



DATE: February 25, 2008

TO: Local Workforce Investment Boards
Local Workforce Investment Board Staff

FROM: Cam Preus, Commissioner

SUBJECT: Program Year 2007 Monitoring Reviews

The Program Year 2007 Monitoring Guide is enclosed. The requested material is similar to items requested in the past, and there have been small edits made.

The monitoring visits will again be conducted over the course of four days, and will include visits to subrecipient offices, services offices, fiscal agent offices, and/or contractor sites as applicable. In addition to visits at the administrative offices and fiscal agent sites, monitors will review participant files at the following program sites:

Region 2
Southeast Works – adult, dislocated worker and youth program

Region 3
WorkSource Oregon Woodburn Center – adult and dislocated worker program
Arbor- youth program

Region 4
Lincoln Workforce Development Center – adult, dislocated worker and youth program

Region 5
Lane Community College – adult and dislocated worker program
Department of Youth Services- youth program

Region 8
The Job Council - Grants Pass – adult, dislocated worker and youth program

Region 15
Clackamas Community College – adult and dislocated worker program
to be determined- youth program

The Oregon Consortium/Oregon Workforce Alliance
Region 7
Region 9
Region 13

Public Service Building

255 Capitol Street NE

Salem, Oregon 97310

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Scheduling and Review Guide Response Information

Once you and appropriate staff have identified which dates will work best for the monitoring visit, please contact Theresa Fitzgerald at 503-378-8648, extension 222. With confirmation of on-site visit dates, we'll establish a date (approximately two weeks before the on-site visit) when monitoring review guide responses, attachments and related materials are due to CCWD offices.

We anticipate that response information will be similar to information received in the past, and are again asking that each question be addressed, and that attachments are provided for this year's review guide so that monitoring work papers are complete.

Fiscal Systems

In review guide response materials, please include a copy of check registers for all bank accounts, including payroll disbursements, for Program Year 2007 (July 1, 2007 – June 30, 2008). Please also include an electronic copy of the general ledger and chart of accounts. We recognize that some requested materials may be too cumbersome to be provided before the on-site visit, or that some items may not be available electronically, so please let us know if an alternate approach is more convenient.

Program Systems

On-site visits to program offices will include a review of participant files, and sampled files will be identified as staff arrives on-site.

We recognize that these visits must be coordinated amongst a large number of staff members. As these visits are federally required and must be conducted annually, please establish visit dates as soon as possible.

If you or your staff have questions, please contact me at 503-378-8648, extension 357, or Theresa Fitzgerald at extension 222.

PROGRAM YEAR 2007
(JULY 1, 2007 – JUNE 30, 2008)

WORKFORCE INVESTMENT ACT

TITLE I-B

MONITORING GUIDE



Community Colleges and Workforce Development

Please list changes in key staff.

Administrative Systems:
Fiscal Systems:
Program Systems:

Please list any requests for training/technical assistance:

Administrative Systems:
Fiscal Systems:
Program Systems:

