

PROGRAM OVERSIGHT POLICY

Each ONEWORKSOURCE Operator and Youth Program Operator will be monitored for compliance with both WIA programmatic and fiscal requirements on an annual basis. Programmatic reviews will take place no later than March 31st each year.

WIB staff will inform the operator and/or fiscal agent, in writing, and transmit the monitoring tool not less than 10 days prior to the scheduled date. Results of the monitoring will be communicated, in writing, and will include recommendations for correction action, if necessary. The One-Stop Operator and/or fiscal agent will have an opportunity to respond, in writing, to their monitoring report(s). Corrective action plans requested by the WIB will include a reasonable timeframe and date for follow-up. WIB staff will communicate closure to issues successfully resolved.

OVERSIGHT PLAN

I. INTRODUCTION

The Workforce Investment Act (WIA) and the attendant regulations establish the requirements for competent and responsible program management. The Governor maintains the responsibility for oversight of local workforce investment areas (LWIAs). WIA section 184(a) (4) and 20 CFR 667.410(b) states that sub-recipients develop and implement procedures or systems that protect the integrity of WIA funds.

Responsibility for monitoring is shared between the Local Elected Officials and the Workforce Investment Board. The CLEO-WIB Agreement outlines how that shared responsibility is accomplished (July 2004 amendment)

II. PURPOSE

The purpose of the oversight guide is to document the content and the approach of local WIB level activity in the execution of its oversight responsibilities. The context in which the guide is developed is the federal structure of the program, i.e. a combination of national, state and local government responsibilities and parameters in which the programs are implemented. Those provisions not specified or prescribed by a higher tier are presumed to be discretionary for the lower tier.

III. APPROACH

The state will assess the effectiveness of the local implementation of WIA in its adherence to the fundamental program and administrative requirements. The assessment will incorporate a determination of the local system's ability to effectively identify and correct deficiencies.

The assessment will be documented by on-site and desk review procedures, reports, corrective action plans and follow-up reports.

IV. OVERSIGHT PROCESS

The WIB Executive Director has overall responsibility for monitoring under this policy. Kelly Otis, WIB Finance Director will conduct financial reviews; Mary Beth McKee, Director of Program Services, will conduct program reviews; Paul Grasso, Jr., WIB Executive Director will monitor EEO Requirement.

This policy is applicable to all entities required under the regulations that includes:

- The four-counties in the Local Workforce Investment Area
- Other sub-recipient entities (such as Youth Service providers) which are generally responsible for one or more of the following criteria:
 - Eligible to receive program services
 - Has its performance measure against federal and state standards
 - Has responsibility for programmatic decision-making
 - Has responsibility for adherence to applicable federal program compliance requirements
 - Uses federal funds to carry-out a program of the organization as compared to providing goods and services for a program of the pass-through entity.

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Fiscal Monitoring will include:

Internal Controls	Financial Transactions
Cash Management	Property Management
Financial Reporting	A-133 Requirements
Cost Allocation	Cost Allowability
Procurement	

Program Monitoring will include:

Eligibility	Delivery of Service
Quality of Service	* Customer Satisfaction
Services Tracking	* Performance Requirement
On-the-Job Training	EEO Requirements
Grievance Procedures	* MIS Reporting
Data Validation	Subcontractor Monitoring

** These services and overall spending levels are monitored quarterly by desk review of reports and annually with on-site review.*

Performance Reporting:

No less frequently than quarterly, the Director of Program Services will run the series of reports available in OSOS to prepare performance standard reports for each contractor/subrecipient. These will be timed to allow reconciliation with the overall area's report generated by NYS DOL. Wage gain information will not be a part of those individual reports.

In addition to these reports that cover all Adult, Dislocated Worker and Youth Program performance standards, the WIB will receive reports from each contractor/subrecipient concerning any other objectives that have been proposed by the contractor or added by the WIB. Validation of these self-reports will be a part of the on-site data validation.

It is expected that all contractors and sub-recipients will be monitored in three ways each year. # 2 and #3 will appear on the monitoring schedule.

1. *Monthly desk reviews of financial reports and quarterly desk reviews of performance data.*
2. *A fiscal monitoring visit.*
3. *A program monitoring visit.*

A. Pre-On-Site Activities

The following activities will be conducted before the WIB representative visits a Contractor or Program Operator:

1. **Notifying the Contractor** - The Contractor will be notified in writing of the WIB's plan to conduct a review. This notification will include information regarding subject areas to be addressed, components to be reviewed, time frames and a site visitation schedule.
2. **Scheduling the Entrance Conference** - . Entrance Conference To schedule, the WIB representative will:
 - a. Arrange a time for the entrance conference
 - b. Identify documents needed for on-site review
 - c. Assure that appropriate staff will be available
 - d. Schedule the Exit Conference
3. **Performing the Desk Procedures** - WIB representative will:
 - a. Review previous oversight report (Findings, concerns and corrective actions)
 - b. Review follow-up reports
 - c. Review pertinent provisions of law and regulations
 - d. Analyze data
 - e. Review correspondence

