

INCIDENT REPORTING GLOSSARY OF TERMS AND DEFINITIONS

The definitions of employee or participant misconduct, fraud, misfeasance or malfeasance, gross mismanagement, and misapplication of funds were developed to provide guidance for the purpose of the Incident Reporting Directive. These definitions are illustrative and are not intended to be either comprehensive or restrictive. Since the definitions cannot address every possible activity, questions as to whether an activity is reportable under the policy should be referred to the Pacific Gateway Workforce Development Board's Workforce Development Officer for clarification and guidance.

Emergency - A situation involving imminent health or safety concerns, or the imminent loss of funds exceeding an amount much larger than \$50,000 (e.g. \$500,000).

Employee/Participant Misconduct - Actions occurring during or outside work hours that reflect negatively on the Pacific Gateway Workforce Innovation Network, Employment Development Department or its mission, including but not limited to: conflict of interest or the appearance of conflict of interest involving outside employment, business and professional activities; the receipt or giving of gifts, fees, entertainment, and favors; misuse of federal; property; and, misuse of official information and such other activities that might adversely affect the confidence of the public in the integrity of the government (29 CFR O; 5 CFR Parts 2635 and 5201) as well as serious violations of federal and state laws.

Fraud, Misfeasance, Nonfeasance or Malfeasance - Any alleged deliberate action which may be in violation of government statutes and regulations. This category includes, but is not limited to, indications of bribery, forgery, extortion, embezzlement, theft of participant checks, kickbacks from participants or contractors, intentional payments to a contractor without the expectation of receiving services, payments to ghost enrollees, misuse of appropriated funds, and misrepresenting information in official reports.

Gross Mismanagement - Actions or situations arising out of management ineptitude or oversight and leading to a major violation of the legislative process, regulations, or contract/grant provisions. Such actions or situations have the potential to severely hamper accomplishment of program goals, waste government resources, and jeopardize future support for a particular project. This category includes, but is not limited to, unauditible records, unsupported costs, highly inaccurate fiscal reports or program reports, payroll discrepancies, payroll deductions not paid to the Internal Revenue Service, and lack of good internal control procedures.

Misapplication of Funds - Any alleged deliberate use of funds, assets or property not authorized or provided by legislation or regulations, grants, or contracts. This category includes, but is not limited to, nepotism, political patronage, use of participants for political activity, ineligible enrollees, conflict of interest, failure to report income from federal funds, violation of contract/grant procedures, the use of government funds for other than specified purposes, and the use of WIOA funds for other than WIOA purposes. An incident report should be filed when there appears to be an intent to misapply funds rather than merely for a case of minor management.