
Oversight and Monitoring Procedures

PURPOSE

The purpose of this policy is to provide direction for ensuring compliance with programmatic, fiscal and contractual provisions of the Workforce Innovation and Opportunity Act (WIOA) and other grant-funded programs administered and/or overseen by Pacific Gateway Workforce Innovation Network (Pacific Gateway).

POLICY

In accordance with Employment Development Department (EDD) Directive WIAD00-7, Pacific Gateway is required to establish and implement procedures for oversight and monitoring of internal and subrecipient WIOA programs and services to ensure compliance with applicable federal, state and local rules, regulations and policies.

On-site monitoring reviews conducted by Pacific Gateway are intended to be an independent review of programs and services operated internally and by subrecipients. The objectives of the monitoring reviews are as follows:

Program

- Ensure programs and services are operated in compliance with WIOA and applicable Federal, State and Pacific Gateway rules, regulations and policies.
- Ensure contractual compliance and adherence to program goals and objectives.
- Provide a system for early detection of fraud or abuse.
- Identify and correct any actual or potential problems, deficiencies or inaccuracies that may lead to noncompliance.
- Provide technical assistance and support related to service delivery and performance outcomes
- Maintain reports and records, which substantiate the intensity and frequency of monitoring activities conducted by Pacific Gateway.
- Ensure compliance with nondiscrimination and equal opportunity requirements.

Fiscal

- Ensure compliance with applicable uniform cost principles included in the OMB circulars.
- Ensure compliance with applicable uniform administrative requirements.
- Ensure compliance with applicable provisions regarding allowable costs.
- Ensure contractual compliance and adherence to the required expenditure rate.
- Ensure expenditures meet the cost category and limitations of WIOA.
- Ensure grant accounting units perform duties as described in oversight tools.

PROCEDURES

A. Frequency and Monitoring Schedule

On-site monitoring reviews will be conducted at least once each program year for each subrecipient and internally operated program. Pacific Gateway will create and distribute a schedule of monitoring reviews annually.

Pacific Gateway, at any time, may conduct monitoring reviews based on concerns or issues identified by staff, subrecipients, training providers, and/or participants.

B. Monitoring Parameters

On-site reviews utilize standardized monitoring instruments and are conducted for the following:

- Internal Programs

It has been Pacific Gateway's practice to utilize an external monitor to evaluate program performance and compliance. However, Pacific Gateway's Deputy Director may designate internal staff or an independent entity to conduct the monitoring review of internally operated programs. A random sample of participant files (electronic and/or hard copy) will be selected from each distinct program. The sample size will be approximately 10 to 15 files. The purpose of the file review is to determine compliance with applicable documentation, policies and procedures.

- Subrecipients

A review of subrecipients programs and/or services will be conducted by Pacific Gateway or an independent entity. A random sample of participant files (electronic and/or hard copy) will be selected for review. The sample size will be based on contract goals/enrollments. The purpose of the file review is to determine compliance with applicable documentation, policies and procedures.

C. Desk Review

Prior to the scheduled monitoring visit, a desk review will be conducted, which provides the basis for the On-site review. The desk review includes a review of the program's performance goals and its required components. It also includes the review and/or examination of other program related materials such as contracts or subcontracts, previous monitoring reports and corrective action plans. The desk review can indicate a program's accomplishments and problems, as well as serve as a basis for prioritizing on-site visits and developing questions for the On-site review. The desk review may consist of the following:

- Contract terms and conditions
- Statement of work and participant plan
- Program goals and objectives
- Applicable policies and procedures
- Review of prior monitoring reports
- Information on timely submission of required reports /transactions
- In-Kind/Memorandums of Understanding
- Organization chart
- General ledger
- Payroll records
- Supportive service records
- Cash disbursement journal
- Procurement policies and procedures manual

D. Entrance Conference

If applicable, an entrance conference may be conducted, which will consist of an interview with the Program Manager and appropriate staff to address program operations and performance. The scope and schedule of the monitoring activities should be discussed with the “point of contact”, as well as any other concerns identified during the desk review or prior reviews or visits.

E. On-site Review

Following completion of the Entrance conference (if conducted), the On-site review will begin with a participant file review and completion of the monitoring guide.

F. On-Site Exit Conference

Following the completion of the On-site review, an exit conference with the appropriate staff will be conducted to present concerns and noncompliance issues identified during the monitoring review.

G. Release of Monitoring Report and Corrective Action

A written monitoring report will be issued to appropriate parties approximately 15 calendar days from the exit conference. The monitoring report will address the results of the monitoring review. Noncompliance issues, as well as concerns that may be potential noncompliance issues, will be documented in the monitoring report. The monitoring report will reference policies and procedures applicable to noncompliance issues raised. As appropriate, the monitoring report will be issued with a Letter of Corrective Action, which will identify the specific findings and provide a time period of 30 calendar days to address the corrective action. A Letter of Corrective Action will be issued when an internal operated program or subrecipient is not operating and/or performing in compliance with applicable rules and regulations.

H. Corrective Action Plan

A Corrective Action Plan will be expected from the applicable Program Manager or Subrecipient and will address actions to be taken to resolve the noncompliance issue(s). Corrective action plans will include the following items:

- Continuous improvement proposals
- Process or core measures to be improved
- Timeline for improvement
- Responsible party

The Corrective Action Plan will be reviewed to ensure it adequately addresses concerns and issues raised and identified during the On-site review. Depending upon the concerns and issues raised, implementation of the Corrective Action Plan may be verified during a regular or special scheduled review or visit. The implementation of the Corrective Action Plan will be tracked to ensure noncompliance issues have been resolved.

I. Acceptance of Resolution

An Acceptance of Resolution letter will be sent approximately 30 calendar days from the review of the demonstrated action.

J. Follow-up on Corrective Action

Follow-up will be conducted to ensure that actions have been taken to correct deficiencies noted in a monitoring report. The degree of the corrective action may necessitate a follow-up visit for the sole purpose of assuring that the action plan has been successfully implemented.

K. Review and Retention of Records

Pacific Gateway will be responsible for ensuring the confidentiality of monitored data. All written reports and other documents pertaining to monitoring and other oversight activities will be made available for review by Federal and State officials. In addition, reports and other records of monitoring activities will be maintained for five (5) years from the date of submission of final expenditure reports regarding the funding sources monitored. If any litigation, claim, audit or other action involving the records has been started before the expiration of the five year period, the records will be retained until completion and resolution of all such actions or until the end of the three-year period, whichever is later (29 CFR 95.53 9b) and 97.42 (b)(c)).

REFERENCES

- WIOA (Public Law 113-128)
- Title 20 CFR, "WIOA Final Rule" Section 683.410
- Title 2 CFR Part 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- Workforce Services Directive WSD12-10, "Procurement" (November 30, 2012)
- Workforce Services Directive WSD15-24, "Nondiscrimination and Equal Opportunity Procedures" (April 8, 2016)
- Workforce Services Directive WSD08-4, "Grievance and Complaint Procedures" (September 3, 2008)

INQUIRIES

For questions or assistance related to this policy, please contact Pacific Gateway Workforce Innovation Network staff at (562) 570-3748.

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