ADMINISTRATIVE SYSTEMS SECTION

- A-1 Please provide a copy of the LWIB's process for appointing members to the board.
- A-2 Please provide copies of nomination letters that demonstrate that representatives from business, labor and education are nominated by the appropriate organizations, entities or agencies.
- A-3 Please provide documentation which demonstrates appointment of the board chair from business representatives. (20 CFR 661.320)
- A-4 Please provide a copy of the board's approved by-laws.
- A-5 How does the local board conduct oversight of the One-Stop system, youth activities, and employment and training activities? (20 CFR 661.305) Please provide copies of reports, and any corrective action plans.
- A-6 Please provide board meeting minutes that demonstrate deliberation and adoption of the budget. (20 CFR 661.305(a)(4))
- A-7 Please provide samples of public notices and board minutes which demonstrate compliance with public meeting laws and the following meeting requirements (20 CFR 661.307):
- Meetings are held within the geographic boundaries of the local area (ORS 192.630(4))
 - Meetings are held at locations that observe non-discrimination, EO and ADA compliance (ORS 192.630(3))
 - Emergency meetings are held as a result of an actual emergency as noted in the board minutes (ORS 192.640(3))
 - Votes at all board and executive committee meetings are public and recorded (ORS 192.650(c))
 - Public notice includes planned agenda items (ORS 192.640 (1))
- A-8 Does the local board provide core, intensive or training services?
- A-9 Please attach an organizational chart or other relevant documents demonstrating compliance with 20 CFR 661.310 which restricts local board and staff of the local board from being providers of core, intensive and training services, and from being a one-stop operator.
- A-10 Who is the One-Stop operator? Please provide a copy of the agreement between the local board and the One-Stop operator which specifies the operator's role. (20 CFR 662.400 (c))
- A-11 Please provide the board meeting minutes documenting the selection of the One-Stop operator. (20 CFR 662.410)
- A-12 Please provide a copy of the One-Stop certification tool.

- A-13 Please provide a copy of the written standards of conduct for board members regarding conflict of interest and restriction from voting. (20 CFR 667.200(a)(4))
- A-14 What criteria have been established by the board to determine the availability of funds and the process by which any priority will be applied? (20 CFR 663.600)
- A-15 Please provide a copy of the board's policy on supportive services. (20 CFR 663.800)
- A-16 What criteria has the local board set to determine whether employment leads to self-sufficiency? (20 CFR 663.230)
- A-17 Please provide a copy of the local board's needs-related payment policy and the established payment level. (20 CFR 663.840)
- A-18 If the local workforce investment area is composed of more than one unit of local government, please provide a copy of the agreement amongst local elected officials which specifies the liability of the individual jurisdictions. (20 CFR 667.705(c))
- A-19 Please provide a youth council membership list for PY07.
- A-20 Please provide documentation which confirms that the local board has awarded grants and contracts for youth services on a competitive basis based on the recommendations of the youth council. (WIA Section 123)
- A-21 How does the youth council oversee youth providers in the local area? (20 CFR 661.340 (d))
- A-22 Describe how program staff ensures that any non-exempt public record is accessible to the public, taking into account the following:
- Anyone wishing to access non-exempt public records is given the opportunity to do so. [ORS 192.430]
 - Any fees charged reflect the actual cost for making records available. [ORS 192.440(2)]
 - A procedure is in place to assure that only bonafide exempt records are withheld from inspection. [ORS 192.420 & 501-505]
- A-23 How does program staff ensure that WIA participant records are confidential as provided in State law and administrative rules? [ORS 660.300 – 660.339; OAR 151-020-0060 – 151-020-0090]
- A-24 Which program year records have been destroyed? (CCWD policy 589-40.4)
- A-25 Please provide a copy of the record retention and public access procedures. (CCWD policy 589-40.4)
- A-26 Describe how programs ensure:
- Staff and contractors are clearly aware of the requirements to report fraud, abuse or other criminal activity, and that the Department of Labor's hotline number for reporting such actions is available.

- That all suspected incidents of fraud, abuse or other criminal activity are immediately reported by phone to the state office, followed in one workday with a written Incident Report form DLI-156. (20 CFR 667.630)

