) and WS System Policy 1013-rev 4:   * Time period IFA is effective * Identification of infrastructure cost budget * Identification of all one-stop partners, LWDB * The Cost-Allocation Methodology used to determine and allocate costs among the one-stop partners sufficient to fund the costs of infrastructure of one-stop(s) for the program * Description of periodic review and modification * Information on the steps used to reach consensus * Full description of the local process used among partners to resolve issues related to IFA during the MOU duration when consensus cannot be reached, which can be the local dispute resolution policy if applicable * Signatures of all authorized representatives | **MOU**   * Signed MOUs * Identifies an effective time period (and is current) * Identifies all required program partners.   **IFA**   * IFAs that include all program partners * Signed IFAs * IFA identifies effective time period (and is current)   Documentation on IFA reconciliation, including evidence that programs occurring in WDA are being charged based on the agreed upon cost allocation methodology (Examples of acceptable documentation include spreadsheets showing actual charges reconciled back to contribution by required partner’s programs with invoices to partners for amounts due or receipts for amounts paid. Documentation must reflect reconciliation of actual cost to program using the methodology described in the MOU/IFA.) |
| **1.3** | **Policies/Procedures**    *Required Policies per WS System Policy 1028 Rev 2:*  **WIOA I-B Policy 5265** (July 1, 2015) – Debt Collection  **WIOA I-B Policy 5404** **rev 1** (August 19, 2016) – Procurement and Selection of One-Stop Operators and Service Providers  **WIOA I-B Policy 5405** **rev 2** (April 24, 2023) – Conflict of Interest (6 elements)  **WIOA I-B Policy 5407** (July 1, 2015) – Property Management and Inventory  **WS System Policy 1028 Rev 2 (Documenting board involvement):**  LWDBs must be able to demonstrate that their board members were involved with the development of local policies. Involvement can be demonstrated a number of ways: (1) Through policy-adoption votes of the full board or executive committee; (2) Through full board, board sub-committee, work group, or task team discussions where at least one board member is present, and policy is being developed; (3) Through the periodic convening of a committee of the Board, which reviews the impact policies may be having on populations served and/or outcomes against LWDB goals and directs changes needed to be consistent with Local Plan; or (4) Through email communication between board members and/or board chair regarding development of policy(ies) and directing staff. Regardless of the method used to demonstrate local Board involvement, it must be documented through written agendas, minutes, or email communication.  *Dispute Resolution and Appeals*  **WIOA I-B Policy 5255** **Rev 2** (October 1,2024) – WIOA Audit Requirements, Reports, and Resolutions  Appeals and disputes regarding management decisions are first addressed through local  dispute resolution policies and procedures. If the requirements of local dispute resolution policies and processes have been met and the parties to the dispute cannot reach agreement, they may appeal to the State per WSS Policy 1025.  **WS System Policy 1025** (April 7, 2023) One-Stop Dispute Resolution and Appeals  Disputes by LWDBs regarding contracts, allotments, monitoring and oversight outcomes,  and administrative agreements involving local and/or system partners may occur.  Standardized policies and timely processes for addressing and resolving such disputes is  required. LWDBs must have local policies and procedures to resolve disputes at the lowest  possible level. LWDBs must follow their local policies and procedures and appropriately  document local actions and decisions relating to disputes that arise. Only after local  policies and procedures have been exhausted can disputes be elevated to the state  level.  **WIOA Title I-B Policy 5414** **Rev 2** (Sept 24, 2024) Monitoring Policy  At a minimum, the following items must be addressed either in the local monitoring policies or procedures:  • How the LWDB will be engaged in local monitoring and oversight activities,  • A description of the risk assessment process and how it informs the monitoring process as required by 2 CFR 200.332,  • The review of subrecipient single audits and issuance of management decisions on relevant findings,  • Description of the process to ensure that monitored entities take timely and appropriate follow up action on all identified deficiencies pertaining to the applicable award resulting from reviews.  • Description of the process to verify that every subrecipient is audited as required by 2 CFR 200, Subpart F, when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold set forth in § 200.501  **WIOA Title I-B Policy 5413** **Rev 1** (Aug 21, 2023) Personnel Responsibilities and Limitations Under WIOA Title I-B - LWDBs and subrecipients must define in writing their personnel, travel, and leave policies including restrictions defined herein  **20 CFR 680.780** requires “states and local areas must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker services  **WS System Policy 1012 Rev 2** (Mar 5, 2021) Customer Concern and Complaint Resolution  **WS System Policy 1026** (Nov 30, 2023) Safeguarding Personally Identifiable Information (PII)  At a minimum, internal controls and written policies must address:   * + - Allowable methods of collecting, maintaining, storing, purging, and securely transmitting PII     - Steps to be taken by staff at all times to ensure privacy of personal information;     - Limits, restrictions, and safeguards regarding removal of such information from offices, workstations, and remote work locations regardless of the form (paper files, electronic files, computer program, etc.);     - Restrictions regarding accessing or storing customer PII on personally owned employee devices or equipment and non-secure public internet connections or those not managed by grantee IT services;     - Staff training and education content including: * requirement to complete annual privacy and security awareness training, * staff “need to know” expectations in their official capacity having access to PII; * consequences for carelessness or negligence, including unauthorized access to such records including corrective action, sanctions, dismissal, and potential criminal penalties under the Privacy Act of 1974; * Description of methods to evaluate and monitor compliance with statutes, regulations, and terms and conditions of Federal awards with regard to PII; * Responsibilities and next steps should the contractor or subrecipient become aware of a breach, theft, or loss of PII, including immediately notifying LWDB of the security incident; and * Appropriate steps to be taken regarding communicating the breach with affected individuals.   b. Any grantee, including but not limited to, direct recipients, LWDBs, recipients, subrecipients, and contractors must immediately (within 24 hours) notify the ESD at SystemPolicy@esd.wa.gov of any release, loss, theft, or suspected unauthorized access of PII  *Personally Identifiable Information*  PII - OMB defines PII as information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.  TEGL 39-11 – Guidance on the Handling and Protection of Personally Identifiable Information (PII) OMB Memorandum M-07-16, Safeguarding Against and Responding to the Breach of Personally Identifiable Information.    **20 CFR 683.220** What are the internal controls requirements for recipients and subrecipients of Workforce Innovation and Opportunity Act title I and Wagner-Peyser Act funds?  (a) Recipients and subrecipients of WIOA title I and Wagner-Peyser Act funds must have an internal control structure and written policies in place that provide safeguards to protect personally identifiable information, records, contracts, grant funds, equipment, sensitive information, tangible items, and other information that is readily or easily exchanged in the open market, or that the Department or the recipient or subrecipient considers to be sensitive, consistent with applicable Federal, State and local privacy and confidentiality laws. Internal controls also must include reasonable assurance that the entity is:  (1) Managing the award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;  (2) Complying with Federal statutes, regulations, and the terms and conditions of the Federal awards;  (3) Evaluating and monitoring the recipient's and subrecipient's compliance with WIOA, regulations and the terms and conditions of Federal awards; and  (4) Taking prompt action when instances of noncompliance are identified.  (b) Internal controls should be in compliance with the guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO). See 2 CFR 200.303.  References:   * 20 CFR 200.400 Policy guide * 200.300 Statutory and national policy requirements * WIOA Sec. 121 (a)(1) * WIOA Sec. 121 (c) Memorandum of understanding * WIOA Sec. 121 Funding of One–Stop Infrastructure   **WIOA I-B Policy 5402** **Rev 3** – Equal Opportunity and Nondiscrimination will be primarily reviewed by EO office not Monitoring Unit. | If any of the policies/procedures have been updated since the last monitoring visit, obtain a copy of the newly revised version.  If the policy is on the list of board developed policies, confirm board involvement “documented through written agenda, minutes, or email communication.”  Note that local policies published prior to January 30, 2024 need not necessarily demonstrate board involvement but all policy revisions must demonstrate board involvement.  If any state policies have been updated since the last monitoring visit, obtain a copy of the corresponding local policy and confirm compliance.  Broken links to documents and outdated references need to be fixed if identified.  WS System Policy 1026 (Nov 30, 2023) on Safeguarding PII requires annual privacy and security awareness training. | **Review LWDB Policies/Procedures**  *Board Developed Required Local Policies*  Debt Collection  Procurement and Selection of One-Stop Operator and Service Providers  Conflict of Interest  Property Management and Inventory  Dispute Resolution and Appeals  Monitoring Policy  Personnel Responsibilities and Limitations Under WIOA  Title I-B - (LWDBs and subrecipients must define in writing their personnel, travel, and leave policies including restrictions defined herein)  Incumbent Worker Training Criteria  Customer Concern and Complaint Resolution  Safeguarding Personally identifiable Information (PII)  *Procedures and/or Policies*  Records Retention and Public Access (or follow State  policy)  LWDB Cash Management  Bank Reconciliation  Internal Controls  Allowable Cost  Staff and Board Travel Reimbursement  Records Retention and Public Access local policy not required per WS System Policy 1028 Rev 2, however, if LWDB has a local policy it needs to conform to dates in WIOA I-B Policy 5403 Rev 2  Review proof of annual privacy and security awareness training provided |
| **1.4\*** | **Administrative Controls, Monitoring, and One-Stop Certification**  **2 CFR 200.329** – Monitoring and reporting program performance   1. Monitoring by the non-Federal entity. The non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity. See also § 200.332.  * **2 CFR 200.331 (a)-(b)** Subrecipient and contractor determinations * **2 CFR 200.332** Requirements for pass through entities * **WIOA I-B Policy 5250 Rev1** Subrecipient Contracting and Pass-through Entity Determination Requirements * **WIOA I-B Policy 5255 Rev 2** - WIOA Audit Requirements, Reports and Resolutions   **October 2024 Uniform Guidance change**: 2 CFR 200.501 Single Audit threshold increased from $750,000 to $1M of federal award expenditures over the course of grantee’s fiscal year   * **WIOA I-B Policy 5414 Rev 2** – Compliance Monitoring of WIOA Title I and Related Discretionary Awards   **20 CFR 2900.21 - Management decision.** In the DOL, ordinarily, a management decision is issued within six months of receipt of an audit from the audit liaison of the Office of the Inspector General and is extended an additional six months when the audit contains a finding involving a subrecipient of the pass-through entity being audited. **The pass-through entity responsible for issuing a management decision must do so within twelve months of acceptance of the audit report by the FAC.** The auditee must initiate and proceed with corrective action as rapidly as possible and should begin corrective action no later than upon receipt of the audit report. (See [2 CFR 200.521](https://www.govregs.com/regulations/2/200.521)(d)).   * **WA State Program Policy 7000** Rev 1– State Guidance and Instructions for the State Economic Security for All (EcSA) Program * **WA State Program Policy 7005 Rev 1–** Community Reinvestment Fund   **One Stop Certification**   * **20 CFR 678.800(d)** Local WDBs must assess at least once every 3 years the effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers and the one-stop delivery systems using the criteria and procedures developed by the State WDB. The Local WDB may establish additional criteria, or set higher standards for service coordination, than those set by the State criteria. Local WDBs must review and update the criteria every 2 years as part of the Local Plan update process described in [§ 676.580 of this chapter](https://www.ecfr.gov/current/title-20/section-676.580). Local WDBs must certify one-stop centers in order to be eligible to use infrastructure funds in the State funding mechanism described in [§ 678.730](https://www.ecfr.gov/current/title-20/section-678.730). * **WS System Policy 1016 Rev 1** (April 18, 2023) One-Stop Assessment and Certification   3. a. ii. Certification Frequency   * LWDBs must conduct one-stop evaluation and certification not less than once every three years * The certification process must be completed prior to July 1, 2023, for each one-stop site:   • that has not been previously certified, or  • whose certification is over 3 years old.   * For any new comprehensive, affiliate, specialized, or connection site, certification must be completed within 60 calendar days of the site being opened * Annual Progress report - In support of the pursuit of growth, continuous improvement, and the performance excellence goals of the one-stop delivery system, on at least an annual basis, the LWDB (or the SWDB, if the LWDB is the one-stop operator) will ensure a report is provided for each certified site and recorded in LWDB meeting minutes, detailing the site’s current status and progress toward reaching higher quality standards of:   • Functional and programmatic integration  • Performance and accountability  • Service provision, including services provided, methods of access, hours of access, equitable service delivery, and affirmative outreach to populations with barriers  • Customer satisfaction  • Staff competence and staff training participation  • Partnership  • Employer engagement  • Physical and programmatic accessibility.  