



Tompkins County Workforce Development Board

Remote and/or On Site Subrecipient Oversight and Monitoring Fiscal and Program Compliance Monitoring Policy

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) Section 183, *Monitoring*, states: “(a) In General...the Secretary is authorized to monitor all recipients of financial assistance under this title to determine whether the recipients are complying with the provisions of this title, including the regulations issued under this title.”

Monitoring of any type is necessary for the purpose of ensuring compliance and to foster continuous improvement of the individual programs and one-stop system. To further these ends, monitoring activities must:

- Recognize and highlight the positive practices of the entity being reviewed
- Offer efficient technical assistance when issues of non-compliance are identified
- Offer efficient technical assistance to foster continuous improvement
- Allow sufficient time for corrective action
- Ensure implementation through follow-up

I. SCOPE OF MONITORING

A. Program Monitoring

During each program year, pursuant to the schedule outlined in the preceding section, Tompkins County Workforce Development Board conducts program management and oversight defined as reviewing, monitoring and evaluating program activities undertaken with funding provided under the Workforce Innovation and Opportunity Act and the outcomes of those activities related to the federal, state, and local program and system performance goals. This oversight results in the development of recommendations for improvement. WDB Staff conduct the monitoring.

Monitoring activities ensure that contractors are in compliance with the Workforce Innovation and Opportunity Act, Federal Regulations, State policies and locally approved policies. Monitoring consists of a review of customer files and records on the case management system known as the One Stop Operating System- OSOS.

Schedule

- WIOA Title I Adult – Annually
- WIOA Title II Dislocated Worker – Annually
- WIOA Title I Youth – Annually
- Trade Act – Annually
- Subrecipient Contract Reviews – Quarterly
- Desk Review of Performance monitoring of LWDB subrecipient – Quarterly

B. Fiscal Monitoring

The Tompkins County Workforce Development Board will conduct regular fiscal oversight and monitoring, pursuant to the schedule outlined attached in this document, to ensure that contractors comply with all Federal, State and local laws, regulations and provisions of contracts and agreements. WDB Staff will conduct the monitoring. The purpose is to determine that expenditures made against the cost categories are accurate, appropriate, in compliance, and consistent with the contract budget.

Monthly vouchers are submitted to the WDB and carefully reviewed for accuracy and appropriateness prior to authorizing reimbursement. Vouchers should be submitted in the format provided by the WDB. If there are any questionable costs, the contractor is contacted for further explanation or back-up information/documentation. Once issues are resolved, payment will be authorized. If there are any disallowed costs, the contractor is notified, and the invoice is reduced accordingly. Technical assistance will be made available.

A full and complete monitoring review will include a review of all fiscal records, the cost allocation plan, the financial management and reporting system, all accounts payable, equipment management, and purchasing and procurement policies. In addition, contractors receiving over \$750,000 in federal funds must provide the WDB with a copy of their Single Audit report for the prior year within nine months of the end of the fiscal year or within thirty days after receipt of the auditor's report, whichever is earlier. Single Audit reports will be reviewed for relevant findings. Contractor will be required to provide an update on changes made to respond to Single Audit findings. Per Technical Advisory 21-05 Form IIa.1 the most recent Financial Management/Cost Allocation for Contracted Service Providers will be utilized. It is the policy of the WDB that work papers and reports related to review will be retained by WDB staff for review by Federal and state officials.

Fiscal Records

All contractors must keep records that adequately identify Tompkins County WDB grant funds. The records must contain information pertaining to grant or subgrant awards

and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The records must be maintained in accordance with Generally Accepted Accounting Principals (GAAP). Contractors may use either the cash or the accrual method of accounting; however, expenditures must be reported to the Tompkins County WDB on an accrual basis. If the records are maintained on a cash basis, the contractor must maintain a set of linking records, typically accrual spreadsheets, so that the reported costs are traceable during monitoring or auditing to the official accounting records or books of account.

Cost Allocation Plan

The contractors cost allocation plan will be reviewed to determine the types of expenses allocated and the methodology used. Actual expenditure allocation will be verified to determine if in accordance with the plan and for reasonableness. If the plan is not reasonable or there is no allocation plan, technical assistance will be provided to remedy the situation. If an indirect cost rate is used, monitor will verify that the rate has been approved by the appropriate agency and that the rate has been properly applied to the program. When an administrative overhead rate is applied to the contract, monitor will verify the costs that serve as the basis for the rate and verify that the rate is being properly applied and appropriately updated.

Reports

Reports will be issued as defined in the program monitoring section. Any areas initially noted as disallowed, or potentially disallowed costs, will be immediately addressed. Upon review, the monitor may revise the findings and/or recommendations. Any documentation provided to resolve the specific deficiencies will result in the deletion of the reference to the specific deficiencies in the final report, but may not result in changes to the findings and/ or recommendations. It should be noted that the Workforce Development Board will not consider other documentation submitted by the contractor, if such information was not available at the time of the monitoring activity. Also, if the contractor does not respond to the draft report, within the time frame noted above, the Workforce Development Board will assume that the contractor concurs with the findings and the final report will be issued. The final report will note that the contractor did not respond to the draft report.

Schedule

- Subrecipient Monitoring – Annually
- Financial Management/Cost Allocation – Annually
- Procurement – Every two years;
- Property Management – Every two years
- Desk Reviews of Expenditure Reports – Monthly

II. MONITORING GUIDES

NYSDOL Monitoring Guides, modified for local use, will be utilized to conduct Program Monitoring.