- A-27 Please provide a copy of the procedure for grievances and complaints. (20 CFR 667.600 (a))
- A-28 Have any written grievances been initiated against service providers or contractors? If so, please provide a summary by citing the nature of the complaint and its resolution or status.
- A-29 Please provide a copy of the grievance procedure information provided to registrants. (20 CFR 667.600 (b)(1))
- A-30 Describe the procedures in place for managing the eligible training provider process.
- A-31 What additional verifiable program-specific information, if any, does the local board require from local training providers to maintain subsequent eligibility? (20 CFR 663.510 (e) (3))
- A-32 What is the grievance procedure for training providers whose application is not approved? (OAR 151-020-0110 item 9e)
- A-33 Please provide samples of public notice for Workforce Response Team meetings. (ORS 192.630)
- A-34 Please provide WRT meeting minutes which demonstrate that decisions and information on planning, evaluating and awarding of funds is done so in accordance with redesignation information provided in CCWD Policy 589-20.4, Attachment A.
- A-35 How does the WRT ensure that employers and partner agencies participating in EWTF projects meet the requirements in the Methods of Administration? (CCWD Policy 589-20.4, Attachment E)
- A-36 Please provide copies of EWTF and WRT brochures, training materials (syllabi and handouts), curricula, and any other written materials which demonstrate an acknowledgment of funding and include the WorkSource Oregon logo. (CCWD Policy 589-20.4)
- A-37 Please provide copies of notices announcing the availability of EWTF funds which satisfies open and competitive requirements.

FISCAL SYSTEMS SECTION

- F-1 Please provide a copy of the monitoring guide used to satisfy requirements for monitoring each project, program, subaward, function or activity supported. (20 CFR 667.410)

In the guide, please highlight sections which test that:

- Expenditures have been charged to the proper cost categories within cost limitations;

- There is compliance with the provisions of the applicable contract, the WIA, final regulations, and other applicable federal and state laws.

F-2 Please provide copies of monitoring reports which demonstrate a standardized review methodology including documentation of findings, needs for corrective action and due dates for completion of corrective actions.

- While on-site, the review team will test aspects of the audit resolution control log. Please ensure that the control log, or the instrument used to track monitoring findings, is made available to the review team.

F-3 Please provide contact information for non-federal audits, including the audit firm's name, address, and contact person and include the most recent audit report and management letter.

F-4 Are there plans for an audit Request for Proposal this year? If so, please attach a copy of the most recent audit RFP.

F-5 Please describe or attach the resolution or plan for resolution to any findings, questioned costs or issues in your last management letter and audit report.

F-6 Please attach a detailed cost allocation plan and highlight any changes made within the past year.

Review staff will test cost allocation plans while on-site by studying labor distribution records, payroll payments and expense payments (such as rent, utility, telephone, equipment, facility maintenance, and contract payments).

F-7 Please describe debt collection activities pursued this year.

F-8 Please attach a copy of your debt collection procedure or process.

F-9 Please describe the source and use of any program income earnings for this year. For example, are fee-based services available at the One-Stop centers?

F-10 How is program income tracked to ensure that the income is added to the funds committed and is used prior to drawing additional federal funds? (20 CFR 667.200a5)

F-11 Please describe your cash forecasting system that assures that federal (WIA) cash on hand does not exceed the organization's immediate cash needs.

During the on-site visit, review team members will review source documents used to substantiate cash requests, and will use cash request records to track cash drawdowns and compare them with deposits and expenditure records.

F-12 Please complete the attached separation of duties worksheet.

- F-13** Please provide a copy of your organization's certificate of insurance* or evidence of self-insurance for the following:
- Professional liability resulting from errors, omissions or negligent acts of its officers, employees or agents.
 - Motor vehicle insurance *
 - Property insurance *
 - Workers' Compensation Insurance
 - Bonding coverage for every officer, director, agent, or employee authorized to receive or deposit WIA funds or to issue financial documents, checks or other instruments of payment of program costs.
- * These policies must list the state as an additional insured.
- F-14** Please describe how your organization ensures contractors/subcontractors have evidence of certificate of insurance or self-insurance for the following:
- Professional liability resulting from errors, omissions or negligent acts of its officers, employees or agents.
 - Motor vehicle insurance
 - Property insurance
 - Workers' Compensation Insurance
 - Bonding coverage for every officer, director, agent, or employee authorized to receive or deposit WIA funds or to issue financial documents, checks or other instruments of payment of program costs.
- F-15** Describe how injuries of registered individuals not covered by Workers' Compensation Insurance will be handled if individuals suffer injuries while involved in WIA allowable activities. (Note: WIA does not require insurance coverage for this type of risk.)
- F-16** What non-federal funds would be used if disallowed costs had to be repaid to the federal government?
- F-17** Please provide a copy of the procurement policy. (CCWD Policy 589-10.11)
- F-18** Using the worksheet provided, please list purchases in excess of \$25,000 (including contracts for services) made during the most recent program year.
- F-19** Please provide a copy of the most recent Request for Proposal and contract boilerplate language, and identify the non-discrimination provision.
- F-20** Please provide a copy of the inventory/equipment list for items whose purchase price was \$5,000 or more.
- F-21** Provide a copy of the policy which addresses how management and inventory of all equipment obtained using WIA funds is ensured. (CCWD Policy 589-10.12)