3.a.iv. Certification Determinations  One-stop certification teams (or the SWDB certification team, in instances where the LWDB is the one-stop operator) will render written determinations to the LWDB, local one-stop leadership, and the one-stop operator within 30 days after conducting one-stop site evaluations. There are three possible determinations: (1) certification, (2) provisional certification with a requirement that one-stop operators or one-stop leadership provide action plans and timelines for meeting certification standards, and (3) non-certification. **All certification determinations, regardless of the decision, must be reported in official LWDB meeting minutes** (or SWDB meeting minutes, if the SWDB is the certifying unit).   * **WIOA Section 121 (e)(2)** ONE-STOP DELIVERY.—The one-stop delivery system— * (A) at a minimum, shall make each of the programs, services, and activities described in paragraph (1) accessible at not less than 1 physical center in each local area of the State; and * (B) may also make programs, services, and activities described in paragraph (1) available— (i) through a network of affiliated sites that can provide 1 or more of the programs, services, and activities to individuals; and (ii) through a network of eligible one-stop partners— (I) in which each partner provides 1 or more of the programs, services, and activities to such individuals and is accessible at an affiliated site that consists of a physical location or an electronically or technologically linked access point; and (II) that assures individuals that information on the availability of the career services will be available regardless of where the individuals initially enter the statewide workforce development system, including information made available through an access point described in subclause (I); * (C) may have specialized centers to address special needs, such as the needs of dislocated workers, youth, or key industry sectors or clusters; and * (D) as applicable and practicable, shall make programs, services, and activities accessible to individuals through electronic means in a manner that improves efficiency, coordination, and quality in the delivery of one-stop partner services   **Definitions per WS System policy 1016 Rev 1**  **Comprehensive**  Comprehensive One-Stop - (20 CFR 678.305 and 34 CFR 361.305) a physical location where job seeker and employer customers can access the programs, services, and activities of ALL required one-stop partners in (WIOA Sec. 121(b)(1)(B), along with any additional partners as determined by the LWDB. Each LWDB must have at least one certified comprehensive one-stop in the local area.  **Affiliate**  Affiliate One-Stop - (per TEGL 16-16, 20 CFR 678.310-320 and 34 CFR 681.310) Affiliate one-stop sites are access points accessible to the general public in addition to (not a substitute for) the comprehensive one-stop site. If part of the local service delivery strategy, affiliate sites must be implemented in a manner that supplements and enhances customer access to services and must be described and documented in the WIOA Local Plan and MOU.  **Specialized**  Specialized One-Stop - Based on local workforce needs, the LWDB, in conjunction with partners and one-stop operators, may determine that a specialized center is appropriate to serve a particular population(s) and must follow 20 CFR 378.320 and TEGL 16-16. Specialized sites are access points in addition to (not a substitute for) the comprehensive one-stop site. If part of the local service delivery strategy, specialized sites must be implemented in a manner that supplements and enhances customer access to services and must be described and documented in the WIOA Local Plan and MOU.  **Connection**  Connection sites are self-service-only entry points designed to enhance and supplement customer access to information. This can be publicly available computer(s) with Internet access, the ability to connect to job search services, unemployment, online learning, skills development, etc.  • Must be accessible to the general public during regularly scheduled, posted days and  hours  • Must be physically and programmatically accessible to individuals with disabilities per WIOA Sec. 188 and 29 CFR Part 38.13(a)  • Must follow branding expectations consistent with WorkSource Standards and include the AJC tagline  • Must be formally recognized by the LWDB  • Title I and Title III staff may not be permanently home-based at a connection site  • Any services, except self-services, delivered at a connection site must be provided by staff who are permanently assigned to a comprehensive, affiliate, or specialized site | * Verify that every subrecipient is monitored as required by Subpart F – Audit Requirements * Verify that monitoring reports have been developed that meet federal and state requirements and have been shared with subrecipients. * Was an annual monitoring report produced for all subrecipients and shared with persons of decision making authority? * Does the monitoring report include:   Executive summary  Time period of the review  Summary of the scope and scale of review  Identification of areas of non-compliance  Steps taken to resolve areas of non-compliance  Conclusions  Promising practices (if applicable)  Performance measurement of subrecipient   * Does the LWDB have a risk assessment tool that determines the risk of the subrecipient(s) prior to a monitoring review? How does the risk assessment inform the monitoring?   Single audit:   * Did the LWDB review its subrecipients single audit report? Did the LWDB identify findings in the audit report? * If there are findings, has the LWDB worked with its subs to develop corrective action? * If there were audit findings, did the LWDB issue a management decision to resolve any audit findings within 12 months of the single audit being accepted by the federal audit clearinghouse? (Review subrecipient audit schedule table and confirm management decision issuance from pre-monitoring questionnaire.) * Does the certification process take place at least once every 3 years? * Are there certifications to be completed this year? If so, is there a timeline/plan? * Has the board received a report for each certified One Stop detailing the minimum points detailed in WS System policy 1016 Rev 1? * Did the LWDB establish additional criteria and set higher standards for service coordination than those set by the State and if so, what are they? | Completed subrecipient program monitoring tools (one participant per program):  Youth  Adult  Dislocated Worker  Rapid Response Additional Assistance  Economic Security for All (Federal and State where applicable)  OPIOID (if applicable)  Disaster Recovery Dislocated Worker Grant - QUEST  Copy of one completed administrative & fiscal monitoring tool per subrecipient/monitored entity (including One-Stop Operator)  Risk assessment for each provider. Confirm consistently applied and each demonstrates a tie to the monitoring review.  Most recent subrecipient monitoring reports (covering both programmatic and administrative/fiscal items):  Youth  Adult  Dislocated Worker  Rapid Response Additional Assistance  One-Stop Operator  Economic Security for All (Federal and State, where applicable)  OPIOID (if applicable)  Disaster Recovery Dislocated Worker Grant - QUEST  **If any reports are 12+ months old, also request and review more current working papers, draft reports, or other documents to confirm monitoring in-progress.**  Subrecipient monitoring schedule (program and admin/fiscal) for the following services/ topics:  WIOA Youth  WIOA Adult  WIOA Dislocated Worker  Rapid Response Additional Assistance (if applicable)  One-Stop Operator  Economic Security for All (Federal and State, where applicable)  OPIOID (if applicable)  Disaster Recovery Dislocated Worker Grant - QUEST   * If any One-Stops were reviewed for certification, or certified since the last monitoring, confirm One-Stop certification determinations were reported in official LWDB meeting minutes (or SWDB meeting minutes, if the SWDB is the certifying unit) and the One-Stop certification team was “established” by the LWDB. * Pre-Monitoring Questionnaire to confirm certification dates, sites, and information on when annual reports are/were provided. * MOU to confirm site designations conform to description of services provided * Evidence of an annual report, recorded in official meeting minutes, for each certified site being provided to the LWDB covering the specific items in WS Policy 1016 Rev 1. |