B. On-Site Activities

The following activities will be conducted during the WIB representative's visit at a Contractor/Operator:

1. Entrance Conference.

The purpose of the entrance conference is to describe the plans for and the products of the on-site review, and to obtain basic overview information needed to approach and conduct the review. Points to be covered include:

- Components to be reviewed
- Subject matter
- Sites involved
- Final report
- Needed documents
- Staff appointments for interview

2. On-Site Discussions and Document Review.

- Review methodology
- Select samples and document
- Review documents and test systems
- Copy exhibits
- Document work done
- Complete exit form

3. Exit Conference.

After completion of the on-site review, the WIB representative will meet with the Contractor/Operator representative and designated personnel to discuss the exit document. The Contractor/Operator's response will be documented and signed on the exit document. All parties must understand that the findings are preliminary and subject to further review. While some matters may be resolvable during the course of the review or during the exit conference, more difficult or debatable matters may not be. It is the WIB representative's responsibility to exit the site with a thorough understanding of all sides of the issue to allow for further deliberation. The Contractor/Operator may forward additional written communication to the WIB representative stating the Contractor/Operator concerns' or position. If the Contractor/Operator wishes to discuss the matter beyond the content of the written communication such request shall be noted in the written correspondence. After the WIB Executive has had opportunity to review the issue and confer with the reviewing staff, the requested call will be placed and the matter discussed further. The purpose of the call will be to give the Contractor/Operator further opportunity to elaborate or clarify its position on the matter.

C. Post On-Site Activities

1. Report Development and Distribution. Report Development and Distribution

At the conclusion of the on-site visit, the WIB representative will review work papers, exhibits, and related materials. The WIB representative will develop an oversight report which includes the Contractor/Operator's responses.

The report will be transmitted by memorandum to the WIB Chair, Contractor/Operator representative and NYS DOL Program Representatives with the date by which the corrective action plan, if necessary, is to be submitted to the Regional WIB representative (see corrective action and close-out).

2. Corrective Action and Close-Out.

Deficiencies and recommendations will be identified in the oversight report. The remedying of deficiencies by the Contractor/Operator is accomplished through the corrective action process that begins with the Corrective Action Plan (CAP).

The specific objectives to be accomplished in developing corrective actions are (1) to improve the capability of the Contractor/Operator's system to fully respond to established WIA requirements, and (2) to correct specified problems that hinder successful performance.

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There are several steps to successfully accomplishing a corrective action plan. One must identify specific actions required to fully correct the causes of each problem. Each action should be sequenced in a logical order that supports their completion in a timely and effective manner, with staff assigned responsibility for completion of each action. Each action should be given a specific time frame for completion and a time assigned for follow-up to determine if all actions have been completed and the desired results achieved.

The CAP shall be submitted to the Regional WIB office by the due date as indicated on the report transmittal memorandum.

The Director of Program Services will review the corrective action plan and note the actions to be taken, the completion dates and the person responsible for completing the action. A memorandum will be transmitted indicating approval or disapproval of the CAP. If the CAP is approved, the Contractor/Operator will be instructed to proceed with the corrective action. If the CAP is not approved the Director of Program Services will communicate to the Contractor/Operator the areas needing further development for approval. Each CAP or resubmission will contain required due dates for completion. These due dates are necessary to ensure that problems identified are corrected in a timely fashion to minimize any negative program impacts of potentially disallowed costs. The approved CAP will also be transmitted to the chairperson of the Regional WIB.

It is possible that corrective measures may not be identifiable until other resources are brought to bear on the issue. In such cases, the CAP will identify the steps, actions and time frames that are preliminary to final corrective action. The WIB representative will follow up on the implementation of the action steps included in the time line, no later than 30 days from the target dates.

Once these steps have been completed, the Director of Program Services will "close-out" the oversight report and no further action will be necessary.

If the above actions have not been completed, the Contractor/Operator must disclose to the Regional WIB representative what actions are being taken to bring this matter to closure. A technical assistance update report should be developed with the Contractor/Operator's response and filed for the next on-site visit.

D. Sanction

If corrective actions are not undertaken:

1. The Chief Local Elected Officials and WIB Chair will receive written notification of the failure.
2. If at least 25% of the contract funding is yet unexpended, the contract will be reduced by at least 10% of its original amount, according to the notice provisions of the contract.
3. The WIB will impose a Final Corrective Action Plan with very specific benchmarks and deadlines.
4. If those Final deadlines are not met, WIB and CLEO acting together can cancel the contract.

E. Records

All records supporting these monitoring reports, either source documents that are held by the contractor, or reports and work papers supporting them, will be retained for no less than six years after submission of the final expenditure reports or final voucher by the contractor.

If the contractor can not or will not retain the records, the WIB will accept them into its storage.