SEPARATION OF DUTIES

Function	Employee Name	Employee Title
1. Accounts for undelivered checks		
2. Approves:		
a) Invoice & vouchers for payment		
b) Journal entries		
c) Personnel actions		
d) Participant registration		
e) Participant intake forms		
f) Participant termination forms		
g) Petty cash replenishment		
h) Petty cash vouchers		
i) Purchase Orders		
j) Vendor invoice payment		
k) Bank reconciliations		
3. Certifies payrolls for:		
a) Accuracy		
b) Authenticity of payee		
c) Correct wage rate		
4. Certifies attendance reports for staff		
5. Certifies attendance reports for registrants		
6. Collects time and attendance reports		
7. Custodian of:		
a) Blank checks		
b) Equipment inventory records		
c) Mechanical check signer		
d) Petty cash fund		
e) Supplies inventory		
f) Undelivered checks		
8. Delivers payroll checks to:		
a) Participants for wages		
b) Staff for salaries		
9. Makes deposits in bank accounts:		
a) Cash		
b) Checks		
10. Opens:		
a) Bank statements		
b) Mail		

Function	Employee Name	Employee Title
11. Posts leave earned and taken to cumulative leave records		
12. Prepares:		
a) Initial payroll authorization for participants		
b) Initial payroll authorization for staff		
c) Monthly trial balances		
d) Personnel actions		
e) Bank reconciliations		
13. Receives cash on-site		
14. Records receipts in books of account (label, e.g. cash receipt journal, etc.)		
15. Records disbursements in books of account (label, e.g. cash disbursement journal, etc.)		
16. Reviews time and attendance reports in payroll section.		
17. Signs:		
a) Checks		
b) Receiving documents		
18. Prepares contracts		
19. Approves contracts		
20. Prepares contract modifications		
21. Approves contract modifications		
22. Data processing:		
a) Fiscal data input		
b) Participant data input		
c) Fiscal data output		
d) Participant data output		
e) Programming fiscal programs		
f) Programming participant programs		
g) Access to terminals for:		
i) Fiscal applications		
ii) Participant applications		
iii) Other (e.g. word processing, etc.)		

PROCUREMENT		
Description of Purchase or Service	Vendor Name	Date/Type* of Procurement

* 1 = Competitive Proposal; 2 = Non-competitive Proposal; 3 = Competitive Sealed Bid

PROGRAM SYSTEMS SECTION

- P-1 How does the local program ensure that the ten required program elements for youth are available in accordance with 20 CFR 664.410?

- P-2 Please demonstrate how achievements of performance measures that do not use wage records are documented:
 - Youth – Placement in Employment or Education outcome in first quarter after exit quarter
 - Youth – Attainment of a Degree or Certificate outcome by end of third quarter after exit quarter
 - Youth – Literacy & Numeracy Gain outcomes

- P-3 Does the program utilize the 5% window? If yes, describe the system used to monitor the percentage of non-income eligible youth enrolled in the youth program, and provide a hard copy report which demonstrates that no more than 5% of the youth enrolled during PY07 were non-income eligible. (20 CFR 664.220)