| **1.5** | **Internal Controls**   * **20 CFR 683.220** – Internal controls requirements for recipients and subrecipients of WIOA and WP funds. * **2 CFR 200.303** Internal Controls * **20 CFR 679.430** How do entities performing multiple functions in a local area demonstrate internal controls and prevent conflict of interest? * **20 CFR 200.334**   Record retention requirements * **29 CFR 95.21(a)-(b) (1-7)** Standards for financial management systems * **20 CFR 683.200** - General fiscal and administrative rules apply to the use of WIOA and Wagner-Peyser Act funds * **WIOA I-B policy 5412 Rev 2** Reporting Incidents Involving Workforce Innovation and Opportunity Act (WIOA) Funding   “LWDBs must establish appropriate internal expectations or procedures for both the LWDB and its subrecipients to prevent and detect fraud, abuse, gross mismanagement or misuse of program funds, and criminal activity, and follow the procedures in this policy for documenting, immediately reporting, and following-up on instances of alleged, suspected or known fraud, program abuse and criminal misconduct involving recipients or subrecipients of federal funds under WIOA.”   * **WA State Program Policy 7000** **Rev 1**– State Guidance and Instructions for the State Economic Security for All (EcSA) Program * **WA State Program Policy 7005 Rev 1–** Community Reinvestment Fund | Describe the LWDB’s process to ensure federal expenditures are allowable. Include names/positions of key staff and the LWDB process for:   * Approval of purchase orders, expenditures, and journal entries/corrections. * Ensuring compliance with applicable procurement requirements. * Preparing claim and reconciliation of the claim to the accounting records (ensuring all transactions included in the claim are allowable)   Do any staff have approval authority over multiple stages of a process that could create an opportunity for fraud?    Have there been changes to systems or staffing that reduces the effectiveness of these controls?  Are the identified controls operating as intended? | * Pre-Monitoring Questionnaire * Separation of Duties Chart * System Access Rights |
| **1.6\*** | **Cash & Financial Management**   * **2 CFR 200.302** Financial Management * **2 CFR 200.307** *-* Program income * **2 CFR 200.307 (a)** *General &* (b) (2) *Addition.* * **WIOA Sec. 194(7)(A) & WIOA Sec. 194(13)** * **WIOA Title I-B Policy 5205 Rev 2** Cash Depositories * **WIOA Title I-B Policy 5221 Rev 1** Program Income * **2 CFR 200.308** Revision of budget and program plans * **2 CFR 200.407** Prior written approval (prior approval) * **2 CFR 2900.9-2900.12** Post Federal Award Requirements * **20 CFR 683.235** * **20 CFR 683.200 (6)**   **WIOA Youth Program**   * **Sec. 20 CFR 681.410 WIOA** States and local areas **must expend a minimum of 75 percent** of youth funds on OSY. * **§ 681.590** (a) Local youth programs must expend **not less than 20 percent** of the funds allocated to them to provide ISY and OSY with paid and unpaid work experiences. * **WA State Program Policy 7000** **Rev 1** – State Guidance and Instructions for the State Economic Security for All (EcSA) Program * **WA State Program Policy 7005 Rev 1 –** Community Reinvestment Fund | * Is program income earned, and if so, is it reported to ESD?  Yes  No * How is program income generated? * If program income was reported, were program income funds expended appropriately?  Yes  No * Are WIOA funds used as match or leverage for other funding sources?  Yes  No * Program(s) that require leveraged or match funds, is the amount recorded on the quarterly report to the ESD?  Yes  No * Are staff and board reimbursements properly authorized, documented, and for appropriate LWDB purposes consistent with LWDB policy?  Yes  No | * Chart of Accounts * Review of bank statements and reconciliation * Review of sampled transactions:   + Detail general ledgers   + Supporting/source documentation   + Allocation support * Review of cash receipts * Petty cash transactions and controls (if applicable) * Purchase card transactions and controls (if applicable) |
| **1.7\*** | **Procurements & Contracts & One Stop Operator**   * **2 CFR 200.113** – Mandatory Disclosures   An applicant, recipient, or subrecipient of a Federal award must promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act ([31 U.S.C. 3729-3733](https://www.govinfo.gov/link/uscode/31/3729))   * **2 CFR 200.317-327** – Procurement Standards   Federal purchases that require a competitive process must comply with the more restrictive of federal / state requirements and LWDB policy.   * **2 CFR 200.332 – Requirements for pass-through entities**  1. Verify that the subrecipient is not excluded or disqualified in accordance with [§ 180.300](https://www.ecfr.gov/current/title-2/section-180.300). Verification methods are provided in [§ 180.300](https://www.ecfr.gov/current/title-2/section-180.300), which include confirming in *SAM.gov* that a potential subrecipient is not suspended, debarred, or otherwise excluded from receiving Federal funds 2. Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the information provided below (14 elements)  * **2 CFR 200.214 Suspension and Debarment**   Recipients and subrecipients are subject to the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, as well as 2 CFR part 180. The regulations in 2 CFR part 180 restrict making Federal awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from receiving or participating in Federal awards*.*  *LWDBs need to look at suspension and debarment on every procurement. The LWDBs policy must be in compliance with suspension and debarment as outlined in 2 CFR 200.214.*   * ***SAM registration requirement:***   ***2 CFR 25.300****--*Requirement for recipients to ensure subrecipients have a unique entity identifier*.*  (a) A recipient may not make a subaward to a subrecipient that has not obtained a UEI and provided it to the recipient. Subrecipients are not required to complete full registration in *SAM.gov* to obtain a UEI.  (b) A recipient must notify any potential subrecipients that the recipient cannot make a subaward unless the subrecipient obtains and provides a UEI to the recipient.     * **2 CFR 200.331** Subrecipient and contractor determinations   (a) **Subrecipients.** A subaward is for the purpose of carrying out a portion of the Federal award and creates a Federal financial assistance relationship with a subrecipient. See the definition of Subaward in [§ 200.1](https://www.ecfr.gov/current/title-2/section-200.1). Characteristics that support the classification of the entity as a subrecipient include, but are not limited to, when the entity:  (1) Determines who is eligible to receive what Federal assistance;  (2) Has its performance measured in relation to whether the objectives of a Federal  program were met;  (3) Has responsibility for programmatic decision-making;  (4) Is responsible for adherence to applicable Federal program requirements specified  in the Federal award; and  (5) Implements a program for a public purpose specified in authorizing statute, as  opposed to providing goods or services for the benefit of the pass-through entity.  (b) **Contractors.