

## Technical Assistance Guidance

**TAG-03-2016**

Issued Date: May 4, 2016

Subject: WC Administrative Policies Revisions  
Operating guidance set forth by the enactment of the Workforce Innovation and Opportunity Act (WIOA) and its associated regulations.

### **Purpose**

The purpose of this Technical Assistance Guidance (TAG) is to inform the local workforce development system of the Local Workforce Development Board (LWDB)/Workforce Connections' plan to issue operating guidance on the continued implementation of the WIOA and to continue to provide technical assistance.

### **Background**

WIOA was signed into law on July 22, 2014. WIOA is landmark legislation designed to strengthen and improve our nation's public workforce system and help put Americans back to work. WIOA makes it easier for the public workforce system to help jobseekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. The new legislative provisions enhance program coordination, streamline service delivery, and increase flexibility for governance, at the same time align programs across common goals and increase accountability and transparency. WIOA provisions also emphasize quality training that leads to credentials, regional planning and service coordination, and implementation of targeted sector-based strategies and career pathways.

### **References**

- ❑ [PL 113-128 - WIOA]
- ❑ [20 CFR Past 676, 677, 678]
- ❑ [20 CFR Part 680]; [20 CFR Part 681]; [20 CFR Part 683]
- ❑ [2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements]
- ❑ TEGL No. 3-15
- ❑ TEGL No. 23-14
- ❑ TEGL No. 31-14
- ❑ TEGL No. 38-14
- ❑ State TAG 15-3

Workforce Connections (WC) is currently reviewing/updating established policies/guidelines. In order to facilitate implementation of revised/updated policies WC will publish a series of operational guidance in the form of TAGs. These TAGs are the vehicle that WC normally uses for communicating policy changes to the workforce development system.

Technical Assistance:

Technical Assistance (TA) and training may be requested by sub-recipients.

**Recently revised/updated policies:**

**These policies can now be found at:** <http://nvworkforceconnections.org/>

- Admin-010-01 WIOA Administrative Standards
- Admin-010-02 Sanctions and Resolutions for Non-Compliance
- Admin-010-03 Compliance Assurance Reviews
- Admin-010-04 Record Retention
- Admin-010-05 Award and Recognition Program
- Admin-010-07 Sub-award Closeout
- Admin-010-08 Procurement Protest Standards
- Admin-010-09 Audit Process

**Admin-010-01 WIOA Administrative Standards**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The changes consist of: Revised policy in its entirety; Revision of compliance requirements; and inclusion of new provisions and citations consistent with the new law. Administered at the Federal Level by the Employment and Training Administration (ETA) in the Department of Labor (DOL), WIOA is the largest single source of Federal funding for Workforce development activities. WIOA seeks to strengthen and improve the workforce development system by providing job seekers with access to employment, education, training, and support services to succeed in the labor market. WIOA and its associated regulations establishes a governance and operations infrastructure, and sets performance and accountability standards to ensure compliance for all WIOA Title I funded programs.

**Admin-010-02 Sanctions and Resolutions for Non-Compliance**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The changes consist of: Revised policy in its entirety; Revision of compliance requirements; and inclusion of new provisions and citations consistent with the new law. The Workforce Innovation and Opportunity Act (WIOA) mandates the necessity to monitor recipients and sub-recipients of all grants awarded and funds expended under WIOA Title I to determine compliance with the WIOA, statutes, established regulations, State, and local guidelines. Consistent with this, the Act identifies core indicators of performance, allowable use of funds, allowable activities, and reporting requirements that must be met by State and Local Workforce Development Boards (LWDB) administering WIOA Title I funds. In general, recipients and sub-recipients of a Federal award under Title I of WIOA must follow the uniform guidance codified at Title 2 CFR parts 200, 215, 225, 230 and appendices I through XI, including any exceptions identified by the Department of Labor (DOL) codified at 2 CFR Part 2900.