- P-4 Does the local board identify serious barriers to employment for youth? (20 CFR 664.220 (h)) If so, please provide a copy.
- P-5 How are youth assessed to determine basic skill levels and categories of eligibility? What assessment tool is used? If CASAS is used, please provide a list of certified staff members. (20 CFR 664.205)
- P-6 How does the objective assessment provided to each youth participant meet the requirements at Section 129 and include a review of the academic and occupational skill levels and service needs of each youth? (20 CFR 664.405)
- P-7 Does the program have a supportive services policy or incentive and stipends standards specific to youth? If yes, please provide a copy. (20 CFR 664.440 and Section 129 (c)(2)(G))
- P-8 How does the program document and justify the “exceptional circumstances” when programs not on the ETPL are used? (CCWD Policy 589-30.6 item 5)
- P-9 Please describe the internal file review process including how often reviews are conducted, how many files are sampled, who completes the review, and the scope of the review (i.e., eligibility documentation, assessment, etc.).
- P-10 What process is used if an ineligible registrant/participant is identified? (CCWD policy 589-40.2)
- P-11 Please provide copies of eligibility policies.
- P-12 Please provide copies of supportive services standards relating to gas vouchers or transportation costs and reimbursements.
- P-13 How is the need for intensive services documented in participant files? (20 CFR 663.160)
- P-14 How are the race/ethnicity, sex, age, and disability status of every applicant recorded? [Final Rule of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998, Sec. 37.37 (b)(2); 20 CFR 661.105c].
- P-15 Does each service office prominently display current EO notices and the EO Officer’s name and contact information? (29 CFR 37.26)
- P-16 Is program information available in languages other than English? Please provide samples.
- P-17 How are staff able to effectively communicate with persons with disabilities? Is program information available in alternative formats? Please provide samples. (29 CFR 37.9)
- P-18 Please provide samples of brochures and media communication which demonstrate that applicable EO language (EO employer/program, auxiliary aids/services available), TDD/TTY, and other required information is included. (29 CFR 37.34)

- P-19 Please provide a copy of the EO/ADA complaint process. (29 CFR 37.76)
- P-20 Which staff person maintains the EO/ADA complaint log? (29 CFR 37.37)
- P-21 At what point in the intake process is the “Equal Opportunity is the Law” notice provided to applicants? Please provide a copy. (29 CFR 37.31 (a) (4))
- P-22 Please provide copies of the written procedures for internal staff and contractors that provide guidance on data collection procedures, data transmission procedures, data transmission timelines including deadlines for inputting data after collection, and data documentation procedures to insure the integrity of the MIS and data transmitted to the State.
- P-23 Please provide samples of internal reports reflecting characteristics, services, etc.
- P-24 Please describe the process used to reconcile participant characteristics reports and data validation summary reports with local data as described in CCWD policy 589-50.1 item 4. Please provide copies of completed reconciliation(s).
- P-25 Please provide information that demonstrates safeguards for data such as:
- Written procedures for data security
 - Frequent back-up of data base (how often)
 - Storage of back-up data off site that maintains confidentiality as well as data security.
- P-26 Please provide copies of processes used to ensure that participants who have not received any partner services for 90 days and are not scheduled for future services (except for follow-up services) are terminated from WIA as of the last date of receipt of services?
- P-27 How do program providers ensure that participants employed in programs and activities funded under the Act meet the requirements at Section 181(a)(1)? (20 CFR 667.272)
- P-28 How do program providers ensure that WIA funds are not spent on:
- the wages of incumbent employees during their participation in economic development activities provided through a statewide workforce investment system. (Section 181(b)(1) and 20 CFR 667.264 (a)(1))
- P-29 How do program providers ensure that participants in programs or activities do not:
- displace any currently employed employee (including a partial displacement, such as a reduction in the hours of non-overtime work, wages or employment benefits). (Section 181(b)(2)(A) and 20 CFR 667.270(a))
 - cause impairment of existing contracts for services and existing collective bargaining agreements, unless the employer and the labor organization concur in writing? (Section 181(b)(2)(B) and 20 CFR 667.270(b))