** A contract is for the purpose of obtaining goods and services for the recipient's or subrecipient's use and creates a procurement relationship with a contractor. See the definition of contract in [§ 200.1](https://www.ecfr.gov/current/title-2/section-200.1). Characteristics that support a procurement relationship between the recipient or subrecipient and a contractor include, but are not limited to, when the contractor:  (1) Provides the goods and services within normal business operations;  (2) Provides similar goods or services to many different purchasers;  (3) Normally operates in a competitive environment;  (4) Provides goods or services that are ancillary to the implementation of a Federal  program; and  (5) Is not subject to compliance requirements of a Federal program as a result of the  agreement. However, similar requirements may apply for other reasons.   * **WIOA Title I-B Policy 5200 Rev 5 (October 1, 2024) – Fiscal Definitions**   **Consultant** - A person or entity that can provide valuable and pertinent advice generally drawn from a high degree of broad administrative, professional, or technical knowledge or experience, is not responsible for deliverables or outcomes, and charges an hourly fee for that opinion and advice. When an agency requires public advisory participation, a consultant also may be a person or entity that is affected by a particular program and can provide useful views from personal experience***.***  ***Note: Per the U.S. Department of Labor’s federal award terms, fees paid to consultants that provide services to WIOA Title I programs are limited to $815 per day based on time spent on an eight-hour workday, excluding ancillary expenses. Fees in excess of this amount can be paid with prior approval from a federal Department of Labor (DOL) Grant Officer***  ***Note: OMB memorandum*** *M-18-18 from June 20, 2018 raises the Simplified acquisition threshold to $250,000. The memorandum also increases the micro-purchase threshold from $3,500 to $10,000*  In addition to other provisions required by the federal agency or non-federal entity, all contracts made by the non-federal entity under the Federal awards must contain provisions covering **A-J of Appendix II to Part 200 and WIOA I-B Policy 5250 Rev 1** (January 9, 2024).  The LWDB can place an appendix that states “when applicable” to cover all basis when an item is not applicable to the contract.   * **2 CFR 200.318** - Non-Federal entities must maintain records sufficient to detail the history of procurement   Records include, but not limited to the following:  o Rationale for the method of procurement;  o Selection of contract type;  o Contractor selection or rejection; and  o Basis for the contract price.   * **2 CFR 200.319 -** All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:   (1) Placing unreasonable requirements on firms in order for them to qualify to do   business;  (2) Requiring unnecessary experience and excessive bonding;  (3) Noncompetitive pricing practices between firms or between affiliated companies;  (4) Noncompetitive contracts to consultants that are on retainer contracts;  (5) Organizational conflicts of interest;  (6) Specifying only a “brand name” product instead of allowing “an equal” product to   be offered and describing the performance or other relevant requirements of the   procurement; and  (7) Any arbitrary action in the procurement process   * **2 CFR 200.324** Contract Cost and Price Analysis   (a) The recipient or subrecipient must perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the simplified acquisition threshold. The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the recipient or subrecipient should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the recipient or subrecipient must make independent estimates before receiving bids or proposals.  Also found in 48 CFR section 15.404-3 – Subcontract pricing considerations.   * **WA State Program Policy 7000** **Rev 1**– State Guidance and Instructions for the State Economic Security for All (EcSA) Program * **WA State Program Policy 7005 Rev 1 –** Community Reinvestment Fund | * Did the LWDB follow its procedures for proposal evaluation and procurement procedure as specified in its written procurement procedures?   Yes  No   * The LWDB has adequate and appropriate records maintained throughout the procurement process and provides sufficient information to enable an audit or independent review. * Appropriate procedures are in place to ensure that contractors submitting the RFP/RFQ/etc., are dealt with fairly and equitably during the quotation process * Documentation showing that the specification does not restrict competition, reflect bias to any brand, or act as a barrier to the consideration of any alternatives. * The solicitation process and notices must include specific closing time, date and place of delivery. * LWDB maintains records that detail the history of procurement.   At a minimum includes the following:  The rationale for the method of procurement  Selection of the contract type  Contract or selection or rejection, and  Basis for the contract price   * Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any weighting to be used in the assessment must be identified. * LWDB’s policy are current with 2 CFR 200.317 – 327 * Conflict of Interest Policies. 2 CFR 200.318 (c)(1) and (2)   + Employee Conflict of Interest   + Organizational Conflict of Interest * Appendix II to Part 200: Contract provisions for non-federal entity contracts under federal awards. Check to see if all the applicable items are included in the contracts (A-L).   *Micro-Purchase - $10,000 & Small Purchase Procedure*  If goods purchase was $5,000/$10,000 (per contract terms) or more was prior approval received?  Yes  No  Did the LWDB obtain price or rate quotations from an adequate number of qualified sources prior to the purchase for small purchase procurement? 2CFR200.320(b); 200.323;  Yes  No  *Sealed Bids*  Did the LWDB publicly advertised and solicit from an adequate number of known suppliers?  Yes  No  The invitation for bids defines items or services in order for the bidder to properly respond.  Yes  No  A firm fixed price contract award was made in writing to the lowest responsive and responsible bidder.  Yes  No  *Competitive – More than $250,000*  Did the LWDB publicly advertise this RFP?  2 CFR 200.320(b)  Yes  No  Did the LWDB provide adequate response time for bidders?  Yes  No  Did the RFP indicate the following?  Scope of work and service area  Method for evaluating the proposals  Deadline for recipient  Dispute process  *Non-Competitive*  Did the LWDB determine that this award was not feasible under any other procurement method?  Yes  No  If yes, was it determined that one or more of the following circumstances applies as referenced in  2CFR200.320(c) (1-5):  (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);  (2) The item is available only from a single source;  (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;  (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or  (5) After solicitation of a number of sources, competition is determined inadequate.   * If a noncompetitive procurement was awarded, did the LWDB adequately document the justification for the action in accordance with 2 CFR 200.320 and local policy/procedure? | * Sample contracts to ensure state and federal requirements are embedded in the contract language, including required subrecipient disclosures in 2 CFR 200.332, as applicable. * Small Purchase Procurement (look for purchases via invoices to see if price comparisons are conducted) * Request for Proposals and process documentation * Provider Contracts or Professional Service Contracts list * Contracts processed through sole source list * Identify how cost or price analysis was performed on the selected procurements * Risk assessment for the selected awardees. * Suspension and debarment confirmation documentation (SAM.gov verification) * If directed by local procurement policy where Board must approve procurements/contracts, a copy of minutes from Board meetings where the procurement/contracts are adopted. * If a noncompetitive procurement was awarded and sampled, review documented justification for the action. |
