TN Department of
Labor & Workforce
Development

Workforce Services WIOA Guidance - Local Workforce Development Board Monitoring Activities

Effective Date: March 20, 2018
Duration: Indefinite

Subject:
Local Workforce Development Board monitoring requirements under the Workforce Innovation and Opportunity Act.

Purpose:
This guidance is provided to supplement the monitoring requirements outlined in the 2018 WIOA Monitoring Guide. This guidance also outlines Local Workforce Development Board monitoring requirements.

Scope:
Office of the Governor, Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee Department of Education (TNED); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Title I – Adult, Dislocated Worker, and Youth Programs, Title II – Adult Education and Family Literacy Act Program(AE); Title III – Wagner-Peyser Act Program (WP); Title IV – Vocational Rehabilitation Program (VR); Regional Planning Council (RPC); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); American Job Center (AJC); One-Stop Operator (OSO); Workforce System Sub-Recipients (Sub-Recipients); Workforce System Partners (Partners)

I.   Monitoring
Monitoring is an activity performed at both the Local Workforce Development Area (LWDA) and state levels. At the LWDA level, monitoring must be conducted by the Local Workforce Development Board (LWDB) or its direct staff. At the state level, monitoring is conducted by the Program Accountability Review (PAR) and Compliance and Policy Units of the Tennessee Department of Labor and Workforce Development (TDLWD).

Workforce Innovation and Opportunity Act (WIOA) Section 185(c) states:

Each State, each local board, and each recipient (other than a subrecipient, subgrantee, or contractor of a recipient) receiving funds under this title-
(1) shall make readily accessible such reports concerning its operations and expenditures as shall be prescribed by the Secretary;
(2) shall prescribe and maintain comparable management information systems, in accordance with guidelines that shall be prescribed by the Secretary, designed to facilitate the uniform compilation, cross tabulation, and analysis of programmatic, participant, and financial data, on statewide, local area, and

other appropriate bases, necessary for reporting, monitoring, and evaluating purposes, including data
necessary to comply with section 188;
(3) shall monitor the performance of providers in complying with the terms of grants, contracts, or other
agreements made pursuant to this title; and
(4) shall, to the extent practicable, submit or make available (including through electronic means) any
reports, records, plans, or any other data that are required to be submitted or made available,
respectively, under this title.

The points listed below clarify the WIOA reference above. For example, sub-point 'A' below corresponds with the criteria of '(1)' from the law reference above.

A) Reports:
LWDBs are required to generate, maintain, and submit proper reports relating to expenditures. Fiscal reports are due by close of business on the 25th day of the month following the data collection period. For example, a report for May 2017 is due by close of business on June 25th, 2017. These reports must demonstrate that the balance matches the cumulative expenditures.

B) Management of Information System/Duties and Controls:
LWDBs must have a system in place to monitor and validate the data reporting within the American Job Center (AJC) system. AJC providers must utilize Jobs4TN.gov to ensure that participant data is maintained and entered timely in regards to the closing of services/activities in participant files, participant exits from programs, and follow-ups after exit if applicable to the program.

Local policies and procedures, based on both federal and state policies, must be implemented by LWDBs to ensure compliant administration of WIOA funds and activities at the local level.

C) Monitoring of Local Contracts:
The LWDB is required to have a formal system in place for the monitoring of contracts - performed by the LWDB or their direct staff - to ensure compliance regarding deliverables, performance, allowable expenditures, efficiency and effectiveness, and overall allowable activities. Oversight of contracts includes reviewing the performance of the One-Stop Operators (OSO), service providers, employers (e.g. On-the-Job Training, Incumbent Worker Training, etc.).

D) Transparency:
All reports - requested by, and submitted to, TDLWD - must be submitted by the LWDBs. It is the responsibility of LWDBs to ensure local management systems are in place with partners, contractors, and providers to allow for proper, timely, and accurate submissions of the required reports and information.
LWDBs are required to provide all data, documents, and reports related to the administration of WIOA (including other contractual expenditures) to the grantee (TDLWD) upon request and in a timely manner.

II.   Quality Control
Quality control is an on-going activity focused on continuous improvement, efficiency, and effectiveness, and adherence to policy and procedure.

A.   One-Stop Operator:

The OSO is the primary entity performing quality control; responsibilities of the OSO include but are not limited to:

- Reviewing the Memorandum of Understanding, specifically to ensure WIOA compliance and that all parties have a mutual understanding of their roles within the One-Stop system;
- Encouraging continuous improvement in the AJCs, such as increasing enrollment and amending business hours to meet customer needs;
- Reviewing eligibility determinations of program participants to ensure that individuals enrolled are receiving the provided services; and
- Ensuring access to services.

These quality control activities differ from the monitoring conducted by the TDLWD because they provide early, proactive intervention opportunities to avoid noncompliance findings during annual reviews. These day-to-day quality control activities provide context to engage in training activities and form stronger working relationships between the TDLWD and One-Stop Operators.

III. Effect of Monitoring and Quality Control on Fiscal Operations:
A. Effect of Quality Control on Fiscal Operations:

Regular quality control performed at the local level, and within the AJCs, can help alleviate problems with disallowed costs. For example, if funds are regularly analyzed then issues arising from disallowed costs can be resolved before they compile and become unmanageable. Another example where quality control is important is tracking the forty percent (40%) minimum participant cost rate and eighty percent (80%) program allotment rate. Regular oversight, or quality control, will ensure that the LWDA remains on track to achieve these measures. Both instances represent a proactive approach to program management.

Regular oversight of program and administrative expenses by the OSO will ensure that the daily operations of the program are functioning properly. Although the Workforce Services program staff conducts regular quality control reviews this is not to be confused with the annual review performed by PAR; PAR is responsible for formal oversight, which is considered a monitoring function.

B. Effect of Monitoring on Fiscal Operations:

As mentioned above, monitoring is conducted annually by the PAR unit. These reviews are intended to analyze the overall program effectiveness by reviewing documentation and results. Data doesn't tell the whole story, so monitoring is intended to assess the successes or failures of a program rather than provide preventative maintenance. In essence, monitoring is intended to inform future decisions on altering or strengthening a program.

References:
WIOA Section 107(d)(8), WIOA Section 185(c)

Contact:
For any questions related to this policy, please contact the Program Integrity Unit at
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Revised: February 4, 2020