- P-30** How do program providers ensure that a participant in a specified activity shall not be employed in a job if:
- any other employee or individual is on layoff from the same or substantially equivalent job;
 - the employer has terminated the employment of any regular employee or otherwise reduced the workforce with the intention of filling the vacancy with the participant;
 - the job is created in a promotional line that infringes upon the promotional opportunities of currently employed individuals. (Section 181(b)(3) and 20 CFR 667.270 (c))
- P-31** Describe how programs ensure:
- that the health and safety standards and working conditions provided to participants are comparable to those provided to other employees. (Section 181(b)(4) and 20 CFR 667.274 (a))
 - that to the extent that workers' compensation law applies, workers' compensation is provided to participants on the same basis as other individuals in similar employment. (Section 181(b)(4) and 20 CFR 667.274 (b))
- P-32** How do program providers ensure that WIA funds are not used:
- to encourage or induce to relocate a business or part of a business if such relocation would result in a loss of employment at the original location. (Section 181(d)(1) and 20 CFR 667.268)
 - to provide specified services to an employer who has relocated, for at least 120 days after the employer begins operation at the new location, when the relocation resulted in the loss of employment of any employee at the original location. (Section 181(d)(2) and 20 CFR 667.268)
 - for employment generating activities, economic development activities, investment in revolving loan funds, capitalization of businesses, investment in contract bidding resource centers, and similar activities that are not directly related to training for eligible individuals under Title IB. (Section 181(e) and 20 CFR 667.262(a))
- P-33** Do program providers use WIA funds for participant drug testing? If yes, are these funds charged to WIA statewide activities administration? (Section 181(f))
- P-34** How do program providers ensure that participants are not employed in the construction, operation or maintenance of any religious facility? (Section 188(a)(3) and 20 CFR 667.266)
- P-35** How do program providers ensure that funds provided under the Act are used only for activities that are in addition to those that would otherwise be available in the local area in the absence of such funds? (Section 195 (2))
- P-36** How do programs ensure that no person or organization charges an individual a fee for placement in or referral to a workforce investment activity? (Section 195 (5))
- P-37** How do program providers ensure that funds are not used for public service employment? (Section 195 (10) and 20 CFR 667.264 (2))

- P-38 How do program providers ensure that individuals referred to training are:
- assessed as being in need of training services in order to obtain or retain employment and as having the skills and qualifications needed to successfully complete the selected training program?
 - selecting a program of training that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate?
 - unable to obtain grant assistance from other sources to pay the costs of such training including Pell grants or required WIA assistance in addition to other sources of grant assistance?
- P-39 Describe how programs coordinate with Higher Education financial aid programs, including Pell grants and waiver requests when appropriate, so that WIA funds supplement other sources of training grants. (20 CFR 663.320)
- P-40 Do programs provide On-The-Job-Training? If no, please provide information on why OJTs were not provided. If yes, please provide information for P-41 through P-44.
- P-41 How do programs ensure that the following OJT conditions are met?
- Participant wages are at the same rate, including periodic increases, as similarly situated employees or trainees, and not less than the highest of the Federal or State minimum hourly wage.
 - Reimbursement to the employer is for no more than 50% of the participant's regular wages paid over the period of the contract.
 - OJT contracts are not written with an employer who has exhibited a pattern of failing to provide continued long-term employment for participants trained in previous OJTs.
 - OJT contracts are written for eligible employed workers only when the training relates to the introduction of new technologies, new production or service procedures, upgrading skills, workplace literacy, or other appropriate purposes identified by local policy, and when it is determined that the worker is not earning a self-sufficient wage in their current employment.
- P-42 Describe how programs determine the length of the OJT contract and self-sufficient wage for eligible employed workers.
- P-43 Describe the process for the development of job descriptions for OJTs (task analysis, etc.)
- P-44 Describe the process for conducting periodic on-site reviews of OJT agreements to ensure that training is being provided and that reimbursements are justified.