|  | **One Stop Operator Procurement**  ***(This section is only applicable to those LWDBs that have procured or re-procured since the last monitoring visit for a One-Stop Operator).***  One-Stop Operator may not perform the following functions as outlined in 20 CFR 678.620:   1. Serve as staff to the LWDB (20 CFR 679.400 (d)); 2. Convene system stakeholders to assist in the development of the local plan; 3. Prepare and submit local plans (as required under sec. 107 of WIOA); 4. Be responsible for oversight of itself; 5. Manage or significantly participate in the competitive selection process for One-stop operators; 6. Select or terminate one-stop operators, career services, and youth providers; 7. Negotiate local performance accountability measures; and 8. Develop and submit a budget for activities of the Local Board in the local area. 9. Any other functions specifically assigned to the LWDB by WIOA 107(d).   **TEGL 15-16, Section 7 Competitive Selection of One Stop Operators**  Local WDBs may establish additional roles for the one-stop operator, including the following: being the primary provider of services within the center; providing some of the services within the center; coordinating service providers within the center and across the one-stop system; and coordinating service delivery in a multi-center area, which may include affiliated sites. ***The role of the one stop operation must be clearly articulated in all phases of the procurement process***, as well as in the legally binding agreement between the Local WDB and the one stop operator. | * Did the competition for a One-Stop Operator articulate the role of the One-Stop Operator? (20 CFR 678.620)  Yes  No * Does the One-Stop Operator coordinate the service delivery of required one-stop partners and service providers? (20 CFR 678.620)  Yes  No * Does OSO perform multiple functions?   Yes  No   * How were specifications, requirements, statement of work, and invitation for bids or RFPs developed? | * OSO RFP * List of respondents * Successful bidder * Evaluation criteria used * List of where and when the OSO RFP was published, include websites, newspapers, etc. * Documentation showing how the amount of funding was determined to cover the cost of services provided in the RFP * Copy of Conflict of Interest/Firewall agreement (when applicable) * Copy of job description of the person assigned as OSO, or if the roles are distributed among multiple staff, copies of their job descriptions with the OSO duties highlighted. Include salaries and approximate hours per week to be spent on OSO duties. (when applicable) * Copy of LWDB meeting minutes that document the Board’s involvement in the procurement process. * Documentation of who developed or drafted the specification, requirements, statements of work, or invitations for bids or requests for proposals, or conducted the competition, to ensure One-Stop Operator was not involved in the development of the RFP. * Any documentation of a legally binding written agreement such as a contract or MOU the LWDB executed with the selected OSO. |
| **1.8\*** | **Cost Allocation Plan or Rate**   * **2 CFR 200.403** Factors affecting allowability of costs * **2 CFR 200.405** Allocable costs * **2 CFR 200.416** Cost allocation plans and indirect cost proposals * **2 CFR 200.1** Central service cost allocation plan * **20 CFR 678.700** One-Stop infrastructure costs. * **WIOA I-B Policy 5235** Administrative Cost Pool Grants * **WIOA I-B Policy 5280** **Rev 1** – Indirect cost Rate Proposals and Cost Allocation Plans * **Public Law 113-128** * **Federal Register Vol. 65, No. 124:** Resource Sharing for Workforce Investment Act One-Stop Centers * **One-Stop Comprehensive Financial Management Technical Assistance Guide (TAG)** * **Generally Accepted Accounting Principles (GAAP)** * **Uniform Guidance Update October 1, 2024:** MTDC base subawards threshold increased from $25,000 to $50,000 for awards after 10/1/24 (Definitions 2 CFR 200.1) * **WA State Program Policy 7000** **Rev 1** – State Guidance and Instructions for the State Economic Security for All (EcSA) Program * **WA State Program Policy 7005 Rev 1 –** Community Reinvestment Fund | * Does the LWDB have an approved CAP?   Yes No   * The LWDB’s Cost Allocation Rate/Plan is being applied and is consistent with their approved plan. Yes No * How often is the CAP reviewed? * Is the allocation of indirect costs fair and equitable over applicable programs?  Yes No | * Copy of the approved cost allocation rate/plan * Cognizant agency approval certification, approving/recognizing allowable rate or process * Copy of the cost policy statement * Month-end close out reconciliation of indirect costs (showing indirect costs have been allocated based upon approved plan) * Monthly detailed ledger * Capital Asset expenditures and other expense allocated documentation   ***Cognizant Agency:*** (name)  ***Approval Dates of CAP:***  ***Rate:*** %, de minimus, or allocation per cost plan (no rate) |
| **1.9** | **Property & Inventory NOTE: This section of the review is generally conducted every other year. This information was reviewed in PY23 and will be reviewed next in PY25**   * **20 CFR 683.235** Construction * **20 CFR 683.240** Instructions for using real property with Federal equity * **20 CFR 688.550** Costs associated with real property in the YouthBuild program * **2 CFR 200.310** Insurance Coverage * **2 CFR 200.311** Real Property * **2 CFR 200.312** Federally owned and exempt property * **2 CFR 200.313** Equipment * **2 CFR 200.314** Supplies * **2 CFR 200.315** Intangible property * **2 CFR 200.453** Materials and supplies costs, including costs of computing devices * **2 CFR 200.1** Definitions: Micro-purchase and micro-purchase threshold * **WIOA I-B Policy 5260 Rev5** (October 1, 2024) - Allowable Cost and Prior Approval Requirements   3.b. In accordance with 2 CFR Part 230 Appendix B, Section 15, Employment Security Department requires that all entities receiving WIOA funds request and obtain prior approval for all single item equipment and capital improvement purchases that cost Page 3 of 5 $10,000 or more.   * **WIOA I-B Policy 5407** Property Management and Inventory   The micro-purchase base threshold of $3,500 (FAR 2.101) is increased to $10,000 and the simplified acquisition threshold previous set at $150,000 to $250,000, effective June 20, 2018 (M-18-18) and adopted into 2 C.F.R. § 200.320(a)(1) November 2020. | * LWDB has inventory items listed and are easy to locate, properly tagged, and in good condition.   Yes No   * Is any equipment leased?  Yes No * Does the LWDB have the following process in place:  1. Receiving and identification of property.   Yes No   1. Steps to safeguard against risk of loss by theft.  Yes No 2. Property of all fixed assets are inventoried once every 2 years for items over $5,000.  Yes No 3. Item Log of small and attractive items  * Does the LWDB maintain equipment records that include the following data:   Description  Serial #  Funding source  Title holder  % of federal participation  Acquisition date  Acquisition cost  Location of equipment  Use and condition of equipment  Ultimate disposal date  Equipment purchase, did the LWDB determine the purchase of the equipment is more cost effective than leasing?  2 CFR 200.318(d)  Yes  No | * Property log & inventory listing of equipment purchased with WIOA Title I funds * List of equipment and capital improvements more than $5,000 purchased since last monitoring visit ($10,000 threshold in Uniform Guidance changes Oct 1, 2024 for funding awarded after Oct 1, 2024) * Equipment/technology lease agreement (if applicable) |