**Admin-010-03 Compliance Assurance Reviews**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The changes consist of: Revised policy in its entirety/inclusion of “Appeals” procedure (new); revision of compliance requirements; and Inclusion of new provisions and citations consistent with the new law. Consistent with the requirements established by Federal statutes the Local Workforce Development Board (LWDB), WC is responsible for oversight and monitoring of the operation of Federal award-supported activities. WC must monitor its activities under Federal awards to assure compliance with applicable Federal requirements. Title I of the Workforce Innovation and Opportunity Act (WIOA) mandates the necessity to conduct oversight of adult, dislocated worker and youth workforce development activities authorized under sections 129 and 134 of

WIOA respectively, and the one-stop delivery system in the local area. The law further mandates the necessity to monitor and evaluate recipients/sub-recipients to ensure that awarded funds are used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of sub-award agreements under Title I of WIOA

#### **Admin-010-04 Record Retention**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The changes consist of: Revised policy in its entirety; Revision of compliance requirements; and inclusion of new provisions and citations consistent with the new law. By law, all local workforce development areas and sub-recipients are required to maintain and retain records of all **programmatic, fiscal and administrative** activities funded in whole or in part under Title I of WIOA.

#### **Admin-010-05 Award and Recognition Program**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The revisions/updates consist of: Revised policy in its entirety (formatting); Revision of compliance requirements; and Inclusion of new background to reflect alignment with Local Workforce Development Board (LWDB) "Four-Year Local Plan" WC's "Four-Year Local Plan" addresses the commitment of the Local Workforce Development Board (LWDB) to support a comprehensive workforce development system striving for continuous improvement, system integration and performance excellence in serving job seekers and employers within the Southern Nevada Workforce Development Area (SNWDA). The plan represents WC's vision, goals, objectives, and strategies for the local workforce development system. The plan identifies specific strategies that address specific workforce and economic development needs and is consistent with the Governor's Unified State Plan.

#### **Admin-010-07 Sub-award Closeout**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The changes consist of: Revised policy in its entirety; Revision of compliance requirements; and inclusion of new provisions and citations consistent with the new law. Recipients and sub-recipients of DOL grant awards are responsible for developing closeout procedures that will be used to close out their sub-awards and contract agreements and adequately account for the financial activities related to any Federal or State awards. Closeout procedures must provide directions to effectively close out grants/contracts and ensure that financial accounting and reconciliation of Federal funds is accomplished. The objective of the financial reconciliation/closeout is to achieve the status where, allowable reported costs and payments are equal.

#### **Admin-010-08 Procurement Protest Standards**

Provide guidance and set forth guidelines and procedures that govern the treatment, handling and resolution of protests in connection with WC procurement actions. This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. Pursuant to established Federal and State statutes and regulations WC must conduct procurement consistent with the principles of competitive procurement standards codified at Title 2 of the Code of Federal Regulations Chapter II parts 200 and 2900. WC must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurement actions. These issues include, but are not limited to, source evaluation, protests, disputes, and claims.

WC's policy is to ensure that contracts are awarded only to responsible contractors or sub-recipients possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as integrity, compliance with public policy, record of past performance, and administrative and financial capacity.

### **Admin-010-09 Audit Process**

Provide guidance and set forth the standards with respect to audit requirements, audit resolution, and debt collection. This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations. The revisions/updates consist of: Revised policy in its entirety (formatting); Revision of compliance requirements; and Inclusion of new provisions and citations consistent with the new law. Audit Requirements are a key component of a larger Federal effort to more effectively focus Federal resources on improving performance and outcomes while ensuring the financial integrity of Federal funds. The final guidance right-sizes the footprint of oversight and single audit requirements to strengthen oversight and focus audits where there is a greatest risk of waste, fraud, and abuse of Federal funds. The final guidance further improves transparency and accountability by encouraging recipients of Federal funds to take a more cooperative approach to audit resolution processes in order to more conclusively resolve underlying weaknesses in internal control systems and in order to reduce repeated audit findings. The new guidance plays an important role in fostering the integrity of the financial management of Federal funds and strengthens requirements for internal controls.

WC will soon issue additional guidance that covers services delivery related policies for the one-stop delivery system.

Action: Please provide TA as necessary, needed or requested.