
Incident Reporting

PURPOSE

The purpose of this policy is to provide procedures for reporting incidents including, but not limited to, criminal fraud, abuse, or other criminal activity and noncriminal complaints, such as waste of funds, to the Compliance Review Office (CRO) of the Employment Development Department (EDD) and the Department of Labor's (DOL) Office of Inspector General (OIG).

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA), Title 20 CFR 683.620, requires that information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately through DOL's Incident Reporting System to the OIG with a copy simultaneously provided to the Employment and Training Administration (ETA). Complaints of a noncriminal nature, such as mismanagement and gross waste of funds, may also be reported through DOL's Incident Reporting System.

POLICY AND PROCEDURES

A. Definitions

Complaint, for this directive only, means criminal complaint and noncriminal complaints accepted by the DOL as incidents, such as gross waste of funds, mismanagement and dangers to the public health and safety.

Subrecipient, for this directive, means local areas and other recipients that receive WIOA funds directly from the State.

Subrecipient Contractor means a recipient that does not receive WIOA funds from the State.

B. General Guidelines

All subrecipients that receive WIOA funding shall promptly report to the CRO and OIG, all allegations of WIOA-related fraud, abuse and other criminal activity.

All subrecipient contractors that receive WIOA funding from Pacific Gateway's Workforce Development Board must establish, document, and implement procedures to immediately notify Pacific Gateway Workforce Development Board's Performance and Compliance Manager of any suspected or proven fraud, abuse, or other criminal activity involving WIOA-funded activities. All subrecipients detecting the presence or appearance of fraud, abuse or other criminal activity must obtain sufficient information to provide a clear, concise report of each incident. Reports must include a statement of all facts, known at that time, as well as any known or estimated loss of WIOA funds resulting from the incident.

The submission of the incident report should not be delayed, even if all facts are not readily available. Any facts subsequently developed by the subrecipient are to be forwarded in a supplemental incident report.

The reporting procedures do not supersede the responsibility for subrecipients to safeguard WIOA funds by taking prompt and appropriate corrective action when any evidence of a violation of WIOA or its implementing regulations is found. Attachment I includes a glossary of terms related to reportable issues.

C. Reporting

Within one workday of detection or discovery of information alleging fraud, abuse, or other criminal activity involving WIOA funds, the detecting entity shall prepare a written incident report. The report must be submitted on the incident form (Attachment II) or similar document containing the requested information. The report must be submitted to both the CRO and OIG.

CRO: Attention: Compliance Resolution Unit
Compliance Review Office, MIC 22
Employment Development Department
P.O. Box 826880
Sacramento, CA 94280-0001

OIG: (Select one of the following methods)

Website: www.oig.dol.gov/hotlinecontact.htm
Telephone: 1-800-347-3756
FAX: (202) 693-7020
Mail: Office of Inspector General
Complaints Analysis General
200 Constitution Avenue, N.W., Room S-5506
Washington, D.C. 20210

Allegations considered to be of an emergency nature may be reported by telephone to the Compliance Resolution Unit Supervisor at (916) 653-0298 and by calling the OIG Hotline at 1-800-347-3756 and **followed immediately by a written incident report.**

A copy of the written incident report must also be submitted to Pacific Gateway Workforce Development Board at the following address:

Pacific Gateway WDB
3447 Atlantic Avenue
Long Beach, CA 90807
Attention: Alisa Munoz, Performance and Compliance Manager

Action will not be taken against any complainant for disclosing information concerning criminal or improper activities or making a valid complaint to proper authorities. Complainants may remain anonymous. If a complainant considers that his or her position will be compromised by reporting information via an incident report, he or she may send the report directly to the OIG.

REFERENCES

- Title 20 CFR Section 683.620

- DOL Training and Employment and Guidance Letter (TEGL), 2-12 “ Employment and Training Administration (ETA) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct “(July 12, 2012)
- Workforce Services Directive WSD12-18 “Incident Reporting” (June 12, 2013)

INQUIRIES

For questions or assistance related to this policy, please contact Alisa Munoz, Performance and Compliance Manager at (562) 570-3748.

ATTACHMENT(S)

- Glossary of Terms (Attachment I)
- Incident Report (Attachment II)

NS:am