| **1.10** | **Single Audit**   * **WIOA I-B Policy 5255 Rev** **2** – WIOA Audit Requirements, Reports, and Resolutions   **Management Decisions**: 3. b. Audit Resolution (follow-up) Management decisions to resolve audit findings must: i. Be issued within twelve months of acceptance of the audit report by the Federal Audit Clearinghouse (FAC) consistent with 2 CFR 200.521(d). ii. Clearly state whether or not the audit finding is sustained, the reasons for the decision, and the auditee’s expected actions. If the auditee has not completed corrective action at the time the decision is made, a timetable for follow-up must be given. Management decisions must include the reference number assigned to each audit finding and should describe any appeal process available to the auditee   * **WIOA Sec. 159 (b)** Management Information * **20 CFR 683.210** Audit Requirements. All recipients of WIOA title I and Wagner-Peyser Act funds that expend more than the minimum amounts specified in 2 CFR part 200, subpart F, in Federal awards during their fiscal year must have a program specific or single audit conducted in accordance with 2 CFR part 200, subpart F. * **2 CFR 200.501(i)***For-profit subrecipient.* This subpart does not apply to for-profit organizations. As necessary, the pass-through entity is responsible for establishing requirements to ensure compliance by for-profit subrecipients. The subaward with a for-profit subrecipient must describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit subrecipients may include pre-award audits, monitoring throughout the performance of the subaward, and post-award audits (see [§ 200.332](https://www.ecfr.gov/current/title-2/section-200.332)). * **2 CFR Part 200.332** – Requirements for Pass-through Entities * **2 CRF 200.501** Audit Requirements   (a) ***Audit required.*** A non-Federal entity that expends $1,000,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.  (b) ***Single audit.*** A non-Federal entity that expends $1,000,000 or more in Federal awards during the non-Federal entity's fiscal year must have a single audit conducted in accordance with [§ 200.514](https://www.ecfr.gov/current/title-2/section-200.514) except when it elects to have a program-specific audit conducted in accordance with [paragraph (c)](https://www.ecfr.gov/current/title-2/section-200.501#p-200.501(c)) or [(d)](https://www.ecfr.gov/current/title-2/section-200.501#p-200.501(d)) of this section.  Note: Uniform Guidance changes effective 10/1/2024 update the threshold for single audits from $750,000 to $1,000,000   * **2 CFR 200.512(a)(1)** requires that single audits be submitted to the Federal Audit Clearinghouse (FAC) "within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period". | * Review the most current single audit report for any findings/questioned costs, material weakness and ask for a resolution plan. | * Copy of the most recent single audit report * Federal Audit Clearinghouse website   If findings on audit:   * If steps have already been implemented to correct findings, review documentation and confirm implementation, if possible. * Issue management decisions for audit findings on federal funds the pass-through entity has awarded. |
| **1.11\*** | **Personnel Time and Effort**  *Personnel salaries and related costs are supported by adequate time and effort records for employees who work on federal programs.*     * **WIOA I-B Policy 5413 Rev 1** (August 21, 2023) Personnel Responsibilities and Limitations Under WIOA Title I-B * **2 CFR 200.430** Compensation—personal services * **TEGL 10-24** Salary and Bonus Limitations Imposed by Appropriations Language   The Executive Level II salary and bonus limitation on compensation applies to all individuals administering and operating programs and activities undertaken through ETA appropriations and funding sources with a few exceptions (noted in 4.b. of the TEGL)  TEGL 5-06, 29-14 and Public Law 109-234  On June 15, 2006, President Bush signed into law an emergency supplemental appropriations bill, Public Law 109-234. Section 7103 of this public law limits salary and bonus compensation for individuals who are paid by funds appropriated to the Employment and Training Administration and provided to recipients and subrecipients.  Salary caps are imposed under Pub. L.113-235, Division G, Title I, Section 105. No funds under the header “Employment and Training Administration” shall be used by a recipient or subrecipient to pay the salary and/or bonus of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, currently **$225,700** (effective January 1, 2025) previously **$221,900 (**effective January 2024). States also may establish lower salary caps.   * **WA State Program Policy 7000 Rev 1**– State Guidance and Instructions for the State Economic Security for All (EcSA) Program * **WA State Program Policy 7005 Rev 1–** Community Reinvestment Fund | Look at individuals paid out of multiple cost objectives to see how their costs are allocated  Review staff reassignments to determine any necessary time and effort changes.   * Do WIOA staff perform other roles within organization?  Yes  No * Are salary rates more than Executive Level II?   Yes  No  If yes, were the proper calculations done to account for the correct percentage of pay under the cap as outlined in TEGL 10-24? (ELII level restrictions only apply to recipients and subrecipients of ETA funding)  Look at the LWDB’s process to ensure payroll charged to federal programs is supported by proper time and effort documentation. Include names/positions of key staff and how the LWDB:   * Budgets payroll for employees * Determines required time and effort for each employee. * Ensures time and effort is received timely from employees. * Reviews actual versus budgeted payroll charges to ensure adjustments are made as needed. | * Copy of organization chart * List and title of individuals who charge time to WIOA funds   + Copy of job descriptions (new hires or if job descriptions were changed) * Timesheets & payroll records for sampled personnel including: paystubs, payroll ledger and/or other reports to support how salaries were allocated |
| **1.12** | **Grievance and Complaint**   * **WIOA SEC. 181**. (c) Grievance Procedures * **20 CFR 683.600 (c**) Local area procedures must provide:   (1) A process for dealing with grievances and complaints from participants and other interested parties effected by the local workforce development system, including one-stop partners and service providers;  (2) An opportunity for an informal resolution and a hearing to be completed within 60 days of the filing of the grievance or complaint;  (3) A process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides; and  (4) An opportunity for a local level appeal to a State entity when: (i) No decision is reached within 60 days; or (ii) Either party is dissatisfied with the local hearing decision.   * **20 CFR 679.610 (a)** Provisions of WIOA * **29 CFR Part 37** Implementation of The Nondiscrimination and Equal Opportunity Provisions of The Workforce Investment Act Of 1998 (WIA) | Evidence that the LWDB has a process that clearly outlines where a complaint should be submitted  Look for evidence that the LWDB has followed up on any complaints that has been filed. | * Grievance/Complaint log (Program Complaint Log) * All supporting documentation leading up to the resolution of the grievance/complaint that was filed |