There are the areas for program review:

- Eligibility and Records Review
- Delivery of Services
- Quality of Services
- Customer Satisfaction
- EEO Requirements/Grievance Procedures
- Performance Requirements

III. MONITORING REPORTS

A. Development of Monitoring Report

Two monitoring reports (Draft and Final) will be issued. These reports will contain at least the following:

- A. Introduction
- B. Positive practices that indicate a culture that fosters strong customer service, positive outcomes, and continuous improvement
- C. Prior Monitoring Findings Review (if appropriate.)
- D. Current Findings
- E. Recommendations/Corrective Action
- F. Specific Deficiencies (optional)

The Tompkins County Workforce Development Board staff will provide the contractor with a draft report within forty-five (45) business days of completing the review. The contractor will have fifteen (15) days after issuance/transmittal of the draft report to submit written comments. Appropriate supplemental information may be submitted if the contractor believes that it should be considered prior to issuance of the final report.

Upon review of the contractors written comments, the monitor may revise the findings and/or recommendations and shall issue the final report within ten (10) business days. Any documentation provided to resolve the specific deficiencies will result in the deletion of the reference to the specific deficiencies in the final report but may not result in changes to the findings and/ or recommendations.

If the contractor does not respond to the draft report within the time frame noted above, the Workforce Development Board will assume that the contractor concurs with the findings and the final report will be issued. The final report will note that the contractor did not respond to the draft report.

B. Distribution List of Reports

All written reports will be distributed to:

- The agency being reviewed (subrecipient);
- LWDB Chair (or designated LWDB member(s) to receive the report);
- The appropriate NYSDOL Financial Oversight and Technical Assistance (FOTA) and Program representatives;
- Grant Recipient CEO (Tompkins County CEO);
- Members of the Executive Committee of LWDB; and
- Appropriate LWDB staff.

C. Corrective Action Plan

A final monitoring report may require that the contractor submit a proposed corrective action plan, in response to the findings contained in the report. Upon review, the Tompkins County Workforce Development Board staff will accept the plan or request further revisions or clarification. Failure to submit the plan within the time thirty (30) business days or more (indicated in the final report and dependent on the number and severity of deficiencies noted) may result in the suspension/ termination of the subgrant agreement. If the plan is acceptable, the contractor will receive a confirmation of the resolution to the report findings.

The corrective action plan must be specific in describing the steps/procedures that will be implemented to correct the identified problems and must contain a timetable for implementation.

Subsequent monitoring will include a review of the implementation of the corrective action plan by the contractor. Failure of the contractor to implement the corrective actions may result in the modification, suspension, or termination of the contract.

In the event of any significant findings resulting from the reviews, which may have a material impact on the financial and participant reporting of Tompkins County Workforce Development Board, NYSDOL will be notified immediately.

D. Appeals to Monitoring Reports/Corrective Action

The monitoring report is considered an administrative oversight tool for the Tompkins County Workforce Development Board and the contractor. Therefore, no appeal to the report itself is possible. A contractor may utilize the local area's policy for grievances for resolution and corrective action of any questioned costs.

IV. INDEPENDENT AUDITORS/MONITORING REPORTS

Typically monitoring activities are program specific and relate to activities that may not be in the field of expertise of independent auditors. Therefore, auditors may utilize these reports in their examination of compliance matters only.

V. STATE/FEDERAL MONITORING

Typically, monitoring by the State Department of Labor or United States Department of Labor is scheduled through the Tompkins County Workforce Development Board. If a contractor is notified of a pending monitoring activity by other than the Tompkins County Workforce Development Board, the Workforce Development Board must be notified immediately. Further, if as a result of such monitoring the contractor is requested to provide a corrective action plan or otherwise is provided a report, the contractor is requested to consult with the Tompkins County Workforce Development Board prior to responding.

VI. TECHNICAL ASSISTANCE

Technical assistance will be provided whenever non-isolated deficiencies are found. In addition, technical assistance may be provided solely for the purpose of fostering continuous improvement, even if no specific notable deficiencies are indicated. Technical assistance may be provided in a number of ways, dependent on the area to be addressed, cost, and availability:

- Counseling by the WDB Staff
- Counseling and training by the NYSDOL representatives and experts
- Written materials that provide clarification and offer up best practices
- Workshops and trainings available either locally, through the New York State Department of Labor, New York Association of Training and Employment Professionals, or other appropriate providers and venues

PLAN

2022- 2023

CONTRACTS TO BE MONITORED; SCHEDULE; PERSON(S) RESPONSIBLE

Monitors

ED- Executive Director, Tompkins County Workforce Development Board
 DD – Deputy Director, Tompkins County Workforce Development Board
 WDA – Workforce Development Associate, Tompkins County Workforce Development Board

Contractor	*Program Monitor	Schedule	Fiscal Monitor	Schedule
Tompkins County Office of Employment and Training (WIOA Adult, Dislocated Worker, Youth, TAA, TET-NDWG, ER-NDWG)	WDA DD	Adult: Annually D/W: Annually Youth: Annually	ED DD	Annually
Tompkins County Office of Employment and Training (SYEP)	WDA DD	September- October	ED DD	Sept- November
Ithaca Youth Bureau (SYEP)	WDA DD	September- October	ED DD	Sept- November
Tompkins County Office of Employment and Training (One-Stop System Operator Consortium)	ED DD	Quarterly	N/A	N/A