| **1.13** | **Incumbent Worker** – If applicable  **§ 680.780 Who is an “incumbent worker” for purposes of statewide and local employment and training activities?**  States and local areas must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker services. To qualify as an incumbent worker, the incumbent worker needs to be employed, meet the Fair Labor Standards Act requirements for an employer-employee relationship, and have an established employment history with the employer for 6 months or more, with the following exception: In the event that the incumbent worker training is being provided to a cohort of employees, not every employee in the cohort must have an established employment history with the employer for 6 months or more as long as a majority of those employees being trained do meet the employment history requirement. ***An incumbent worker does not have to meet the eligibility requirements for career and training services for adults and dislocated workers under WIOA, unless they also are enrolled as a participant in the WIOA adult or dislocated worker program.***  **TEGL 19-16 -**  **Incumbent Worker Training (IWT).** IWT provides both workers and employers with the opportunity to build and maintain a quality workforce and is governed by sections 20 CFR 680.780 through .820 of the Final Rule. IWT is designed to meet the needs of an employer or group of employers to retain a skilled workforce or avert layoffs. IWT is not permitted to be used to provide the occupational training a new hire needs. IWT can be used to either:   * Help avert potential layoffs of employees, or * Obtain the skills necessary to retain employment, such as increasing the skill levels of employees so they can be promoted within the company and create backfill opportunities for less-skilled employees.   The Local WDB must determine an employer’s eligibility for participating in IWT based on the following factors which help to evaluate whether training would increase the competitiveness of the employees or both the employees and the employer:   * The characteristics of the individuals in the program (e.g., individuals with barriers to employment); * Whether the training improves the labor market competitiveness of the employees or both the employees and the employer; and * Other factors the Local WDB may consider appropriate, including: * the number of employees participating in the training; * wage and benefit levels of those employees (both pre- and post-training earnings); * the existence of other training and advancement opportunities provided by the employer; * credentials and skills gained as a result of the training; * layoffs averted as a result of the training; * utilization as part of a larger sector and/or career pathway strategy; or * employer size   For an employer to receive IWT funds, the individual(s) receiving training must be:   * Employed; * Meet the Fair Labor Standards Act requirements for an employer-employee relationship; and * Employment history requirement - Have an established employment history with the employer for 6 months or more (which may include time spent as a temporary or contract worker performing work for the employer receiving IWT funds).   There is one exception to the six-month requirement, which is that in the event that incumbent worker training is being provided to a cohort of employees, not every employee in the cohort must have an established employment history with the employer for six months or more as long as a majority of those employees being trained meet the employment history requirement.  **Adult/Dislocated Worker Program**  WIOA Section 134(d)(4) – Incumbent Worker Training Programs  (A)(i) Standard Reservation of Funds – The local board **may reserve and use not more than 20 percent** of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training through a training program for incumbent workers  **WIOA I-B Policy 5607** **Rev 6** (December 8, 2023) – Incumbent Worker Training  Per WIOA Sections 134(d)(4)(C) and 134(d)(4)(D) and 20 CFR 680.820, employers participating in incumbent worker training are required to pay the non-WIOA (non-federal) share of the cost of providing training to their incumbent workers. The employer share is based on the size of the workforce at the location(s) where incumbent worker training has been deemed necessary (wages paid to the participant while in training can be included as part of that share and the share can be provided as cash or in-kind that is fairly evaluated) |  | * Executed contract(s) for Incumbent Worker agreements, if any, whether created by the LWDB or their subrecipient * Supporting documentation on employer match * Copy of the training invoices * Copy of applications from business, selection criteria used to determine participation, and evidence of selection criteria applied to application * Final Project/Contract Report & follow-up documentation, as applicable * A copy of the agreement between the LWDB and the contracted entity when the LWDB contracts out the incumbent worker training application, approval and/or management of training contracts. * Employment history (6mo) confirmation for trainees, as applicable |
| 1.14\*\* | **Stevens Amendment**   * **Public Law 116-260, Section 505 of Division H (2021 Appropriations)** * **WS System Policy 1027 Rev 1**  (July 9, 2024)   Note: WSS Policy 1027 Rev 2 in public comment  3. a. Stevens Amendment Language Content  When issuing statements, press releases, requests for proposals (RFPs), bid solicitations, and other documents and publications (see subsection b. below) describing projects or programs funded in whole or in part with Federal funds, all grantees receiving those funds must state:  1. The dollar amount of Federal funds used to support the project, activity, or program,  2. Federal funding entity (name of the fund allocation, grant, or program),  3. The funding period, and  4. The dollar amount of non-federal sources that will be used to support the project, activity, or program**.**  3.d.The disclosure is necessary only when issuing statements, press releases, RFPs, bid solicitations, and other publicly available documents describing projects or programs funded in whole or in part with federal money. | What is the LWDB’s policy or process for review of public facing materials to ensure required disclosures are present?  Are items subrecipients produce reviewed prior to publication or as part of monitoring process?  Does the LWDB have a policy or process that sets timelines for review and update of website information? (e.g. is the funding information updated quarterly, annually, as new funds are received?) | Review for required language the 3 items provided by LWDB (may be a combination of any of the below):  • Brochures  • E-mail blasts  • Press releases  • Promotional materials (e.g., fliers, advertisement,   PowerPoint presentations)   * Review website(s) provided by the LWDB (information posted concerning federal funding levels in compliance with WS System Policy 1027 Rev 1. * Review process of approving prior to using/posting, or monitoring items used/posted by subrecipients. * Review RFPs, RFQs, and other formal solicitation notices for required language if funding is from Department of Labor. (list provided as part of Pre-Monitoring Questionnaire) |

All items above are reviewed for WIOA I-B formula funding compliance. Discretionary funding within scope is reviewed for, minimally, compliance with items marked above with an asterisk (\*)

\*\*Stevens Amendment information is only required for programs funded by the Department of Labor, Department of Education, and Federal Health and Human Services.